LeRoy City Council

Special Meeting Minutes

July 19th, 2021

Mayor Christine Williams called the meeting to order followed by the Pledge of Allegiance at 6:00 PM at City Hall.

Council Members present: Tim Harvey, Terry Tyler, David Houston, Jeff Brite

Employees present: Nikki Houston, Aaron Copeland, Rustin Kimmell, Daniel Frazier

Visitors present: Kyle & Christian Hull, Tom Belinski, Charlie Patterson, Julie Patterson, Macie Patterson, Chanda Acklin, Tre Copeland, Janelle Wilson, Eddie Skaggs, Lauren Hull.

Jeff Brite moved and David Houston seconded to approve the July 19th, 2021 agenda with the addition of a 15-minute executive session. Motion carried 4-0.

Terry Tyler moved and Houston seconded to approve Kyle Hull’s resignation. Motion carried 4-0.

Tyler moved and Tim Harvey seconded to appoint Jerry Tiemeyer to the vacant council seat for the remainder of the term. Motion carried 4-0.

Eddie Skaggs, Tre Copeland, Chanda Acklin, Charlie Patterson, Julie Patterson, and Lauren Hull provided statements to the Council regarding a June 12, 2021 dog fight between Mr. Copeland/Ms. Acklin’s dog and Patterson’s dog. That fight resulted in the veterinarian putting Mr. Copeland and Ms. Acklin’s dog to sleep because of its injuries. Mr. Skaggs stated that he saw the Patterson’s dog in Mr. Copeland’s and Ms. Acklin’s yard attacking the Copeland/Acklin dog. Mr. Skaggs said he attempted to break up the fight by kicking Patterson’s dog off the Copeland/Acklin’s dog but that he was unsuccessful. He said he eventually separated the Patterson’s dog from the Copeland/Acklin dog by using an electric cattle prong to shock the Patterson’s dog. Mr. Skaggs indicated the Patterson’s dog had a history of being aggressive. Mr. Copeland and Ms. Acklin described the injuries their dog sustained from Patterson’s dog. Ms. Acklin identified a veterinary report, including photographs of their injured dog. Ms. Acklin also identified a string of Facebook posts regarding the history of the Patterson’s dog escaping from its pen and being aggressive toward other dogs. The Facebook post included Patterson’s acknowledgment that their dog was a “bully” at times. Mr. Patterson stated that his dog had injured the Copeland/Acklin dog and that he had reimbursed the Copeland/Acklin for their vet bill. Mrs. Patterson indicated that their dog had previously killed chickens but had not killed other animals. Both Mr. Patterson and Mrs. Patterson stated they thought the Copeland/Acklin dog was the aggressor, notwithstanding that the dog fight occurred in the Copeland/Acklin yard. Mr. Patterson indicated he received a summons to municipal court for, among other things, his dog running at large and causing a nuisance. Mrs. Hull stated that Patterson’s dog had a history of escaping from its pen and running loose, was aggressive to other dogs, and caused her to fear for her and her family’s safety, including the safety of her 6-month-old baby.

At 6:45 P.M. Tyler moved to recess into a 15-minute executive session with the Mayor and City Council for consultation with the city’s attorney, deemed privileged in the attorney-client relationship; pursuant to K.S.A. 75-4319 (b), The open meeting would resume in the city council chamber at 7:00 P.M. Houston seconded. Motion carried 4-0. Open meeting resumed at 7:00 P.M. Tyler then moved to recess into a 5-minute executive session with the Mayor and City Council for consultation with the city’s attorney, deemed privileged in the attorney-client relationship; pursuant to K.S.A. 75-4319 (b), The open meeting would resume in the city council chamber at 7:07 P.M. Brite seconded. Motion carried 4-0. Upon returning to open session Houston asked Charlie and Julie Patterson as a courtesy to the city council if they would remove their dog from the city limits. Patterson’s denied the council’s request. Houston then moved to adopt Resolution 2021-5, a resolution determining that the dog located at 225 S. Main St., LeRoy, KS is a nuisance and a menace and dangerous to the health of inhabitants of the city or of any neighborhood, family, or resident of the city, Tyler seconded. Motion carried 4-0. Following the adopting of Resolution 2021-5, Mayor Williams signed the Order to Abate Nuisance; she then requested Chief Frazier to serve the order in which he declined. Patterson’s refused to accept via personal service, so it was deemed to send certified mail, return receipt requested by the City Clerk.

At 7:19 P.M. Brite moved to recess into a 10-minute executive session with the Mayor and City Council for consultation with the city’s attorney, deemed privileged in the attorney-client relationship; pursuant to K.S.A. 75-4319 (b), The open meeting would resume in the city council chamber at 7:29 P.M. Houston seconded. Motion carried 4-0. Meeting resumed at 7:29 P.M. with no action taken.

Houston moved and Brite seconded to adjourn. Motion carried 4-0.