

ADMINISTRATIVE APPEALS REVIEW BOARD MINUTES

November 29, 2016 – 4:00 p.m.
City Hall – Room 128

Members Present: Mayor Dan Devine, Ald. Michael Czaplewski, Jamie Vallejo

1. Mayor Devine called the meeting to order at 4:00 p.m.
2. Attendance of members present was noted.
3. Ald. Czaplewski moved that the minutes of the May 16, 2016 meeting be approved, seconded by Jamie Vallejo. The motion carried, 3-0.
4. Appeal of Tim Sturmberg of 11200 W. Cleveland Ave., B8 regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department and Police Department presented the City's case.

The appellant, Tim Sturmberg, presented his case and described the incident as isolated and instinctive.

Dawn Fernandez, owner of a rabbit, said the dogs should have been leashed.

Discussion ensued.

Ald. Czaplewski moved to remove the dangerous dog designation, seconded by Jamie Vallejo. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

5. Appeal of Sandra Hayes of 2233 S. 67 Pl. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department and Police Department presented the City's case regarding quarantine and the dog bite.

The appellant, Sandra Hayes, presented her case and described the bite incident, the fenced backyard, and the signage.

Discussion ensued regarding the severity of the incident, the quarantine at MADACC, the commotion, and no other incidents.

Jamie Vallejo moved to remove the dangerous dog designation, seconded by Ald. Czaplewski. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

6. Appeal of Jessica Hubrich – incident address of 1135 S. 75 St. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department and Police Department presented the City's case.

The appellant, Jessica Hubrich, presented her case and described the incident, the fenced yard, and that the family moved.

Ald. Czaplewski moved to remove the dangerous dog designation, seconded by Jamie Vallejo. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

7. Appeal of Eric Inman of 1728 S. 69 St. and Chris Howard of 1730 S. 69 St. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department and Police Department presented the City's case.

The appellants, Eric Inman and Chris Howard, presented their case and described the incident including the fenced yard, and commented on the encounter with the children in the alley.

Ms. Moore addressed her concern regarding shots.

Discussion ensued regarding the gate, no other incidents, and reaction by others.

Jamie Vallejo moved to remove the dangerous dog designations, seconded by Ald. Czaplewski. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

8. Appeal of Russel Swan of 1962 S. 59 St. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department and Police Department presented the City's case regarding the dog on dog contact.

The appellant, Russel Swan, presented his case and described the incident. He presented a letter from the vet, and said his dog attends training.

Mr. Feest said his dog was on a leash, and Mr. Swan's dog knocked him over and shook his Chihuahua resulting in surgery. He said he cannot walk his dogs anymore since he believes it is unsafe with larger dogs on the loose.

Discussion ensued. Mayor Devine said that the dog should be leashed and under control. Ms. Vallejo addressed securing the yard.

Jamie Vallejo moved to remove the dangerous dog designation, seconded by Ald. Czaplewski. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

9. Appeal of Michael Schnitzler of 7230 W. Kinnickinnic River Pkwy regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department and Police Department presented the City's case regarding the dog on dog contact.

The appellant, Michael Schnitzler, presented his case and described the incident. He said his dog had just been bathed, the dog is not aggressive and participates in dog walks.

Judy Merkovich said the dog barks, but has not seen the dog loose before. She said the medical bills are being reimbursed, and she now takes a different path.

Ald. Czaplewski moved to remove the dangerous dog designation, seconded by Jamie Vallejo. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

10. Appeal of Matthew Sommer of 1976 S. 80 St. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department presented the City's case.

The appellant, Matthew Sommer, presented his case and described the incident as an accident after the dog was bumped by the girl.

Jesse Miller said he was concerned about shots being current, and that the dog is not mean and owner is responsible.

Ald. Czaplewski moved to remove the dangerous dog designation, seconded by Jamie Vallejo. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

11. Appeal of Sarah Becker of 9631 W. Hayes Pl. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department presented the City's case.

The appellant, Sarah Becker, presented her case and described the incident as playing, that her dog is not dangerous, and that the children are friends. She said steps have been taken to include signs and newly latched screen doors.

Matt Christensen commented on his daughter being bit, and that the dog has gotten out before. He said the dog needs to get under control, and requested the Dangerous Dog Order be upheld. Crystal Christensen said she is nervous for her children playing around there.

Discussion ensued. Ald. Czaplewski said the dog is dangerous from multiple incidents and more than one bite. The dangerous dog requirements and training would need to be met except for muzzling and insurance.

Ald. Czaplewski moved to maintain the dangerous dog designation, seconded by Jamie Vallejo. The motion carried, 3-0. If there are no incidents within two years, the owner may petition for lifting the dangerous dog designation.

City Clerk Schultz will mail the Board's determination to the appellant.

12. Appeal of Maria Reyna-Maynez of 7327 W. Walker St. regarding Dangerous Dog Order.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department presented the City's case.

The appellant, Maria Reyna-Maynez, presented her case and described the incident. She said she works at the Humane Society, the dog was recently neutered, and had been walked by someone else. She said steps have been taken including a gate.

Ald. Czaplewski moved to remove the dangerous dog designation, seconded by Jamie Vallejo. The motion carried, 3-0.

City Clerk Schultz will mail the Board's determination to the appellant.

13. Ald. Czaplewski moved to adjourn the AARB meeting at 6:00 p.m., seconded by Jamie Vallejo. The motion carried.

Respectfully submitted,

Monica Schultz
City Clerk