



City of West Allis

Meeting Minutes

Administrative Appeals Review Board

Monday, June 26, 2017

4:00 PM

City Hall, Room 128

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Chair Devine at 4:00 p.m.

B. ROLL CALL

Present 2 - Mayor Dan Devine, and Wayne Clark

Excused 1 - Ms. Jamie Vallejo

C. APPROVAL OF MINUTES

1. [17-00068](#) Approval of Meeting Minutes - November 29, 2016

A motion was made by Ald. Czaplewski, seconded by Mr. Clark, that this matter be Approved. The motion carried unanimously.

D. NEW AND PREVIOUS MATTERS

2. [17-00062](#) Dangerous Dog Order for Appeal of Sabrina Brzycki of 807 S. 58 St.

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

The appellant, Sabrina Brzycki, presented her case and described the incident. She said that her dog is not dangerous and was responding in a protective manner when the police entered.

Officer Lane Olson described the incident, and said the dog was protective, but not dangerous. The subsequent dog bite protocol was followed.

A motion was made by Ald. Czaplewski, seconded by Mayor Devine, to rescind the dangerous dog designation. The motion carried by the following vote, and Ms. Schultz will mail the Board's determination to the appellant:

Aye: 3 - Mayor Devine, Czaplewski, and Clark

No: 0

3. [17-00063](#) Dangerous Dog Order for Appeal of Amy Frohwirth Horgan of 2051 S. 94 St.

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

The appellant, Amy Frohwirth Horgan, described her dog's general behavior. She said that the alleged bite victim antagonized them, and that she held the leash tight and had originally planned to cross the street. She said that her dog did not bite, and her family is moving.

John Artrip, the effected individual, said that Ms. Horgan's story was untrue, and that her dog bit him.

Discussion ensued regarding the lack of severity of the incident, and the existing interpersonal conflict.

A motion was made by Mr. Clark, seconded by Ald. Czaplewski, to rescind the dangerous dog designation. The motion carried by the following vote, and Ms. Schultz will mail the Board's determination to the appellant:

Aye: 3 - Mayor Devine, Czaplewski, and Clark

No: 0

4. [17-00064](#) Dangerous Dog Order for Appeal of Charlene Glassman of 2136 S. 85 St.

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

The appellant, Charlene Glassman, presented her case and described the incident with her two dogs at Pet World, and said she did not immediately view the occurrence.

Dean Stefanczyk described the incident and bite occurrence. He did not think the dog was dangerous, but it was nervous. He requested that Ms. Glassman be cognizant of the situation when she has her dogs with her.

A motion was made by Mr. Clark, seconded by Ald. Czaplewski, to rescind the dangerous dog designation. The motion carried by the following vote, and Ms. Schultz will mail the Board's determination to the appellant:

Aye: 3 - Mayor Devine, Czaplewski, and Clark

No: 0

5. [17-00065](#) Dangerous Dog Order for Appeal of Sean and Julie McQuestion of 10421 W. Schlinger Ave.

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

The appellants, Sean and Julie McQuestion, presented their case and described the incident and their dog. They have since moved the mailbox and added signage.

A motion was made by Mr. Clark, seconded by Ald. Czaplewski, to rescind the dangerous dog designation. The motion carried by the following vote, and Ms. Schultz will mail the Board's determination to the appellant:

Aye: 3 - Mayor Devine, Czaplewski, and Clark

No: 0

6. [17-00066](#) Dangerous Dog Order for Appeal of Patricia Goehring of 2177 S. 107 St.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department presented the City's case regarding quarantine and the rabies vaccination, and that there was no report for a previous bite.

The appellant, Patricia Goehring, presented her case and described the incident while she was mowing her grass, but she did not witness the bite take place.

Discussion ensued. Ald. Czaplewski asked about the length of the leash, which has since been fixed. Mr. Clark commented on the photographs of the injury, and about the number of complaints against her dog. Ms. Goehring said there were no other bite wounds, and her dog was kicked in the past.

Ald. Czaplewski commented on the dog's defensive behavior, to make certain the leash is short, and that no additional bites occur.

A motion was made by Ald. Czaplewski, seconded by Mr. Clark, to rescind the dangerous dog designation. The motion carried by the following vote, and Ms. Schultz will mail the Board's determination to the appellant:

Aye: 3 - Mayor Devine, Czaplewski, and Clark

No: 0

7. [17-00067](#) Dangerous Dog Order for Appeal of Wayne Misurek of 2152 S. 97 St.

City Clerk Schultz announced the case, and all witnesses providing testimony were sworn in. The West Allis Health Department presented the City's case regarding the rabies vaccination and no other reported incidents.

The appellant, Wayne Misurek, presented his case and described the incident. He said he did not notice that his dog got out when the bite occurred.

Denise Elton described the attack on her dog and getting bit. She addressed her concerns regarding other incidents, current rabies vaccination, the safety of the children in the neighborhood, her small dog's safety, and the behavior of Mr. Misurek's dog.

Discussion ensued. Ald. Czaplewski asked about injuries sustained, barking, leashing, and the fence. Mr. Clark addressed his concerns regarding the bite victim and potential for a devastating outcome, and that this is a serious matter. Wayne Misurek indicated that his dog may have an issue with the small size of Ms. Elton's dog. Ms. Nusslock inquired about crate training, the bark collar, and the dog's aggressiveness. Mayor Devine mentioned that a dog loses its ability to protect if muzzled.

A motion was made by Mr. Clark, seconded by Ald. Czaplewski, to uphold the dangerous dog designation, and waive the liability insurance. Mr. Misurek may petition the Board for removal of the dangerous dog designation if no other incidents occur within two years. The motion carried by the following vote, and Ms. Schultz will mail the Board's determination to the appellant:

Aye: 3 - Mayor Devine, Czaplewski, and Clark

No: 0

E. ADJOURNMENT

Wayne Clark moved to adjourn the AARB meeting at 5:05 p.m., seconded by Ald. Czaplewski. The motion carried.



All meetings of the {bdName} are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

NON-DISCRIMINATION STATEMENT

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

LIMITED ENGLISH PROFICIENCY STATEMENT

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.