



City of West Allis

Meeting Agenda

Administrative Appeals Review Board

Tuesday, July 13, 2021

4:05 PM

City Hall, Art Gallery
7525 W. Greenfield Ave.

REGULAR MEETING

A. CALL TO ORDER

B. APPROVAL OF MINUTES

1. [21-0277](#) Minutes (draft) of the March 25, 2021 Administrative Appeals Review Board meeting

C. MATTERS FOR DISCUSSION/ACTION

2. [21-0232](#) Appeal of Dangerous Dog Order by Dennis & Jennell Sielaff, 1428 S. 87th St
3. [21-0255](#) Appeal of Dangerous Dog Order by Christine M. Wilford, 2044 S. 96th St

The Board may deliberate in closed session on matters 21-0232 and 21-0255, pursuant to Wis. Stat. 19.85(1)(a) (Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or Hearing before that governmental body)

D. ADJOURNMENT



All meetings of the Administrative Appeals Review Board 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.

NOTICE OF POSSIBLE QUORUM

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

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.



City of West Allis

Meeting Minutes

Administrative Appeals Review Board

Thursday, March 25, 2021

4:00 PM

City Hall, Art Gallery
7525 W. Greenfield Ave.

(draft minutes)

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 4:00 pm.

B. ROLL CALL

Present 3 - Mayor Dan Devine, Wayne Clark, and Martin J. Weigel

Others Present: Edwin Ordonoz, Kourtney Wojdyla, Nicholas Cerwin, Assistant City Attorney, Ann Marie Neff, Staff Support.

C. APPROVAL OF MINUTES

1. [21-0111](#) Administrative Appeals Review Board Approval of Meeting Minutes - September 14, 2020
A motion was made by Clark, seconded by Weigel, that this matter be Approved. The motion carried unanimously.

D. HEARINGS

2. [21-0110](#) Appeal of Dangerous Dog Order by Edwin Ordonoz, 910 S. 88 St.
A motion was made by Clark, seconded by Devine, to uphold the Dangerous Dog Order for Zeus. If there are no incidents for one (1) year the Dangerous Dog designation may be lifted upon receiving a request from the pet's owner. The Clerk's Office will mail the Board's determination to the appellant. The motion carried unanimously.

The Board may deliberate in closed session on matter 21-0110 pursuant to Wis. Stat. 19.85(1)(a) (Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body)

E. ADJOURNMENT

A motion was made by Weigel, seconded by Clark, that the meeting adjourn at 4:59 p.m. The motion carried unanimously.



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.

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May 20th, 2021

RE: Dangerous Dog Order

Owner's Name(s): Dennis and Jennell Sielaff

Dog's Name: Bernie

Address: 1428 S. 87th St.

RECEIVED
MAY 25 2021
CITY OF WEST ALLIS
CITY CLERK

To whom it may concern:

We are writing today to contest the dangerous dog order that was placed on our dog, Bernie, from the incident that occurred on Saturday, April 24th, 2021 at our residence (see address above).

What occurred on Saturday, April 24th was purely an accident. Dennis had just arrived home on the motorcycle and closed our front gate behind him, or so we thought. The gate did not latch entirely, which we weren't aware of, until we noticed Bernie running out of our fenced in backyard and into the front yard. Bernie had run after a dog walking with his owner on the sidewalk in front of our house. We have observed this dog and his owner walking around the neighborhood many times before, but we have never had any issues with either of them prior to this. In fact, a week before this incident, the other dog owner Allison and her dog Axel, stopped in front of our house to complement our spring flowers that were blooming and continued to chat it up with Dennis, telling him that they love walking past our home because they like to look at our beautiful flower bed.

To label Bernie as a "Dangerous Dog" is completely unacceptable to us. Bernie has NEVER attacked or bitten a person. Although the police report from this day states that the other dog owner Allison and her dog Axel were attacked by Bernie, I am 100% sure that Bernie would not have, even accidentally, bitten the owner, Allison. Bernie got out of the yard with the intent to check out her dog Axel and that was it.

Bernie has been known to not get along with other dogs in the past, but his aggression has NEVER been towards people. For whatever reason, Bernie picks and chooses which dogs he likes and doesn't like. There is no rhyme or reason in determining the dogs that he will get along with or not. Because we are responsible pet owners and we know this about him, we choose to not put him in any situations where he could possibly become aggressive towards another dog, both for his sake and theirs. That being said, we have NEVER worried about him being aggressive to a person. We have had our nieces and nephews over as small, crawling babies and he never did anything to show any type of aggression towards them...EVER. We have even taken him to nursing homes to visit the elderly many times, where he has shown both us and the nursing home residents that he is calm and gentle. The residents would all LOVE Bernie and appreciate the time they were able to share with him.

We understand that this accident was our fault, but that's all it was-an ACCIDENT! We would never want anything to happen to our pets or another person's pet. We are, and always have been, the biggest animal lovers.

After Bernie and Axel had been separated from their initial altercation, Allison did nothing to get control of her dog, despite what her statement says in the police report. Axel proceeded to walk all the way around both Dennis and I standing to keep the dogs separate, and began to retaliate by attacking Bernie this time. In the process of now trying to remove Axel from attacking Bernie, Dennis watched Axel latch onto his hand. What could've been a minor dog altercation, was now exaggerated because of Allison's irresponsible actions after the fact. A few of the statements that Allison made that were written on the police report were completely false as well. Although Allison and Axel are the "victims" because WE made a mistake, they were not entirely innocent in the events that occurred on this day. We apologized immensely to Allison and Axel with tears in our eyes because we obviously NEVER meant for this to happen. Allison's statement in the police report said that she told us that "she was going to call the police to report the incident". In the moment though, Allison said very serious things that could be viewed as inappropriate, yet she never mentioned THIS to the police when they responded to her residence for her statement, because her and Axel were the "victims", why would she incriminate herself?

Dennis went to the Emergency Room where he received multiple stitches from Axel's bite. We followed all of the necessary requirements given to us by the West Allis Police Department for Bernie too. We kept Bernie quarantined at home for 10 days. He was seen by the emergency veterinarian the following day (within 24 hours) of the incident, where he received extensive medical care for his wounds from Axel's attack on him. The health department was notified of Allison's alleged bite wounds from Bernie, but upon talking to Lindy at the Health Department, we found out that Dennis' bite wounds from Axel were never even reported and there was no record of Axel biting Dennis. We never even found out if Axel was up to date on his Rabies vaccine until almost 2 weeks after the incident! I was required to show proof of Bernie's current Rabies vaccination immediately after the incident when the police arrived at our house to get our statements.

We would like to have our time with a Judge to discuss the Dangerous Dog Order that has been placed on our dog, Bernie. He isn't a mean dog towards people, and never has been. Dogs get into fights with each other at dog parks, on walks, or in the household every day, and for no reason at all. I personally have witnessed many dogs, on the wrong end of a dog fight, while working for 10 years at a veterinary clinic. I have the experience and knowledge to understand how serious this is and what steps need to be taken in the future, to make sure that this NEVER happens again. We feel horrible for what happened to both Axel and Bernie and we hope that we get a chance to be Bernie's voice and fight for the Dangerous Dog Order to be removed.

We look forward to hearing back from The City of West Allis to set up a day to attend court or figure out our next steps so we can continue to give Bernie the love and care that he deserves.

I (Jennell) can be reached at 414-305-0672 or by email at jennell5@yahoo.com to set something up. In the meantime, please let us know if there is anything else you need from either myself or Dennis and we will be happy to provide you with whatever you may need. Thank you for your time.

Sincerely,



Jennell (and Dennis) Sielaff



Rebecca Grill
City Administrator/Clerk
rgrill@westalliswi.gov
414.302.8294

Wednesday, July 14, 2021

SENT VIA EMAIL: jennell5@yahoo.com

Dennis & Jennell Sielaff
1428 S. 87th St.
West Allis, WI 53214

RE: Decision by the West Allis Administration Review Board (AARB) in regard to the Appeal of the Dangerous Dog Order for Dennis & Jennell Sielaff, 1428 S. 87th St.

Dear Mr. & Mrs. Sielaff:

This letter is to formally notify you of the determination made by the City of West Allis Administrative Appeals Review Board (AARB) from its meeting on July 13, 2021, regarding your appeal.

At the meeting, the Board decided:

- The Dangerous Dog Order is upheld. The Appellant may request another hearing to remove the Dangerous Dog Order after April 24, 2022 if there are no new incidents.
- The Appellant must register Bernie as a Dangerous Dog and pay a \$75 fee to the West Allis Police Department.
- The Appellant must acquire liability insurance and submit proof of insurance to the City Attorney's Office within 30 days of the AARB meeting.
- The Appellant must post "Dangerous Dog" signage.
- The requirement to have Bernie altered (neutered) and microchipped has been waived since it is already done.
- Bernie is not required to be leashed and muzzled while in the owner's fenced in back yard.

Thank you for the time you took in making your appeal and attending the meeting. If you have any questions, or need further information or clarification, please feel free to email me.

Respectfully,

Rebecca Grill
City Administrator/Clerk

/gcg

cc:
Mayor Devine
Health Commissioner
City Attorney
Police Department

6-11-21

To whom it may concern,

On 5/22/21 My dog Sophie was given a Dangerous Dog Order from officer Todd Ketterhagen. On that day I was home ill. Since I was ill, I put the dogs in the back yard fenced in area to play for a while. Please note that the back-yard gate was closed with a lock and securely tied with a leash for extra protection. It is always my procedure for enclosing the dogs. Officer Ketterhagen knocked on my door and asked if I had two dogs one of which was a Great Dane mix. I stated that I did, and he asked if they were out. I told him they were in the back yard playing. Upon checking it was discovered that the dogs were indeed out of the yard. Of note the tie on the gate was untied. The gate was open.

As I was ill, I was not aware that they were out of the yard. Per officer Ketterhagen the dogs were accused of attacking a neighbor's dog (a poodle) in a vicious manner. I am familiar with this dog as the owner Arleen is a friend of mine. Arleen is also very familiar with my two dogs. Herbie and Sophie the Great Dane mix. Arleen's caretaker was the one who filed the complaint stating that my Great Dane mix attacked the poodle. She stated that my Great Dane mix- was shaking and flipping the little poodle and attacking her. Please note my Great Dane weighs about 72 pounds. If indeed she was trying to attack the poodle-she would have at least sustained a bite mark or some type of soreness, limping etc. The dog was not injured at all. No marks or lameness. She was 100% fine. The caretaker was also unharmed. No scratches, bite marks etc. For this reason, I am quite sure the reported attack did not happen the way the caretaker states it did. If so, a 72-pound dog against a poodle and or person with the poodle would have been harmed and the poodle would be dead or at least harmed in some way. Again- both sustained no injuries whatsoever.

Of note, Sophie has been with little kids next door- she has been calm and seems to love them all. She lays down so they can pet her etc. There have been no incidences with other dogs or people. The individual who found the dogs and brought them home also has two very tiny dogs. She does have pictures of my two dogs with her dogs and her students who were at the lady's home having lunch. I was searching for my two dogs as were my neighbors when I came upon this lady who stated that she had the dogs in her home. I then went to get them. At no time did my dogs attack or go after her little dogs, or birds, or cats that were in her home. If needed I can provide her name and address.

In sum, I believe my dogs attacked no one. The caretaker is high strung and a bit imaginative.

Thank you for your time,

Chris Wierford
414-698-6106

21-016113

ORDER DANGEROUS DOG

West Allis
Health Dept

Date: 05-22-21

(Brown Box - 1 x 1 x 1
vats)

Owner's Name(s): Christine M. Wilford

Address: 2044 S. 96 ST, West Allis WI 53227

Address: _____

Name of Dog: Sophie

Description of Dog: Great Dane, Shepherd mix
Brown Brindle

Attorney - 302-8450
3 days

Section 5B of
(30 days of
\$50.00)

(Xerox
West Allis
4/14-302-8450
8/18/21)

West Allis
Code Section 7.126

Pursuant to West Allis Revised Municipal Code Section 7.126, your dog, described above, is hereby declared to be a **dangerous dog**.

Within **30 days** of the date of this order, you must comply with the requirement of 7.126(6) (see back sheet). A West Allis police officer will conduct a follow-up investigation to ensure compliance with the requirements.

If you wish to contest this order or any of the requirements of 7.126(6), you must, within 30 days after receipt of the order, deliver to the City Clerk a written objection to the order stating specific reasons for contesting the order. The City Clerk is located at City Hall at 7525 West Greenfield Avenue, West Allis, Wisconsin.

If you have questions about this order, please contact the City Attorney's Office at (414) 302-8450.

Signature: _____

Name of Officer / Department

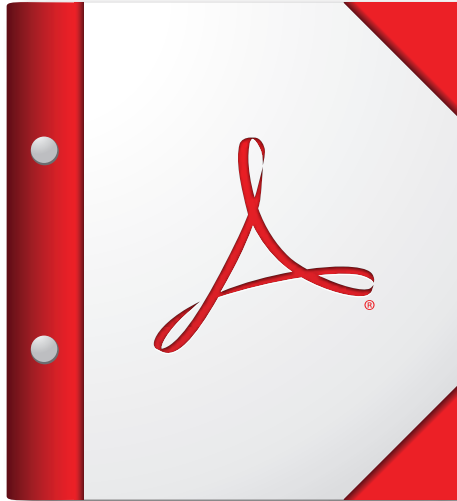
(Perspective)
A. Pearl
Dog's dog owner

Service: (check one)

Date/Time: 05-22-21 1300hrs

Name of person served: Christine M. Wilford

Location: 2044 S. 96 ST



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Rebecca Grill
City Administrator/Clerk
rgrill@westalliswi.gov
414.302.8294

Wednesday, July 14, 2021

Christine M. Wilford
2044 S. 96th St.
West Allis, WI 53227

RE: Decision by the West Allis Administration Review Board (AARB) in regard to the Appeal of the Dangerous Dog Order for Christine M. Wilford, 2044 S. 96th St.

Dear Ms. Wilford,

This letter is to formally notify you of the determination made by the City of West Allis Administrative Appeals Review Board (AARB) from its meeting on July 13, 2021, regarding your appeal.

At the meeting, the Board decided:

- Any and all dogs at the subject property be licensed with the City of West Allis.
- A secure fencing mechanism be installed and submit proof of compliance to the City Attorney's office by July 23, 2021. If the mechanism is not installed by then, the Dangerous Dog Order stays in place and all other regular conditions be implemented.
- Upon completion of the above noted conditions to the satisfaction of the West Allis City Attorney's Office, the Board authorizes the dangerous dog order to be canceled.

Thank you for the time you took in making your appeal and attending the meeting. If you have any questions, or need further information or clarification, please feel free to email me.

Respectfully,

Rebecca Grill
City Administrator/Clerk

/gcr

cc:
Mayor Devine
Health Commissioner
City Attorney
Police Department