

**Minutes**  
**City of Roseville**  
**Hearing Panel**  
*October 22, 2015*  
*3:00 p.m.*  
**City Council Chambers**  
**311 Vernon Street**

**1) Designation of Chair**

Chairperson for October 22, 2015 was Sharon Telles.

**2) Call to order**

Chairperson Telles called the meeting to order at 3:00 p.m. in the City Hall Council Chambers and led the audience in the Pledge of Allegiance.

**3) Roll Call**

The following Hearing Panel members were present:

Bruce Hagler  
Dan Myers  
Sharon Telles

The following City staff members were present:

Joseph T. Speaker                      Deputy City Attorney  
Pamela Sisk                                Legal Clerk

**4)** Chairperson Telles reviewed the agenda.

**5) Public Comment**

No public comment was offered.

Chairperson Telles administered the Oath.

**6) Citation Appeals**

- |                   |                               |
|-------------------|-------------------------------|
| ▪ Citation #17250 | Appellant: Merrill S. English |
| ▪ Citation #13444 | Appellant: Ronald Brannen     |
| ▪ Citation #17251 | Appellant: Alfred W. Brown    |

**Citation #    17250                      Appellant: Merrill S. English**

RMC 7.25.010, animal noise

RMC 7.16.010, failure to license

1.    **Staff report:**

Animal Control Officer Sarah DeRego presented her staff report and answered panel questions.

Exhibit A – written testimony documenting case history and overview

Brian Yount offered testimony in support of the complaint and answered panel questions.

Exhibit B – log of animal noise from 08/26/2015 to 10/21/2015

2. **Appellant’s response:**

David English and Merrill English offered testimony in support of the appeal and answered panel questions.

Exhibit C – witness statement signed by four neighbors, Google Earth map of house and neighborhood, copy of Animal License Receipts (2) dated 09/21/2015

3. **Rebuttals and questions by panel:**

Brian Yount offered rebuttal testimony and answered panel questions.

David English and Merrill English offered rebuttal testimony and answered panel questions.

Animal Control Officer DeRego was recalled by the panel for questions.

4. **Panel discussion/decision:**

Motion by Dan Myers to uphold the citation but waive the fine in the interests of justice on both violations. No second was offered. Dan Myers withdrew his motion.

Regarding the violation of RMC 7.25.010, animal noise, motion by Dan Myers, seconded by Bruce Hagler to uphold the citation but waive the fine in the interests of justice.

AYES: Bruce Hagler, Dan Myers, Sharon Telles

NOES:

Regarding the violation of RMC 7.16.010, failure to license, motion by Dan Myers, seconded by Bruce Hagler to deny the appeal and uphold the charge because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

AYES: Bruce Hagler, Dan Myers, Sharon Telles

NOES:

5. Chairperson Telles signed the decision form and asked Merrill English to see staff for the paperwork and informed her that she may file a petition for review with the Superior Court in Placer County within 20 days.

**Citation #13444**

**Appellant: Ronald Brannen**

RMC 7.25.010, animal noise, two counts

RMC 7.16.010, failure to license, two counts

1. **Staff report:**

Animal Control Officer Sarah DeRego presented her staff report and answered panel questions.

Exhibits A – written testimony documenting case history and overview

Jake Steele offered testimony in support of the complaint and answered panel questions. Mr. Steele requested that the charge for animal noise be dismissed.

Exhibit B – log of animal noise from 07/29/2015 to 08/25/2015.

2. **Appellant's response:**

Ronald Brannen offered testimony in support of the appeal and answered panel questions. The panel requested to review documentation pertaining to Mr. Brannen's Animal License applications.

3. **Rebuttals and questions by panel:**

Animal Control Officer DeRego offered rebuttal testimony and answered panel questions.

4. **Panel discussion/decision:**

Regarding the violation of RMC 7.25.010, two counts of animal noise, motion by Bruce Hagler, seconded by Dan Myers to grant the appeal and dismiss the charge at the request of the Complainant.

AYES: Bruce Hagler, Dan Myers, Sharon Telles

NOES:

Regarding the violation of RMC 7.16.010, two counts of failure to license, motion by Bruce Hagler, seconded by Dan Myers to deny the appeal and uphold the

charge because the City proved by a preponderance of the evidence that the violations occurred and that the appellant is the responsible party.

AYES: Bruce Hagler, Dan Myers, Sharon Telles

NOES:

5. Chairperson Telles signed the decision form and asked Ronald Brannen to see staff for the paperwork and informed him that he may file a petition for review with the Superior Court in Placer County within 20 days.

**Citation #17251**

**Appellant: Alfred W. Brown**

RMC 7.25.010, animal noise

RMC 7.16.010, failure to license

At 3:15 p.m., the Appellant was not present. According to section VII(A) of the rules for Administrative Hearing Procedures, if the responsible party fails to appear for the hearing within 15 minutes after the hearing commences, the responsible party's appeal will be automatically denied.

**1. Panel discussion/decision:**

Regarding the violations of RMC 7.25.010, animal noise, and RMC 7.16.010 failure to license, motion by Bruce Hagler, seconded by Dan Myers to deny the appeal and uphold the charges because appellant failed to appear.

AYES: Bruce Hagler, Dan Myers, Sharon Telles

NOES:

2. Chairperson Sharon Telles signed the decision form.

**7) Adjournment**

Motion by Dan Myers seconded by Bruce Hagler to adjourn the October 22, 2015 Appeal Hearing meeting.

AYES: Bruce Hagler, Dan Myers, Sharon Telles

NOES:

Chairperson Telles adjourned the meeting at 3:48 p.m.

**Pamela Sisk  
Legal Clerk**