

Minutes
City of Roseville
Hearing Panel
January 12, 2016
9:00 a.m.
City Council Chambers
311 Vernon Street

- 1) Designation of Chair
Chairperson for the January 12, 2016 hearing was Don Lounsbury.
 - 2) Call to order
Chairperson Lounsbury called the meeting to order at 9:04 a.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:
 Don Lounsbury
 Bruce Hagler

The following Staff members were present:
 Joseph T. Speaker Deputy City Attorney
 Pamela Sisk Legal Clerk
 - 4) Chairperson Lounsbury reviewed the agenda.
 - 5) Public Comment
No public comment was offered.
 - 6) Chairperson Lounsbury administered the Oath.
 - 7) Citation Appeals
 - **Citation #17256 Appellant: Tracie Kielty**
 - **Citation #16147 Appellant: Nicole Barenchi (formerly Biondi)**
 - **Citation #15840 Appellant: Arizona Tile**
Citation #17256 Appellant: Tracie Kielty

RMC 7.16.010, failure to license, three counts
RMC 7.25.010, animal noise, four counts
1. Staff report:
Animal Control Officer Debbie Dalton presented her staff report and answered panel questions.

Exhibit A - written testimony documenting case history and overview

Molly Sjoldal offered testimony in support of the complaint and answered panel questions.

Exhibit B – written testimony, plot map and photographs of properties, sworn statements from Edward James, Dustin Ramirez, Linda Detling, Nancy Stueck, and Margaret Blythe, Roseville Police call reports, CD with three video and audio clips

2. Appellant's response:

Tracie Kielty offered testimony in support of the appeal and answered panel questions.

Exhibit C – letter from Arbor View Veterinary Clinic, rabies certificates, employee timesheets, PetData receipt

Brandon Kielty, son of Tracie Kielty, offered testimony in support of the appeal and answered panel questions.

Diane Johnson, neighbor, offered testimony in support of the appeal and answered panel questions.

Sherie Labedis, neighbor, offered testimony in support of the appeal and answered panel questions.

Joe Labedis, neighbor, offered testimony in support of the appeal and answered panel questions.

3. Rebuttals and questions by panel:

Molly Sjoldal offered rebuttal testimony and answered panel questions.

Aurora James offered testimony in support of the complaint and answered panel questions.

Tracie Kielty offered rebuttal testimony and answered panel questions.

4. Panel discussion/decision:

Regarding the four counts of the violation of RMC 7.25.010, animal noise, motion by Bruce Hagler and seconded by Don Lounsbury to deny the appeal and uphold the charge because the City/Complainant proved by a preponderance of the evidence that the violations occurred and that the appellant is the responsible party.

AYES: Don Lounsbury, Bruce Hagler

NOES: none

Regarding the three counts of the violation of RMC 7.16.010, failure to license, motion by Bruce Hagler and seconded by Don Lounsbury to uphold the citation but waive the fine in the interests of justice.

AYES: Don Lounsbury, Bruce Hagler

NOES: none

5. Chairperson Lounsbury signed the decision form and asked Tracie Kielty 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 #16147

Appellant: Nicole Barenchi (formerly Biondi)

RMC 9.12.150, removing receptacles

1. Staff report:
Code Enforcement Inspector Ranjit Dosanjh presented her staff report and answered panel questions.

Exhibit A – staff report containing written testimony and photographs documenting case history and overview, copy of citation warning
2. Appellant’s response:
Nicole Barenchi offered testimony in support of the appeal and answered panel questions.
3. Rebuttals and questions by panel:
Ranjit Dosanjh answered panel questions.

Nicole Barenchi offered rebuttal testimony.
4. Panel discussion/decision:
Motion by Bruce Hagler and seconded by Don Lounsbury to uphold the citation but waive the fine in the interests of justice.

AYES: Don Lounsbury, Bruce Hagler

NOES: none

5. Chairperson Lounsbury signed the decision form and asked Nicole Barenchi 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 #15840

Appellant: Arizona Tile

RMC 14.09.060(A), water waste
RMC 14.09.090(E), non-irrigation day

At 9:15 a.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:
Motion by Bruce Hagler, to deny the appeal and uphold the charge because the appellant failed to appear.

Water Conservation Specialist John Shannon was called upon to answer panel questions, and he distributed his staff report.

Exhibit A – written testimony of case overview, photographs of the violation, copy of citation warning and citation, service request log, utility water usage information for location, sworn statement from Jason Dal Bianco

Don Lounsbury seconded the motion.

AYES: Don Lounsbury, Bruce Hagler

NOES: none

2. Chairperson Lounsbury signed the decision form.

- 8) Adjournment
Motion by Don Lounsbury, seconded by Bruce Hagler to adjourn the January 12, 2016 Appeal Hearing meeting.

AYES: Don Lounsbury, Bruce Hagler

NOES: none

Chairperson Lounsbury adjourned the meeting at 10:14 a.m.

Pamela Sisk
Legal Clerk