

Minutes
City of Roseville
Hearing Panel
October 27, 2016 at 3:00 p.m.
City Council Chambers
311 Vernon Street

1) Call to order

Chairperson Hagler called the meeting to order at 3:00 p.m. in the City Council Chambers.

The following Hearing Panel members were present:

Bruce Hagler
Mark Elmquist

The following Staff members were present:

Joseph T. Speaker Deputy City Attorney
Pamela Sisk Legal Clerk

2) Designation of Chair

Chairperson for the October 27, 2016 hearing was Bruce Hagler.

3) Pledge of Allegiance

Chairperson Hagler led the audience in the Pledge of Allegiance.

4) Public Comment

No one from the public offered any comments.

5) Swear In

Chairperson Hagler administered the Oath to those in attendance who would be offering testimony at the hearing.

6) Matters to be Heard

Citation #18429

Appellant: Stephanie Palos

Roseville Municipal Code Section 7.25.010, Animal Noise, three counts

A. Staff Report and Complainant's Statement:

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

Exhibit A:

- Staff Report including case history and narrative

Complainant's Statement:

Complainant Theresa Kawel offered testimony in support of the complaint and answered panel questions.

Exhibit B:

- Copy of Roseville Municipal Code section 7.25.010, Animal Noise
- Eight letters of testimony
- Copy of Assessor's Map Bk. 472 Pg. 09
- Three Google Maps of subject properties
- Three photos of the backyard at 2208 Vernon Street
- Copies of 20 pages of dog barking log from 6/21/16 to 8/2/16

B. Appellant's Response:

On October 26, 2016, Appellant Stephanie Palos informed the City Attorney's office by phone and by email that she would like her father, Daniel Palos, to testify on her behalf at the hearing as she will not be able to attend.

Daniel Palos offered testimony in support of the appeal and answered panel questions.

C. Rebuttals and Panel Questions:

Animal Control Officer Sarah DeRego declined to add rebuttal testimony.

Theresa Kawel offered rebuttal testimony and answered panel questions.

Bright Skjerpe offered testimony in favor of the complaint and answered panel questions.

Daniel Palos offered rebuttal testimony and answered panel questions.

D. Panel Discussion:

The panel discussed the evidence and testimony presented before them at the hearing in regards to Administrative Citation No. 18429 for three counts of violating Roseville Municipal Code Section 7.25.010, Animal Noise.

A motion was by Mark Elmquist and was seconded by Bruce Hagler to deny the appeal and uphold the charge because the Complainant proved by a preponderance of the evidence that the violations occurred and that the appellant is the responsible party.

AYES: Mark Elmquist, Bruce Hagler

NOES: none

E. Panel Decision:

Regarding the appeal of Citation No. 18429, the panel decided to deny the appeal and uphold the charge of three counts of violating Roseville Municipal Code section 7.25.010, Animal Noise, based on the testimony and evidence presented before them at the October 27, 2016 hearing.

Chairperson Hagler signed the decision form and asked Daniel Palos to see staff for the paperwork and informed him that Stephanie Palos may file a petition for review with the Superior Court in Placer County within 20 days.

7) Adjournment

A motion was made by Mark Elmquist, and was seconded by Bruce Hagler to adjourn the October 27, 2016 Appeal Hearing meeting.

AYES: Mark Elmquist, Bruce Hagler

NOES: none

Chairperson Sanford adjourned the October 27, 2016 hearing at 3:45 p.m.

Pamela Sisk
Legal Clerk