

Minutes

**City of Roseville
Hearing Panel
September 12, 2017 at 9:00 a.m.
City Council Chambers
311 Vernon Street**

1) Call to order

Chairperson Bruce Hagler called the meeting to order at 9:00 a.m. in the City Council Chambers.

The following Hearing Panel members were present:

Bruce Hagler
Brian Stenklyft
Sean Wallentine

The following Staff members were present:

Joseph Speaker	Deputy City Attorney
Pamela Sisk	Legal Clerk

2) Designation of Chair

Chairperson for the September 12, 2017 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 #15930

Appellant: Peter Ruhkala

Roseville Municipal Code Section 14.09.060, Water Waste

A. Staff Report and Complainant's Statement:

The Appellant, Peter Ruhkala, was not present at the commencement of the hearing. The item was trailed to allow 15 minutes from the commencement of the hearing for the appellant to appear per the Administrative Hearing Procedures.

Water Conservation Specialist John Shannon offered testimony in regards to the staff materials in Exhibit A and answered panel questions.

Per RMC Section 2.50.606(D), the Staff Report was submitted to the City of Roseville Attorney's office prior to the hearing, and was provided to the appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative

B. Appellant's Response:

Exhibit B:

(The appellant's Exhibit B was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's office on August 2, 2017

Peter Ruhkala arrived at the hearing within the permitted time frame and the Chairperson administered the Oath to the appellant. Mr. Ruhkala offered testimony in support of the appeal and answered panel questions.

C. Rebuttals and Panel Questions:

John Shannon offered rebuttal testimony and answered panel questions.

Peter Ruhkala 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. 15930 for one count of violating Roseville Municipal Code Section 14.09.060, Water Waste.

A motion was made by Sean Wallentine and was seconded by Brian Stenklyft to uphold the citation but waive the fine in the interests of justice.

AYES: Bruce Hagler, Brian Stenklyft, Sean Wallentine

NOES: none

E. Panel Decision:

Regarding the appeal of Citation No. 15930, the panel decided to uphold the citation but waive the fine in the interests of justice on one count of violating Roseville Municipal Code section 14.09.060, Water Waste. This decision was based on the testimony and evidence presented before them at the September 12, 2017 hearing.

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

Citation #11928

Appellant: Jeremy Fritts

Roseville Municipal Code Section 7.12.010, Animal at large, three counts

A. Staff Report and Complainant's Statement:

Animal Control Officer Debra Dalton offered testimony in regards to the staff materials in Exhibit A and answered panel questions.

Per RMC Section 2.50.606(D), the Staff Report was submitted to the City of Roseville Attorney's office prior to the hearing, and was provided to the appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative

Complainant's Statement:

Complainant Jack Dorman presented Exhibit B, and offered testimony in support of the complaint and answered panel questions.

Exhibit B:

- 3 – 5x7 photos
- 5 – 4x6 photos
- Written statement dated September 11, 2017 from Elvia M. Melendrez

B. Appellant's Response:

Exhibit C:

(The appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's office on July 14, 2017

Jeremy Fritts offered testimony in support of the appeal and answered panel questions.

C. Rebuttals and Panel Questions:

Jack Dorman offered rebuttal testimony and answered panel questions.

Jeremy Fritts 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. 11928 for three counts of violating Roseville Municipal Code Section 7.12.010, Animal at large.

A motion was made by Brian Stenklyft and was seconded by Sean Wallentine to uphold the citation but waive the fine in the interests of justice.

AYES: Bruce Hagler, Brian Stenklyft, Sean Wallentine

NOES: none

E. Panel Decision:

Regarding the appeal of Citation No. 11928, the panel decided to uphold the citation but waive the fine in the interests of justice on three counts of violating Roseville Municipal Code section 7.12.010, Animal at large. This decision was based on the testimony and evidence presented before them at the September 12, 2017 hearing.

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

7. Adjournment

A motion was made by Sean Wallentine and was seconded by Brian Stenklyft to adjourn the September 12, 2017 Appeal Hearing.

AYES: Bruce Hagler, Brian Stenklyft, Sean Wallentine

NOES: none

Chairperson Hagler adjourned the September 12, 2017 hearing at 10:06 a.m.

Pamela Sisk, Legal Clerk