

Hills City Council
Special Meeting/Appeal Hearing
June 28, 2018
5:30 PM
Hills Fire Station Meeting Room

The Special Hills City Council Meeting for the purpose of hearing an appeal to an order to remove dangerous animal was called to order by Mayor Kemp at 5:30 PM on Thursday, June 28, 2018 at the Hills Fire Station Meeting Room. Council members present were: Merle Hill, Steve Harris, Teresa Volk and Cathy Knebel. Absent: Christine Peters. Also present: Cathy Fitzmaurice-Hill, City Administrator, Erek Sittig, City Attorney, Catherine & Keith Moen and members of the public.

Business:

Catherine Moen presented information to the Council to support her appeal of the Order of Removal of Dangerous Animal issued by Mayor Kemp including the following

1. Shared the dog's upbringing including her status as a family pet and how she lost her leg.
 2. Stated that she attempted to get the two dogs under control but Mr. Grothe provoked them. His actions caused the reaction of the dog. She further stated that Mr. Grothe did not have bites, his injuries were caused by the fact that he threw himself to the ground.
 3. Stated that any dog can bite if provoked, scared, threatened or startled.
 4. Has cooperated with all officials, dog not allowed to run loose. Always on a leash when outside.
- Council members questioned Ms. Moen as to fencing on the property. The fence has not yet been installed.

The Council asked for information from neighbor, Tracy Heitzman. She stated she came out when she heard dogs barking. She saw Mr. Grothe, his shoe was off, he was up and shaking, scared. He had quite a bit of blood on him from bites on his leg and hand. She helped him get home.

Mr. Moen indicated that he saw him a few days later and there was only a nip. He stated that dog bites will not cut a straight line.

The Council asked for information from Mr. Grothe. He stated that he saw the dogs as he walked by and Bella came at him, pinched his hip, did not break skin but knocked him down, knocking his shoe off. He doesn't remember getting up but does know that Ms. Heitzman helped him home. He received treatment and sutures for the bites. He had five bites. He feels the dog is dangerous and he is afraid to walk past.

At the request of Mr. Moen the Council went outside to meet the dog.

Attorney Sittig then provided the Council with options it may take including uphold the order, rescind the order or amending the order.

A Motion was made by Hill and seconded by Knebel to uphold the Mayor's Order to Remove Dangerous Animal and allow 10 days from the written decision to remove the dog. Ayes: 4. Motion carried.

A Motion was made by Hill and seconded by Volk to adjourn at 6:20 p.m. Ayes: 4. Motion carried.

Tim Kemp, Mayor

Cathy Fitzmaurice-Hill, City Administrator