

Item 24-1436: Appeal of Prohibited Dangerous Animal Declaration

Board of Health

Wed, Nov 13, 2024 7:00AM

Cathy Spears (Board Chair) 01:15

Action items. 24-1436 the appeal of prohibited dangerous animal declarations. 24-1436. So, at this time, we'll ask Attorney Glad to walk us through the steps of today.

Darrin Glad (Assistant City Attorney) 01:33

So, want to remind the board—

Cathy Spears (Board Chair) 01:35

I'm sorry, there we go.

Darrin Glad (Assistant City Attorney) 01:38

Remind the board and everybody participating, that the purpose of this hearing is to provide the owner of the animal that was declared a prohibited dangerous animal, an opportunity to present evidence as to why the animal should not be declared a prohibited dangerous animal. At this time, it doesn't appear that the owner is present, but I'll still continue to give them a little bit more opportunity to appear, and then I'll address what we'll do on based on their non-appearance.

Darrin Glad (Assistant City Attorney) 02:07

So, I think what makes the most sense would be for the chair to allow city staff to provide background information on the prohibited animal danger—I'm sorry, the prohibited dangerous animal declaration. To accomplish this can allow council to present relevant evidence, which would be presenting documents, calling witnesses, and then everyone must use a microphone for the hearing when they're speaking, and all witnesses we put under oath before testifying. Then the owner will be allowed to present his evidence, including presenting documents, calling witnesses, testifying himself. City staff would then have an opportunity address the any evidence provided by the owner and the chair can repeat this process as many times as necessary until the chair is satisfied that each party has had a fair opportunity to address evidence introduced by the opposing party. The chair can allow limited opportunities for the board to ask clarifying questions of witnesses, myself, or staff too. Then the board would make a determination as to whether the—excuse me—whether the animal is a prohibited, dangerous animal. There is an opportunity where you could go into closed session for deliberations, but the actual vote would be done in open session.

Darrin Glad (Assistant City Attorney) 03:40

And then one last thing to note that this hearing is for whether it's a prohibited dangerous animal. We're not here to relitigate the original dangerous animal declaration. So, after that little spiel, it still does not appear that John Prost is present. Is there a John Prost, or anyone on his behalf? So, with that, since this item has been called, the owner has not presented any evidence as to why it should not be declared a dangerous animal. I think you could proceed with just taking a vote to uphold that.

Cathy Spears (Board Chair) 04:19

No, I really think, in essence of all full disclosure and transparency for the city, for our citizens, I would like us to present the case, and if, by chance they do get here, then we will give them that opportunity to weigh in, just

because I don't want to take a vote without us having all of that presented again. If that's okay with our committee.

Darrin Glad (Assistant City Attorney) 04:42

And it's fair, and I'll just remind you that it's already been declared. This is the owner's opportunity to say why it's not.

Cathy Spears (Board Chair) 04:49

I know, but I feel like just we need to, like, dot our I's in case something happened and they got caught somewhere, and they'd like to come in. If they come in by 10 after something, we'll still allow them to speak. I think they're totally aware, because of the things that I read in here of what was discussed with them, and the items that they had to comply with, and they chose to remove the animal. So, I would really like that—I don't know, we can do this briefly.

Darrin Glad (Assistant City Attorney) 05:16

Sure.

Cathy Spears (Board Chair) 05:16

Okay, so Attorney Buruin, would you like to present the city side of the case? Thank you.

Zak Buruin (Assistant City Attorney) 05:23

I certainly can, and I will start by noting that there have been several documents provided that are part of the meeting record today, including the relevant declarations and relevant related police reports with narratives associated with that. So, in addition or anything else that's provided today, the record does contain that additional information that the chair has already referenced. If the—based on my understanding of how the chair wishes to proceed, at this point, I would call for testimony of least—Lead Community Service Officer, Matt Fillebrown.

Cathy Spears (Board Chair) 06:00

Welcome, Matt. What microphone number are you there?

[They take a bit of time trying to get the microphone working.]

Cathy Spears (Board Chair) 06:08

I got it. Okay, thank you. It's supposed to be on. Maybe try it again. Okay, you're going to be the mayor now. I got it on.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 06:25

Am I on? Oh, I am on. Good morning, everybody.

Darrin Glad (Assistant City Attorney) 06:29

All right. Would you please state your full name? Spell your last.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 06:33

Sure, it's Matthew Fillerown, F as in Frank. I as an Ida L as in Lincoln. Another L as in Lincoln, E as in Edward and the color brown, B, R, O, W, N as in Nora. Matt Fillerown, I am the lead CSO and humane Officer for the City of Appleton.

Darrin Glad (Assistant City Attorney) 06:50

I—please raise your right hand. Raise your right hand. Do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth. So, help you God?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:00

I do.

Zak Buruin (Assistant City Attorney) 07:04

Officer Fillebrown, you indicated before you're the lead CSO for the city of Appleton. Is that correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:09

That is correct.

Zak Buruin (Assistant City Attorney) 07:10

That include do—that includes duties as the humane officer?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:13

That is correct.

Zak Buruin (Assistant City Attorney) 07:13

How long have you been the humane Officer for the City of Appleton?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:16

Approximately 12 years. I think.

Zak Buruin (Assistant City Attorney) 07:21

So, you were functioning in that capacity during the entirety of 2023?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:25

That is correct.

Zak Buruin (Assistant City Attorney) 07:27

During that time, did you, in your capacity as the humane Officer for the City of Appleton, declare an animal by the name of Bear owned by John Probst as a dangerous animal?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:41

I did.

Zak Buruin (Assistant City Attorney) 07:42

That was a declaration pursuant to the city's code?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:46

Correct.

Zak Buruin (Assistant City Attorney) 07:48

Associated with that declaration, there was a formal, written declaration, is that correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 07:52

Yep.

Zak Buruin (Assistant City Attorney) 07:54

And that has been provided to this committee as far as you are aware, correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:00

That is correct.

Zak Buruin (Assistant City Attorney) 08:01

You had an opportunity to review the documents that I previously referenced as provided to the committee?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:05

That is correct.

Zak Buruin (Assistant City Attorney) 08:07

Does that contain a true and accurate copy of your declaration of Bear as a dangerous animal?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:13

Yep, it does.

Zak Buruin (Assistant City Attorney) 08:16

Won't go into exhaustive detail at this point, but based on your declaration of that animal as a dangerous animal, did you end up making contact with John Probst?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:26

I did.

Zak Buruin (Assistant City Attorney) 08:28

Did you discuss the declaration with him?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:30

We did, and he signed it.

Zak Buruin (Assistant City Attorney) 08:33

He signed the declaration that you provided to him?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:36

Correct.

Zak Buruin (Assistant City Attorney) 08:37

Did you explain the requirements associated with that declaration with regard to his keeping Bear in the city of Appleton?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:44

Yep, we discussed that.

Zak Buruin (Assistant City Attorney) 08:46

Could you tell us—could you summarize that conversation, please?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 08:51

John met with me at the Appleton Police Department, and we went over not only what the declaration was, why Bear received it, and then the steps that he needs to do in order to be in compliance for the dangerous animal ordinances for the City of Appleton. At that time, during our conversation, John told me that he would be removing Bear from the city of Appleton and taking him to Fox Crossing. And then that ended my conversation with him last year. With bear being removed from the city that is in compliance with our ordinances because he's no longer residing in the city, so he doesn't have to obey by any of the city ordinances.

Zak Buruin (Assistant City Attorney) 09:31

And just to clarify, when we talk about the requirements to keep the dog in the city of Appleton, are you referencing specifically section 3-132 of the Appleton city code?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 09:43

That is correct. That is the code for harboring a dangerous animal in the city of Appleton.

Zak Buruin (Assistant City Attorney) 09:50

That occurred—do you recall what month that conversation occurred?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 09:55

I can look at my records here. It was sometime in 2023

Zak Buruin (Assistant City Attorney) 10:00

Towards the end?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 10:01

Yep.

Zak Buruin (Assistant City Attorney) 10:04

At some point in 2024—let me back up. Did you verify that John had removed the dog from the city of Appleton, as he said he would?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 10:12

Yep. It went to Fox Cro—Bear went to Fox Crossing, and we verified with the owner that Bear was there, and then notified Fox crossing police that a dangerous animal has been brought into their jurisdiction. And as far as we were aware, everything was copasetic until later this year.

Zak Buruin (Assistant City Attorney) 10:31

When you say you verified with the owner that it was there, are you talking about John Probst specifically, or with anybody else?

Cathy Spears (Board Chair) 10:36

Kristin Armitage.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 10:36

The homeowner of that address. I think her name is Kristin. I'd have to take a look at my notes here, and take a look here. Hold on. One second here, and I'll verify the person that I talked with. Unless you can point me to what page it is I'm going to cycle through all of these here.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 10:36

1083 Home Avenue is the address and the homeowner that we contacted there.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 10:40

And just to be clear, the notes that you're referencing is the packet of documents I submitted?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 10:53

Correct.

Zak Buruin (Assistant City Attorney) 11:08

And that Miss Armitage's name can be found specifically on page six of that document. Is that right?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 11:16

I'm going to get to page six and I'll verify. There it is. That is correct.

Zak Buruin (Assistant City Attorney) 11:22

And then on page eight is where it references you contacting her.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 11:25

Yep. And I contacted her already this year too, and Bear is back at that address in Fox Crossing.

Zak Buruin (Assistant City Attorney) 11:32

As of when?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 11:33

As of the signage of the prohibited declaration, which—that would have been 10/23/ So it was either 10/23 or 10/24 I verified that Bear was back there.

Zak Buruin (Assistant City Attorney) 11:47

So, you referenced everything was fine from 2023 until some point this year. Approximately, when did you get information that there was an issue with this situation?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 11:58

Um, approximately the end of September, the beginning of October, around that month, around the month of 10.

Zak Buruin (Assistant City Attorney) 12:05

Generally speaking, what were you informed of that led you to believe there was an issue that needed to be addressed?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 12:10

That Bear had been seen back at the property at 1102 West Packard Street.

Zak Buruin (Assistant City Attorney) 12:15

In response to that information, did you or any of the other CSOs conduct any investigation to ascertain whether that was, in fact, the case?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 12:24

We did. I implemented surveillance on the house, utilizing hidden car cameras parked on the street legally, and within a minute of the car with the camera being parked on the street, we saw Bear walk on out with Samantha Walker. And then we continue to monitor the house for a day—or one day or two days. I'd have to go back and take a look at the notes, but we saw a Bear being walked multiple times on the property without a muzzle.

Zak Buruin (Assistant City Attorney) 12:55

The—you referenced a camera car. Obviously, there was video or photo surveillance taken of the area?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:01

Correct.

Zak Buruin (Assistant City Attorney) 13:02

The photos on pages 9 through 12 of the information packet, are those from that surveillance?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:10

That it is.

Zak Buruin (Assistant City Attorney) 13:12

The final photo of that on page 12, that's from some other type of camera. Is that correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:19

Yep, that's from a work issued cell phone. As the officers who deployed the hidden camera were getting back into a car and they saw Samantha Walker with Bear, and they snapped a picture of it.

Zak Buruin (Assistant City Attorney) 13:33

Are you personally familiar with the appearance of Bear?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:36

Yes.

Zak Buruin (Assistant City Attorney) 13:37

How are you familiar with the appearance of Bear?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:39

Due to the incident in 2023.

Zak Buruin (Assistant City Attorney) 13:41

You had contact with the dog at that time?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:43

I did not. Just saw pictures.

Zak Buruin (Assistant City Attorney) 13:47

And the dog in the surveillance photos that we're seeing that are shown on pages 9 through 12, those are—do you recognize those as Bear?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:55

Yep.

Zak Buruin (Assistant City Attorney) 13:57

You referenced Samantha Walker I believe, correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 13:59

That is correct.

Zak Buruin (Assistant City Attorney) 14:02

Is she visible in those photos as well?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 14:05

She is. Based off of these pictures that the officer took, I did a quick search on people who live at 1102 West Packard Street. Samantha Walker's name came on up. Upon a quick Facebook search there was a picture of Samantha with bear on her Facebook profile, indicating that this is now her dog with her boyfriend's as well, and the dog matched the picture of Bear right here as well.

Zak Buruin (Assistant City Attorney) 14:33

Is that how you recognize this individual Samantha?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 14:36

Correct.

Zak Buruin (Assistant City Attorney) 14:37

Were you previously familiar with her at all?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 14:39

No.

Zak Buruin (Assistant City Attorney) 14:41

Based on your investigation to that point, you end up making contact with John again?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 14:50

I did. We ended up paying John a visit at his house.

Zak Buruin (Assistant City Attorney) 14:53

Why did you end up making contact with him?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 14:55

We had enough evidence to believe that Bear was residing in non compliance with the city of Appleton ordinances for harboring a dangerous animal. So, I went to 1102 West Packard Street to talk to and interview John in regards to see if Bear actually was back in city limits.

Zak Buruin (Assistant City Attorney) 15:14
Do you recall when that contact occurred?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 15:18
I do. Let me look at my report real quick.

Zak Buruin (Assistant City Attorney) 15:21
You can reference page seven of the—

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 15:24
Thank you. I appreciate it. Let's see here. That would have been—hold on my pages are all—that would have been on the 15th—no, not the 15th—the 23rd. 10/23/2024.

Zak Buruin (Assistant City Attorney) 15:44
Did you tell John why you were there?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 15:47
I did.

Zak Buruin (Assistant City Attorney) 15:47
You recognized him from prior contacts.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 15:49
I did, and he recognized me.

Zak Buruin (Assistant City Attorney) 15:52
Did you ask him if Bear was present at the residence?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 15:55
I did.

Zak Buruin (Assistant City Attorney) 15:56
Did he tell you?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 15:56
He told me that bear was not.

Zak Buruin (Assistant City Attorney) 15:59
Did you later find that to—did you later learn that to be untrue?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 16:03
Yeah, it was. Bear was upstairs.

Zak Buruin (Assistant City Attorney) 16:06
Is that something you found out through searching? Or did he eventually admit it to you?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 16:09
Through conversation with John, he finally admitted that Bear was being held upstairs with Samantha.

Zak Buruin (Assistant City Attorney) 16:19

Did you show him any of the pictures that you had?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 16:22

I had the pictures with me, but we didn't actually need to question him on the pictures. Through just telling him and being honest with what the evidence was, what we had, and what we saw, he did admit that Bear was coming to his house a few times a week.

Zak Buruin (Assistant City Attorney) 16:43

Did you discuss with him—did you inform him that you were declaring the dog to be a prohibited, dangerous animal?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 16:49

I did. I explained to John that since it had been 30 days since the declaration of dangerous animal, and it was not contested, that the ordinances of harboring a dangerous animal need to be in compliance. And since he has not been in compliance with the dangerous animals, the ordinance indicate that any animal that is in non-compliance of the dangerous animal ordinances can be moved to prohibited, and that was the reason why we were moved to prohibited.

Zak Buruin (Assistant City Attorney) 17:17

Let's talk briefly about the non-compliance, and I think we'll finish it up there. When you were at the property. This was the same property as in the photographs, correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 17:26

Correct, sir.

Zak Buruin (Assistant City Attorney) 17:28

Did you see any signs on the property indicating that there was a dangerous animal present?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 17:33

No.

Zak Buruin (Assistant City Attorney) 17:35

Did Mr. Probst ever provide you any proof of liability insurance as required by city code?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 17:42

He mentioned to me that he had purchased it, but he didn't have any proof to show me.

Zak Buruin (Assistant City Attorney) 17:57

Did you have any information about whether or not the dog had been spayed or neutered as required by code?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 18:03

I did not get that information from him, or it was not some supplied to me from John.

Zak Buruin (Assistant City Attorney) 18:13

The photographs, do they indicate whether or not Mr. Probst was complying with the leash, muzzle, and confinement requirements of the city code for a dangerous animal?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 18:21

He was not. The code indicates that any animal off its dwelling, which is usually its pen or house, needs to be muzzled.

Zak Buruin (Assistant City Attorney) 18:30

I mean, at least one of the photos, it appears that Bear may be in the terrace too. Is that correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 18:36

Correct.

Zak Buruin (Assistant City Attorney) 18:44

To your knowledge, was Bear ever registered with the Appleton Police Department as a dangerous animal as required by city code?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 18:51

No, he was not registered as required by code, nor was he licensed for 2024 this year either.

Zak Buruin (Assistant City Attorney) 18:58

Were there other dogs present in the residence as well?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:01

There were. There were three adult other dogs upstairs, bringing the total to four dogs total in the house.

Zak Buruin (Assistant City Attorney) 19:06

And that's in excess of what's allowed by city code?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:08

Correct. You can only ever have three dogs over five months of age.

Zak Buruin (Assistant City Attorney) 19:13

Were the other dogs over five months of age to your knowledge?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:15

I was told by John that they were all over five months.

Zak Buruin (Assistant City Attorney) 19:19

Are any of the dogs to your knowledge, to your knowledge, licensed at this time?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:25

I just did a quick search this morning with the front desk, and no dogs have been licensed for that address.

Zak Buruin (Assistant City Attorney) 19:36

Based on this information, you inform Mr. Probst that his animal was declared as a prohibited, dangerous animal, correct?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:41

I did.

Zak Buruin (Assistant City Attorney) 19:42

Did he sign and acknowledge that declaration?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:44

He did.

Zak Buruin (Assistant City Attorney) 19:45

Did that declaration contain information about his appeal rights?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 19:48

Correct. And we went over that. I sat with him, actually, on his couch next to him, and I went over, if he feels like he needs to contest this, here are the steps that you have to follow in order to do that. And, clearly, he got this far and did that as well, and then he did remove Bear that either that day or the next day. I can't recall, but I, I did call the owners of the Home Avenue in Menasha, and Bear is residing there.

Zak Buruin (Assistant City Attorney) 20:14

And to your knowledge, that is still the case?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 20:15

Correct.

Zak Buruin (Assistant City Attorney) 20:17

Unless there is additional information that the chair of the committee would like, I think that is all the information that I have to present at this point.

Cathy Spears (Board Chair) 20:32

Great. Thank you. Is—does anyone have any questions for Officer Fillebrown? Okay, thank you very much. We—it is now 7:20—oh, I have one question. He was aware by letter that this the appeal process would be today, at 7am?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 20:55

I do believe he was in the chain of—well, it wasn't him. It was Samantha Walker, who officially, I think, wrote the letter on behalf of John, and she has been the one that's been in contact via the communication from the city. So, as far as I know, they were aware of it. They—it's the same email that was sent for the contest. So.

Cathy Spears (Board Chair) 21:18

Okay, thank you very much.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 21:20

You're welcome. Thank you, everybody.

Cathy Spears (Board Chair) 21:22

So now I'm seeking a motion. Does anyone have any comments or questions? So, I'm seeking a motion to declare Bear a prohibited dangerous animal again. Is that our next step? Is there who would like to make that motion?

Alderson Nate Wolff (District 12) 21:38

I'll make that motion.

Cathy Spears (Board Chair) 21:40

Alderson Wolff. Is there a second?

Lee Vogel (Board Member) 21:41

I'll second.

Cathy Spears (Board Chair) 21:42

Second by Dr Vogel. Are there any comments questions? I just have one question. And now that he has declared that, and if we do find him within the City of Appleton, what are our next steps? Attorney Glad or Officer Fillebrown.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 22:02

So, a very good question. So, the next steps—we always have discretion, but we have a couple of things put in place. One, we cite again, which is a, I think it might be like a \$500 ticket. It's pretty expensive. And then, if it was me, we would cite, and then I would say, you've got 24 hours to remove him, or we're going to get a search warrant and then seize him ourselves. And that's—we've never in my history have ever had to do that. We usually just get compliance. But there are things put in place that if Bear does come back, we as a city can take the appropriate measures to keep people and the animals safe in the city of Appleton. So.

Cathy Spears (Board Chair) 22:40

And what—did you have a question? Alderson Jones.

Alderson Vaya Jones (District 10) 22:44

As a follow up to the \$500 fine, if you have to put through a search warrant and then remove the dog yourself, is there any additional costs that they are charged for that?

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 22:53

That would probably be the harboring at FVHA that they would be in charged for too, as well. Once we have him seized, then there's other legal things that we could do, either a court order for euthanization and all the court fees that would be charged with them, but we've never had to go down that route before. I'm pretty good at communicating with people and showing them the light, but there will always be a day where we might have to do that. Hopefully bear won't be the case. So.

Alderson Vaya Jones (District 10) 23:25

Thank you.

Cathy Spears (Board Chair) 23:26

Any other questions? So, all in favor, say aye. Aye. Opposed? Abstentions? It passes. Bear is declared a prohibited, dangerous animal again. Thank you again for your time, officer—

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 23:41

Thank you everybody.

Cathy Spears (Board Chair) 23:42

—and all that you do for our city.

Officer Matt Fillebrown (Certified Humane Officer, Appleton Police) 23:43
I appreciate it. Thank you.

Cathy Spears (Board Chair) 23:46
Sounds good. And thank you to the attorney's office for your succinct.