# ANIMAL CONTROL APPEAL BOARD MINUTES – FINAL SEPTEMBER 1, 2010

A special meeting of the Animal Control Appeal Board was held on Wednesday, September 1, 2010 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairperson Jayne Saeger called the meeting to order at 7:34 p.m.

ROLL CALL:

PRESENT: Jayne Saeger, Chairperson
Al Petrulis, Vice-Chairperson
Patrick Carolan, Secretary
V. James Viola

ABSENT: Kathleen Melchert

ALSO PRESENT: Sergeant John Schaufler
PSA Jay Hernandez
Susan Lancaster, Assistant City Attorney
Pat Gladysz

## Resolution to Excuse Committee Member Melchert

Resolution #AC2010-09-001
Moved by Viola
Seconded by Carolan

RESOLVED, that the absence of Committee member Melchert at the Animal Control Appeal Board meeting of September 1, 2010 be **EXCUSED**.

Yes: 4
No: 0
Absent: Melchert

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## Resolution to Approve Minutes of May 27, 2009 Meeting

Resolution #AC2010-09-002
Moved by Viola
Seconded by Petrulis

RESOLVED, that the Minutes of the May 27, 2009 meeting of the Animal Control Appeal Board be **APPROVED**.

Yes: 4
No: 0
Absent: Melchert

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**Agenda Items**

1. Petraq Kaskaviqi, residing at 1438 Leafgreen Drive, appeals the decision of the animal control officer rejecting the permit for 49 pigeons on his property.

Present to answer questions from the Committee were Petraq Kaskaviqi and Tim Shkembi.

On behalf of Mr. Kaskaviqi, Mr. Shkembi addressed the Committee regarding this appeal. A letter from Mr. Kaskaviqi was given to Chairperson Saeger. The letter was read aloud to the Committee. Mr. Shkembi informed the Committee as to the nature of racing pigeons. Another associate of the appellant, Mr. Jordan Luke, spoke about the vaccination and Health Department certification of the pigeons.

Several neighbors addressed the Committee in opposition to the pigeons. They cited health concerns, noise, and odors.

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|---|---|
| Robert Scott | 1444 Leafgreen |
| Bechara Tohme | 1425 Shaker |
| Constantine Copanos | 1429 Shaker |

One neighbor addressed the Committee to express his thought that rather than approval or denial of the permit, possibly Mr. Kaskaviqi could be allowed to have a smaller number of pigeons than requested on his permit.

| | |
|---|---|
| Kendall Scheer | 1432 Leafgreen |

When public discussion was concluded, the members of the Committee discussed the matter and asked questions to the appellant for clarification. Questions were also directed to PSA Hernandez and Assistant City Attorney Lancaster.

Member Carolan moved that based on Chapter 90.70.20(f) of the Troy City Code the application for appeal be denied based on the appellant's lot parcel size of .18 acre and the City of Troy requirement states .75 acre or larger.

Member Petrulis moved to amend the motion to include the portion of Chapter 90.70.20(f) of the Troy City Code which states that "Waivers will not be granted for animals that are loud or likely to be detrimental to the neighborhood."

The applicant was questioned as to how much time he would need to remove the pigeons from his property. He responded that thirty (30) days would be needed.

It was determined that the appellant would have thirty (30) days in which to remove the pigeons from his property.

Resolution #AC2010-09-003
Moved by Carolan & Petrulis
Seconded by Viola

RESOLVED, that the appeal of the decision of the animal control officer rejecting the permit for 49 pigeons 1438 Leafgreen Drive be **DENIED**.

Yes: 4
No: 0
Absent: Melchert

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**Resolution to Elect Chairperson**

Resolution #AC2010-09-004
Moved by Viola
Seconded by Petrulis

RESOLVED, that Jayne Saeger will serve as Chairperson of the Animal Control Appeal Board for one year, or until the next election is held (whichever occurs later).

Yes: 4
No: 0
Absent: Melchert

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**Resolution to Elect Vice-Chairperson**

Resolution #AC2010-09-005
Moved by Viola
Seconded by Carolan

RESOLVED, that Al Petrulis will serve as Vice-Chairperson of the Animal Control Appeal Board for one year, or until the next election is held (whichever occurs later).

Yes: 4
No: 0
Absent: Melchert

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**Resolution to Elect Secretary**

Resolution #AC2010-09-006
Moved by Petrulis
Seconded by Viola
RESOLVED, that Patrick Carolan will serve as Secretary of the Animal Control Appeal Board for one year, or until the next election is held (whichever occurs later).

Yes: 4
No: 0
Absent: Melchert

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The meeting adjourned at 8:30 p.m.

Jayne Saeger

Jayne Saeger, Chairperson

Patricia A. Gladysz

Patricia A. Gladysz, Secretary II