CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: **DATE: December 2, 2019**

Hearing - Reconsideration of placement of vicious dog at 532 9th Street due to change in circumstances.

Motion - Affirm, modify or overturn conditions of confinement regarding placement imposed by West Des Moines Animal Control Department

BACKGROUND:

On September 28, 2019 Teyo, a canine owned by Martin and Kari Misner, attacked a U.S. postal employee at the Misner residence at 532 9th Street causing serious injury. An investigation was undertaken by the City of West Des Moines Animal Control Department and, based upon the investigative findings, on October 4, 2019 the dog was declared vicious. As allowed by city code, in lieu of euthanasia the Misners agreed to confine the dog to their residence, subject to conditions imposed by the City.

Subsequent to the vicious dog declaration and the imposition of conditions of confinement, the U.S. Postal Service discontinued home delivery mail service to all residents in the 500 block of 9th Street due to the continued placement of Teyo at the Misner residence, finding that the placement jeopardized the safety of its employees. Therefore, all residents in the 500 block of 9th Street are currently required to pick up their mail at the West Des Moines Post Office.

The safety concerns of employees of the U.S. Postal Service and the burden to residents in the 500 block of 9th Street created by the termination of home mail delivery was unknown to the Animal Control Department at the time the imposition of conditions was made. Due to this new information, the City Council has set this time and place for a hearing to consider the new information. The hearing will provide the Misners and other interested parties an opportunity to present their position to the City Council regarding the continued placement of Teyo at the Misner residence.

Lead Staff Member: Richard J. Scieszinski, City Attorney RJS

Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ