12404 MacCorkle Avenue
Chesapeake, WV 25315
Phone: 304-949-1496
Email: townhall@chesapeakewv.gov
Website: https://chesapeake.wv.gov

Transparency
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Town of Chesapeake
Chesapeake Town Council
Meeting Minutes
November 25, 2024, at 6:00 pm
Dr. Lisa E. Curry Memorial Annex

Call to Order: Mayor Melissa Hill, Chair at 6:15 pm

Innovation: Mayor Hill

Pledge of Allegiance

Roll Call:

Town Council:

Melissa Hill, Mayor – Present
Robin Taylor, Recorder – Recorder
Ron Petty, Ward 1 – Absent
Gary Davis, Ward 2 – Present
Craig Smith, Ward 3 – Present
David Lloyd, Council-at-Large – Present
Dona Lacy, Ward 1 – Present
Wesley Dillard, Ward 2 – Absent
Katie Miller, Ward 3 – Present

Partner and Administrators Present Acknowledgement:
Andrew Roberts - Sanitation
Ralph Holbrook – Planning Commission

Approval of Agenda for November 19, 2024, where quorum was not established:

- Dona Lacy made a motion to approve agenda created for November 19, 2024, where no quorum was not established. Craig Smith seconded the motion. All in favor, motion carried.
- Mayor Hill explained why we are now asking council and sanitary board members to attend each monthly meeting.

Approval of Amended Agenda for November 25, 2024:

- Gary David made a motion to approve the amended agenda for this meeting. Katie Miller seconded the motion. All in favor, motion carried.

Approval of Meeting Minutes:

- Mayor Hill explained that she had gone through July, August, and September minutes to the transcripts and recordings.
  - July 2024 – Katie Miller made a motion to approve the meeting minutes as presented. Craig Smith seconded the motion. All in favor, motion carried.

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Town Hall/Council
Monthly Meeting
Date: Monday, December 16, 2024
Time: 6:00 PM
Location: Dr. Lisa E. Curry Memorial Building, 12316 MacCorkle Ave, Chesapeake, WV 25315

1. **Call to Order**
   - **Presiding Officer:** Mayor Melissa J. Hill
2. **Roll Call**
   - **Town Recorder:** Robin Taylor
3. **Prayer & Pledge of Allegiance**
4. **Approval of Agenda, Meeting Minutes, and Financials**
   - Review and approve the agenda for this Special Session.
5. **Partner Introductions**
   - **Introducing** – Burgess & Niple – 5G - Sewer Rehabilitation Engineer & Team
6. **Old Business**
   - **Celebrations**
     - **WV DLAP Grant** – Won! FY 2025 - $260K
     - **Police Department** – Lieutenant – Detective – Roger Queen
     - **Municipal Engagement Coordinator** – Jessica Holbrook - Sanitary
   - **Events**
     - **Letters to Santa** – December 22, 2024 – 2 PM – 4 PM
     - **HR Training – Makeup** – January 6 – 6 PM – Annex
     - **Silver Sneakers** – Tuesday & Thursday – 1 PM – Starting in January
     - **Seniors Christmas Meal** – Pot Roast – Wednesday, December 18, 2024
     - **Seniors New Year Meal** – Lasagna – Date TBD
   - **Fiscal Management**
     - Solvency - IRS – 2014 & 2015 – W2's Mailed
     - Solvency - IRS – 2017 & 2018 – Search & Rescue
     - 1989 Agreement – Town of Marmet – Sewer Processing
   - **Records Management**
     - **WV Checkbook Updates** - Continued
7. **New Business**
   - **Fiscal Management**
     - Motion – Research Waste Management – Tonnage Increase & Options
     - Motion – Senior Service – Workforce Agreement – Smart City Re/Upskill
     - Motion – Grant Submission – Thriving Communities – Planning
     - Motion – The Greater Kanawha Valley Foundation – Community Development
     - Motion – RFP – FY 2024 Audit – due by March 2025
     - Motion – RFID – Animals for a more Humane way to support Animal Welfare
       - Original Ordinance must be reinstated with updates – definitions of vicious and dangerous dogs
       - GovPilot Animal Registration is ready
         - Must determine Registration
         - County Registration – Animals as Property with shots and insurance?
   - **Contracts – RFQ**
     - **Stormwater** – Scoring & Recommendation
     - **Motion** – 5G – Engineering Firm - Stormwater
8. **Public Comment**
   - Concerns will be recorded in GovPilot
9. **Adjournment**

12/10/2024 6:00:33 PM _____

Next Meeting: Monday, January 27, 2025, at 6 PM

- Motion was made by Craig Smith to feel seniors Thanksgiving and Christmas meals not to exceed $2,500. Katie Miller seconded the option. All approved, motion carried.
- Motion was made by Craig Smith to approve a Christmas Event for kids hosted by the Police Department and Chief Quesenberry with monies coming from Parks and Recreation. Gary Davis seconded the motion. All approved, motion carried.
- **Fiscal Management**
  - Grant – Alternative Transportation – Submitted by Laura Cox Planning and included support letters from RIC and Charleston Area Alliance
  - Grant – Kanawha County Commission – Brownfields
  - Energy Efficiency Grant – submitted by RIC
  - WVDLAP – Submitted
  - ARPA Funds must be expensed by December 31, 2024.
  - Stormwater Project – RIC. Request for Qualifications received.
- **Public Comment:**
  - Special thanks to a city employee who was witnessed picking trash up along MacCorkle.
  - David Lloyd stated that 128th St needs paved. Drainage will almost tear the front of of a car. Volunteered to meet with DOH.
  - Paul Lavender – Did we not find receipts for purchase of generators?
    - No, it was said at the table, but Mayor nor Andrew have found a receipt.
    - Mayor Hill went on record that she excluded David Lloyd from RFQ proposal because he had previously been a contractor for the Sanitary Board.
- **Resolution – Conduct Official Business – Mayor/Chair & Recorder/Treasurer**
  - For discussion of legal, contractual, or personal matters as permitted by WV State Code.
  - Craig Smith made a motion to approve the Resolution stating that Mayor and Chair Melissa Hill, along with Recorder and Treasurer Robin Taylor can conduct business, management, and request all necessary records, including financial records, to resolve past debts, meet the requirements of the Federal Records Act, Update Federal and State Business Registrations, oversee the Administration of the State of WV Purchasing Card program, and execute agreements, contracts, and meetings on behalf of the Town of Chesapeake and the Chesapeake Sanitary Board, in accordance with WV State Code. David Lloyd seconded the motion. All approved, motion carried.
- Dona Lacy made a motion to hold December's Town Council meeting on December 16, 2024 due to upcoming holidays. Katie Miller seconded the motion. All approved, motion carried.

Dona Lacy made a motion to adjourn. David Lloyd seconded. All approved, motion carried.

Next Meeting:
December 16, 2024 @ 6:00pm
Dr. Lisa E. Curry Memorial Annex

- Explaining things that are being given to us that were built in the budget and how it reflects cost savings.
  - Certified part-time police officer swearing in next week. He will help set up cameras. He will be an hourly position. Even an officer for 12+ years.
  - Had another recruit but he could not pass the PT portion of testing. Has to re-test.
  - Trying to sell the older cruisers with the goal being to buy an unmarked car.
  - All guns have been purchased.
  - Nothing was in the system correctly.
  - We now have tasers and body cameras, just waiting on car camera.
  - Three tasers cannot be located. If they have been docked somewhere, Chief will be able to find them.
  - Working on getting a safe.
  - We are going to be under budget.
  - Received laptop from the county with CAD system.
  - Will be using Magistrate Office since we do not currently have a judge.
  - Got a nice radar.
  - The goal is to be a model department for everyone else.
- Question from David Lloyd – So we have a new person?
- Answer – Bringing him in as a Lieutenant, part-time.
- Question from Craig Smith – Is there a certain amount of time we can have the intoximeter before we have to start paying for it?
- Answer – Not if we start catching people. We have to show that this resource is needed.
  - Motion made by David Lloyd to pay the remainder of $18,533.43 out of Police Department budget to purchase radios (remaining balance from Kanawha County Commission grant). Craig Smith seconded the motion. All approved, motion carried.
- **Planning Commission**
  - Mayor Hill proposed a monthly stipend for $75 per member.
  - David Lloyd made the motion to pay a stipend of $75 per member of the Planning Commission per month. Dona Lacy seconded. All approved, motion carried.
- Question from Dona Lacy– How many members?
- Answer – Two
- **Contracts and Legal**
  - Mayor Hill responded to the Hamilton Ethics complaint.
  - Received dismissal from an unknown Ethics filing by clerk at Dollar General. Mayor nor Town was ever notified.
  - Rocky Hager claim has now been settled.

New Business:

- Recorder Robin Taylor acknowledged a petition she received regarding the removal of the John Glen mural. It included a copy of the resolution creating the Senior Center and 17 signatures.

- Mayor Hill gave a review of proposed management agreement to streamline the administration of business permits and occupational tax collection.

- It's not fair to tax our citizens more when we are not even collecting B&O.
- American Chemical is not paying B&O, either is Shamblin Stone.
- Collection can go back three years.
- HdL will keep 50% of what is collected.
  - Gary Davis made a motion to approve Mayor Hill to sign the contract with HdL and that the Town will pay 50%. Katie Miller seconded the motion. All approved, motion carried.
- **HR Training for Governing Body – Make-up Date**
  - January 6, 2025, at 6:00 – Dr. Lisa E. Curry Memorial Annex

Old Business:

- **Acknowledge: IRS Debt – 2014**
  - Mayor Hill thanks Andrew Robert's for his hard work in finding the old W-2s which were never sent to the IRS.
  - CPA Agarwal reviewed IRS correspondence to find debit are civil penalties for Intentional Disregard, Failure to file W-2s.
  - Uncovered potential fraud – timesheets and payroll older than 7 years showed odd patterns of overtime, straight pay with overtime, use of paid time off while working overtime hours.
  - CPA Agarwal instructed operations to mail copies of W-2s for 2014 and 2015.
  - Work with Counsel to file for dismissal of fees beyond six years.
  - 20+ hours per week searching archives, manual records - keying into spreadsheets
- **Acknowledge: IRS Debt – 2017**
  - Robert is searching for documentation
  - Agarwal states this needs to be settled the same way
- **Basement Renovation**
  - Completion date November 27, 2024
- **Financials**
  - Gary Davis made a motion to accept the financial reports for the month. Katie Miller seconded. All approved, motion carried.

- Question from Mrs. Miller (citizen) – Will HdL take 50% of the B&O that the Town is already collecting?
- Answer – No. They will only take 50% of what they collect.

- **Chief's War Room Renovation - $3,500**
  - Motion was made by Dona Lacy to approve the expenditure associated with the renovation. Katie Miller seconded. All approved, motion carried.
- **Public Safety – Chief Quesenberry**
  - Car is almost finished. Kanawha County Commission approved $20,000 grant to upgrade the radios. The Town will need to pay the additional $18,000.

- August 2024 – Katie Miller made a motion to approve the meeting minutes with a correction, "remove "a dollar" from the sentence on Pg. 2, 8b. Dona Lacy seconded the motion. All in favor, motion carried.
- September 2024 – Acknowledgement:

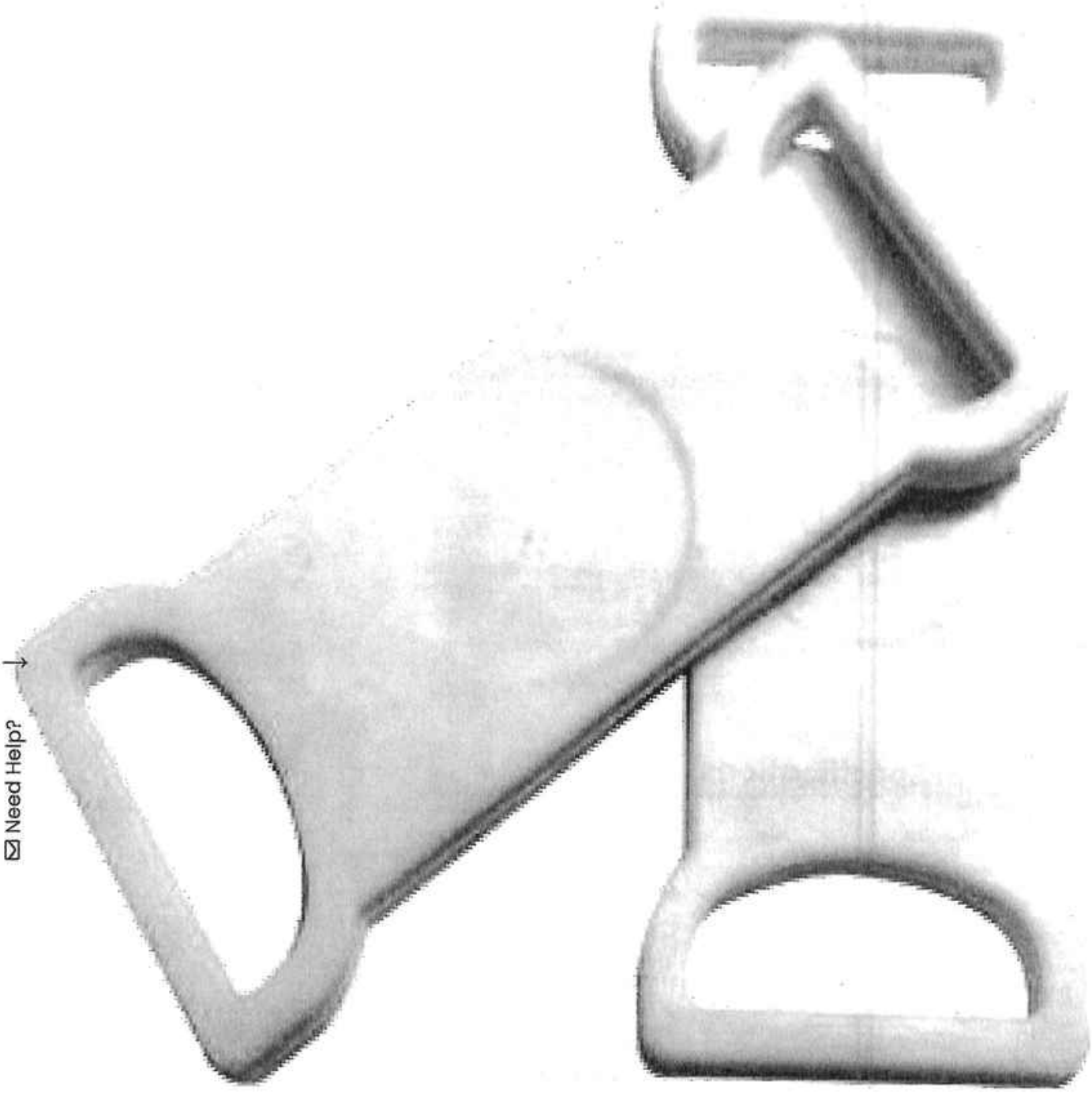
- No recording was made, no minutes were taken.
- Dona Lacy went on record stating that he has nothing to do with those who are trying to impeach Mayor Hill.
- Paul Lavender (citizen) went on record by stating these people will be back. A few are influential and can influence people to do the wrong things.
  - Gary Davis made a motion to accept that there is not meeting minutes nor transcription/recording for September 2024 Council Meeting. Katie Miller seconded the motion. All approved, motion carried.
  - October 2024 – Katie Miller made a motion to approve the meeting minutes as presented for October 2024 meeting. David Lloyd seconded the motion. All approved, motion carried.

Approval of 5G Engineering Firm – Sanitary Board – Sewer Rehabilitation or Replacement

- Mayor Hill explained the process of scoring firm proposals. The winner is Burgess and Niple. We will have a meeting with the mid-December to earmark remaining CARES funds.
- Robin Taylor encouraged council members to attend Sanitary Board meetings.
- David Lloyd made a motion to accept Sanitary Board's decision to move forward with Burgess and Niple. Craig Smith seconded the motion. All approved, motion carried.

Special Business

- **Technology Deck Acquisition Approval**
  - Mayor Hill presented a review of proposed management agreement from AccuFund that will support modernized operations in Town Administration, Public Works, and Public Safety.
  - The Town will only be responsible for paying 25% of the cost, Sanitary Board will be responsible for the additional 75%.
- Question from Craig Smith – Will this allow us to do forecasting?
- Answer – Probably in budget development but Mayor Hill will check and get back to everyone.
- Question from David Lloyd – How soon will this be implemented?
- Answer – As soon as Council approves.
  - David Lloyd made a motion to move forward with AccuFund with the Town responsible for payment of 25% of the initial startup and second year. Dona Lacy seconded the motion. All approved, motion carried.
- **Business Permit and Occupational Tax Management Agreement Approval**



Need Help?

UHF 860 MHz – 960 MHz Dog RFID Tag

This UHF 860 MHz-960 MHz Dog tag is NFC compatible and designed to be a waterproof, allowing it to be used in many animal tracking applications.

Add to quote

SKU: 116216

Categories: Pet Tracking RFID Tags (Https://Gaorfid.Com/Devices/Rfid-Tags-By-Feature/Pet-Tracking-Rfid-Tags/), Animal RFID Tags (Https://Gaorfid.Com/Devices/Rfid-Tags-By-Feature/Animal-Rfid-Tags/), High-Temperature Tolerant RFID Tags (Https://Gaorfid.Com/Devices/Rfid-Tags-By-Feature/High-Temperature-Rfid-Tags/), Long Range RFID Tags (Https://Gaorfid.Com/Devices/Rfid-

Tags-By-Feature/Long-Range-Rfid-Tags/), UHF RFID Tags (Https://Gaorfid.Com/Devices/Rfid-Tags-By-Feature/Uhf-Rfid-Tags/), Waterproof RFID Tags (Https://Gaorfid.Com/Devices/Rfid-Tags-By-Feature/Waterproof-Rfid-Tags/)

Description

Overview

The UHF Dog/NFC RFID Tag works on 860 MHz-960 MHz frequency band and is complaint with GS 1 EPC globe standard. This tag is made from flexible silicon material and supports many personalization processes such as QR code printing, logo printing, laser UID. The tag can be embedded with different ICs like NFC chips, UHF chips and used for pet tracking, dog tracking and animal identification.

Key Features

- Made from flexible silicon material
- Can be in different colors
- Supports many personalization processes such as QR code printing, logo printing, laser UID

Applications

- Dog tracking
- Pet tracking
- Animal identification

Technical Specifications

RF Specifications	
RF Air Protocols	GS1 EPC global
Operating Frequency	860 MHz to 960 MHz
IC Type	Higgs 3, G2XM etc.
EPC Memory Content	Serial number or QR code printing
Mechanical Specifications	
Material	Silicon
Tag Form Factor	Animal tracking tag
Attachment Method	Manual
Dimensions	1.10in × 1.02in × 0.19in (28 mm × 26 mm × 5 mm)
Environmental Specifications	
Operating Temperature	-22°F to 167°F (-30 °C to 75 °C)
Storage Temperature	-31°F to 212°F (-35 °C to 100 °C)
Certifications	RoHS approved
Waterproof	yes

Need Help?

Related Products

WEST VIRGINIA CODE: §19-20-5

§19-20-5. Wearing of registration tag by dog.

Every registered dog shall at all times wear a valid registration tag issued as provided in this article. The failure to have displayed or worn on any dog, at any time, of such valid tag shall be prima facie evidence that such dog is not registered and such dog shall be subject to be, and shall be, impounded, sold, or destroyed as hereinbefore or hereinafter provided.

ı Kanawha County, West Virginia, dog owners are required to register their dogs annually through the Assessor's Office. The registration fee is 3.00 per dog. If you reside within the city limits of Charleston, South Charleston, St. Albans, Dunbar, or Nitro, an additional $3.00 municipal fee p log applies. As a convenience, the Assessor's Office can process both county and municipal fees simultaneously, eliminating the need to visit ıultiple offices.

KANAWHA COUNTY ASSESSOR

)og tags are valid from July 1st to June 30th of the following year and must be renewed annually. To register your dog, you can complete the Do ag Application form available on the Assessor's website. After filling out the form, mail it along with a check or money order payable to the anawha County Assessor (please do not send cash) to the address provided on the form. Your dog tags will be mailed to the address listed on our assessment form.

KANAWHA COUNTY ASSESSOR

's important to note that all current tags become void after June 30th each year. Therefore, timely renewal is essential to ensure compliance with ɔcal regulations. Failure to pay the dog tax can result in the dog being impounded by the county dog warden or sheriff, with additional fees pplied.

ANIMAL LAW

or any questions or further assistance, you can contact the Kanawha County Assessor's Office at (304) 357-0250.

KANAWHA COUNTY ASSESSOR

Online Payments - e-Store

Start Over

Kanawha County, WV - E-STORE

View Cart (0)

Home > Pet Licenses > **Pet Licenses**

If you live in one of the following areas, you must purchase the "Combined Dog Tag" for each dog.

- Charleston City Limits
- South Charleston City Limits
- Dunbar City Limits
- Nitro City Limits
- St. Albans City Limits

Product	Price	Qty Available	Quantity	Action
County Dog Tag	$3.00	N/A	1	Add to Cart
Combined Dog Tag (Municipal and County)	$6.00	N/A	1	Add to Cart
Kennel Fee	$10.00	N/A	1	Add to Cart
Vicious Dog Tag	$10.00	N/A	1	Add to Cart
Replacement Tag	$0.25	N/A	1	Add to Cart

Translate

Kanawha County, WV

409 Virginia St. E.
Charleston, WV 25301

Phone:
(304) 357-0250

Hours:
Monday - Friday
8:00 a.m. - 5:00 p.m.

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ARTICLE 505
Animals and Fowl

505.01 Cruelty to animals.
505.02 Cruelty to dogs and cats.
505.03 Nuisance conditions prohibited.
505.04 Barking or howling dogs.
505.05 Hunting prohibited.
505.06 Animals at large.
505.07 Poisoning animals.
505.08 Keeping hogs.
505.09 Permit required; condition and location of animal enclosure.
505.10 Cattle at large; impounding.
505.11 Manure or animal refuse.
505.12 Cats.
505.13 Dogs.
505.99 Penalty.

CROSS REFERENCES

Authority to regulate the keeping of animals - see W. Va. Code 8-12-5(26)
Authority to prevent ill-treatment of animals - see W. Va. Code 8-12-5(27)
Domestic animal tax - see W. Va. Code 8-13-10
Disposing of dead animals - see W. Va. Code 16-9-3
Diseases among domestic animals - see W. Va. Code Art. 19-9
Dogs generally - see W. Va. Code Art. 19-20
Vaccination of dogs - see W. Va. Code Art. 19-20A
Hunting - see W. Va. Code Art. 20-2

505.01 CRUELTY TO ANIMALS.

(a) No person shall cruelly mistreat, abandon or withhold proper sustenance, including food, water, shelter or medical treatment necessary to sustain normal health and fitness or to end suffering or abandon any animal to die, or use, train or possess any domesticated animal for the purpose of seizing, detaining or maltreating any other domesticated animal.

(b) No person, other than a licensed veterinarian or a person acting under the direction or with the approval of a licensed veterinarian, shall knowingly and willfully administer or cause to be administered to any animal participating in any contest any controlled substance or any other drug for the purpose of altering or otherwise affecting such animal's performance.

(c) Any person convicted of a violation of this section shall forfeit his or her interest in any such animal and all interest in such animal shall vest in the humane society or county pound of the county in which the conviction was rendered, and such person shall, in addition to any fine imposed, be liable for any costs incurred or to be incurred by the humane society or county pound as a result.

(d) For the purpose of this section, "controlled substance" has the same meaning ascribed to it by West Virginia Code 60A-1-101(d).

(e) The provisions of this section do not apply to lawful acts of hunting, fishing, trapping or animal training or farm livestock, poultry, gaming fowl or wildlife kept in private or licensed game farms if kept and maintained according to usual and accepted standards of livestock, poultry, gaming fowl or wildlife or game farm production and management, nor to humane use of animals or activities regulated under and in conformity with the provisions of 7 U.S.C. Section 2131 et seq. and the regulations promulgated thereunder, as both such statutes and regulations are in effect on the effective date of this section.
(WVaC 61-8-19)

505.02 CRUELTY TO DOGS AND CATS.

No person shall cruelly, or needlessly beat, torture, torment, mutilate, kill or willfully deprive necessary sustenance, to any dog or cat, irrespective of whether any such dog or cat is his or her own or that of another person. No person shall impound or confine any dog or cat in any place unprotected from the elements or fail to supply the same with a sufficient quantity of food and water, or abandon to die any maimed, sick or diseased dog or cat or be engaged in or employed at dogfighting, or pitting one dog or cat to fight against another dog or cat or any similar cruelty to any dog or cat, or receive money for the admission of any person, or use, train or possess a dog or cat for the purpose of seizing, detaining or maltreating any other dog or cat.
(WVaC 61-8-19a)

505.03 NUISANCE CONDITIONS PROHIBITED.

No person shall keep or harbor any animal or fowl in the Municipality so as to create noxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public.

505.04 BARKING OR HOWLING DOGS.

No person shall keep or harbor any dog within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such dog.

505.05 HUNTING PROHIBITED.

No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms, bow and arrow, air rifle or any other means within the corporate limits of the Municipality.

505.06 ANIMALS AT LARGE.

It shall be unlawful for any person being the owner of or having charge of horses, mules, cattle, swine, sheep, goats, geese, ducks, turkeys, chickens or other fowl or animals excepting dogs and cats, to suffer or allow the same to run at large on any public streets and upon any unenclosed lands within the corporate limits.

505.07 POISONING ANIMALS.

No person shall maliciously, or willfully and without the consent of the owner, administer poison, except a licensed veterinarian acting in such capacity, to any animal that is the property of another, and no person shall, willfully and without the consent of the owner, place any poisoned food where it may easily be found and eaten by children or domestic animals, either upon his own lands or the lands of another. (1963 Code 5-11-3)

505.08 KEEPING HOGS.

It shall be unlawful for any person to keep or permit to be kept any swine or hogs within the corporate limits. (1963 Code 5-11-4)

505.09 PERMIT REQUIRED; CONDITION AND LOCATION OF ANIMAL ENCLOSURE.

No chickens, turkeys, ducks, geese, live poultry or fowl of any kind, horses, ducks, geese, ponies, cows, calves, rabbits, guinea pigs or live animals of any kind, except dogs and cats, shall be kept in the City without the owner thereof having received a permit to keep the same from the City Recorder with the approval of Council. No charge will be made for such permit, but such permit will only be granted upon agreement that the stable, barn, coop or other place where such animals, poultry or fowl are kept shall be constructed in such a manner that it can be kept and maintained in a dry, clean and sanitary condition, free from offensive odors. Applications for such permit shall be accompanied by a certificate signed by a majority of the householders residing within a radius of five hundred feet from the place where such stable, barn, coop, etc., is proposed to be located; provided, however, that no barn, stable, coop or other place where animals, fowl or poultry are kept shall be built, used or maintained within fifty feet of any house inhabited by human beings and unless built and maintained in a clean, dry and sanitary condition and free from offensive odors; and provided further, that none of the above enumerated poultry, fowl or animals shall be allowed to run at large, but shall be housed in a suitable enclosure. Said enclosure shall be kept thoroughly clean and unobjectionable at all times. Upon the failure of any owner or occupant of any premises to comply with any of the provisions of this section, such barn, stable, coop, etc., shall be deemed a nuisance, and as such shall be removed or abated, as provided by law. (1963 Code 5-11-5)

505.10 CATTLE AT LARGE; IMPOUNDING.

(a) No cattle shall be allowed upon any public street without an attendant; nor shall such cattle be permitted to graze upon any unfenced lot or parcel of land in the City unless in charge of an attendant or herdsman. In addition to any fine imposed upon the owner of cattle in violation of this section, the cattle running at large shall be impounded until redeemed, as herein provided.

(b) In any case where such animal is impounded, the owner thereof may upon proceedings instituted for that purpose before the Municipal Court Judge cause to be investigated the legality of such impounding and if, from the evidence, the Municipal Court Judge shall be of the opinion that such animal was illegally impounded, be shall by order in writing direct the Chief of Police to release the same. If any animal is not redeemed within five days from the impounding of same, or within ten days subsequent to the decision of the Municipal Court Judge, the same shall be sold by the Chief of Police after giving notice for ten days by publication in one issue of a newspaper published in the City indicating the time and place of such sale, which notice shall briefly describe the cow to be sold; if the owner of such cow be known, notice shall be served upon him. The proceeds shall be applied first to the payment of the costs of the maintenance of such animal, and costs attending the impounding and sale thereof, and any fine imposed and any residue shall be paid over to the owner of such animal.
(1963 Code 5-11-6)

505.11 MANURE OR ANIMAL REFUSE.

It shall be unlawful for any person owning or using a barn or stable within the City to deposit any manure or refuse from a stable or barn upon any street, alley or open ground within the City except for use for gardens and lawns. It shall be the duty of all persons owning or using stables or barns to provide a box or other receptacle, which shall be so constructed as to exclude rain water and prevent the ingress and egress of flies and be provided with a suitable cover, and all manure and or stable refuse shall be deposited in such box or receptacle, pending its removal from the premises, and such box or receptacle, shall be kept securely closed, except when manure or other refuse is being deposited or removed therefrom. From April 1 to November 30 in each and every year, every collection of such stable or barnyard manure shall be removed from the premises at least once a week; during the remaining period of the year, it shall be removed as frequently as may be necessary to prevent it from becoming offensive or a menace to the health and comfort of any person in the neighborhood. The ground, such box or other receptacle in which manure is stored must at all times be kept clean and treated in such a manner that flies will not breed in it. (1963 Code 5-11-7)

505.12 CATS.

(a) Definitions.
(1) "Cat" shall mean cats of either sex at least three months old unless otherwise specified.
(2) "Owner" means the owner, keeper or harborer of a cat; any person residing in or otherwise inhabiting a house, apartment, trailer or dwelling within the City, who allows or permits any cat to remain at or about such premises, shall be deemed the owner of such cat.
(3) "At-large" means off the premises of the owner and not under the control of the owner or an immediate family member, either by leash, cord, chain or other restraining device or mechanism.

(b) Impounding and Disposition.
(1) The Humane Officer of the City shall seize and impound any cat running at large within the City.
(2) If the owner is known, the Humane Officer shall make a reasonable effort to return such cat to its owner. Upon returning the cat as aforesaid, the Humane Officer shall serve or cause to be served upon the owner a citation to appear before the Municipal Court Judge of the City at a regular court session. Prior to the time fixed for appearance, the Humane Officer shall deliver to the Judge a copy of the citation and shall sign a complaint setting forth the violation.
(3) If the cat is not returned to the owner pursuant to the provisions of the preceding paragraph, the Humane Officer shall impound such cat.
(4) If the owner desires to redeem such cat within five days from the date the cat was impounded, the owner may pay to the Kanawha County Animal Shelter the following costs and fees:
A. Impounding and reclamation fees.
B. Boarding fees.
C. Other fees and costs incurred and/or assessed by the Kanawha County Animal Shelter.
D. Any City Court fees and costs must be paid before such animal is redeemed.
E. Rabies vaccination and any other requirement.

(5) No cat shall be released from the Shelter until all of the foregoing costs have been paid.

(6) If the owner of such impounded cat has not redeemed such cat, as provided in this section, within five days from the Court Session, such cat will be sold at private or public sale, destroyed or otherwise disposed of by the Kanawha County Animal Shelter, consistent with law.

(c) Running at Large Prohibited. It shall be an unlawful misdemeanor for the owner, keeper, harborer or person having charge or control of any cat to permit it to run at large within the City, except upon the property of the owner.

(d) Enticing; Importing. No person shall decoy or entice any cat out of the enclosure or house of its owner or possessor, or seize or molest any cat while being held or led by any other person, or bring any cat into the City for the purpose of impounding or killing the same.

(e) Squalling or Crying Cats. No owner or any other person shall keep or harbor upon or about their premises any cat which shall, by squalling, crying or in any manner whatsoever, disturb the comfort or quiet of any neighborhood within the City.

(f) Interference with the Human Officer. No person shall interfere with, impede or obstruct the Humane Officer, or his agents or employees, from performing the duties imposed or authorized by this section.

(g) Penalty.

(1) Whoever violates any portion of this section shall be guilty of a misdemeanor and fined as follows.
   A. For the first offense, $25.00.
   B. For the second offense within a period of one year, $50.00.
   C. For the third offense within a period of one year, $100.00.
   D. For the fourth offense within a period of one year, $300.00.

(2) Each day any violation of this section shall continue shall constitute a separate offense.

(3) The Humane Officer, any member of the City Police Department, or an aggrieved individual, may cause a warrant to be issued from Municipal Court to the cat owner or to the person keeping or harboring any cat in violation of this section.

(Ord. 97-1. Passed 7-7-97.)

505.13 DOGS.

(a) Dog Defined. "Dog" shall mean dogs of either sex at least three months old, unless otherwise specified.

(b) Application for License; Tag.

(1) Every person owning or harboring a dog in the City shall apply to the City Recorder for a license for each dog so owned or harbored, and at the time of application shall present and file with the City Recorder information whether the dog is a male or female. After the payment of the fee set forth in subsection (c) hereof, the City Recorder shall issue to such person a license together with an official tag, which tag shall be fastened to the collar of the dog so licensed.

VOID

See attached →

(2) In the event of a dog's being acquired, a license shall be obtained as aforesaid immediately after the date of acquiring the animal.

(c) License Fee; Expiration of License. The fee for obtaining a dog license shall be one dollar ($1.00) for each male dog and two dollars ($2.00) for each female dog. The license shall expire July 1 following the date of issue, provided, that the license fee mentioned shall not apply to dogs in a licensed kennel or veterinary hospital.

(d) Impoundings of Dogs. The Chief of Police may cause to be seized and impounded any dog at large in the City, whether licensed or unlicensed. The Council may employ, as needed, an impounding officer.

(e) Retention and Disposition of Impounded Dogs; Notice to Owner. Any dog, licensed or unlicensed, seized and impounded as provided in subsection (d) hereof, shall be detained for a period of five days. Any dog not claimed or redeemed by the owner or by the person harboring such dog within the period applicable, shall be disposed of by the Chief of Police, provided that whenever the name of any person appears on the collar of any dog so seized, or any dog so seized bears a tag as provided in subsection (b) hereof, such person or owner shall be notified of such seizure within forty-eight hours.

(f) Redemption of Impounded Dogs.

(1) The owner of a dog bearing a tag as provided in subsection (b) hereof, which has been seized or impounded, as provided in subsection (d), shall be entitled to redeem the dog by paying to the City Recorder or Chief of Police a redemption fee of two dollars and fifty cents ($2.50) plus fifty cents (50c) for each day, or fraction thereof, that the dog has been impounded.

(2) The owner of, or person harboring a dog not bearing a tag as provided in subsection (b) hereof, which has been seized or impounded, as provided in subsection (d), shall be entitled to redeem such dog upon establishing his title thereto to the satisfaction of the officer in charge of the dog, by securing a license for such dog as provided in subsections (b) and (c) (if not previously secured) and by paying to the City Recorder or Chief of Police, pursuant to a statement furnished such owner or person by the officer in charge of the dog, a redemption fee of five dollars ($5.00) plus fifty cents (50c) for each day, or fraction thereof, that the dog has been impounded.

(g) Muzzling of Dogs. Whenever it shall be made to appear to the Mayor that there are good reasons for believing that any dog within the City is afflicted by rabies, he may issue a proclamation requiring that all dogs shall for a period to be defined in the proclamation, wear good, substantial muzzles, securely put on, so as to prevent them from biting or snapping. Any dog going at large, during the period defined by the Mayor, without such muzzle, shall be taken by the Chief of Police and impounded as provided herein.

(h) Seizing or Enticing Dog; Bringing Dog into City for Impounding or Killing. No person shall entice any properly licensed dog into any enclosure for the purpose of taking off its collar or tag, or, for such purpose, decoy or entice any dog out of the enclosure or house of its owner or possessor, or seize or molest any dog while held or led by any person, or bring any dog into the City for the purpose of impounding and killing the same.

(i) Dogs Running at Large. It shall be unlawful for the owner, keeper, harborer or person having charge or control of any dog, licensed or unlicensed, to permit it to run at large in the City, except upon the property of the owner.
(1963 Code 5-27)

505.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for general Code penalty if no specific penalty is provided.)

(a) (1) Whoever violates Section 505.01(a) shall be fined not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000) or imprisoned not more than thirty days, or both, for a first offense. Any person convicted of a second violation of Section 505.01(a) shall be imprisoned for not more than thirty days or fined not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000), or both. The incarceration set forth in this subsection shall be mandatory unless the provisions of subsection (a)(2) are complied with.

(2) Notwithstanding any provision of this Code to the contrary, no person who has been convicted of a second or subsequent violation of the provisions of Section 505.01(a) may be granted probation until the defendant has undergone a complete psychiatric or psychological evaluation and the court has reviewed such evaluation. Unless the defendant is determined by the court to be indigent, he or she shall be responsible for the cost of said evaluation.

(3) In addition to any other penalty which can be imposed for a violation of Section 505.01, a court may, as a condition of probation, prohibit any person so convicted from possessing or owning any animal or type of animal during the period of probation.

(b) Whoever violates Section 505.01(b) shall be fined not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000).
(WVaC 61-8-19)

(c) Whoever violates Section 505.02 shall be fined not more than one thousand dollars ($1,000) or imprisoned not more than thirty days, or both. In addition the Humane Officer may remove the dog or cat involved and place it in the pound and such dog or cat shall not be returned to the owner or perpetrator of the act of cruelty, but shall be put up for adoption to a desirable home or given into the care of a humane society or upon the recommendation of a licensed veterinarian shall be humanely destroyed.
(WVaC 61-8-19a)

(d) Whoever violates Sections 505.06 to 505.11 or 505.13 shall be fined not more than one hundred dollars ($100.00) and/or imprisoned not more than thirty days. Each day's continued violation shall constitute a separate offense.

505.13 DOGS

(a) Dog defined. "Dog" shall mean dogs of either sex at least three months old, unless otherwise specified.

All dogs must be maintained in a closed area, fence or kept in the residence.

Any person walking a dog, which has to be on a leash, shall clean up behind them and dispose of fecal matter on their own property. If caught not obeying this law,

1st Offense:	Warning
2nd Offense:	$25.00 fine
3rd Offense:	$50.00 fine

After third offense, measures shall be taken to remove the dog from said owner.

DANGEROUS DOGS

Dangerous dog means any dog other than a police dog, that:

A. Without provocation, chases or approaches in a menacing fashion any person while on or off the premises of the owner or,
B. Without provocation, bites, attempts to bite or causes physical harm to any person while on or off the premises of the owner.

VICIOUS DOGS

Vicious dog means any dog other than a police dog that:

C. Without provocation kills or causes serious physical harm to any person
D. Any dog which belongs to, or has the appearance and characteristics of being predominantly of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier, Pit Bull Terrier and any other breed of dog commonly known as Pit Bulls, Pit Bull Dogs or Pit Bull Terriers or a combination of those breeds.

As of the date of this ordinance, these vicious dogs will not be allowed in our town.

However, if you are presently the owner of a vicious dog, (limit one per household) you must comply with the ordinances that are now on the books.

They must be registered and you must pay a license fee of $50.00, which is to be renewed annually at City Hall.

You must provide proof of liability insurance of $100,000.00 covering any damage or injury, which may be caused by the vicious dog during the 12 month period covered by license, by a certificate of insurance or copy of the policy to City Hall.

The owner shall, at the owner's expense, have the vicious dog spayed or neutered and shall present to the City Hall documentary proof from a licensed veterinarian that this sterilization has been performed.

The owner shall not sell or otherwise transfer the vicious dog to any person except a member of the owner's immediate family who will then become the owner and will be subject to all of the provisions of this section. The owner shall notify City Hall within five (5) days in the event that the vicious animal is lost, stolen or dies.

If we are advised that a citizen has one of these dogs, there will be an investigation to make sure you are in compliance.

If you are found to not be in compliance, you will be fined as follows:

1st Offense - $100.00
2nd Offense - $200.00
3rd Offense - $300.00

After third offense, dog will be removed from the household.

505.14 Farm Animals

No farm animals, such as chickens, turkeys, ducks, geese, live poultry or fowl of any kind, horses, ponies, cows, calves, rabbits, or live animals of any kind except dogs or cats shall be kept in the town.

As of the date of this ordinance, the following Ordinances are null and void.

505.06
505.08
505.09
505.10
505.11

12404 MacCorkle Avenue
Chesapeake, WV 25315
Phone: 304-949-1496
Email: townhall@chesapeakewv.gov
Website: https://chesapeake.wv.gov

Transparency
Respect
Winning

Town Hall/Council
Monthly Meeting
Date: Monday, December 16, 2024
Time: 6:00 PM
Location: Dr. Lisa E. Curry Memorial Building, 12316 MacCorkle Ave, Chesapeake, WV 25315

1. **Call to Order**
   - **Presiding Officer:** Mayor Melissa J. Hill
2. **Roll Call**
   - **Town Recorder:** Robin Taylor
3. **Prayer & Pledge of Allegiance**
4. **Approval of Agenda, Meeting Minutes, and Financials**
   - Review and approve the agenda for this Special Session.
5. **Partner Introductions**
   - **Introducing** – Burgess & Niple – 5G - Sewer Rehabilitation Engineer & Team
6. **Old Business**
   - **Celebrations**
     - **WV DLAP Grant** – Won! FY 2025 - $260K
     - **Police Department** – Lieutenant – Detective – Roger Queen
     - **Municipal Engagement Coordinator** – Jessica Holbrook - Sanitary
   - **Events**
     - **Letters to Santa** – December 22, 2024 – 2 PM – 4 PM
     - **HR Training – Makeup** – January 6 – 6 PM – Annex
     - **Silver Sneakers** – Tuesday & Thursday – 1 PM – Starting in January
     - **Seniors Christmas Meal** – Pot Roast – Wednesday, December 18, 2024
     - **Seniors New Year Meal** – Lasagna – Date TBD
   - **Fiscal Management**
     - Solvency - IRS – 2014 & 2015 – W2's Mailed
     - Solvency - IRS – 2017 & 2018 – Search & Rescue
     - 1989 Agreement – Town of Marmet – Sewer Processing
   - **Records Management**
     - **WV Checkbook Updates** - Continued
7. **New Business**
   - **Fiscal Management**
     - Motion – Research Waste Management – Tonnage Increase & Options
     - Motion – Senior Service – Workforce Agreement – Smart City Re/Upskill
     - Motion – Grant Submission – Thriving Communities – Planning
     - Motion – The Greater Kanawha Valley Foundation – Community Development
     - Motion – RFP – FY 2024 Audit – due by March 2025
     - Motion – RFID – Animals for a more Humane way to support Animal Welfare
       - Original Ordinance must be reinstated with updates – definitions of vicious and dangerous dogs
       - GovPilot Animal Registration is ready
         - Must determine Registration
         - County Registration – Animals as Property with shots and insurance?
   - **Contracts – RFQ**
     - **Stormwater** – Scoring & Recommendation
     - **Motion** – 5G – Engineering Firm - Stormwater
8. **Public Comment**
   - Concerns will be recorded in GovPilot
9. **Adjournment**

12/10/2024 6:00:33 PM _____

Next Meeting: Monday, January 27, 2025, at 6 PM

Town of Chesapeake

Town Council Meeting Minutes

Monday, December 16, 2024 (Reschedule due to Holiday)

6:00 pm

Dr. Lisa E. Curry Memorial Annex

Call to Order at 6:00 pm – Mayor Melissa Hill

Prayer & Pledge of Allegiance

Roll call of Officers:

Mayor – Melissa Hill – Present	Recorder – Robin Taylor – Present
Council-at-Large – David Lloyd – Present	
Ward 1 – Dona Lacy - Present	Ward 1 – Ron Petty – Present
Ward 2 – Gary Davis - Absent	Ward 2 – Wes Dillard – Present
Ward 3 – Craig Smith - Absent	Ward 3 – Katie Miller - Present

Approval of Agenda:

- David Lloyd, Dona Lacy to approve to include amendments. All approved, motion carried

Partner introduction: Burgess and Niple: Sewer Rehabilitation Engineer & Team

- Isaac Fediga, Mike Davis - Engineers moving forward to address concerns of sewer system. Some previous projects include Charleston Sanitary Board. Also have additional experience in Webster, Greenbrier and Kanawha County. We will have their contact information moving forward for questions. Isaac plans to attend most meetings, Council and/or Sanitary. Today is his first official day at Burgess and Niple.
    - Q: David Lloyd - When do we plan to break ground?
        - A: Isaac - As far as breaking ground, we go through planning then construction. It is going to take a month or two to get a grasp on the direction we need to be headed. The first deliverable is a preliminary engineering report with price and schedules.
        - Mayor - There were also exclusions in SSES, so Burgess & Niple will need to assist in closing those gaps and see the direction we need to

go there. Any properties that had issues during smoke testing has been documented and flagged so we know how to move forward. Also talked to USDA Rural for help for seniors who may need assistance with sewer issues.

- Minear – Reviewed the contract and need Burgess & Niple to contact her office to add some verbiage to the contract. Need to see the insurance requirements of the town and need to see their insurance.

Meeting Minutes:

- Katie Miller made a motion to accept, Wesley Dillard seconded. All approved, motion carried.

Financials will be presented for both months at next meeting.

Old Business

Celebrations:

- DLAP Grant awarded at $260,000.00.
- Police Department: Lieutenant and Detective Roger Queen was sworn in. Roger is a deputy currently for Raleigh County
- We welcome Jessica Holbrook as a municipal engagement coordinator.
- Letters to Santa: We received 24 letters. Jessica and Ralph Holbrook will be playing Mr. and Mrs. Claus. Council is encouraged to please join Sunday from 2:00 to 4:00 and get the opportunity to meet families and their children. We opened this up to Chesapeake and Winifrede.
- Our make-up HR training is January the 6th 6:00 PM here at the annex. HR Consultant Ms. Ashley Burton will be joining us.
- Update on usage of Dr. Lisa E. Curry Memorial Annex building:
    - Mayor was approached by two ladies who inquired about walking as exercise inside the building. Mayor Hill would like to pilot Silver Sneakers for seniors two times per week.
        - Wes Dillard made a motion to approve Silver Sneakers as a pilot program on Tuesdays and Thursdays from 1:00 pm – 2:00 pm. David Lloyd seconded the motion. All approved, motion carried.
- We will be feeding the seniors Christmas lunch and New Years lunch again this year.

Fiscal Management

- Old W-2's that were never submitted to the IRS have been packaged and will be mailed certified tomorrow with a cover letter on them. Andrew has also located the 2014 and 2015 W-2s.
- 1989 Agreement between Town of Marmet and Town of Chesapeake
    - Legal Counsel Beth Minear: I have watched some of the council meetings in Marmet regarding a new round of bonds and the raising of tariff rates for the first time since 2008. The council has faced backlash from constituents about the rate hike. The tariff increase is tied to an agreement involving Chesapeake, and they discussed the implications of this for the bond issuance. Additionally, there's been some tension with their attorney, Scott McClure, who has been involved in discussions regarding an amendment to the 1989 agreement. There was frustration over a lack of response to requests made earlier and dissatisfaction with a letter sent after a missed deadline. The letter, which was sent late and unsigned by McClure, seemed to mischaracterize their intentions, particularly regarding the negotiation process. The town is now aiming for high-level negotiations and fiscal management moving forward.
- Trash update: The Town is currently paying $40 a ton right now and the increase will take us up to $95.83 per ton. Waste management is taking over. Our citizens currently pay $14.00 a month for residential waste.
    - Lloyd – Last time the trash went up in Charleston, people threw trash everywhere. It is probably going to happen again.
    - Mayor Hill - we've already started to research public works. Rocky and the team have already gotten their runs down to about one truck and on the first day on Wednesdays the truck and a half and then Thursday. We need to do some additional research and a cost analysis.
    - Wes Dillard made a motion for the Mayor and Public Works to do additional research and a cost analysis. David Lloyd seconded the motion. All agreed, motion carried.

New Business

- Preston County Senior Services
    - Offers a program to re-train seniors (50 and over).
    - The Town would be responsible for paying $1,500 for each part-time employee and the PCSS through the federal government will pay their salaries for 20 hours per week.
    - Job duties would include records management and event management.

    - Mayor Hill would like to approve two positions for $3,000 total
    - Wesley Dillard made a motion to approve proceedings with two senior positions for $1,500 each. Ron Petty seconded the motion. All approved, motion carried.
- Thriving Communities Grant Application
    - We can use this money for planning and one of the other things we can use it for being property acquisition. We may need accessibility to some of the sewer system areas and planning throughout the town and beautification.
    - Mayor would like for council to approve submitting for a grant up to $250,000.
    - Has to be submitted by December 30th.
    - Katie Miller made motion to approve us to submit planning grant for thriving communities. Wesley Dillard seconded the motion. All approved, motion carried.
- Greater Kanawha Valley Foundation
    - The Mayor met with Todd Dorcus, Program Officer with Greater Kanawha Valley Foundation.
    - The Town has been invited to apply for a grant to supplement the Regional Intergovernmental Council grant that we have already secured for a strategic plan for the Town.
    - This strategic plan would replace the thoughts of a comprehensive plan due to the constraints that a comprehensive plan could put on the Town for 10 to fifteen years.
    - David Lloyd made a motion to approve the Town to submit a grant application to the Greater Kanawha Valley Foundation. Wesley Dillard seconded the motion. All approved, motion carried.
- FY24 Audit
    - The WV Auditor's Office has given us a template RFP to send out to prospective CPA firms along with a list of CPAs to submit to.
    - Motion was made by Dona Lacy to proceed with the RFP for FY24 Audit. Katie Miller seconded the motion. Robin Taylor added that each month has been reviewed and batched appropriately and we are ready for this audit. All approved, motion carried.
- RFID for pets (Radio Frequency ID)
    - The Town has ongoing issues with animal control.
    - This would create a way for the Town to be able to scan the ID and notify the owners of their lost pet.

    - The Town Ordinance was placed in the packet for Council to review and recognize that most of the items within the ordinance had been voided.
    - Council needs to review the ordinance for possible update.
        - Wesley Dillard made a motion to review and possibly update the Animal Control Ordinance. Katie Miller seconded the motion. All approved, motion carried.
- Storm Water System Program Update
    - The integrated team consisting of members of Mayor Hill, Robin Taylor, Craig Smith, Ralph Holbrook, Jason Bowen, and Brian Bowen, along with Counsel Beth Minear met to review the RFQs.
    - Three companies submitted proposals: New River Engineering, Potesta, and Thrasher Engineering.
    - After scoring, Potesta and Thrasher will be invited to present to the integrated team to answer questions regarding their proposals.

Public Comments

- Tresa Howell: Resident of Winifrede. Over the last year and a half I have had residents reach out to me about issues in this town. I direct them to their elected officials. I have provided state code on how to remove people from office. I tell them to reach out to the County Commission, their Senators or Delegates. I want everyone to know I am always here.
- Dona Lacy – We have to replace our Christmas decorations.
    - Catalogs are in the office. Review the catalogs and budget monies for the next year.
- Ms. Miller – Do we have to use the catalogs or can we look other places?
    - We don't. We can do some research.
- Lloyd – Garbage on 126th Street
- Dillard – Who owns trailers?
    - Newman, lives on Kanawha Boulevard

Everyone in this town has access to voice their concerns through GovPilot. Council members can report a concern on behalf of constituent. Safe place to report a concern.

Demonstrated GovPilot

Demonstrated Bulk Pickup Request

- Gigi Bramble – You asked us to call 911 or non-emergency. Should we also log these things in GovPilot?

    - Mayor Hill recommends to always follow up with 911 if you do not get results. Until the property owner wants to solve the issues (Dollar General), there is really nothing that the municipality can do.
- Howell – What's the litter law? Do they not pay B&O taxes?
    - There is a WV State Litter number people can call to report litter.
- Robin Taylor asked council to set up their emails.
- Ms. Miller – Is lieutenant full time or part time?
    - Very part-time
- Will he be patrolling?
    - No.

Mayor is setting up Building and Planning Commissions.

Motion to adjourn was made by Dona Lacy. Katie Miller seconded. All approved, motion carried.

Next Meeting:

January 27, 2025, 6:00 pm

Dr. Lisa E. Curry Memorial Annex