

**JOURNAL OF THE COUNCIL  
CITY OF SOUTH CHARLESTON**

The council met in its chambers in City Hall on October 1, 2009 at 7:30 p.m., EDT for the first meeting and was called to order by Mayor Mullens.

Margie Spence, City Clerk, called the roll and the following members were present:

Ben Paul	Sonny Holstine
Jeff Means	Linda Anderson
Paul Neal	Kent Rymer
Jef Stevens	Dayton Griffith
	Mayor Mullens

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**PRAYER**

Offered by Dayton Griffith.

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**PLEDGE OF ALLEGIANCE**

Led by Margie Spence.

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**ALSO IN ATTENDANCE**

Margie Spence, City Clerk  
Danny Smith, Recreation Director  
Mark Simmons, Fire Chief  
Brad Rinehart, Police Chief  
Steve DeBarr, Sanitary Board Manager/Engineer  
Carlton Lee, City Manager  
Gerald Burgy, Public Works Director  
Mark Clark, City Attorney  
Hanna Pettit, City Treasurer

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**MINUTES OF PREVIOUS MEETING**

Mr. Paul moved to approve the minutes of the Regular Council meeting of September 17, 2009; seconded by Mr. Means and passed by a unanimous voice vote.

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**FINANCIAL REPORT**

None.

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**PETITIONS, COMMUNICATIONS AND PUBLIC HEARINGS****AN ORDINANCE AMENDING ARTICLE 505 REGARDING DANGEROUS DOGS IN THE CITY LIMITS (SECOND READING) (PUBLIC HEARING) (MAYOR)**

It was moved by Mr. Paul; seconded by Mr. Means to adopt the ordinance.

Mayor Mullens opened the floor to a public hearing.

To Speak:

John Shoup – 3801 Washington St – asked for clarification in ordinance “classification of dog.” City Attorney, Mark Clark defined definition.

Amy Hayes – 305 Highland Ave. – felt ordinance punishes owners who attempt to rehabilitate fighting dogs. Mayor Mullens stated Ms. Hayes misinterpreted the ordinance.

Richard Lindroth – 4614 Kanawha Ave – questioned definition of dangerous dogs – Mayor Mullens stated dogs must demonstrate dangerous dog classification.

Bill Fink – 4609 Spring Hill Ave. – is owner of large dogs – asked if dog was considered vicious because barking and is of a large size – Mayor Mullens stated dogs must demonstrate classification of dangerous as defined in ordinance.

Jo Staats – 149 Greenery Dr – Wardensville – runs West Virginia Pit Bull Haven – a group that rehabilitates fighting dogs – felt these dogs were not being given a second chance – Mayor Mullens stated owners could ask the city to re-evaluate the dog to determine if it is still dangerous.

Mayor Mullens closed the public hearing. Therefore, the ordinance was adopted by a unanimous voice vote.

**APPOINT CELIA PROUSE TO VISUAL ARTS COMMISSION (MAYOR)**

It was moved by Mr. Means; seconded by Mr. Rymer to approve the appointment. This passed by a unanimous voice vote.

**RECOGNIZE KAREN MILLER REGARDING URBAN DEER HUNTING (MAYOR)**

Mayor Mullens recognized Ms. Miller who spoke to council asking the city to consider a proposed ordinance for deer hunting within city limits. It was moved by Mr. Griffith; seconded by Mr. Means to refer this to the ordinance committee for review. This passed by a unanimous voice vote.

**APPROVE PROCLAMATION REGARDING CONSTITUTION WEEK (MAYOR)**

This item was removed.

**APPROVE PROCLAMATION REGARDING DISABILITY MENTORING DAY (MAYOR)**

It was moved by Mr. Means; seconded by Mr. Paul to approve the proclamation. This passed by a unanimous voice vote.

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**BIDS**

None.

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**REPORT OF RECREATION COMMITTEE** – No written report.

**REPORT OF FIRE CHIEF** – No written report.

**REPORT OF POLICE CHIEF** – No written report.

**REPORT OF SANITARY BOARD MANAGER/ENGINEER** – No written report.

**REPORT OF CITY MANAGER** – No written report.

**REPORT OF PUBLIC WORKS DIRECTOR** – No written report. Mr. Burgy introduced Dave Mallory as the new Assistant Director.

**REPORT OF CITY ATTORNEY** – No written report.

**REPORT OF CITY TREASURER** – No written report.

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**COMMITTEE REPORTS**

None.

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**CONSIDERATION OF NEW BUSINESS**

None.

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**MISCELLANEOUS BUSINESS**

It was moved by Mrs. Anderson; seconded by Mr. Paul to approve October 29 as trick-or-treat night in South Charleston from 6:00 p.m. until 8:00 p.m. This passed by a unanimous voice vote.

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**ADJOURNMENT**

Mr. Means moved to adjourn the meeting; seconded by Mr. Paul and passed by a unanimous voice vote.

Mayor Mullens adjourned the meeting at 8: 15 p.m.

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**APPROVAL**

Approved this \_\_\_\_ day of \_\_\_\_\_, 2009.

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Frank A. Mullens, Jr. Mayor

ATTEST:

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Margie Spence, City Clerk

