

CITY OF NITRO
COUNCIL MEETING MINUTES
TUESDAY, JULY 6, 2010

CALL TO ORDER: Mayor Rusty Casto called the meeting to order at 7:00 pm in Council Chambers . Attending the meeting with Mayor Casto were Recorder Rita Cox, Ward 1 Councilman A. A. "Joe:" Savilla, Ward 3 Councilman Craig Matthews, Ward 4 Councilman Bill Javins, Councilmen at Large Jim McKay, Dave Casebolt and Bob Fields, City Treasurer John Young and City Attorney Richie Robb.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Ray Humphrey and the Pledge of Allegiance was led by Councilman Jim McKay and his son, J. C. McKay.

FUTURE DATES OF COUNCIL: Mayor Casto said the future dates of Council are July 20, August 3 and August 17.

CITIZEN OF THE MONTH: Mayor Casto asked Councilman Jim McKay to introduce the July Citizens of the Month. Councilman McKay introduced Ray and Frankie Humphrey who recently celebrated their 50th wedding anniversary.

UPDATE ON INJURED NITRO ELEMENTARY STUDENT/JOHN DAVIS: Cub Scout Pack 188 Leader Todd Fouch told Council that John Davis, son of Nitro fireman Nate Arthur, was improving following a head injury recently. He said that on Sunday, July 18, there would be a fund raiser held for him and his family from 1:00 to 3:00 pm at St. Paul's Methodist Church.

APPROVAL OF COUNCIL MINUTES: Recorder Rita Cox said that the minutes were not ready so this item was postponed to the next Council meeting.

OLD BUSINESS

INSURANCE/WORKERS COMPENSATION: City Treasurer John Young reported the City was able to save \$33,000.00 by switching Workers Compensation coverage from Brickstreet to Travelers Insurance. He also reported that Councilman Jim McKay had met with the city insurance carrier to ensure that the World War Museum had coverage for the recent all class reunion of Nitro High School.

WORLD WAR I COMMISSION/MUSEUM: Councilman McKay said the Museum was very well attended during the all class reunion. He said that 93 people had signed the visitors book which meant that more people than that had gone through the museum. He said he would like for the museum to become a part of the World War I Commission.

INTERNATIONAL BUILDING CODE: John Montgomery, chairman of the Ordinance Committee, said that the Committee wants to take time to make sure the International Building Code is enacted correctly. He said the Ordinance Committee would meet at 7:00 pm on Thursday in the NDA conference room.

NEW BUSINESS

FIRST READING ORDINANCE PERSONAL INCOME TAX REFUND OFFSET PROGRAM: City Attorney Richie Robb read the ordinance by title only: An Ordinance to amend the Codified Ordinances of the City of Nitro, West Virginia, by adding thereto a new article designated 175.01, 175.02, 175.03, 175.04 and 175.05, all relating to establishing the authority to offset unpaid municipal fines, costs, forfeitures or penalties, or restitution against the delinquent payor's West Virginia personal income tax refund. **COUNCILMAN MCKAY MOVED THE ORDINANCE ESTABLISHING THE AUTHORITY TO OFFSET UNPAID MUNICIPAL FINES, COSTS, FORFEITURES OR PENALTIES, OR RESTITUTION AGAINST THE DELINQUENT PAYOR'S WEST VIRGINIA PERSONAL INCOME TAX BE PASSED ON FIRST READING. THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA.** City Treasurer John Young asked if unpaid municipal service fees could be included in this. John Montgomery said he thought that this would be possible. **VOTE WAS UNANIMOUS FOR THE**

MOTION.

FIRST READING ORDINANCE AMENDING LICENSE TAX PERTAINING TO GENERAL CONTRACTOR / HANDYMAN: Richie Robb read the ordinance by title only: An ordinance to amend and reenact sections 733.14 and 733.98, Article 73 of the Code of Ordinances of the City of Nitro, West Virginia, all relating to municipal license taxes, and providing a reduced license tax for the renewal of a contractor's license, establishing an initial registration and annual renewal tax for the contractor handyman, and providing the effective date for the amendments; and clarifying imposition of fine. COUNCILMAN SAVILLA MOVED THE ORDINANCE AMENDING THE LICENSE TAX MAKING THE LICENSING FEE FOR GENERAL CONTRACTORS \$100.00 WITH RENEWAL BEING \$50.00 AND THE HANDYMAN FEE BEING \$25.00 AND THE RENEWAL FEE \$25.00 PASSED ON FIRST READING. THE MOTION WAS SECONDED BY COUNCILMAN CASEBOLT. COUNCILMAN SAVILLA AMENDED THE MOTION TO REMOVE THE PRIVATE INVESTIGATOR CATEGORY WITH A SECOND TO THE AMENDED MOTION BY COUNCILMAN CASEBOLT. VOTE WAS UNANIMOUS FOR THE MOTION.

ATTORNEY REPORT: Richie Robb said Sandy Saunders has been out of town so there had been no work done recently on annexation of Red Oak. He said there would be an informational meeting on July 15 for people from Red Oak Drive held in Council Chambers at 7:30 pm.

TREASURER REPORT: John Young said the WV Auditor's office had requested the city pass an ordinance stating the city can write off unpaid municipal service bills.

COUNCIL COMMENT

Mayor Casto announced the groundbreaking would be held on August 4 at 12:00 for the boat launch.

COUNCILMAN BILL JAVINS MOVED THE MINUTES OF THE MAY 7, 2010 MEETING OF THE CONVENTION AND VISITORS BUREAU BE MADE A PART OF THE MINUTES WITH A SECOND BY COUNCILMAN JIM MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION.

COUNCILMAN JAVINS MOVED THE FOLLOWING STREETS BE ADVERTISED FOR BIDS TO PAVE: ROCKLEDGE TO 231 MAILBOX AND TO DEAD END SIGN; CEDAR STREET FROM WASHINGTON AVENUE TO KANAWHA AVENUE; IVY STREET FROM DUPONT TO MAIN AVENUE; WALKER STREET-WALKER AND LEE; LOCUST STREET-FREDRICK STREET TO FIRST AVENUE; MICHIGAN AVENUE SOUTH (500 BLOCK); HICKORY ROAD (ONE SECTION). THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION.

Councilman Matthews said the work that needed to be done on the Fire Department boat had been \$14,060.72 rather than the original estimated amount of \$17,981.00. He said Nitro fireman Bob Ely had spent a great deal of his own time getting the work done. Councilman Matthews said Lou Wendell and Perry Jones had both offered a place to keep the boat. He said the Boomtown Days are July 23 with a Gospel Sing and activities on July 24 ending with fireworks. Councilman Matthews said there is a 5k-3k Run and Walk connected with the Boomtown Days on July 24 with all proceeds going to the Flag Memorial.

He said the boat for the Fire Department is named the D. R. Rawlings, a former Nitro fireman.

Councilman Casebolt said the environmental study had been completed on the streetscape. He said the plan should be in place by the first part of October.

Councilman McKay said the Museum Commission would meet on Thursday at 6:00 pm. He would like advice on how to proceed with the Museum/World War I Commission connection.

PUBLIC COMMENT

Bob Schamber said there is a dance Saturday. He said there as very good attendance at the Community Center on the all class reunion Saturday.

Leonard Womble said the Convention and Visitors Bureau will meet August 3 at 6:00 pm.

ADJOURNMENT

COUNCILMAN MATTHEWS MOVED THE MEETING BE ADJOURNED WITH A SECOND BY COUNCILMAN MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION.

RUSTY CASTO, MAYOR

RITA COX, RECORDER