

NITRO CITY COUNCIL
MEETING MINUTES
TUESDAY, JULY 20, 2010

CALL TO ORDER: Mayor Rusty Casto called the meeting to order a 7:00 in Council Chambers. Attending with Mayor Casto were Recorder Rita Cox, Ward 1 Councilman A. A. "Joe" Savilla, Ward 2 Councilman Bill Racer, Ward 3 Councilman Craig Matthews, Ward 4 Councilman Bill Javins, Councilmen at Large Dave Casebolt, Bob Fields and Jim McKay.

The meeting began with an introduction of members of Cub Scout Pack 188, parents and volunteers. Mayor Casto told that recently one of their members, John Davis, had an accident that left him seriously injured. He is recovering and was able to attend. The members of the Cub Scouts along with the leaders and family members had held an event to raise money on Sunday and raised \$4000.00 to help defray medical costs. A newsmen from WSAZ TV filmed the boys to be named Hometown Heroes. They were also named August Citizens of the Month.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Councilman A. A. "Joe" Savilla and the Pledge of Allegiance was led by John Davis and other members of Pack 188.

FUTURE DATES OF COUNCIL: Recorder Rita Cox said the future dates of Council are August 3 and 17 and September 7 and 21.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF JUNE 22 AND JULY 6 BE APPROVED AS WRITTEN. THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION TO PASS.

Bob Schamber of the Nitro Seniors introduced Shelly Hodges who was Citizen of the Month previously this year. Shelly told about her trip to Fort Liberte, Haiti, when she has gone before. This visit occurred shortly after the earthquake that hit Haiti. She works at Fruth Pharmacy and used her skills in Haiti. She said they were able to do much good while they are there for two weeks.

Recorder Rita Cox showed Council a copy of the Certificate of Completion that had been granted by Ron King of Code Enforcement to Tri-State Racetrack and Gaming on the completion of the hotel at Mardi Gras Racetrack and Casino.

Mayor Casto said that groundbreaking would take place on August 4, 2010 for the boat launch at the Smith Street Landfill. He said that a previous Council had voted to name the launch after Senator Robert C. Byrd. COUNCILMAN MCKAY MOVED COUNCIL HONOR THE PREVIOUS COUNCIL'S REQUEST TO NAME THE SMITH STREET BOAT LAUNCH AFTER RECENTLY DECEASED SENATOR ROBERT C. BYRD WITH A SECOND BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION.

OLD BUSINESS

NDA: COUNCILMAN MCKAY MOVED THE MINUTES OF JUNE 8, 2010 MEETING OF THE NITRO DEVELOPMENT AUTHORITY BE MADE A PART OF COUNCIL MINUTES. RECORDER COX SECONDED THE MOTION. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY. COUNCILMAN MCKAY MOVED THE APPOINTMENT OF CHARLES MANN TO THE NDA BOARD OF DIRECTORS BE APPROVED BY COUNCIL WITH A SECOND BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION.

SECOND READING ORDINANCE PERSONAL INCOME TAX REFUND OFFSET PROGRAM: City Attorney Richie Robb said there should be a public hearing. COUNCILMAN MCKAY MOVED THE PUBLIC HEARING BE OPENED WITH A SECOND BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION. Mayor Casto declared the public hearing open. Richie Robb said

this would enable the city to request the state to withhold fees from WV income tax returns. This applies to municipal service fees, fines, and costs among other things. Mayor Casto declared the hearing closed. COUNCILMAN MCKAY MOVED COUNCIL PASS ON SECOND READING AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF NITRO, WV BY ADDING AN ARTICLE RELATING TO ESTABLISHING THE AUTHORITY TO OFFSET UNPAID MUNICIPAL SERVICE FEES, FINES, COSTS, FORFEITURES OR PENALTIES, OR RESTITUTION AGAINST THE DELINQUENT PAYOR'S WEST VIRGINIA PERSONAL INCOME TAX REFUND. THE MOTION WAS SECONDED BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

SECOND READING ORDINANCE AMENDING LICENSE TAX PERTAINING TO GENERAL CONTRACTOR AND HANDYMAN: Richie Robb recommended Council have a public hearing on this item. COUNCILMAN MCKAY MOVED THE PUBLIC HEARING BE OPEN WITH A SECOND BY COUNCILMAN MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION. Mayor Casto declared the public hearing open. Rich Robb said the purpose of the amended ordinances was to reduce the amount required for a general contractor's license from \$150.00 to \$100.00 and making the renewal amount \$50.00. The cost for a handyman's license would be \$25.00 with the renewal amount being \$25.00. Councilman Javins thought this is a fair amount for the handyman license. Mayor Casto declared the public hearing closed. COUNCILMAN MCKAY MOVED AN ORDINANCE TO AMEND AND REENACT SECTIONS 733.14 AND 733.98, ARTICLE 733 OF THE CODE OF ORDINANCES OF THE CITY OF NITRO, WEST VIRGINIA, ALL RELATING TO MUNICIPAL LICENSE TAXES 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, REPEAL LICENSE REQUIREMENT FOR ONLY THE PRIVATE INVESTIGATOR CLASSIFICATION, AND PROVIDING THE EFFECTIVE DATE FOR THE AMENDMENTS. THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA. Rich Robb also said this included the elimination of the category of Private Investigator since that is covered in another category. VOTE WAS UNANIMOUS FOR THE MOTION.

NEW BUSINESS

ATTORNEY REPORT: Richie Robb said that annexation work is continuing slowly down Rt. 25 and up Goff Mountain Road. He said he and Sandy Saunders had worked on Red Oak Drive. A public meeting was held recently with property owners from that area as an informational meeting. Richie Robb said it takes a majority of property owners and a majority of non property owners. He said one of the benefits is better emergency services but these projects take time.

TREASURER REPORT: John Young said the city has a surplus of \$274,798.00, \$9015.00 is for festivals. Councilman Savilla asked Councilman Fields how much will be needed to complete the War Memorial. Councilman Fields said he would have better idea after the distance run this Saturday. John Young said he would suggest that a \$500.00 per year increase be given to all full time non-seasonal employees who did not get a raise or receive a \$500.00 per year longevity pay increase. COUNCILMAN CASEBOLT MOVED THAT ALL EMPLOYEES RECEIVE A \$500.00 PAY INCREASE FOR FISCAL YEAR 2010-2011, EXCLUDING EMPLOYEES WHO ALREADY RECEIVED A RAISE IN FISCAL YEAR 2010-2011 AND POLICE AND FIRE EMPLOYEES WHO RECEIVE LONGEVITY PAY OF \$500.00, POLICE AND FIRE EMPLOYEES WHO RECEIVE \$250.00 LONGEVITY PAY RECEIVING \$500.00 TOTAL FOR FISCAL YEAR 2010-2011. THE MOTION WAS SECONDED BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

COUNCIL COMMENT

Mayor Casto said the ground breaking for the boat launch will be August 4 at noon. Governor Manchin has been invited. Mayor Casto said there are potentially problems with the sewer line under the bleachers at the Nitro High School football field.

Councilman Matthews thanked Council for approving the purchase of the movie screen.

Councilman Javins requested the boat launch area look good on August 4.

COUNCILMAN MATTHEWS MADE A MOTION THAT THE MIDGET LEAGUE FOOTBALL TEAMS BE GIVEN PERMISSION TO PLAY ON THE CITY FOOTBALL FIELD ON SEPTEMBER 12, SEPTEMBER 26 AND OCTOBER 10, 2010. THE MOTION WAS SECONDED BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION. Councilman Matthews said the grant had come through for the trash cans. Councilman Matthews said the 5k run-3k walk would be held on Saturday.

Councilman Racer said he would like to see signs go up recognizing the Nitro High Baseball Championships.

Recorder Cox said she was happy to see city workers being recognized with a salary increase.

Councilman Fields said a trash can would be welcome near the flags.

COUNCILMAN CASEBOLT MOVED 2ND AVENUE BETWEEN 22ND STREET AND 23RD STREET BE CLOSED ON SEPTEMBER 11 BE CLOSED FROM NOON TO 8:00 PM FOR NITRO MISSION TEAM ITALIAN FESTIVAL WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION. Councilman Casebolt asked if boat storage could be put on the landfill. Mayor Casto said that would be a question for Chris Amick of Kemron.

PUBLIC COMMENT

Bob Schamber said the Nitro Library event with reptiles was successful. On July 24 there is a covered dish dinner for seniors and on July 31 a western dance.

Herschel Facemyre said Nitro was on the move.

Councilman Savilla said the NDA and city can work together.

COUNCILMAN MCKAY MOVED THE MEETING BE ADJOURNED WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS.

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RUSTY CASTO, MAYOR

RITA COX, RECORDER