

NITRO CITY COUNCIL
MEETING MINUTES
TUESDAY, JUNE 7, 2011

CALL TO ORDER: Mayor Rusty Casto called the meeting to order at 7:00 pm in Council Chambers. In attendance 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, Jim McKay and Bob Fields, City Attorney Richie Robb and City Treasurer John Young.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Councilman Jim McKay and the Pledge of Allegiance was led by Recorder Rita Cox.

FUTURE DATES OF COUNCIL: Mayor Casto said the future dates of Council are June 21, July 5 and 19, and August 2 and 16.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF THE MAY 17, 2011 MEETING OF COUNCIL BE APPROVED WITH A SECOND BY COUNCILMAN A. A. "JOE" SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION.

CITIZEN OF THE MONTH: Mayor Rusty Casto said the June Citizen of the Month is Steve Pritchard, coach of the Nitro High School baseball team who made it to the quarter finals of the WV Baseball Championship.

OLD BUSINESS

BUCKET TRUCK BID SELECTION: Mayor Casto informed Council that he had met along with Treasurer John Young, Recorder Rita Cox, and A. J. Hill on Tuesday, May 31. The three bids were opened and the bid from C & C Auto was selected for a 2007 Ford Bucket Truck, serial number 1FDXF46P27EA85246 with a selling price of \$20,000.00.

DUMPSTERS: Councilman Casebolt said that the city has received a commitment for ten dumpsters and more will be needed. COUNCILMAN CASEBOLT MOVED THAT TREASURER JOHN YOUNG AND A. J. HILL BE GIVEN AUTHORITY TO PURCHASE MORE DUMPSTERS AS NEEDED. THE MOTION WAS SECONDED BY COUNCILMAN MCKAY. Councilman Casebolt said that in some cases businesses needed to wait until the expiration of contracts with Waste Management. Councilman Racer asked if we have the right to replace them and City Attorney Robb said that we do according to our ordinance. VOTE WAS UNANIMOUS FOR THE MOTION.

PUBLIC SAFETY BUILDING DEMOLITION: COUNCILMAN CASEBOLT MOVED THIS ITEM BE TABLED WITH A SECOND BY COUNCILMAN MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

RESOLUTION LAND AND WATER CONSERVATION FUND GRANT: COUNCILMAN MOVED THAT COUNCIL PASS A RESOLUTION COMMITTING TO CONTRIBUTE \$40,000.00 TOWARD THE RECONSTRUCTION OF A PICNIC SHELTER AT RIDENOUR LAKE. THE MOTION WAS SECONDED BY COUNCILMAN MCKAY. Councilman Matthews said that all the shelters need rehab. He said the money could come from the hotel motel tax. VOTE WAS UNANIMOUS FOR THE MOTION.

HOUSING CONSORTIUM AGREEMENT: COUNCILMAN MCKAY MOVED THE HOUSING CONSORTIUM AGREEMENT BE PASSED ON FIRST READING WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION. Mayor Casto referred the Ordinance to the Ordinance Committee to look over before the second reading.

PAYMENT OF BAKER INVOICES FOR STREETScape: City Treasurer John Young said he currently has two invoices from Baker Engineering for work done on Streetscape and is requesting Council approval to pay them from hotel motel tax. COUNCILMAN SAVILLA MOVED THE TWO BAKER INVOICES BE PAID FROM HOTEL MOTEL TAX RECEIPTS. THE MOTION WAS SECONDED BY COUNCILMAN FIELDS. VOTE WAS UNANIMOUS FOR THE MOTION.

NEW BUSINESS

SOFTWARE MUNICIPAL COURT: Recorder Cox said that one proposal had been received from AJAAC for a Municipal Citation System for \$5900.00. Robin Smith said the software will help in collection of fines, keep track of late payments and is approved by the WV Auditor's Office. The system also allows for electronic docking and is currently used by Dunbar and St. Albans. COUNCILMAN SAVILLA MOVED THE PROPOSAL BY AJAAC FOR A MUNICIPAL CITATION SYSTEM FOR \$5900.00 BE APPROVED WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION.

BUDGET REVISION: Treasurer John Young said that the current revisions are the last for the fiscal year and are necessary because some budgets are out of line. Under Revenues, the B & O Tax is increased \$40,000.00 and Municipal Service Fees increased \$26,000.00, totaling \$66,000.00. In Expenditures the Mayor's Office is increased \$11,000.00, Recorder's decreased \$22,000.00, Treasurer increased \$15,000.00, Building Inspections decreased \$16,000.00, Public Works increased \$100,000.00, Police Department increased \$41,000.00, Fire Department increased \$15,500.00, Streets increased \$9000.00 and Visitors' Bureau increased \$12,500.00. COUNCILMAN MCKAY MOVED THE PROPOSED BUDGET REVISION BE APPROVED WITH AND SECOND BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION.

SURVEILLANCE VIDEO VIEWING OF EXECUTIVE SESSION: Councilman Savilla said the video camera are there for safety and there is no audio with it. He said it had been there for a long time. Councilman Fields said it has been on during all the meetings. Councilman Casebolt said that Council has a right to know the meeting is private. Recorder Cox said that she knew it was on all the time and had even commented on it the night of Council. She said that the problem was not that it was on but that it was being watched. Councilman Casebolt asked if it could be turned off during executive session of Council. Mayor Casto asked Richie Robb for an opinion. Mr. Robb said that the open meetings act did not contemplate this type of incident. Councilman Casebolt said he met with Recorder Cox and Police Chief Jordan. Chief Jordan said he called the FBI and was told that it was ok to record. Recorder Cox said that Council has a right to ask questions. Councilman McKay asked how many times it was viewed and was told one time. COUNCILMAN CASEBOLT MOVED THE SURVEILLANCE CAMERAL BE TURNED OFF DURING EXECUTIVE SESSION WITH A SECOND BY COUNCILMAN MCKAY. VOTING FOR THE MOTION WERE COUNCILMEN MCKAY, CASEBOLT, RACER , MATTHEWS AND JAVINS. VOTING AGAINST THE MOTION WERE COUNCILMEN FIELDS AND SAVILLA AND RECORDER COX. THE MOTION CARRIED.

TREASURER REPORT: John Young said the money taken in on the opening weekend of the pool season was \$13,932.00 compared to 2009 when \$5110.00 was taken in and 2010 when \$8876.00 was taken in on opening weekend.

ATTORNEY REPORT: Richie Robb said he would entertain questions from members of Council. He said that annexation efforts of Route 25 were continuing.

COUNCIL COMMENTS:

Mayor Casto asked Public Works Director A. J. Hill to meet with Ward Council to come up with a solution to the electronic waste. He said Precision Pump is working on the pump for the fountain in front of City Hall.

COUNCILMAN JAVINS MOVED THE MINUTES OF THE MAY MEETING OF THE CVB BE MADE A PART OF THE MINUTES WITH A SECOND BY COUNCILMAN MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION. He said that equipment was being placed at the Smith Street boat launch to begin working.

Councilman Matthews said speed bumps were requested on Washington Avenue and Smith Street. People in the neighborhood have commented on speeders. He said the materials for the handicapped accessible fishing dock needs to be purchased in fiscal year 2010-2011 as stipulated in the grant.

RECORDER COX MOVED COUNCIL APPROVED THE PURCHASE OF \$1000.00 IN CATFISH TO STOCK RIDENOUR LAKE THIS SUMMER. THE MOTION WAS SECONDED BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

Councilman Fields thanked Public Works for the preparation and cleanup of the War Memorial dedication.

Councilman Casebolt said he would like to be able to purchase more trees for the city.

Councilman McKay asked the status of recently dismissed firefigt A. J. Shinn. Recorder Cox said the Firemen's Civil Service is preparing a hearing.

PUBLIC HEARING – BROWNSFIELD:

Chris Amick of Kemron said that the old Rich Oil station on 27th Street in Nitro is being prepared for cleanup. The owner has contacted Dawn Seeburger. He introduced Sean Garrigan of Garrigan Associates. He said he has been studying what was feasible for the property involved in the Brownsfield, what can it be used for. He said that the cap cannot usually be penetrated. One possibility is an intermodal facility by Norfolk and Southern Railroad since the river, interstate and rail all come together here. He said other ideas are welcome and should be documented.

ADJOURNMENT:

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

RUSTY CASTO, MAYOR

RITA COX, RECORDER

