

NITRO CITY COUNCIL
MEETING MINUTES
OCTOBER 18, 2011

CALL TO ORDER: Mayor Rusty Casto called the meeting to order at 7:00 pm. Attending along 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 Dave Casebolt, Bob Fields, and Jim McKay, City Attorney Richie Robb and City Treasurer John Young. Ward 2 Councilman Bill Racer was absent.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Ivan Meadows with a moment of silence for Frank Gibeaut and the Pledge of Allegiance was led by Herschel Facemyre.

FUTURE DATES OF COUNCIL: Mayor Casto said the future dates of Council are November 1 and 15 and December 6 and 20.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF THE OCTOBER 4 MEETING OF COUNCIL BE APPROVED. THE MOTION WAS SECONDED BY COUNCILMAN JIM MCKAY. VOTING FOR THE MOTION WERE RECORDER COX, WARD 1 COUNCILMAN SAVILLA, WARD 4 COUNCILMAN JAVINS, AND COUNCILMEN AT LARGE MCKAY, CASEBOLT, AND FIELDS. ABSTAINING WAS COUNCILMAN MATTHEWS. THE MOTION CARRIED.

OLD BUSINESS

CALENDAR BIDS: Mayor Rusty Casto reported to Council that he had chosen the bid from Dunbar Printing to do the 2012 calendar since they have done good work in the last few years.

LAND AND WATER CONSERVATION FUND GRANT/SHELTER AT RIDENOUR LAKE: Councilman Dave Casebolt introduced Todd Schoolcraft of Baker Engineering. Todd Schoolcraft said that the work at Ridenour Lake at shelter number 4 is a first step in updating and repairing Ridenour Lake area. He said the grant was originally for \$198,000.00 with the local match being \$99,000.00. He said when grants are used then federal/state prevailing wages are to be paid. He supplied Council with a printed handout giving a history of the grant process for shelter number four, a handout giving projected costs for the shelter, and a handout giving the pros and cons of doing the work with grants or doing the work in house. COUNCILMAN SAVILLA MADE A MOTION THAT A. J. HILL OF PUBLIC WORKS PUT TOGETHER A LIST OF WHAT HIS DEPARTMENT CAN DO AND THE COSTS OF THE WORK AT SHELTER NUMBER 4 AND REPORT TO THE NEXT MEETING OF COUNCIL. THE MOTION WAS SECONDED BY COUNCILMAN MATTHEWS AND VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

SECOND READING/ORDINANCE TO AMEND WORLD WAR 1 COMMISSION/ARTICLE 155: COUNCILMAN A. A. "JOE" SAVILLA MOVED THE ORDINANCE TO AMEND WORLD WAR 1 COMMISSION/ARTICLE 155 BE PASSED ON SECOND READING. THE MOTION WAS SECONDED BY COUNCILMAN MCKAY. John Montgomery, chairman of the Ordinance Committee, pointed out that the ordinance contained a change with the addition of Article 155.02 pertaining to membership stating the Commission shall consist of the Mayor and nine members, which shall be appointed by the Mayor, subject to the advise and consent of Council. The members will serve without pay for three year terms and expirations will be

scheduled over three, three and four per year alternately. Members are eligible to serve additional terms when nominated and approved. The City Treasurer and one member of Council will be ex officio members of the Commission. He said this was left out in the first reading of the Ordinance and wanted to be sure Council was award of the inclusion of Article 155.02. VOTE WAS UNANIMOUS FOR THE MOTION.

SECOND READING/ORDINANCE TO ESTABLISH THE NITRO MUSEUM COMMISSION/ARTICLE 157: COUNCILMAN JIM MCKAY MOVED THE ORDINANCE ESTABLISHING THE NITRO MUSEUM COMMISSION/ARTICLE 157 BE PASSED ON SECOND READING. THE MOTION WAS SECONDED BY COUNCILMAN CRAIG MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

SECOND READING/ORDINANCE ESTABLISHING NITRO HISTORICAL PRESERVATION BOARD/ARTICLE 156: COUNCILMAN MCKAY MOVED THE ORDINANCE ESTABLISHING THE NITRO HISTORICAL PRESERVATION BOARD BE PASSED ON SECOND READING WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION TO PASS.

NEW BUSINESS

LIBRARY ROOF: Councilman Dave Casebolt said that the roof at the library is leaking and needs to be replaced. COUNCILMAN CASEBOLT MOVED A REPLACEMENT ROOF FOR THE NITRO LIBRARY BUILDING BE PUT OUT FOR BID. THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA AND VOTE WAS UNANIMOUS FOR THE MOTION.

BIDS FOR MULCH FOR PLAYGROUND/RUBBER AND CEDAR: Recorder Rita Cox said an invitation to bid had been run in the Charleston newspapers for both rubber and cedar mulch for Children's Playground at Nitro Park. Two bids had been received and both were for rubber mulch. COUNCILMAN MATTHEWS MOVED THE BIDS BE TURNED OVER TO THE PARKS AND RECREATION COMMITTEE FOR CONSIDERATION AND THE MOTION WAS SECONDED BY COUNCILMAN MCKAY. Councilman Savilla said that black rubber mulch stains the playground fixtures and the committee could try to negotiate for rubber mulch of a different color. VOTE WAS UNANIMOUS FOR THE MOTION.

REQUEST FOR HALLOWEEN PARADE/OCTOBER 29/HOUSE OF HOUNDS: Mayor Rusty Casto said that Brannon Carrier of House of Hounds would like to have a pet costume parade for Halloween. RECORDER RITA COX MOVED HOUSE OF HOUNDS BE PERMITTED TO HAVE A PET PARADE ON OCTOBER 29 AT 6:00 PM ON MAIN AVENUE TO KAPOK TO DUPONT TO JUNIPER AND BACK TO MAIN AND THE HOUSE OF HOUNDS. THE MOTION WAS SECONDED BY COUNCILMAN BOB FIELDS AND VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

REPORT ON STATUS OF POLICE FUNDS EXAMINATION: Richie Robb said that the examination of the five police accounts had been completed by Mary Beth Burt. He said the next step would be for him to exam them and meet with Mrs. Burt. After that he would like to involve Council so that the process can remain open, fair and transparent and Council can participate. He said he might be able to proceed at the next Council meeting, possibly before.

RESOLUTIONS TO PERMIT HUNTINGTON BANK ACCOUNTS FOR POLICE BENEFIT FUND/MDENT FUND AND TO BE FORFEITED FUND: COUNCILMAN A. A. "JOE" SAVILLA MOVED THE RESOLUTIONS PERMITTING THREE SEPARATE HUNTINGTON BANK ACCOUNTS FOR POLICE BENEFIT FUND/MDENT

FUND AND TO BE FORFEITED FUND BE APPROVED WITH MAYOR RUSTY CASTO, RECORDER RITA COX, MARY BETH BURT AND JOHN YOUNG BEING SIGNATORIES ON THE ACCOUNT. THE MOTION WAS SECONDED BY COUNCILMAN BOB FIELDS. Treasurer John Young said there is \$555.27 in the Benefit Fund, \$2283.08 in the To Be Forfeited Account, and \$14,872.90 in the MDent Account. VOTE WAS UNANIMOUS FOR THE MOTION.

ATTORNEY COMMENT: Richie Robb said he was prepared to answer questions from members of Council.

TREASURER COMMENT: John Young said that there was an account in the name of LaRose who had a municipal service account the property owners were not aware of in the amount of \$725.00. Mr. Young said that he told the person he did not have the authority to write off the amount but would approach Council on his behalf. Mr. Young said that the person was not receiving the billings because the city had not been sending the bills to the correct address. COUNCILMAN CRAIG MATTHEWS MOVED THE ACCOUNT FOR LAROSE MUNICIPAL SERVICE FEE BE FORGIVEN WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY. Mr. Young asked for direction in whether to pay the clothing allowance for Fireman A. J. Shinn in the amount of \$750.00 and attorney bill for \$1500.00. Richie Robb said that the clothing allowance could be paid but he will need to research the attorney bill and report back to Council after he gets more information. COUNCILMAN MATTHEWS MOVED THE CLOTHING ALLOWANCE BE PAID TO A. J. SHINN WITH A SECOND BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION. John Young said that Council has been spending a lot of money recently.

COUNCIL COMMENT

Mayor Rusty Casto said the boat launch dedication would be Saturday at 11:00 am. Everyone is invited and food will be served.

Councilman Bill Javins said he was looking forward to the dedication of the boat launch on Saturday.

COUNCILMAN JIM MCKAY MOVED THE MINUTES OF THE NDA MEETING OF OCTOBER 11, 2011 BE MADE A PART OF THE MINUTES OF THE COUNCIL MEETING WITH A SECOND BY RECORDER RITA COX. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

COUNCILMAN JIM MCKAY MOVED COUNCIL GIVE \$776.00 TO COMPLETE THE LANDSCAPING AT NITRO ELEMENTARY SCHOOL WITH A SECOND BY COUNCILMAN DAVE CASEBOLT. VOTE WAS UNANIMOUS FOR THE MOTION.

PUBLIC COMMENT

Bob Schamber said a Red Cross Blood Drive will be held October 24 at the Nitro Moose Lodge.

Herschel Facemyre said there is to be a bus tour on Thursday for local sites of interest for tourism. He said he would like for Mayor Casto and Council to consider the board appointments he has recommended.

John Montgomery said the Ordinance Committee would meet at 7:00 pm on Thursday, October 20 in the NDA Boardroom.

COUNCILMAN JIM MCKAY MOVED COUNCIL GO INTO EXECUTIVE SESSION TO DISCUSS PROPERTY PURCHASE WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

EXECUTIVE SESSION BEGINS 8:05 PM

EXECUTIVE SESSION ENDS 8:45 PM

Mayor Casto declared the Council meeting back in session.

ADJOURNMENT

COUNCILMAN A. A. "JOE" SAVILLA MOVED THE MEETING BE ADJOURNED WITH A SECOND BY COUNCILMAN JIM MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION.

RUSTY CASTO, MAYOR

RITA COX, RECORDER