

NITRO CITY COUNCIL
MINUTES
TUESDAY, FEBRUARY 21, 2012

CALL TO ORDER: Mayor Rusty Casto called the meeting to order at 7:00 pm in Council Chambers. Attending along 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, City Attorney Richie Robb and City Treasurer John Young.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Andy Shamblin and the Pledge of Allegiance was led by Nick Withrow.

FUTURE DATES OF COUNCIL: Mayor Rusty Casto said the future dates of Council are March 6 and 20 and budget meetings to be announced.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF THE JANUARY 17, 2012 MEETING OF COUNCIL BE APPROVED WITH A SECOND BY COUNCILMAN A. A. "JOE" SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

OLD BUSINESS

SECOND READING AN ORDINANCE RELATING TO THE CLOSURE AND ABANDONMENT OF CERTAIN STREETS, ALLEYS AND/OR RIGHT-OF-WAYS NAMELY IN THE GENERAL VICINITY OF KANAWHA AVENUE SOUTH ALL LOCATED IN THE CORPORATE BOUNDARIES AND WITHIN KANAWHA COUNTY-
ORDINANCE12-2: Richie Robb said this was second reading on an ordinance to abandon the right of way on Kanawha Avenue South in the 700 block. RECORDER RITA COX MOVED COUNCIL PASS ON SECOND READING AN ORDINANCE RELATING TO THE CLOSURE AND ABANDONMENT OF CERTAIN STREETS, ALLEYS AND/OR RIGHT-OF-WAYS NAMELY IN THE GENERAL VICINITY OF KANAWHA AVENUE SOUTH ALL LOCATED IN THE CORPORATE BOUNDARIES AND WITHIN KANAWHA COUNTY. THE MOTION WAS SECONDED BY COUNCILMAN MCKAY AND VOTE WAS UNANIMOUS FOR THE MOTION.

2012 NITRO CITY ELECTION: Recorder Rita Cox reported that the Nitro city election is to be held June 5, 2012 and the filing dates for candidates is March 12 through close of business March 30 in the Recorder's Office in City Hall. She said the Petition for Candidacy is available in City Hall and the Certificate of Candidacy is available in City Hall or can be downloaded from the WV Secretary of State's web page.

SUPPLEMENTAL RETIREMENT PLAN 457 EMPLOYEE PARTICIPATION: Richie Robb said that he determined that adding an automatic withdrawal per pay period for each new city employee is allowable. He said if the employee wants they can authorize a larger contribution or opt out completely.

REPORT ON POLICE FUNDS: Richie Robb said Leonard Womble is not able to attend the meeting due to a death in the family therefore the report will have to be tabled.

REPORT COMMITTEE ON SANDERS PORPERTY: Councilman Bill Racer said that he looked at the property and it appears to be slipping badly. He said there is equipment in place to move soil around during a

rainfall. COUNCILMAN JIM MCKAY MOVED THE CITY DECLINE THE OFFER OF THE 10TH STREET HILL PROPERTY FROM MARK SANDERS WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

NEW BUSINESS

ATTORNEY REPORT: Richie Robb said he would entertain questions from Council.

TREASURER REPORT: John Young said that the WV Legislature has enacted a law that will pay down the OPEB debt that had been on the city. He said that revenue is up but that spending has been out of balance and we are spending more than we are bringing in. He said that Capt. Ron King of the Code Enforcement Office had asked if there is some more money available for demolition of condemned property. He said that there could be \$15,000.00 for these jobs. COUNCILMAN A. A. "JOE" SAVILLA MOVED COUNCIL APPROVE \$15,000 FOR THE DEMOLITION OF CONDEMNED PROPERTY WITH A SECOND BY COUNCILMAN JIM MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION.

COUNCIL COMMENT: Councilman Craig Matthews said the Police and Fire Committee met on February 9 and the recommendation is for Mayor Casto to add three lieutenants which would make one per shift. COUNCILMAN MATTHEWS MOVED THERE BE THREE NEW LIEUTENANTS ON THE NITRO FIRE DEPARTMENT WITH A SECOND BY COUNCILMAN BILL RACER. VOTE WAS UNANIMOUS FOR THE MOTION.

Mayor Casto said there will be a show at Kathy Mattea Auditorium about bullying. He asked Capt. Ron King if there could be some resolution to the sprinkler system problem at the Nitro Church of Christ.

Councilman Matthews said there is to be an Easter egg hunt March 31 at Nitro Park at 3:30.

Councilman Casebolt said the Nitro Police Department is starting a Crime Watch Program in the city. Brian Oxley of the Nitro Police Department gave a brief explanation about how it works.

Councilman Jim McKay said the NDA was about to settle the lawsuit with the Dana Corporation. COUNCILMAN MCKAY MOVED THE MINUTES OF THE FEBRUARY MEETING OF THE NDA BE MADE A PART OF THE COUNCIL MINUTES. THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA AND VOTE WAS UNANIMOUS FOR THE MOTION.

PUBLIC COMMENT: Bob Schamber said 31 people are headed to Haiti for a medical mission with Shelly Hodges. The trip will be for nine days and donations are welcomed.

Leonard Womble said there had been a dead animal on in the street on First Avenue and approximately 14th St. for about two weeks. He said he thought it should be removed.

COUNCILMAN MCKAY MOVED COUNCIL GO INTO EXECUTIVE SESSION FOR A PERSONNEL MATTER. COUNCILMAN MATTHEWS SECONDED THE MOTION AND VOTE WAS UNANIMOUS FOR THE MOTION.

7:45 – EXECUTIVE SESSION BEGINS

8:25 – COUNCIL RESUMES

ADJOURNMENT: COUNCILMAN JAVINS MOVED COUNCIL BE ADJOURNED WITH A SECOND BY COUNCILMAN BOB FIELDS. VOTE WAS UNANIMOUS FOR THE MOTION.

RUSTY CASTO, MAYOR

RITA COX, RECORDER