

NITRO CITY COUNCIL  
MAY 15, 2012  
MINUTES

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

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

FUTURE DATES OF COUNCIL: COUNCILMAN MCKAY MOVED THE MEETINGS FOR JUNE COUNCIL BE HELD ON JUNE 7 AND JUNE 19 AND THE MOTION WAS SECONDED BY COUNCILMAN MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

APPROVAL OF COUNCIL MINUTES: RE CORDER COX MOVED THE MINUTES OF THE APRIL 17 AND MAY 1 MEETINGS OF COUNCIL BE APPROVED WITH A SECOND BY COUNCILMAN FIELDS. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

CITIZEN OF THE MONTH: Mayor Rusty Casto introduced Morgan Lee as the May Citizen of the Month in recognition of the support she is giving to her husband, Nitro Policeman James Lee, following his injury on Thanksgiving Day, 2011.

TOBACCO FREE PARK: RECORDER COX MOVED THIS BE TABLED UNTIL A FUTURE DATE WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

OLD BUSINESS

REPORT ON POLICE DEPARTMENT ACCOUNTS: Richie Robb said he has concluded his assigned review of the Police Department Accounts and he has concluded there is no missing money. Councilman Savilla asked if that means there is no evidence of wrongdoing. Richie Robb said that is correct and that some of these accounts have been in place for over 30 years. He said the question was not that money was missing but that supporting documentation was not always available to account for the purchase that was made. He said that the Fraternal Order of Police can have accounts that are not public funds but any accounts that come under the city are subject to audits. Councilman Matthews asked if some were restricted accounts where only specific items can be purchased and Mr. Robb said that is true. Councilman Matthews asked that Chief Jordan give a report to Council itemizing the items that can be purchased from the restricted accounts.

2012 ELECTION: RECORDER COX MOVED THE LIST OF POLLWORKERS, ALTERNATES AND BALLOT COMMISSIONERS BE APPROVED AND MADE A PART OF COUNCIL MINUTES. THE MOTION WAS SECONDED BY COUNCILMAN SAVILLA. VOTE WAS UNANIMOUS FOR THE MOTION. Recorder Cox noted that the Ballot Commissioners will be Bess Stahl, Republican, and Marie Martin, Democrat. Marie Martin is replacing Leonard Womble who had to withdraw as Ballot Commissioner since he is running for Council at Large.

## NEW BUSINESS

RESOLUTION ZOING BOARD OF APPEALS/PROPERTY MAINTENANCE BOARDS: Richie Robb said that he has not drawn up a resolution because he believes that it requires an Ordinance. COUNCILMAN MATTHEWS MOVED THE CREATION OF PROPERTY MAINTENANCE BOARDS BE SENT TO THE ORDINANCE COMMITTEE FOR CONSIDERATION WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

ATTORNEY REPORT: Richie Robb said the Ordinance Committee had crafted an ordinance similar to one created by the WV Legislature addressing driving while using a cellphone. COUNCILMAN MCKAY MOVED COUNCIL PASS ON FIRST READING BY TITLE ONLY ARTICLE 333 DRIVING UNDER THE INFLUENCE; RECKLESS DRIVING; DRIVING USING AN ELECTRONIC COMMUNICATIONS DEVICE. THE MOTION WAS SECONDED BY COUNCILMAN JAVINS AND VOTE WAS UNANIMOUS FOR THE MOTION.

TREASURER REPORT: John Young was not in attendance.

## COUNCIL COMMENT

Mayor Casto said the dedication for the Donald C. Kinnard Cemetery in Institute will be at 3:00 pm, May 28 and the public is encouraged to attend. He said the USDA is doing a study of bugs that attacks trees so a bug box will be put at Ridenour Lake to capture bugs. The contact person for the USDA is Rachel Brand.

Councilman Javins said Ronnie King and Richie Robb were going to meet briefly following the meeting concerning the slip on Old County Road. He said the event on May 12 at the new gazebo was a success and the bass tournament had to be cancelled due to high water and is rescheduled for September 14 and 15.

Councilman Matthews said Parks and Recreation Committee will meet at 2:00 Thursday, May 3. He thanked Mark Jarrett and family and Shawn and Julia Larck and Rich Hively for help with the first movie night. He said the next movie is Saturday, May 26 at 8:30.

Councilman Savilla said he is pleased the Nitro Police Department was exonerated concerning the police accounts. He invited everyone to Matheny Motors on May 18 at noon for the grand opening. He said the cracker unit at Bayer is still on track.

Recorder Cox said that the event at the gazebo on May 12 was a success. She thanked Kelly Pruett for her work.

COUNCILMAN FIELDS MOVED THE APPOINTMENT OF RUTH BROTHERS TO A FIVE YEAR TERM ON THE NITRO LIBRARY BOARD OF DIRECTORS BE MADE A PART OF THE MINUTES WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION.

Councilman Casebolt said the city has been awarded the Land and Water Conservation Fund Grant to repair the shelter at Ridenour Lake. He said that he was hopeful that a large portion of the city

contribution could be in work done and that even volunteer work can be counted. He asked is it was possible to have row boats used on the lake. He said the Streetscape ribbon cutting will be Monday, May 21 at 10:00 on the sidewalk outside of Rite Aid.

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COUNCILMAN CASEBOLT MOVED THE REPORT PREPARED BY RICHIE ROBB ON THE POLICE ACCOUNTS BE MADE A PART OF COUNCIL MINUTES. THE MOTION WAS SECONDED BY COUNCILMAN FIELDS AND VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

COUNCILMAN MATTHEWS MOVED THE HAVEN ARTS AND CRAFT PROJECT TO BE HELD AT RIDENOUR LAKE IN JULY BE GIVEN PERMISSION TO PROCEED WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION. Councilman Matthews said there would be discussion of specifics of the project at the Parks and Recreation meeting.

#### PUBLIC COMMENT

Bob Schamber said the Seniors will have a western dance in the evening on Saturday, May 19 and on June 2 there is a trip to Monticello.

Ivan Meadows said there will be a Little League Parade Saturday, May 19 at 10:00 am and Longaberger Basket Bingo at the Moose on the same day.

Chief Jordan thanked Leonard Womble for the work he did in representing the Police Department on the Police funds report.

Mayor Casto said the Nitro-St. Albans Bridge is scheduled to be taken down January 20, 2013.

#### ADJOURNMENT

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

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RUSTY CASTO, MAYOR

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RITA COX, RECORDER