

NITRO CITY COUNCIL  
MINUTES  
TUESDAY, JULY 3, 2012

CALL TO ORDER: Mayor Dave Casebolt called the meeting to order at 7:00 pm in Council Chambers. In attendance with Mayor Casebolt were Recorder Rita Cox, Ward 1 Councilman Al Walls, Ward 2 Councilman Bill Racer, Ward 3 Councilwoman Laurie Elkins, Ward 4 Councilman Andy Shamblin, Councilmen at Large Craig Matthews and Bill Javins, Councilwoman at Large Brenda Tyler, City Treasurer John Young and City Attorney Richie Robb.

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

OATH OF OFFICE FOR NEW COUNCIL: Mayor Dave Casebolt administered the Oath of Office to Ward 3 Councilwoman Laurie Elkins and Ward 2 Councilman Bill Racer.

FUTURE DATES OF COUNCIL: Mayor Casebolt announced the future dates of Council are July 17 and August 7 and 21.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE APPROVAL OF THE JUNE 19 AND JULY 1 MINUTES BE TABLED WITH A SECOND BY COUNCILMAN CRAIG MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

CITIZEN OF THE MONTH: Mayor Dave Casebolt said this would be postponed until a future Council meeting.

OLD BUSINESS

BUDGET REVISION: COUNCILMAN CRAIG MATTHEWS MOVED COUNCIL PASS THE RESOLUTION IN SUPPORT OF THE BUDGET REVISION INCREASING REVENUE ACCOUNT 298 ASSIGNED FUND BALANCE FROM PREVIOUSLY APPROVED AMOUNT \$10,000 TO \$12,235 (AN INCREASE OF \$2235) AND INCREASING EXPENDITURE ACCOUNT NUMBER 976 PUBLIC SAFETY FROM PREVIOUSLY APPROVED AMOUNT \$50,000 TO \$52,235 (AN INCREASE OF \$2235). THE MOTION WAS SECONDED BY COUNCILMAN BILL JAVINS AND VOTE WAS UNANIMOUS FOR THE MOTION.

PARKS AND RECREATION REPORT: Councilman Craig Matthews said a meeting was held on June 20 at shelter 4 at Ridenour Lake to discuss improvements and plans for the future. Among items discussed were temporary seating for the gazebo and a water spray addition at the pool. He said the trail grant for Ridenour is being held up temporarily by an audit but will be back on track soon. COUNCILMAN CRAIG MATTHEWS MOVED COUNCIL APPROVE THE DEP LITTER CONTROL GRANT RESOLUTION FOR \$2000 WITH A SECOND BY COUNCILMAN ANDY SHAMBLIN. VOTE WAS UNANIMOUS FOR THE RESOLUTION. RECORDER RITA COX MOVED THE PARKS AND RECREATION COMMITTEE REPORT BE ACCEPTED WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION. Councilman Craig Matthews said the next meeting of Parks and Recreation Committee will be Tuesday, July 10 at 3:30 in Council Chambers.

PAVING COMMITTEE REPORT: COUNCILMAN BILL JAVINS MOVED COUNCIL PUT OUT FOR BID A SECTION OF PAVING OF MARRS JEWELRY STORE PARKING LOT WITH A SECOND BY COUNCILMAN AL WALLS. Councilman Javins said this would involve widening Dave Perry Way and working on the existing parking lot that belongs to Jim Marrs of Marrs Jewelry Store. Richie Robb said while this means city funds for improving private property the city can have a contract with the landowner. Mr. Marrs said he was concerned that this would cause his property taxes to be raised if the property is improved. Councilwoman Laurie Elkins asked if this would establish a precedent that other business owners will look to. Richie Robb said that it would be for the public good. Recorder Rita Cox said the Cruze Thru is privately owned and has some of the same needs for improvement. Councilwoman Brenda Tyler asked who would assume liability for the private property. Councilman Craig Matthews asked if the city would be able to have police jurisdiction on private property. John Young said possibly the city could lease it for a token amount. VOTE WAS UNANIMOUS TO SEEK BIDS ON PAVING DAVE PERRY WAY AND MARRS PARKING LOT.

COMMITTEE RECOMMENDATION ON HOUSING DEMOLITION BIDS: Recorder Rita Cox reported that the Committee met July 6 in City Hall along with Ron King to discuss the bids for demolition of the 10<sup>th</sup> St. and 11<sup>th</sup> St. properties. Mr. King said that the two bids received for \$30,000 and \$28,000 were much higher than what has previously been paid to demolish houses in town. The Committee recommends that the two properties be put out for bid a second time. RECORDER RITA COX MOVED THE PROPERTIES AT 1011 10<sup>TH</sup> STREET AND 1106 11<sup>TH</sup> STREET BE PUT OUT TO BID WITH A SECOND BY COUNCILMAN ANDY SHAMBLIN. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

#### NEW BUSINESS

COMMITTEE ASSIGNMENTS: RECORDER RITA COX MOVED THE MAYORAL COMMITTEE ASSIGNMENTS BE MOVED OFF THE TABLE WITH A SECOND BY COUNCILMAN CRAIG MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION. Mayor Casebolt referred to the attached list of committee appointments he made. COUNCILMAN MATTHEWS MOVED THE COMMITTEE APPOINTS ME APPROVED WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION. COUNCILMAN MATTHEWS MOVED THE PLANNING COMMISSION APPOINTMENTS AND MUSEUM COMMISSION, HISTORICAL PRESERVATION BOARD, AND WORLD WAR 1 COMMISSION APPOINTMENTS BE APPROVED WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

RECOMMENDATION OF PLANNING COMMISSION ON REQUEST TO ABANDON CENTER STREET: Recorder Rita Cox said the Planning Commission met Thursday, June 28 at 7:00 pm in Council Chambers to hold a public hearing on the request of Sam Hodroge to abandon Center Street (sometimes called Center Avenue) to the property owners that are next to it. Mr. Hodroge said he wanted to use the property for potential development. Also in attendance was Micky Raynes whose property is bordered by Center Street. Chairwoman Margaret Hudson after hearing the questions and responses of Planning Commission members, Mr. Raynes and Mr. Hodroge, called for a vote. Voting against the abandonment were Margaret Hudson, Rita Cox, Kermit Thompson, John Montgomery, Al Walls and Rick Frontz therefore denying the request. COUNCILMAN CRAIG MATTHEWS MOVED THE REPORT OF THE PLANNING COMMISSION BE ACCEPTED WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

ATTORNEY REPORT: Richie Robb said he had no report but was prepared to respond to questions from Council.

TREASURER REPORT: John Young said that he wanted to inform Council that checks were dated June 25 in Accounts Payable but were actually written on July 2 because of the recent power outages. He said that it will be appear as an overdraft but that is not what happened.

COUNCIL COMMENT:

Councilman Andy Shamblin said he wanted to recognize the community involvement in the recent weather related disaster.

Councilwoman Laurie Elkins thanked everyone who pitched in to help during the recent weather problems.

Councilman Bill Racer said he had been approached about the trail that will eventually go from Nitro to Mardi Gras Casino with people expressing concern about motorized traffic on the trail. Councilman Craig Matthews said that the trail will not be open to motorized traffic.

Recorder Rita Cox said that she wasn't able to get informational packets to members of Council because of the power outage.

Councilman Craig Matthews said the Police and Fire Committee will meet in Council Chambers at 2:00 pm, July 6, to critique the disaster preparedness in the recent power outage.

COUNCILMAN BILL JAVINS MOVED THE JUNE MINUTES AND FINANCIAL REPORT OF THE CVB BE MADE A PART OF COUNCIL MINUTES WITH A SECOND BY RECORDER RITA COX. VOTE WAS UNANIMOUS FOR THE MOTION.

Councilwoman Brenda Tyler said approximately 1000 meals had been prepared during the recent power outage. Due to problems at the Senior Housing at Village on Park, a generator had been loaned from the Governor's office for use there. She said wading pools had been purchased to offer relief from the heat.

Mayor Dave Casebolt said Judy Taylor would be having a yard sale and barbeque sale on July 5 and 6 with money going to the Christmas basket fund.

PUBLIC COMMENT:

Bob Schamber said the Seniors will have a western dance on the third Saturday of the month and a covered dish dinner on the fourth Saturday. He said there is still no word on the Federal Audit they had recently. He is checking on wireless mikes for bingo and Council. He said Nitro resident John Oldham had recently passed away.

Heschel Facemyre said the NDA needs to have a Council member appointed. Mayor Dave Casebolt said he wanted to appoint Councilman Andy Shamblin to the NDA and Councilman Bill Javins and Bill Racer to the CVB. RECORDER RITA COX MOVED COUNCILMAN ANDY SHAMBLIN BE APPOINTED TO THE NDA WITH A SECOND BY COUNCILMAN CRAIG MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

RECORDER COX MOVED COUNCILMAN BILL JAVINS AND BILL RACER BE APPOINTED TO THE CVB AND THE MOTION WAS SECONDED BY COUNCILMAN MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

John Montgomery said the Ordinance Committee will meet at 7:00 pm in the NDA Board room on July 5 at 7:00 pm.

Tifney Terry said she was happy to see Nitro has a new mayor but she was not pleased by some of his recent actions.

ADJOURNMENT: COUNCILMAN CRAIG MATTHEWS MOVED THE MEETING BE ADJOURNED WITH A SECOND BY COUNCILMAN BILL JAVINS AND VOTE WAS UNANIMOUS FOR THE MOTION.

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DAVE CASEBOLT, MAYOR

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RITA COX, RECORDER