

NITRO CITY COUNCIL
MINUTES
TUESDAY, DECEMBER 4, 2012

CALL TO ORDER: Mayor Dave Casebolt called the meeting to order at 7:00 pm in Council Chambers. Attending along 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, Councilman at Large Craig Matthews, City Treasurer John Young and City Attorney Richie Robb. Absent were Councilwoman at Large Brenda Tyler and Councilman at Large Bill Javins.

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

FUTURE DATES OF COUNCIL: RECORDER RITA COX MOVED THE MEETING DATES OF COUNCIL FOR JANUARY, 2013 BE THURSDAY, JANUARY 3 AND TUESDAY, JANUARY 15. THE MOTION WAS SECONDED BY COUNCILMAN AL WALLS AND VOTE WAS UNANIMOUS FOR THE MOTION.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF THE NOVEMBER 20, 2012 MEETING OF COUNCIL BE APPROVED WITH A SECOND BY COUNCILMAN ANDY SHAMBLIN. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

OLD BUSINESS

SANDRA SAUNDERS LAWSUIT: COUNCILMAN CRAIG MATTHEWS MOVED COUNCIL GO INTO EXECUTIVE SESSION TO DISCUSS THE SANDRA SAUNDERS LAWSUIT WITH A SECOND BY COUNCILMAN ANDY SHAMBLIN. COUNCIL VOTED UNANIMOUSLY FOR THE MOTION TO CARRY.

EXECUTIVE SESSION BEGINS: 7:05 PM

EXECUTIVE SESSION ENDS: 7:30 PM

COUNCILMAN BILL RACER MOVED COUNCIL ACCEPT THE TERMS OF THE SANDRA SAUNDERS LAWSUIT AS PRESENTED BY ATTORNEY JOHN BROWN IN EXECUTIVE SESSION WITH A SECOND BY COUNCILMAN AL WALLS. VOTING FOR THE MOTION WERE RECORDER RITA COX, COUNCILWOMAN LAURIE ELKINS, COUNCILMAN CRAIG MATTHEWS. THE MOTION CARRIED.

PAVING BIDS/SHELTER 4 PARKING LOT AND ROAD: Recorder Rita Cox distributed the two bids received and the bids were read as follows: WV Paving bid for \$16,750 and Asphalt Contractors bid for \$29,871. COUNCILMAN CRAIG MATTHEWS MOVED COUNCIL ACCEPT THE WV PAVING BID FOR \$16,750 WITH A SECOND BY COUNCILWOMAN LAURIE ELKINS. VOTE WAS UNANIMOUS FOR THE VOTE TO CARRY.

TELEPHONE SYSTEM BIDS: Recorder Rita Cox distributed the bids and they were opened. RECORDER RITA COX MOVED THE BIDS BE SUBMITTED TO A COMMITTEE MADE UP OF RECORDER COX, MAYOR CASEBOLT, TREASURER JOHN YOUNG, ROBIN SMITH, FIRE CHIEF RON KING, AND POLICE CHIEF BRIAN OXLEY. THE MOTION WAS SECONDED BY COUNCILMAN AL WALLS AND VOTE WAS UNANIMOUS FOR THE MOTION.

REPORT ON SECURITY CAMERAS/PARK AND RECREATION: Chief Brian Oxley said the Parks and Recreation Committee had studied the bids received on security system for Ridenour Park and

recommended the selection of the low bid from Camel Technology for \$9283. He said it consisted of five camera and that grant money from Shelter Four can be used. COUNCILMAN MATTHEWS MOVED THE BID FROM CAMEL TECHNOLOGY FOR \$9283 BE ACCEPTED WITH PAYMENT COMING FROM SHELTER FOUR GRANT MONEY WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION.

FIRE DEPARTMENT POLICY MANUAL: Captain Ron King said the Fire Department Policy Manual was almost ready but needed some work. COUNCILMAN ANDY SHAMBLIN MOVED THE FIRE DEPARTMENT POLICY MANUAL BE RETURNED TO THE POLICE AND FIRE COMMITTEE FOR COMPLETION WITH A SECOND BY COUNCILMAN AL WALLS. VOTING FOR THE MOTION WERE RECORDER RITA COX, AND COUNCILMEN ANDY SHAMBLIN, BILL RACER, AL WALLS, AND CRAIG MATTHEWS. COUNCILWOMAN LAURIE ELKINS ABSTAINED AND THE MOTION CARRIED.

FUNDING FOR RIVERFRONT PARK AND BACKWATER STUDIES: COUNCILWOMAN LAURIE ELKINS MOVED THE FUNDING FOR THE TWO ARMY CORPS OF ENGINEERS PROJECTS BE FINANCED BY USING THE FEMA REIMBURSEMENTS FOR THE JUNE DERECHEO FOR \$36,000 AND THE MONEY SLATED FOR THE RIDENOUR DOG PARK FROM HOTEL MOTEL TAX FOR \$13,400. THE MOTION WAS SECONDED BY RECORDER COX. Councilman Craig Matthews said that the Dog Park at Ridenour will be paid for by the Shelter Four grant money. Councilwoman Elkins said the priorities are to do the backwater study first and the riverbank at the Nitro Park second. VOTE WAS UNANIMOUS FOR THE MOTION.

NEW BUSINESS

FIRST READING ORDINANCE AMENDING AND REENACTING AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR SERVICES RENDERED BY THE NITRO REGIONAL WASTE WATER UTILITY: City Attorney Richie Robb said the Nitro Regional Waste Water Board had petitioned Council on November 20. The last rate increase was in 2005. Samme Gee, attorney for the Nitro Regional Waste Water Board, said the increase of 11 ½ is to meet requirements for bond ratings as the rates are required to be at 115% for the bond rating and it is currently at 113%. The new ordinance adds a security deposit and discharge and hauler rates. Jesse Parker of S & S Engineering said a portion of the rate increase is to be for improvements with those projects to be completed by August, 2015. Samme Gee said the rate increase is to take effect February 1, 2013. COUNCILMAN CRAIG MATTHEWS MOVED THE ORDINANCE BE PASSED ON FIRST READING WITH A SECOND BY COUNCILWOMAN LAURIE ELKINS AND VOTE WAS UNANIMOUS FOR THE MOTION. Richie Robb said there will be a public hearing at the next meeting of Council, December 18, prior to the second reading of the ordinance.

CHRISTMAS PARADE APPROVAL: COUNCILMAN CRAIG MATTHEWS MOVED THE CHRISTMAS PARADE BE HELD ON DECEMBER 8 AT 4:00 PM ON FIRST AVENUE FROM 41ST STREET TO THE TREE NEXT TO CITY HALL. THE MOTION WAS SECONDED BY COUNCILWOMAN LAURIE ELKINS AND VOTE WAS UNANIMOUS FOR THE MOTION TO PASS.

ATTORNEY REPORT: Richie Robb said Ron King had found the names of the owners of the Pilot Station and they would be contacted for talks about annexation. He said he had drawn up a lease to be used with the bait shop owners at Ridenour Lake.

TREASURER REPORT: COUNCILMAN ANDY SHAMBLIN MOVED COUNCIL ACCEPT THE TREASURER REPORT PRESENTED TO COUNCIL. THE MOTION WAS SECONDED BY COUNCILMAN CRAIG MATTHEWS AND VOTE WAS UNANIMOUS FOR THE MOTION.

COUNCILMAN MATTHEWS MOVED THAT COUNCIL APPROVE A \$100 GIFT CERTIFICATE FOR GRAND MARSHALL JAY LONG FOR HIS WORK AS SANTA FOR THE CITY OF NITRO. THE MOTION WAS SECONDED BY RECORDER RITA COX AND VOTE WAS UNANIMOUS FOR THE MOTION.

MAYOR COMMENTS: Mayor Casebolt said that the city will not pay for the appraisal of the property on Dupont Avenue that is being donated to the city. It is up to the property owner.

COUNCIL COMMENTS:

Councilwoman Laurie Elkins said the Annexation Committee will meet after the December 18 meeting of Council.

Recorder Rita Cox said that after looking at the bids for paving, the one from WV Paving contained two separate costs. COUNCILMAN MATTHEWS MOVED THE BID FROM WV PAVING FOR WORK AT SHELTER FOUR FOR \$27,766 BE ACCEPTED WITH A SECOND BY COUNCILMAN BILL RACER. VOTE WAS UNANIMOUS FOR THE MOTION.

ADJOURNMENT: COUNCILMAN MATTHEWS MOVED THE MEETING BE ADJOURNED AND THE MOTION WAS SECONDED BY COUNCILWOMAN ELKINS. VOTE WAS UNANIMOUS FOR THE MOTION.

DAVE CASEBOLT, MAYOR

RITA COX, RECORDER