

NITRO CITY COUNCIL
MINUTES
TUESDAY, APRIL 16, 2013

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

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

FUTURE DATES OF COUNCIL: Mayor Casebolt said the future dates of Council are May 7 and 21 and June 4 and 18.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF APRIL 2 MEETING OF COUNCIL BE APPROVED AND THE MOTION WAS SECONDED BY COUNCILMAN BILL JAVINS. VOTING FOR THE MOTION WERE RECORDER COX, COUNCILWOMAN TYLER, COUNCILMEN JAVINS, MONTGOMERY, WALLS, RACER, AND SHAMBLIN. COUNCILWOMAN ELKINS ABSTAINED. THE MOTION CARRIED.

SWEARING IN OF TWO NEW FIREMEN/CHRISTOPHER HOWELL AND CARL PRICE: Mayor Casebolt introduced two recently hired firemen, Carl Price and Christopher Howell. Chief Jeff Elkins requested the Mother's of the two new firemen come forward to pin badges on them and Mayor Dave Casebolt administered the Firefighter's Oath.

OLD BUSINESS

WV AUDITOR'S APPROVAL AND LAYING OF THE PROPERTY TAX LEVY RATES (LAYING OF THE LEVY): Treasurer John Young said that this is the final step in approving the budget and laying the levy for fiscal year 2013-2014. RECORDER RITA COX MOVED COUNCIL APPROVE THE ESTIMATE AND LEVY RATE TO BE ORDERED TO BE FORWARDED TO THE WV AUDITOR WITHIN THREE DAYS OF THIS MEETING. THE MOTION WAS SECONDED BY COUNCILMAN JOHN MONTGOMERY AND VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

PUBLIC HEARING/PART EIGHTEEN-PROPERTY MAINTENANCE ORDINANCE-ARTICLE 1810-VACANT STRUCTURE REGISTRATION: RECORDER RITA COX MOVED THE PUBLIC HEARING BE OPENED FOR PART EIGHTEEN-PROPERTY MAINTENANCE ORDINANCE-ARTICLE 1810-VACANT STRUCTURE REGISTRATION. THE MOTION WAS SECONDED BY COUNCILMAN AL WALLS AND COUNCIL VOTED UNANIMOUSLY FOR THE PUBLIC HEARING TO BE OPENED. City Attorney Teresa Kirk read the ordinance by title only. Councilman Montgomery said the city was experiencing problems with empty structures which he said require police and fire attention and can often pose a risk to the community. This ordinance would require owners to register empty structures and allow the city Code Enforcement Officer to inspect the structures. The ordinance will make allowances for structures that are being marketed for sale. Councilman John Montgomery said the ordinance will take effective 30 days after the second reading. Councilman Montgomery told members of Council that there was an amended portion in the Ordinance concerning the assessment of fees. The first reading of the Ordinance contained time frames that overlapped on the months for fee assessment and the second reading contained a change so that the

fees did not overlap. RECORDER COX MOVED THE HEARING TO BE CLOSED AND THE MOTION WAS SECONDED BY COUNCILWOMAN BRENDA TYLER. COUNCIL VOTED UNANIMOUSLY FOR THE MOTION.

SECOND READING/PART EIGHTEEN-PROPERTY MAINTENANCE ORDINANCE-ARTICLE 1810-VACANT STRUCTURE REGISTRATION: Teresa Kirk read by title only Part Eighteen-Property Maintenance Ordinance-Article 1810-Vacant Structure Registration. COUNCLMAN ANDY SHAMBLIN MOVED THE ORDINANCE PART EIGHTEEN-PROPERTY MAINTENANCE-ARTICLE 1810-VACANT STRUCTURE REGISTRATION BE PASSED ON SECOND READING AS AMENDED WITH A SECOND BY COUNCILWOMAN LAURIE ELKINS. Councilman John Montgomery said the amendment is in the assessment of fees at 1810.07 so that there is a distinction in when the fee schedule runs and there is no overlapping of the fee schedule. THE VOTE WAS UNANIMOUS FOR THE MOTION TO PASS.

RECOMMENDATIONS OF COMMITTEE FOR FIRE DEPARTMENT ROOF REPAIR: Chief Jeff Elkins said the committee met on Friday, April 12 to discuss the bids for roofing the ladder bay section of the Nitro Fire Department. Those meeting were Recorder Cox, Chief Elkins and Mayor Casebolt. The bids were Tri-State Roofing-\$15,243 with metal decking -\$8.05/square foot; Boggs Roofing-\$11,200 with metal decking -\$6.50/square foot; WTI-TREMCO-\$18,880 with metal decking included; Absolut Roofing-\$9400 with metal decking -\$1.75/square foot. RECORDER RITA COX MOVED COUNCIL ACCEPT THE BID FROM ABSOLUT ROOFING AT \$9400 AND METAL DECKING AT \$1.75 PER SQUARE FOOT. THE MOTION WAS SECONDED BY COUNCILMAN AL WALLS AND COUNCIL VOTED UNANIMOUSLY FOR THE MOTION.

AGREEMENT WITH CARL AND COOKIE CLENDENIN FOR PROPERTY DONATION TO CITY OF NITRO ON 20TH STREET: Mayor Dave Casebolt said the agreement was signed today and \$10 was given to Carl and Cookie Clendenin for the property on 20th Street known as A-1 Carpet. The Mayor also said that they will remain in the building for a few months to fulfill some contracts and the city's insurance carrier has been notified to add the building.

REFIGURATION OF COMMITTEE TO STUDY CLENDENIN BUILDING DONATION: Mayor Casebolt said that this agenda item is not necessary and the committee can stand as it was established at the previous meeting: Mayor Dave Casebolt, Recorder Rita Cox, Councilman at Large John Montgomery, Chief Jeff Elkins, Chief Brian Oxley and Treasurer John Young.

NEW BUSINESS

NITRO/CROSS LANES MIDGET FOOTBALL LEAGUE REQUESTS FOR USE OF PRACTICE FIELDS/PARK FACILITIES FOR 2013 SEASON: Mayor Casebolt said he would like to talk with representatives of Nitro High School before this item is dealt with. RECORDER COX MOVED THE ITEM TO BE TABLED WITH A SECOND BY COUNCILMAN WALLS AND VOTE WAS UNANIMOUS FOR THE MOTION.

WEDNESDAY MOVIE NIGHT/JUNE 12-JULY 21/SPONSORED BY 96.1, V100, 98.7: Councilman Bill Javins said WV Radio Corporation has chosen Nitro Park field to show movies on Wednesday nights from June 12 to July 21 beginning at 9:00 pm. The CVB will have inflatables available, and there will be one vendor per night with 10% of the proceeds to go to St. Jude's Hospital.

ANNEXATION COMMITTEE REPORT: Councilman John Montgomery said the Annexation Committee met today to talk about annexing I64 from mile marker 46 to the Institute interchange. He said the first reading of the Ordinance should be prepared for the May 7 meeting of Council. COUNCILMAN JOHN MONTGOMERY MOVED THE MINUTES OF THE APRIL 16 MEETING OF THE ANNEXATION COMMITTEE

BECOME A PART OF COUNCIL MINUTES WITH A SECOND BY COUNCILMAN BILL JAVINS. THE VOTE WAS UNANIMOUS FOR THE MOTION.

NDA REPORT: COUNCILMAN ANDY SHAMBLIN MADE A MOTION THAT THE MINUTES OF THE APRIL 9 MEETING OF THE NDA BOARD OF DIRECTORS BE MADE PART OF COUNCIL MINUTES. THE MOTION WAS SECONDED BY COUNCILMAN BILL JAVINS AND VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

MAYOR COMMENTS: Mayor Dave Casebolt had no comments.

COUNCIL COMMENTS:

Councilman Andy Shamblin said the town cleanup is April 20 and there will be a meeting at 9:00am at Children's Park and then divide into work groups. He said this is to also celebrate Earth Day.

COUNCILWOMAN LAURIE ELKINS MOVED THE MINUTES OF THE FEBRUARY 28 AND MARCH 22 MEETINGS OF PARKS AND RECREATION COMMITTEE BE MADE A PART OF COUNCIL MINUTES. THE MOTION WAS SECONDED BY RECORDER RITA COX AND VOTE WAS UNANIMOUS FOR THE MOTION. She said the dog park is still on hold due to the sequester and so the money will not be dispersed, the contract for work on the trail is to be signed on Friday and Chapman Technical is working on grant money for rv campground. She also said a summer concert has been scheduled and there will be a pool party May 24, a bass tournament April 20 and a Make a Wish bass tournament on May 18.

Councilman Bill Javins said the bass tournament is Saturday, April 20 at 6:00am, at the boat launch and dinner April 19 at 5:00pm at the Corner Restaurant.

Councilman John Montgomery said the Ordinance Committee will not meet this Thursday.

PUBLIC COMMENT:

Bob Schamber said the trip to Renfro Valley, KY was a success and the Senior Picnic is coming up soon.

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



MAYOR DAVE CASEBOLT



RECORDER RITA COX