

NITRO CITY COUNCIL  
MEETING MINUTES  
TUESDAY, JULY 5, 2011

CALL TO ORDER: Mayor Rusty Casto called the meeting to order at 7:00 pm. In attendance were Recorder Rita Cox, Ward 2 Councilman Bill Racer, Ward 3 Councilman Craig Matthews, Ward 4 Councilman Bill Javins, Councilman at Large Jim McKay, City Treasurer John Young and City Attorney Richie Robb. Ward 1 Councilman A. A. "Joe" Savilla, Councilman at Large Dave Casebolt and Councilman at Large Bob Fields were not present.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Councilman Jim McKay and the Pledge of Allegiance was led by Bob Schamber.

FUTURE DATES OF COUNCIL: Mayor Casto announced the future dates of Council are July 19, August 2 and 16, and September 6 and 20.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF THE JUNE 7 AND 21 MEETING OF COUNCIL BE APPROVED WITH A SECOND BY COUNCILMAN CRAIG MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

CITIZEN OF THE MONTH: Mayor Rusty Casto said Leah Ann Bright is Citizen of the Month for July for securing a grant for the Nitro Elementary School playground.

OLD BUSINESS

UPDATE CRAIG WEARS MEMORIAL: Mayor Rusty Casto said the upgrade for the pump for the fountain will cost approximately \$2500.00 to \$3000.00. He said the fountain is about 40 years old, having been installed in 1971. The fountain needs a pump and a new cover for when it is not in use. John Young said that we need to know an approximate dollar amount on what it will cost to complete the job. Mayor Casto said a pump and a tub are needed.

SENIOR VAN: Recorder Rita Cox said the new senior van has been delivered and a check has been sent for \$40,833.00 to pay for it. The Certificate of Origin will have to be sent before the title and license can be obtained and that should be in place before the next meeting.

END OF FISCAL YEAR AND AUDIT UPDATE: John Young said he could not give the exact amount in surplus from fiscal year 2010-2011 because there are outstanding bills. He gave an approximate amount of \$200,000.00. He said the WV Auditors Office is looking at the results of the audit done recently and he would not know when the exit interview is until they notify him.

BROOKHAVEN STREETS WEIGHT LIMIT REPORT: Mayor Casto referred to a letter he had received from S & S Engineers Inc. saying the weight limit on Brookhaven Drive is 10 tons. RECORDER RITA COX MOVED THE LETTER BE MADE A PART OF THE MINUTES WITH A SECOND BY COUNCILMAN CRAIG MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

## NEW BUSINESS

PLANNING COMMISSION RECOMMENDATION TO COUNCIL/WARNER FAMILY REQUEST TO ABANDON SECTION OF 600 BLOCK OF KANAWHA AVENUE SOUTH (DR. AND MRS. BYRD PROPERTY): Recorder Cox said the Planning Commission led by Margaret Hudson, had met on two occasions to hear the request of Mr. and Mrs. David Warner requesting the city abandon the portion of the Kanawha Avenue S. right of way that lies between their property and the railroad. Recorder Cox said that the right of way is shown on a map but the road actually ends at the edge of their property. The Dawson family who are neighbors had appeared to speak in favor of the Warner's. Denny Dawson said the road ends there and then there is a natural water way that separated the road from being extended. Members of the Planning Commission had given Mrs. Warner time to research the deed and there are several streets shown on the property that the house was built over. The Planning Commission has recommended the right of way on 600 block of Kanawha Avenue South be abandoned to David and Sheri Warner. John Montgomery said the Planning Commission had studied the situation and recommended to the Warner family that they further research those streets that are still shown on some county maps. RECORDER RITA COX MOVED THE CITY ABANDON THAT PART OF KANAWHA AVENUE SOUTH THAT IS ADJACENT TO THE 600 BLOCK OF SAID KANAWHA AVENUE SOUTH. WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

ATTORNEY REPORT: Richie Robb said he was prepared to answer any questions from Council. Mayor Casto referred to a letter he had recently received from Kanawha County Commission President Kent Carper requesting the city draft an ordinance requiring scrap dealers and pawn shops to register the materials they receive. COUNCILMAN CRAIG MATTHEWS MOVED THE LETTER FROM COMMISSIONER CARPER CONCERNING SCRAP DEALERS AND PAWN SHOP OWNERS REGISTERING THE MATERIALS THEY RECEIVE BE REFERRED TO ORDINANCE COMMITTEE WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

TREASURER REPORT: John Young said the cash register at the pool was broken on Friday and two are needed, one for the front gate and one for the concession stand. The system he says would work the best is \$1458.00. COUNCILMAN CRAIG MATTHEWS MOVED THAT THE SYSTEM FOR \$1458.00 MAKING CASH REGISTERS FOR THE FRONT GATE AND CONCESSION STAND AT THE POOL BE PURCHASED WITH A SECOND BY COUNCILMAN JIM MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION.

### COUNCIL COMMENT:

Mayor Casto said WV Paving should be starting work in about two weeks.

Councilman Javins said that he thought the lights should be as originally approved at the boat launch. COUNCILMAN JAVINS MOVED THE MINUTES OF THE JUNE MEETING OF THE CVB BE MADE A PART OF THE COUNCIL MINUTES WITH A SECOND BY COUNCILMAN MCKAY. VOTE WAS UNANIMOUS FOR THE MOTION. He said it contains the financial statement and officers for the new year which remained the same.

COUNCILMAN MATTHEWS MOVED A FEE FOR VENDORS AT CITY EVENTS BE SET AT \$50.00 AND THEY BE ALLOWED TO SELL DRINKS AND FOOD OF THEIR CHOICE. THE MOTION WAS SECONDED BY COUNCILMAN JAVINS AND VOTE WAS UNANIMOUS FOR THE MOTION TO PASS.

PUBLIC COMMENT: Bob Schamber said that the change to Friday night for bingo has been a success. He presented a check to the city for \$34,000.00 for the new van. The money was received as the result of a grant from Kanawha Valley Senior Services.

John Montgomery said the ordinance committee will meet at 7:00 pm on Thursday in the Community Center Boardroom.

ADJOURNMENT: COUNCILMAN JIM MCKAY MOVED THE MEETING BE ADJOURNED WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

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RUSTY CASTO, MAYOR

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RITA COX, RECORDER