



ATTORNEY REPORT

MAYOR COMMENTS

COUNCIL COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

NITRO CITY COUNCIL  
MINUTES  
SEPTEMBER 4, 2018

**CALL TO ORDER:** The meeting was called to order at 7:00 pm by Mayor Casebolt with the following people in attendance: Recorder Rita Cox, Ward 1 Councilwoman Donna Boggs, Ward 2 Councilman Bill Racer, Ward 3 Councilwoman Laurie Elkins, Ward 4 Councilman Michael Hill, Councilmen at Large Bill Javins, John Montgomery and Andy Shamblin, and City Attorney Johnnie Brown. City Treasurer John Young was absent.

**INVOCATION/PLEDGE OF ALLEGIANCE:** The Invocation was given by Councilman Shamblin and the Pledge of Allegiance was led by Councilwoman Boggs.

**FUTURE DATES OF COUNCIL:** Mayor Casebolt said the future dates of Council are September 18 and October 2 and 16.

**APPROVAL OF COUNCIL MINUTES:** RECORDER COX MADE THE MOTION TO APPROVE THE MINUTES OF AUGUST 21 AND THE SECOND WAS BY COUNCILWOMAN BOGGS. VOTING FOR THE MOTION WERE RECORDER COX, COUNCILWOMAN BOGGS, AND COUNCILMEN RACER, HILL, JAVINS, AND MONTGOMERY. COUNCILMAN SHAMBLIN ABSTAINED AND THE MOTION CARRIED.

**OLD BUSINESS**

**FAIRS AND FESTIVALS/CVB POSITION APPOINTMENT:** RECORDER COX MADE THE MOTION THAT COUNCIL APPROVE THE HIRING OF JOE DEISS STEPHENS IN THE FAIRS AND FESTIVALS POSITION TO BE SHARED WITH THE CVB POSITION. THERE WAS A SECOND BY COUNCILMAN JAVINS. VOTING FOR THE MOTION WERE RECORDER COX, COUNCILWOMAN ELKINS, AND COUNCILMEN MONTGOMERY, JAVINS, RACER AND HILL WITH COUNCILWOMAN BOGGS ABSTAINING. THE MOTION CARRIED.

**OPEN BIDS FOR CONCRETE PADS:** COUNCILMAN JAVINS MADE THE MOTION THAT COUNCIL APPROVE THE BID BY HASS CONCRETE AT \$2300 PER PAD. THE SECOND WAS BY COUNCILMAN HILL. Recorder Cox said the bid by Hass was \$2300 per 10x20x6 pad. She said the bid from HLM Construction was \$3847 per pad. VOTE WAS UNANIMOUS FOR THE MOTION.

**REPORT ON PAVING:** COUNCILMAN JAVINS MADE THE MOTION THAT COUNCIL APPROVE \$200,000 FOR PAVING AN \$81,000 FOR CONCRETE. THERE WAS A SECOND BY COUNCILWOMAN ELKINS AND THE MOTION PASSED WITH A UNANIMOUS VOTE.

**RESOLUTION SUPPORTING HOMERULE AS A PERMANENT PROJECT:** COUNCILMAN MONTGOMERY MADE THE MOTION THAT COUNCIL VOTE FOR THE RESOLUTION SUPPORTING HOMERULE AS A PERMANENT PROJECT. THERE WAS A SECOND BY COUNCILWOMAN BOGGS AND COUNCIL VOTED UNANIMOUSLY FOR THE MOTION.

**STREETSCAPE RESOLUTION:** RECORDER COX MADE THE MOTION THAT COUNCIL APPROVE THE STREETSCAPE RESOLUTION AUTHORIZING PARTICIPATION IN TRANSPORTATION ALTERNATIVES PROGRAM STATE PROJECT U320-N.7/RO-7, FEDERAL PROJECT TAP-2016 (319)DTC. THERE WAS A SECOND BY COUNCILWOMAN ELKINS AND A UNANIMOUS VOTE FOR THE MOTION.

**NEW BUSINESS**

**GEOLOGICAL SURVEY OLD COUNTY ROAD:** COUNCILMAN JAVINS MADE THE MOTION TO DO A GEOLOGICAL SURVEY TO PREPARE TO PAVE OLD COUNTY ROAD. COUNCILWOMAN ELKINS MADE A SECOND AND THE VOTE WAS FOR THE MOTION.

**SURVEILLANCE CAMERAS FOR BALL FIELD AREAS:** COUNCILMAN HILL MADE THE MOTION THAT SURVEILLANCE CAMERAS BE PURCHASED FOR THE PARKING LOT AND RIVERFRONT AREAS AT THE NITRO BALL PARK. COUNCILWOMAN ELKINS MADE A SECOND. VOTE WAS FOR THE MOTION.

**ATTORNEY REPORT:** Johnnie Brown did not have a report but said he would take questions from Council.

**MAYOR COMMENTS:** Mayor Casebolt reminded everyone of the upcoming Boomtown Days and Italian Festival.

**COUNCIL COMMENTS:** There were no comments.

**PUBLIC COMMENTS:** Bob Schamber said the Seniors will be having events during the Boomtown Days.

**ADJOURNMENT:** COUNCILMAN RACER MADE THE MOTION THAT COUNCIL ADJOURN. THERE WAS A SECOND BY COUNCILMAN HILL AND THE MOTION CARRIED.

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DAVE CASEBOLT, MAYOR

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RITA COX, RECORDER

**RESOLUTION SUPPORTING HOME RULE  
AS A PERMANENT PROGRAM**

**Whereas**, the City of Nitro supports and requests that its Legislators and the Governor pass and sign legislation removing the sunset date in WV Code 8-1-5A and making the Home Rule Program a permanent one in West Virginia; and,

**Whereas**, the future economic progress for the State of West Virginia is directly tied to the success of its municipalities; and,

**Whereas**, the intent of the Legislature in enacting a home rule pilot program was to provide municipalities the framework in which to explore new ideas and evaluate the results to determine the viability of implementing solutions on a statewide basis and empower the municipal citizen with local control at the local level; and,

**Whereas**, the pilot program for municipalities in West Virginia was passed in 2007 and has proven success stories that have advanced the participating cities, thus benefitting the surrounding regions, and the entire State of WV under adoption of innovative, cost efficient and business friendly implementations of home rule ordinances, and

**Whereas**, the successful Legislative audit which allowed the pilot program to continue has also given the Legislature and the public an opportunity to evaluate the viability of these innovative approaches to improve urban and state development; and,

**Whereas**, the Home Rule Pilot Program has been used successfully in the current participating municipalities and now the City of Nitro must be given the opportunity to join should and when the governing body chooses to do so and,

**Whereas**, for this laboratory for democracy to continue with successful outcome, the Legislature must continue Home Rule as a permanent program. To deny passage will ultimately result in a choice of municipal winners and losers.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Nitro will work with the West Virginia Municipal League to reconstitute the work of the stakeholders group representing the Fire Marshall's Office, Department of Transportation and the Department of Revenue in areas of concern that were addressed in the 2017 veto message to assure completion of the full legislative process and the continued success brought to the state through this program.

**LET IT FURTHER BE RESOLVED** that the City of Nitro supports and will aggressively pursue the passage of this permanent program to allow innovative and progressive problem solving at the local level-empowering the municipal citizen and placing local control at the local level.

**ADOPTED** the 4th day of Sept 2018.

Rula Cox, Recorder

RESOLUTION

Authorizing Participation in the  
Division of Highways  
Transportation Alternatives Program Grant  
NITRO 2<sup>nd</sup> AVENUE STREETScape

WHEREAS, members of the Council, City of Nitro, with a quorum present,  
passed the following RESOLUTION; THEREFORE,

BE IT RESOLVED, by the Council of the City of Nitro, West Virginia, that  
Council members hereby approve and endorse a grant application with the West  
Virginia Division of Highways, Transportation Alternatives Program, for a project entitled  
Nitro 2<sup>nd</sup> Avenue Streetscape, for the planning and design of a construction project to  
provide new curbs, sidewalks, installation of lights and pedestrian amenities in the  
Central Business District of Downtown Nitro.

ADOPTED ON:

Sept. 4, 2018

City Clerk:

Rita Cox

Council, President:

D. Cochran

**Streets that need concrete replaced 2018/2019 budget**

**Approximately \$2,300 per 10 X 20 pad**

**39<sup>th</sup> St East one pad, this will finish 39<sup>th</sup> St East**

**17<sup>th</sup> St two pads between 2<sup>nd</sup> Ave and 3<sup>rd</sup> Ave**

**15<sup>th</sup> St West four pads**

**14<sup>th</sup> St West one pad**

**13<sup>th</sup> St West three pads**

**12<sup>th</sup> St West five pads**

**11<sup>th</sup> St two pads**

**Broadway Ave seven pads**

**Lock St two pads**

**Layne Ave eleven pads**

**Ash St one pad**

**Beech St two pads**

**Between Washington and Dogwood two pads**

**Between Washington and Elm two pads**

**Corner of Dupont and Elm one pad**

**Fir St one pad**

**Gum St two pads**

**Hickory St one pad**

**700 block of Kanawha Ave three pads**

**Benamatti Ave four pads**

**Locust three pads**

**Walker entrance only**

**(BROOKHAVEN)**

**\$2,300 X 90 = \$207,180 dollars**

**Top of Norwood eight pads**

**Holly one pad**

**Fairview two pads**

**Brookhaven Drive two pads**

**Brookhaven Circle one pad**

**Rockledge three pads**

**Brentwood ten pads**

**Barrington three pads**

**TOTAL PADS IN TOWN AND UP TOWN 60 PADS**

**TOTAL PADS IN BROOKHAVEN 30 PADS**

## **Suggested paving and concrete for our budget for 2018/2019**

**\* Indicates a drain is desperately needed**

### **Paving**

1. **One section of Bailes Drive, approximately 40 feet**
2. **25<sup>th</sup> St the center only**
3. **26<sup>th</sup> St center only**
4. **The rest of 2<sup>nd</sup> Ave that hasn't been paved, we pay for materials only**
5. **14<sup>th</sup> St from 2<sup>nd</sup> Ave to 3<sup>rd</sup> Ave**
6. **4<sup>th</sup> St pave about thirty foot section from 3<sup>rd</sup> Ave**
7. **Pave 700 to 900 block of Kanawha Ave**
8. **One section of Sattes circle needs a drain before we can pave \***
9. **Michigan Ave needs a drain \***
10. **Hill side entrance up to the curve and a section that goes to the house and apartments. (city street)**
11. **3<sup>rd</sup> Ave one section, approximately 40 feet**
12. **39<sup>th</sup> St one section at the end, approximately 20 feet**
13. **Right side of Bailes Drive needs a drain from 40<sup>th</sup> St up to the curb \***
14. **1500 Block of Main Ave, right side only**
15. **We have discussed Old county road for the last several years. We need to have several core drillings done so we can fix the problem. We need this information so we can place the rocks baskets to make sure the road will be stabilized. Our garbage trucks use this road and it's in deplorable condition.**



# Asphalt Contractors & Site Work Inc.

P.O. Box 544, Catlettsburg, KY 41129  
Office 304-697-2510  
Fax 304-697-2590  
866-897-2590

asphaltsitework@verizon.net

City of Nitro 2018 St. Paving Project:  
209 20<sup>th</sup> ST. Nitro WV 25143  
AJ Hill =304-419-2182

Date: 8-3-18

Re: Street Paving 2018

## Scope:

1. Areas listed are to be milled and broomed , Tac for bonding, 1.5" of hot wearing Hot Asphalt rolled for compaction. With the Exception of hillside drive. : see note on it.

- A. 25<sup>th</sup> st. = 9x360= \$ 6,473.00
  - B. 26<sup>th</sup> st. = 9x227= \$ 5,873.00
  - C. 40<sup>th</sup> st. = 20x48,12x230,12x68 = \$ 7,962.00
  - D. 39<sup>th</sup> st. = 20x125 = \$ 5,743.00
  - E. 3<sup>rd</sup> Ave. = 16x102 = \$ 4,985.00
  - F. 19<sup>th</sup> to 7<sup>th</sup> = 22x2240 = \$ 63,942.00
  - G. 14<sup>th</sup> st. = 23x585 = \$ 19,721.00
  - H. 4<sup>th</sup> St. Hill =14x90 = \$ 3,983.00
  - I. Kanawha Ave. 701 to 900 = 23x603 = \$ 21,934.00
  - J. Sattes Circle= 20x210= \$ 7,485.00
  - K. 1500 Main St. =13x218= \$ 6,900.00
  - L. Hillsdale Dr. =22x300= \$ 17,943.00
- Note: 3" avg. on this area.

172,944

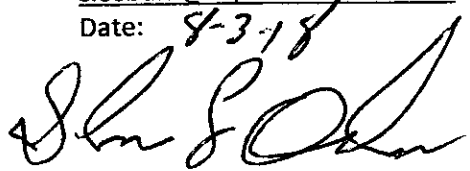
**Note:** B and O taxes ,city fees ,sales tax ,permits ,and etc are not in total shown if they apply.

**Note:** 2. If all areas are awarded at once deduct \$ 4,000.00 from total.

Thank You,  
Shawn Osburn  
304-962-2951  
[s.osburn@asphaltsitework.com](mailto:s.osburn@asphaltsitework.com)

Date:

8-3-18



Authorized Signature

Date:



August 17, 2018

City of Nitro  
20<sup>th</sup> Street and 2nd Avenue  
Nitro WV. 25143  
RE: PAVING CITY STREETS 2017

We propose to furnish material and labor complete in accordance with the specific specifications for:

ESTIMATE: Includes the following

- A. Preparation, Patch, Level. Base as needed
- B. Tack.
- C. Pave parts of some streets with 2.5 inches asphalt base course.
- D. Pave with 1.5 or 2 inches asphalt wearing course. (as per pre bid)

1. ONE SECTION OF BAILSSES DRIVE (374 SQ.YD.).	\$ 10,505.00
2. 25 <sup>TH</sup> STREET CENTER ONLY (401 SQ.YD.).	\$ 9,461.00
3. 26 <sup>TH</sup> STREET CENTER ONLY ( 252 SQ.YD.).	\$ 5,960.00
4. REST OF 2 <sup>ND</sup> AVENUE ( 7,266 SQ.YD.).	\$ 86,398.00
5. -----	
6. 14 <sup>TH</sup> STREET FROM 2NE AVE TO 3 <sup>RD</sup> ( 1,769 SQ.YD.).	\$ 27,551.00
7. 4 <sup>TH</sup> STREET FROM 3 <sup>RD</sup> AVENUE ( 126 SQ.YD.).	\$ 3,242.00
8. 700 TO 900 BLOCK KAN AVENUE (1,466 SQ.YD.)	\$ 22,443.00
9. -----	
10. -----	



11. HILLSIDE ENTRANCE TO CURVE AND SECTION THAT GOES TO APARTMENTS. (830 SQ.YD.).	\$ 30,902.00
12. 3 <sup>RD</sup> AVENUE ONE SECTION ( 200 SQ.YD.).	\$ 7,655.00
13. 39 <sup>TH</sup> STREET SECTION AT END ( 228 SQ.YD.).	\$ 8,696.00
14. RIGHT SIDE BAILES DRIVE FROM 40 <sup>TH</sup> STREET ( 732 SQ.YD.).	\$ 27,444.00
15. 1500 BLOCK MAIN AVE RIGHT SIDE ( 350 SQ.YD.).	\$ 13,126.00

TOTAL \$ 253,383.00

**NOTES: Terms: Net 30 days. A service charge of 1.5 percent Per annum, will be added on any unpaid balance. All material is guaranteed to be as specified. All Work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications involving extra costs become an extra charge above and over the estimates. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner to carry necessary Insurance. Our workers are fully covered by Workman's Compensation Insurance.**

This proposal may be withdrawn if not accepted within 30 days.

The above prices, specifications and conditions are satisfactory and hereby accepted.

*Gary Winfree* 8/12/18

WV PAVING Inc.

Date

Gary Winfree

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Owner

Date

