

April 5, 1932.

1

The following elected officers for the government of the City OF Nitro met at the residence of C.R.Dawson for the purpose of being sworn into their respective offices and sworn to support the Constitution of the United States, and the Constitution of West Virginia, and to discharge the duties of their respective offices to the best of their skill and judgement.

Officers present; T.A.Lewis, City Recorder, J.F.Santroek, C.R. Dawson, H.K.Miller and Mrs.C.L Craddock, members of council.

Miss Margaret Mc Morrow, Notary Public of Kanawha county, also present for purpose of administering oath of office to the above named officers.

After administering oath of office to afore mentioned officers, Miss Mc Morrow accompanied by councilman Santrock proceeded to L.H.Kessels place of bussiness at which place he was duly sworn in.

A copy of Oath of Office for each of the afore mentioned officers was filed with T.A.Lewis, City Recorder, also two duplicate copies were given councilman Dawson, one copy of each to be mailed to Clerk of Kanawha Co.Court, Charleston, W.Va; and another copy of each to be mailed to Clerk of Putnam Co.Court, Winfield, W.Va.

Letter under date of April 4, 1932, from Civic Benefits Association, signed by J.E.Hulshizer, Secretary, and addressed to E.E. Higginbotham, Mayor, asking for arrangement of meeting between City Council of Nitro and Board of Directors of Civic Benefits Association discussed by Council and arrangements for meeting to be held on evening of April II, 1932 approved by Council.

Councilman Dawson requested to notify Mr.J.E.Hulshizer, Secretary of Civic Benefits Association of same.

Subject of meeting place to conduct City business by officers of City discussed. Two places mentioned in particular were, room adjoining P.Witry Store and Police Station. Nothing definite being arrived at councilman Miller was requested by City Recorder to investigate in regard to chances of acquiring either of these buildings for temporary use and also rentals of same and report at next meeting.

Agreement made to meet again on evening of April 8, 1932. Officers to be notified of place of meeting prior to the above date.

There being no futher bussiness to transact at this time motion was put in order to adjourn.

Motion carried.

Meeting adjourned.

T. A. Lewis  
Acting Mayor.  
T. A. Lewis  
Recorder.

April 11, 1932.

The following officers of the City of Nitro assembled at room rented from Nitro Industrial Corporation for the purpose of consulting with the Board of Directors of the Civic Benefits Association.

Officers present were T.A. Lewis, Recorder, J.F. Santrock, C.R. Dawson, H.K. Miller, L.H. Kessel and Mrs. C.L. Craddock, all being members of Council of said Town of Nitro.

Owing to absence of Mayor E.E. Higginbotham Recorder Lewis filled the chair as mayor.

Councilmen Dawson and Miller were appointed as a committee to meet representatives of Civic Benefits Association in regard to contracts.

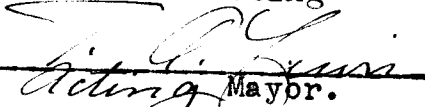
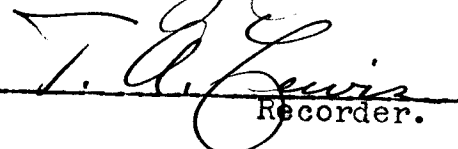
Mrs. C.L. Craddock appointed to investigate taxes.

Councilmen Santrock and Kessel appointed as committee on fire-hydrants etc.

Motion made by Councilman Dawson that bill presented to City of Nitro by election commissioners asking \$10.00 each for their services and services of two clerks at \$10.00 each in election of City Officers on March 29, 1932 be returned to R.C. Alexander for correction. Motion seconded by Mrs. C.L. Craddock. Motion carried.

Agreement made that City Officers should meet again on evening of April 14, 1932.

There being no further business at this time a motion was put in order for adjournment. Motion carried. Meeting adjourned.

  
Acting Mayor.  
  
Recorder.

April 14, 1932.

3

The following officers were present at this meeting. T.A.Lewis, Recorder, J.F.Santroek, C.R.Dawson, H.K.Miller, L.H.Kessel, and Mrs.C.L.Craddock, all being members of Council of said Town of Nitro. Owing to absence of Mayor Higginbotham Recorder Lewis filled chair as mayor.

Acting mayor Lewis called for report of committee on contracts, committee reported as being unable to meet representatives of Civic Benefits Association.

Mrs.C.L.Craddock reported answer pending on taxes.

Councilmen Santroek and Kessel reported as being unable to get full details on fire-hydrants.

Motion made by councilman Santroek that City of Nitro pay salary of \$110.00 per month for city policeman.

Motion seconded by Mrs.C.L.Craddock. Motion carried.

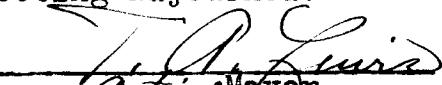

Acting mayor Lewis presented name of Harry Graves to act as city policeman asking Council for action on same.

Councilman Dawson moved that Harry Graves be appointed as city policeman. Motion seconded by

Motion carried.

Council agreed that City of Nitro should take over fire department.

Council agreed to meet again the following evening at 7-30 P.M. Meeting adjourned.

  
Acting Mayor.  
  
Recorder.

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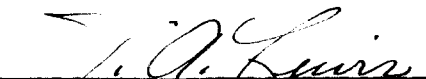

April 15, 1932.

The following officers assembled for the discussion of applicants and bids rendered on hauling and disposing of garbage, Recorder Lewis, Santroek, Dawson, Miller, Kessel and Mrs.C.L.Craddock, all being members of Council of said Town of Nitro.

After much discussion Mrs.C.L.Craddock moved that hauling and disposing of garbage be awarded to Geo. Bailey at \$140.00 per month. Motion seconded by councilman Santroek. Motion carried.

Owing to absence of Mayor Higginbotham Recorder Lewis acted as mayor.

Motion put in order for adjournment. Motion carried. Meeting adjourned.

  
Acting Mayor.  
  
Recorder.

April 19, 1932.

5HICG

At a meeting held at the residence of E.E.Higginbotham by officers of the City of Nitro the following officers were present.

E.E.Higginbotham, Mayor; T.A.Lewis, Recorder; J.F.Santrock, C.R.Dawson, H.K.Miller, L.H.Kessel and Mrs.C.L.Craddock, all being members of said council.

Also attending this meeting was Judge D.W.Taylor, of Charleston.

Meeting called to order by mayor. Minutes of previous meeting read by City Recorder. Minutes approved as read.

Mayor called for report of committee on water hydrants etc. Councilman Santrock reported as being unable to get in touch with all parties concerned. Agreed to table this matter until some future meeting.

Committee on street lighting also unable to give satisfactory information, this matter tabled until some future meeting.

Committee on taxes have had no reply from State Tax Commissioners Office. This matter also tabled for time being.

Mayor raised question of salary to be paid City Recorder. Councilman Dawson moved that Recorder be paid a salary of \$75.00 per month, motion seconded by councilman Santrock. Motion carried.

Councilman Santrock moved that Manufacturers Bank, Nitro, W.Va; be made the depository for all city funds, and that the treasurer be required to deposit all funds of City in said bank. Motion seconded by councilman Dawson. Motion carried.

Moved and seconded that City Recorder be appointed sergeant. Motion carried.

Councilman Santrock moved that Recorder be authorized to draw checks on City funds in payment of the following accounts.

Jan. 1, 1932. C.R.Conner, Survey, Maps, etc; of the \$225.00  
Incorporated Limits of City of Nitro.

"30, 1932. R.C.Alexander, Census and Registration. 50.00

Mar. 28, 1932. Payne, Minor, & Bouchelle, Attorneys, to  
various expenses in connection with  
Incorporation Election.

Total 38.15

\$313.15  
Motion seconded by Mrs. C.L.Craddock. Motion carried.

Motion made by Mrs.C.L.Craddock that Judge Taylor be employed as solicitor at the rate of \$300.00 per year for the first year. Motion seconded by councilman Santrock. Motion carried.

Agreement made to hold meeting on night of April 28, at 7-30 P.M. at some place to be named prior to night of meeting. Meeting adjourned.

*E.E. Higginbotham*  
Mayor.

*T.A. Lewis*  
Recorder.



April 28, 1932.

5

At a meeting of the Council of the Town of Nitro held on April 28, 1932, at the residence of E.E. Higginbotham, Mayor, there were present the following officers.

E.E. Higginbotham, Mayor; T.A. Lewis, Recorder; J.F. Santrock, C.R. Dawson, H.K. Miller, L.H. Kessel, and Mrs. C.L. Craddock, all being members of the Council of said Town of Nitro. Judge D.W. Taylor, attorney for Town of Nitro also present.

Meeting called to order by mayor. Mayor called for reading of minutes of previous meeting. Minutes approved as read.

At this meeting Ordinances from I to 23 inclusive, were placed before the council by City Attorney D.W. Taylor. After some discussion of same, motion was put in order that ordinances be accepted as read. Motion carried.

Motion carried that regular meetings of Council of Town of Nitro should be held on last Tuesday of each month.

There being no further business before the council at this time a motion was put in order for adjournment.

Motion carried.

Meeting adjourned.

E.E. Higginbotham  
Mayor.

T.A. Lewis  
Recorder.

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June 28, 1932.

Meeting held at residence E.E. Higginbotham by officers of City of Nitro. All officers and attorney for City being present the meeting was called to order by the mayor.

Minutes of last meeting read by recorder. Minutes approved as read.

Letter addressed to Town of Nitro and Civic Benefits Association, Nitro, W. Va; and signed by J.C. Hutsiniller, Receiver for Kanawha Valley Water Corporation, Nitro, W. Va; requesting definite information as to fire service in district of Nitro, was read to council. After some discussion of this matter motion was made by councilman C.R. Dawson, that in as much as this Town has no available funds at this time, that the Kanawha Valley Water Corporation be advised that the Town of Nitro refused to assume any responsibility on renting of fire hydrants in said Town of Nitro. Motion seconded by Mrs. C.L. Craddock. Motion carried. Mayor Higginbotham instructed recorder to advise J.C. Hutsiniller, Receiver, as early as possible of above stated ruling.

Agreement made that Town council meet representatives of Civic Benefits Association on evening of June 30, 1932, in Nitro Industrial Corporation Building.

There being no further business before the council at this time a motion was put in order for adjournment.

Motion carried.

Meeting adjourned.

E.E. Higginbotham  
Mayor.

T.A. Lewis  
Recorder.

June 30, 1932.

At a special meeting held between the Council of the Town of Nitro and the Board of Directors of the Civic Benefits Association of Nitro the following agreements were made.

1. That the Town of Nitro would assume the responsibility of payment of all salaries for policemen employed by the Town of Nitro. This to become effective on July 1, 1932.
2. That the Civic Benefits Association would continue as heretofore to assume responsibility of payment for the following; Fire hydrant service; Street lighting service; Salaries, wages, and other expenses incidental to running and upkeep of fire-department.
3. That the Civic Benefits Association would pay for the hauling and disposing of garbage up to and including the 15th day of July, 1932. After which date free hauling of garbage would cease.

There being no further business to transact between the above named parties the meeting was adjourned.

E. E. Higginbotham  
Mayor.

T. A. Lewis  
Recorder.

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July 21, 1932.

At a special meeting of the council of the Town of Nitro called by the Mayor on the 21, July 1932, at which meeting there were present E. E. Higginbotham, Mayor; T. A. Lewis, Recorder; J. F. Santrock, C. R. Dawson, H. K. Miller, L. H. Kessel and Mrs. C. L. Craddock, all being members of the Council of the said Town. The following business was transacted.

Meeting called to order by mayor. Mayor called for reading of minutes of regular meeting of council held on June 28, 1932. Minutes approved as read.

Mayor called for reading of minutes of meeting held jointly between the council and the Board of Directors of the Civic Benefits Association of Nitro. Minutes approved as read.

The question of License Tax to be charged to the various business places within the Corporate limits of the Town of Nitro was discussed and advisability of reducing said License Tax as charged by the county. It was pointed out that this matter was covered by Section 6, Ordinance #1, of the Town of Nitro, and that unless said Ordinance #1 was repealed by Council that License Tax would be chargeable under the provisions of Article 12, Chapter II, Code of 1930. After some discussion it was agreed by council that this question be tabled and council take it under consideration until next regular meeting of council on July 26, 1932.

AN Ordinance for laying a tax on dogs and providing for the collection thereof also tabled until next regular meeting.

There being no further business to transact a motion was put in order for adjournment. Motion carried. Meeting adjourned.

E. E. Higginbotham  
Mayor.

T. A. Lewis  
Recorder.

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July 26, 1932.

At a meeting of the Council of the Town of Nitro, W. Va. held on the 26th. day of July, 1932, at which meeting there were present E.E. Higginbotham, Mayor; T.A. Lewis, Recorder; J.F. Santrock, C.R. Dawson, H.K. Miller, L.H. Kessel, and Mrs. C.L. Craddock, being all of the Council of the said Town, the following matters of business were transacted.

Meeting called to order by the mayor. Mayor called for reading of minutes of last meeting. Minutes approved as read.

Moved and seconded that Ordinance #1, covering various License Taxes stand as originally adopted. Motion carried.

Mayor called for reading of Ordinance #24, said ordinance being for the laying of taxes on dogs and providing for the collection thereof. Moved and seconded that Ordinance #24 be adopted as read. Motion carried.

Moved and seconded that gas bill and electric bill for month of June, 1932, for police station, and that half months salary be paid policeman and recorder for month of July out of proceeds of monies paid into City Treasury for License Taxes. Motion carried.

Agreed that Council meet again on Aug. 2, 1932, for purpose of ascertaining the condition of the fiscal affairs thereof, and for making up an estimate of the same and proposing levies therefor.

Motion for adjournment made. Motion carried. Meeting adjourned.

E.E. Higginbotham  
Mayor.

T.A. Lewis  
Recorder.

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August 2, 1932.

At a meeting of the Council of the Town of Nitro, West Va; held at the said Town on the 2nd. day of August, 1932, at which meeting there were present, E.E. Higginbotham, Mayor; T.A. Lewis, Recorder; J.F. Santrock, C.R. Dawson, L.H. Kessel, and Mrs. C.L. Craddock, all being members of the Council of the said Town.

Mr. Frank Taylor, attorney for said Town of Nitro, was also present at this meeting.

This meeting being called as provided by Sections 2 and 7, Article 8, Chapter II, Code of 1930, for the purpose of making up estimates proposing levies and laying levies.

Meeting called to order by the mayor. Mayor called for reading of minutes of last meeting. Minutes approved as read.

The lists of assessments not having been received at this time a motion was put in order for Council to recess until such time as lists of assessments were received. Motion carried.

E.E. Higginbotham  
Mayor.

T.A. Lewis  
Recorder.

August 9, 1932.

After a recess of one week the Council of the said Town of Nitro met for purpose of making up levy estimates. All members of said Council being present, the statements provided by assessors of Kanawha and Putnam counties were duly deliberated and Council decided that information given was not adequate for the making up of levy estimates.

Motion put in order to recess until following night and in meantime get in touch with assessors of Kanawha and Putnam counties to try and get a more accurate estimate of all taxable personal, real estate, and public utility properties inside of the corporate limits of the Town of Nitro. Motion carried.

*E. H. Higginbotham*  
Mayor.

*T. A. Lewis*  
Recorder.

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August 19, 1932.

After revised lists of assessments of personal, real estate, and public utility properties were received from assessors of Kanawha and Putnam counties a meeting was called on Aug. 19, 1932.

All members of Council being present the meeting was called to order by the mayor.

Revised lists of personal, real estate, and public utility properties within the corporate limits of the said Town of Nitro having been received from assessors of Kanawha and Putnam counties and same being approved by Council, the Council proceeded to make up levy estimates as provided by Sections 2 and 7, Article 8, Chapter II, Code of 1930. The following estimates were found.

General Licenses.	\$ 350.00
Current accounts due and unpaid June 30, 1932.	201.28
Salaries of General Administrative Officers.	1201.00
Salaries of Chief and police.	1520.00
General expenses of Police Department.	350.00
Expenses of keeping and feeding prisoners.	50.00
Stationery, office supplies and equipment.	150.00
Postage.	50.00
Telephone and Telegraph.	48.00
Advertising and Legal Publications.	200.00
Premiums and Officials Bonds.	35.00
Maintenance of streets and alleys.	200.00
Maintenance of sewers.	150.00
Audit by Tax Commissioner.	50.00
Lists of assessments as submitted by assessors.	150.00
Delinquent taxes and discount.	288.10
Total Disbursements, (estimated).	\$ 4643.38
Total estimated receipts as brought forward.	350.00
	<u>\$ 4293.38</u>

Continued on next page.

And the Council doth determine and estimate that it will be necessary to raise by levy the amount of \$4293.38 for regular municipal purposes, and to provide for said amount, a levy of fifty cents (50¢) is hereby proposed, to be levied on each one hundred dollars assessed valuation of all property taxable in said municipality of said Town of Nitro, based upon the last assessment therein, as follows;

Real Estate	\$354.000
Personal Property	75.510
Public Utility Property	429.167
TOTAL	<u>\$858.677</u>

There being no further business to transact a motion was put in order to adjourn. Motion carried. Meeting adjourned.

*E. E. Higginbotham*  
Mayor.  
*T. A. Lewis*  
Recorder.

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August 30, 1932.

Council of the Town of Nitro held its regular meeting on Aug. 30, 1932. At this meeting there were present E. E. Higginbotham, Mayor; T. A. Lewis, Recorder; J. F. Santrock, C. R. Dawson, L. H. Kessel and Mrs. C. L. Craddock, members of said Council.

Meeting called to order by Mayor. Mayor called for reading of minutes of previous meeting. Minutes approved as read.

At this time Ordinance #25, an ordinance providing for the governing of sale of products by Hawkers and Peddlers, issuing of licenses and punishment for violation thereof was passed by the Council.

Mr. E. C. Smith, representing the Chesapeake and Potomac Telephone Company of West Virginia, appeared before Council at this time asking that Council grant permission to the Chesapeake and Potomac Telephone Company, for a period of fifty (50) years, from date of passage thereof to construct, maintain and operate, its poles, posts, cables, wires and all other necessary overhead apparatus, in, under and through the streets, alleys and highways, within the corporate limits of the Town of Nitro. The attorney for the City not being present at this meeting, Council ruled that this matter be tabled until such time as city attorney could be present.

Recorder presented lists of dog owners. Motion passed by Council that all dogs not licensed before October 1, 1932, should be taken up in accordance with Ordinance #24.

Motion that Council approve the payment of salaries to recorder and policeman for the last half of July 1932 passed.

Motion put in order and passed by Council that recorder draw checks on the City Treasury to pay gas and electric bills due at this time for police station and city office, also to pay salaries due recorder and policeman for month of August and first half of September, 1932.

Recorder placed before Council Levy Order Form. Council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for the regular municipal purposes in the Town of Nitro, will be \$4293.38, according to the estimate made up and entered of record on the 16th day of August, 1932; and said estimate having been published as required by law, it was therefor ordered that the said estimate and the rate of levy proposed therein be approved and that fifty cents (50¢) be, and the same hereby levied on each

(Continued on next page)

August 30, 1932. (continued)

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one hundred dollars assessed valuation of all property taxable in said Town of Nitro, for the purpose aforesaid, based upon last assessment thereof, as provided by Section 7, Article 8, Chapter II, Code of 1930. Levy Order Form was duly signed by all officers present.

Motion passed by Council that recorder investigate obtaining bonds for recorder and policeman. Each bond to be \$3500.00

Motion passed by council that a committee be appointed to make up budget for running and operating the Town of Nitro for one year, and present same in writing to Civic Benefits Association with the proposal that they pay into the Town Treasury in advance, the amount of the deficit as shown by the budget of expenditures, less the estimated amount of taxes to be collected by said Town of Nitro. Councilmen Dawson and Miller and Mrs. C.L. Craddock were appointed by the Mayor as committee. Mayor appointed councilman Dawson to act as chairman of committee.

There being no further business to transact at this meeting a motion was put in order for adjournment. Motion carried.

*E. H. Higginbotham*  
Mayor.

*T. A. Lewis*  
Recorder.

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September 27, 1932.

Council of the Town of Nitro held its regular meeting Sept. 27, 1932. All members of the council being present the meeting was called to order by the Mayor.

Mayor called for reading of minutes of last meeting. Approved as read.

Mayor called for report of committee appointed to make up budget for the running and operating of the Town of Nitro for one year.

Councilman Dawson reported that this matter had not been fully gone into at this time. Agreed to table until next meeting.

Mayor presented letter from Dr. Thames, dealing on the subject of rabies of dogs. Agreed that Mayor should see about obtaining High School Auditorium for lecture and showing of illustrated pictures by Dr. Herchey on evening of Oct. 4, 1932.

Motion passed by council that Mayor should investigate obtaining an Heath Officer for Town of Nitro.

Councilman Dawson offered the following resolution to witt:

Resolved that the Mayor and Recorder be empowered to borrow from the Manufacturers Bank of Nitro, the sum of FIVE HUNDRED DOLLARS, (\$500.00), for a period of sixty, (60) days, same to be paid and cancelled at such time as there are sufficient funds to cover same in City treasury. Motion adopted.

Motion passed that Mayor be empowered to allow dog owners, not having means, to work out on City streets the amount of license fee. Mayor appointed councilman Kessel street commissioner.

Mayor appointed councilman Santrock to investigate the obtaining of some place for dog pound and the care of such dogs as might be taken up by City officers.

There being no further business a motion was put in order and carried for adjournment. Meeting adjourned.

*E. H. Higginbotham*  
Mayor.

*T. A. Lewis*  
Recorder.

October 25, 1932.

Council of the Town of Nitro held its regular meeting on Oct.25,1932. All members being present except councilman Miller the meeting was called to order by the Mayor. Mayor called for reading of minutes of previous meeting. Minutes approved as read. Mayor called for report of committee appointed to prepare budget for running and operating the Town of Nitro. Councilman Dawson chairman of committee reported that budget, along with letter, copy of which is held in City files, had been presented to Civic Benefits Association. Further report pending on answer received from Civic Benefits Association. This matter to be taken up at next meeting. Mayor called for report from councilman Santrock in regard to obtaining some suitable place for dog pound. Councilman Santrock reported that he had been unable to obtain a suitable place yet. This matter to be taken up at next meeting. Mayor reported that he had been unable to line up with anyone for City Health Officer. This matter tabled until next meeting. Motion made and seconded that time for discounting First Half 1932 tax-tickets should be extended until and including Nov.10. There being no further business to transact at this time motion to adjourn carried. Meeting adjourned.

E. L. Higginbotham  
Mayor.

T. A. Lewis  
Recorder.

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November 29, 1932.

See page 12.

November 29, 1932.

Council of the Town of Nitro held its regular meeting on November 29, 1932.

All officers being present except Councilman Kessel the meeting was called to order by the Mayor.

- \* Mayor called for report of committee on budget for running and operating the Town of Nitro. Councilman Dawson, chairman of committee, reported that letter along with budget had been presented to officials of Civic Benefits Association, but committee had not received a reply at this time. Agreed by Council that this matter be tabled until next meeting.
- Mayor called for report in matter of obtaining dog-pound and care of dogs. Councilman Santrock reported he had been unable to obtain any suitable place or person so far. Tabled until next meeting.
- Mayor Higginbotham reported as been unable to make any suitable arrangement for Health Officer to date. This matter also tabled until next meeting.
- Motion put in order and carried to pay the following accounts standing against the City of Nitro.

United States Fidelity & Guarantee Company. \$	42.50
(Premiums on Bonds for policeman & recorder)	
Quality Press, (Official & sample ballots.)	15.37
H.C. Leipsner Company, (Seals, dog-tags, receipt book and dog license book.)	14.90
Charleston Gazette, (publication of levy estimates.)	20.10
Charleston Daily Mail, (publication of levy estimates.)	19.32
Geo. D. Barnard Stationary Company, (Mayors Docket, General Book of Records, Minute Book, License Book etc.)	113.60
E. E. Parsons, Election clerk, Mar. 29, 1932.	5.00
TOTAL	\$ 230.79

There being no further business to transact at this time a motion was put in order for adjournment. Motion carried. Meeting adjourned.

*E. H. Higginbotham*  
Mayor.

*T. P. Lewis*  
Recorder.

\*"Note"

By oversight the following was omitted from above minutes:

Mayor called for reading of minutes of regular meeting held on the 25th. day of October 1932. Minutes approved as read.



DECEMBER 27, 1932.

The Council of the Town of Nitro held its regular meeting on December 27, 1932. All members of council being present the meeting was called to order by the mayor.

Mayor called for reading of the minutes of the previous meeting. Minutes approved as read.

Mayor called for report of standing committies.

Committies reported that they had no report of consequence at this time.

At this time Mayor Higginbotham tendered his resignation to wit: To the Council of the Town of Nitro.

Gentlemen,- I hereby tender my resignation from the office of Mayor of said Town of Nitro, to be effective as of the 31st. day of December, 1932.

Please accept this resignation and govern yourselves accordingly.

Given under my hand this 27th. day of December 1932.

Signed E. E. Higginbotham  
Mayor.

E. E. Higginbotham, Mayor, having tendered his resignation from the office as Mayor of the Town of Nitro, to be effective on the 31st. day of December 1932, on motion made and duly seconded, by the unanimous vote of the Council, said resignation is accepted, to become effective on the 31st. day of December, 1932.

Council ruled to hold a special meeting on the 3rd. day of January, 1933, for the purpose of selecting and appointing some person as Mayor of the said Town Of Nitro, to fill the unexpired term created by the resignation of E. E. Higginbotham.

There being no futher business to transact at this time a motion was put in order for adjournment.

Motion carried. Meeting adjourned.

E. E. Higginbotham  
Mayor.

T. H. Lewis  
Recorder.

JANUARY 3, 1933.

The Council of the Town of Nitro held a special meeting on the 3rd. day of January, 1933. This meeting being called for the purpose of appointing some person as Mayor to fill the unexpired term created by the resignation of E. E. Higginbotham. All members of the council being present the meeting was called to order by acting Mayor Lewis. Acting mayor called for nominations for mayor. Name of C. R. Dawson, councilman, was presented to council as nominee for Mayor and duly seconded. There being no other nominations, acting mayor called for vote. C. R. Dawson declared duly appointed Mayor of the Town of Nitro. Council ruled to hold a special meeting on the 10th. day of January, 1933, for the purpose of appointing some person as councilman to fill vacancy on council created by appointment of C. R. Dawson to office as Mayor of the Town of Nitro. There being no futher business to transact at this meeting a motion was put in order for adjournment. Motion carried. Meeting adjourned.

*T. A. Lewis*  
Acting Mayor.  
*T. A. Lewis*  
Recorder.

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January 10, 1933.

The Council of the Town of Nitro held a special meeting on the 10th. day of January, 1933, for the purpose of appointing some person to fill vacancy on council created by the appointment of C. R. Dawson, former member of council, as Mayor of the Town of Nitro. All members of the council being present the meeting was called to order by Mayor C. R. Dawson, who had been duly sworn into office as Mayor of the Town of Nitro, on the 7th. day of January, 1933. Nominations for member as councilman were put in order by the Mayor. Name of O. T. Spence was presented by Mrs. C. L. Craddock and seconded by councilman Santrock. Name of W. H. Putney was presented by councilman Kessel and seconded by councilman Miller. There being no other nominations Mayor called for vote. O. T. Spence received three (3) votes and W. H. Putney two (2) votes. O. T. Spence was duly declared appointed as member of the council of the Town of Nitro. There being no futher business to transact at this time a motion was put in order for adjournment. Motion carried. Meeting adjourned.

*C. R. Dawson*  
Mayor.  
*T. A. Lewis*  
Recorder.

The Council of the Town of Nitro held its regular meeting on the 31st. day of January 1933.

All members of said council being present except councilman Miller the meeting was called to order by Mayor Dawson.

Mayor called for reading of the minutes of last regular meeting held on the 27th. day of December 1932.

Minutes approved as read.

Mayor called for reading of minutes of special meeting held on the 3rd.. day of January 1933, said meeting being called for the purpose of appointing someone as Mayor to fill the unexpired term created by the resignation of E.E.Higginbotham. Minutes approved as read.

Mayor called for the reading of minutes of special meeting held on the 10th. day of January 1933. Said meeting being called for the purpose of appointing someone to fill vacancy on council created by the appointment of C. R. Dawson as Mayor of the said Town of Nitro. Minutes approved as read.

Mayor placed before Council a copy of letter, under date of October 20, 1932. Said letter being addressed to the Civic Benefits Association of Nitro, asking that the Civic Benefits Association deposit in City Treasury, in advance, amount equal to the total of annual payments, which amount was originally proposed to be paid in equal monthly instalments by said Association, prior to the election of Incorporation held on the 11th. day of February 1932.

Mayor presented to Council answer, under date of January 31, 1933, to said letter, in which the Civic Benefits Association rejected the City Councils proposition of October 20, 1932.

Special meeting proposed for the 8th. day of February 1933 to meet with Citizens Committie.

Special meeting called for the 15th. day of February 1933 with Board of Directors of Civic Benefits Association.

Matter of cleaning cells discussed. Council ruled that cells be cleaned and put in sanitary condition, and that new and sufficient bed-clothing be purchased.

The following resolution was offered and accepted, to wit; Resolved that the City Council go on record as favoring the present State Quarantine on dogs, and the city officials be instructed to co-operate in forcing said quarantine.

At this time Council passed the following resolution, to wit: Resolved that Council of the Town of Nitro does hereby approve and support the petition to the House of Delegates, now being circulated in the Town of Nitro. Said petition complains of the high rates the people of Nitro are compelled to pay for water and gas.

Motion made and carried to adopt the following ordinance: Be it ordained by the common council of the Town of Nitro, that in any case where a person be convicted of the violation of any ordinance of the said Town of Nitro, there shall be adjudged against each such person so convicted, as a part, and in addition to, any fine imposed of the penalty for such

January 31, 1933, continued.

violation, costs in the amount of \$ 3.50, to be paid into the treasury of the said Town, and \$ 1.00 of which shall be paid over to the arresting officer, and \$ 2.50 of which be paid to the Mayor or other official who shall try such case.

There being no futher business to transact at this meeting a motion was put in order for adjournment.

Motion carried.

Meeting adjourned.

C. R. Dawson  
Mayor.

T. P. Lewis  
Recorder.

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FEBRUARY 13, 1933.

At a special meeting called by council, originally called for February 8, 1933, but postponed until the 13th. day of February 1933, purpose of meeting to meet with the Citizens Committie and discuss the various proposals and promises put before the people of the Town of Nitro prior to the election for the incorporation of said Town of Nitro, all members of council being present and the following members of the Citizens Committie present were:  
J.E.Hulshizer, J.C.Pickens, J.L.Bess, A.M.Harmon, J.C.Jordon, W.L.Burdette, J.E.Roark, Dr.C.B.Marshall and Dr.J.W.Skaggs.

Meeting was called to order by Mayor Dawson.  
Mayor read the various letters put forth by Citizens Committie and a group later known as the Peoples Party.  
Mayor called for discussion on said letters.  
Some members of Citizens Committie contended that Council were meeting with the wrong party, and that Council would be able to obtain better results when meeting with the Board of Directors of the Civic Benefits Association.  
After some discussion the meeting was adjourned.

C. R. Dawson  
Mayor.

T. P. Lewis  
Recorder.

At a special meeting held on the 15th. day of February 1933, this meeting being called in accordance with request made by the Civic Benefits Association of Nitro by letter under date of January 31, 1933, and addressed to the Council of the Town of Nitro, to meet with the Board of Directors of said Civic Benefits Association, to discuss methods or plans, feasible, legal, and agreeable to all parties concerned whereby the Council of the Town of Nitro could legally and lawfully take under its jurisdiction the running and operating of all necessities pertaining to said Town of Nitro.

All members of council and city attorney and all members of the Board of Directors of the Civic Benefits Association being present, the meeting was called to order by Mayor Dawson. Mayor stated reason of meeting and called for suggestions.

Mayor read extracts from literature that had been distributed through area covering the Town of Nitro prior to the election of incorporation which was held on the 11th. day of February 1932. After some discussion it was agreed that the following plan be considered by the Council:

That the City of Nitro assume the operating and running of, Fire-department, Fire -hydrants and Street-lighting, and that the Civic Benefits Association should pay into the City Treasury all payments made to it by the Industries and other parties that are now making donations.

It was generally understood and agreed by all persons present that a legal contract binding the Civic Benefits Association to make regular payments into the City Treasury could not be made.

Motion for adjournment carried.

Meeting adjourned.

C. K. Dawson  
Mayor.

T. L. Lewis  
Recorder.

FEBRUARY 28, 1933.

The Council of the Town of Nitro held its regular meeting on the 28th. day of February, 1933.

All members of council being present the meeting was called to order by Mayor C. R. Dawson.

Mayor called for reading of minutes of last regular meeting held on the 31st. day of January, 1933. Minutes approved as read.

Mayor called for reading of minutes of special meeting with Citizens Committee, held on the 13th. day of February, 1933, originally called for the 8th. day of February, 1933. Minutes approved as read.

Mayor called for reading of minutes of special meeting with the Board of Directors of the Civic Benefits Association, held on the 15th. day of February, 1933. Minutes approved as read.

Mayor proceeded to read to Council letters and answers, all of which letters are on file at city office, from the following named parties; J. Blackburn Watts, Prosecuting Attorney, Kanawha County, W. Va; Public Service Commission, Charleston, W. Va; West Virginia Department of Public Safety, Charleston, W. Va; Taylor and Taylor, Attorneys, Charleston, W. Va; and W. J. Williams, Mgr. West Virginia Inspection Bureau, Charleston, W. Va.

Mayor Dawson addressed the assembled citizens of the Town of Nitro, outlining the original plan as set forth by the Civic Benefits Association, prior to the election of incorporation, February II, 1932, and the promises made to the people of Nitro in regard to the paying over into the city treasury certain sums of monies collected from the various industrial plants operating in the Nitro area.

Mayor Dawson also advised the citizens of Nitro as to the different meetings held between the council and the Board of Directors of the Civic Benefits Association, and also meeting held between the council and the Citizens Committee, stating in full just what progress had been made up to present time.

Mayor called for reading of total receipts and disbursements up to and including the 28th. day of February, 1933.

Also estimated collections, disbursements and surplus cash on hand as of the 30th. day of June, 1933.

There being no futher business to transact at this meeting a motion was put in order for adjournment.

Motion carried.

Meeting adjourned.

*C. R. Dawson*  
C. R. Dawson Mayor.

*T. A. Lewis*  
T. A. Lewis Recorder.

MARCH 21, 1933.

At a special meeting called by Mayor C. R. Dawson, on the 21st. day of March, 1933, all members of Council being present the meeting was called to order by the Mayor.

Mayor stated to council that reason of meeting was for the purpose of discussing the original plan as set forth by the Civic Benefits Association, whereby the City of Nitro might take over and operate all Town necessities as well as the Fire Department.


After discussing the afore-mentioned plan from various angles, the Council adopted the following resolution to wit:

" Resolved that the Board of Directors of the Civic Benefits Association be asked to meet with the City Council on Friday, March 24, 1933, at 7-30 P. M; for the purpose of discussing and working out plans so that the City Council might take over and operate all Town conveniences as well as the Fire Department.

Be it futher resolved, that at said meeting the City Council demand that the industries pay to the City direct or through the Civic Benefits Association the amounts that they are now paying monthly, and in addition to said payments, the industries are to pay for their own water service in connection with their fire protection. Said payments to the City are to be made on the First day of each month and are to cover the Citys expenditures for the ensuing month."

There being no futher business, on motion, the meeting was adjourned.

  
C.R. Dawson, Mayor.

  
T.A. Lewis, Recorder.

MARCH 24, 1933.

At a special metting called by the Council of the Town of Nitro for the 24th day of March, 1933, meeting called for the purpose of discussing with the Board of Directors of the Civic Benefits Association the afore-mentioned resolution in minutes under date of March 21st. 1933, there were present all members of the Council and Mr. W. A. B. Vivian, Mr. J. E. Hulshizer and Mr. J. C. Pickens, members of the Board of Directors of the Civic Benefits Association.

Meeting called to order by Mayor C. R. Dawson.

Mayor presented said resolution to members of Board of Directors asking for their opinion on same.

Members of the Board present stated that in view of the fact that several members of the Board not being present they did not care to committ themselves until such time as they could call a meeting of all members of the Board and discuss this matter.

It was understood that Board of Directors would hold a meeting on the 29th. day of March, 1933. Meeting adjourned.

*C.R. Dawson*  
C.R. Dawson, Mayor.

*T.A. Lewis*  
T.A. Lewis, Recorder.

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March 28, 1933.

The Council of the Town of Nitro held its regular meeting on the 28th. day of March, 1933.

All members of the council being present the meeting was called to order by the Mayor.

Mayor Dawson called for reading of minutes of last regular meeting held on the 28th. day of Februarv. 1933.

Mayor called for reading of minutes of special meeting held by council on the 21st. day of March, 1933 and special meeting held to meet with Board of Directors of the Civic Benefits Association on the 24th. day of March, 1933.

All minutes approved as read.

Mayor read letter containing resolution adopted by council and addressed to the Civic Benefits Association, stating that it was understood the Board of Directors of said Association were to meet the following day, March 29, 1933.

Mayor also read a few paragraphs from letters that were addressed to the citizens of Nitro prior to election of incorporation. There being no futher business to transact at this meeting a motion was put in order and carried for adjournment.

Meeting adjourned.

*C.R. Dawson*  
C.R. Dawson, Mayor.

*T.A. Lewis*  
T.A. Lewis, Recorder.



April 25, 1933.

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The council of the Town of Nitro held its regular meeting on the 25th. day of April, 1933.

All members of council being present the meeting was called to order by Mayor Dawson.

Mayor called for reading of minutes of last regular meeting held on the 28th. day of March, 1933. Minutes approved as read.

Mayor read letter from Civic Benefits Association and also letter from D. W. Taylor, Attorney.

Mayor introduced question of whether or not City should accept the \$900.00 monthly instalment from the Viscose Company. After some diseussion by council a motion was put in order by Councilman Spence and seconded by Councilman Santrock that the Viscose Company should be advised by letter that the City is agreeable to accepting the monthly instalment of \$900.00, with the understanding that the City will not be responsible for fire insurance ratings until such time as the other industries shall pay into the City treasury in like manner sufficient funds for the maintenance of a Sixth Class rating in addition to other City expenses. Motion carried.

Mayor introduced letter from Lions Club, Nitro, West Virginia, and also read letter from the Chief of Ordinance Bureau, Washington, D. C.

Motion put in order and carried that City office, effective May 1st. 1933, should be open on Mondays, Wednesdays, and Fridays of each week for the collection of taxes and issuing of licenses, and that office hours should be from 9 until 12 A. M. and from 1 until 5 P. M.

Question of rates to be charged for licenses on dispensing of beer. Agreed that dispensers should be charged \$40.00 per year and package dealers \$20.00 per year pending adoption of ordinance covering same.

There being no futher business to transact a motion was put in order and carried for adjournment. Meeting adjourned.

W. R. Dawson Mayor.

T. A. Lewis Recorder.

May II, 1933.

Minutes of a special meeting of the City Council of Nitro, West Virginia, held at the office of the City on May II, 1933.

All members of the council being present the meeting was called to order by Mayor Dawson.

The Mayor opened the meeting by explaining that the purpose of the special meeting called was to discuss the bill now pending in the legislature, proposing to re-incorporate the City of Nitro under different boundries, and to annul the present Charter. After considerable discussion of the bill, the following resolution was offered by council-woman Mrs. C. L. Craddock:

Resolved that: "Since the experience of the City Council of Nitro has proven that the City cannot properly operate on the revenue derived from the present incorporated area, that we the Council of Nitro petition the Honorable Governor of the State of West Virginia, the Honorable Senate and the House of Delegates of the State of West Virginia, asking them to pass Senate Bill No.34, which bill provides for the re-incorporation of Nitro taking in the entire area now included within the boundaries of the Nitro Independent School District."

Be it futher resolved:

"That copies of the minutes of this meeting be signed by the Mayor and Recorder and delivered to the Honorable Governor of the State of West Virginia, and the Honorable Senate and House of Delegates of the State of West Virginia."

Upon motion made and seconded and carried, the above resolution was adopted.

There being no futher business to come before the meeting, the same upon motion adjourned.

C. R. Dawson  
Mayor.

T. A. Lewis  
Recorder.

The council of the Town of Nitro held its regular meeting on the 31st. day of May, 1933.

All members of the council being present excepting councilman H. K. Miller, the meeting was called to order by Mayor Dawson.

Mayor called for reading of minutes of last regular meeting held on the 25th. day of April, 1933. Minutes approved as read.

Mayor called for reading of minutes of special meeting held on the 11th. day of May, 1933. Minutes approved as read.

Mayor called for reading of beer ordinance, an ordinance providing for the Manufacture, sale and Distribution (at wholesale or retail) of Non-intoxicating beer; Laying a tax thereon; and Providing for the Collection thereof. After some discussion, beer ordinance was tabled until next regular meeting.

Mayor read letter to council from Lions Club in regard to old hotel. Mayor also read letter addressed to the Viscose Company, under date of April 26th; from the council of the City of Nitro and answer to same, under date of May 11, 1933. Copy of said letters being on file at City office.

Mayor introduced letter to council from the State Auditor, along with statement and requisition in the matter of certain taxes due from the State of West Virginia to the Town of Nitro.

The following order was made by council and requisition executed:

STATE OF WEST VIRGINIA, COUNTY OF Kanawha and Putnam  
MUNICIPAL CORPORATION OF NITRO

At a regular meeting of the council of the  
Town of NITRO held at the office of the Mayor on the  
31st. day of May, 1933.

Present C. R. Dawson Mayor, T. A. Lewis, Recorder  
J. F. Santrock, L. H. Kessel, C. T. Spence and Mrs. C. L.  
Croddock members of the council.

IN THE MATTER OF CERTAIN TAXES DUE FROM THE STATE OF WEST  
VIRGINIA TO THE TOWN OF Nitro

WHEREAS, It appears from the statement of the Auditor of this  
State that there is due the town of Nitro the sum of \$1803.50  
Eighteen hundred and three & 50/100 dollars, taxes collected

"Over"

May 31, 1933, continued.

from the Chesapeake & Potomac Telephone Company, United Fuel Gas Company, Kanawha Valley Water Corporation and the Appalachian Electric Power Company by the State of West Virginia under Chapter 29 of the Code.

WHEREAS, It is provided by said Chapter 29 that this sum be paid by the Auditor to the Treasurer of the Town of Nitro or such other officer of said corporation as the council may designate.

Therefore, be it

RESOLVED, by this council that T. A. Lewis  
Treasurer of the Town of Nitro be, and he is hereby authorized to receive, collect from and receipt to the Auditor of this State for the said sum of \$ 1803.50

Eighteen hundred and three & 50/100 dollars due as aforesaid, from the State to the town of Nitro on the account aforesaid.

On motion the foregoing resolution was unanimously adopted.

C. P. Hanson Mayor.

T. A. Lewis Recorder.

Motion made and seconded that council go on record to reduce license fees on cigarettes, cigars, tobacco, snuff etc; hotels and restaurants; bowling alleys; billiard and pool tables and soft drinks, effective July 1st. 1933.

Motion carried.

The following rates were adopted by the council:

Per year; Cigarettes, cigars, tobacco, snuff etc. \$5.00. Hotels and Restaurants \$5.00 each, both combined \$10.00. Bowling Alleys, First Alley \$20.00, each additional alley \$10.00. Billiard and Pool Tables, First Table \$25.00, each additional table \$15.00. Taxi-cab Stands \$5.00. Soft Drinks \$2.50.

Council approved payment of the following accounts:

Commissioners and Clerks in Elections of February 11, 1932, and March 29, 1932, also payment of Assessors fees for Land-Books for year 1932, of Kanawha and Putnam Counties.

Motion made by councilman Santrock and seconded by council-woman Mrs. C. L. Craddock to pay Street-commissioner a salary of \$75.00 per year. Salary to be effective from time of appointment.  
Motion carried.

(completed on next page)

There being no futher business before the council at this time a motion was put in order and carried for adjournment. Meeting adjourned

C. P. Dawson  
Mayor.

T. A. Lewis  
Recorder.

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June 27, 1933.

The Council of the Town of Nitro held its regular meeting on the 27th. day of June, 1933.

All members of Council being present excepting councilman H. K. Miller the meeting was called to order by Mayor Dawson.

Mayor Dawson called for reading of minutes of last regular meeting held on the 31st. day of May, 1933. Minutes approved as read.

Mayor Dawson read letter to Council from city attorney D.W. Taylor in matter of old hotel building and letter from Dr. Thames, said letters on file at city office.

Council instructed Recorder to write Lions Club that it was understood by Council that the building known as the Town Hall is to be sold in the near future and the probable bearing this sale would have in getting rid of the old hotel building. Copy of this letter on file at city office.

Motion put in order and carried that H.M. Graves, policeman, be given two weeks vacation and allowed one weeks salary and that Frank Adams be appointed to fill vacancy.

Mayor Dawson read letter from the West Virginia State Municipalites Conference, said letter being on city files.

Upon motion which carried Council ruled that Mayor and or Recorder act as a committie to approach the Charleston or St. Albans representative to Clarksburg on July 3, 1933, and be authorized to arrange payment of not more than half of one representatives expenses to the meeting.

Motion put in order and carried that beer Ordinance No. 27 be adopted as read.

Council instructed Recorder to write the Nitro Industrial Corporation concerning high weeds and grass on properties owned by said Corporation. Copy of letter on file at city office.

There being no futher business before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. P. Dawson Mayor.

T. A. Lewis Recorder.

July 25, 1933.

The council of the Town of Nitro held its regular meeting on the 25th. day of July, 1933.

Members present at this meeting were C. R. Dawson, Mayor, T. A. Lewis, Recorder, and Mrs. C. L. Craddock, J. F. Santrock and O. T. Spence, members of council. Councilmen H. K. Miller and L. H. Kessel being absent.

The meeting was called to order by Mayor Dawson.

Mayor called for reading of minutes of last regular meeting held on the 27th. day of June, 1933. Minutes approved as read.

Recorder read letter to council from Tax Commissioner, said letter being under date of July 27, 1933, and addressed to all Levying Bodies.

Mayor read letter from Tax Commissioner, said letter being under date of September 1, 1932.

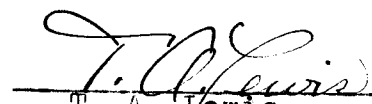
The above mentioned letters are on City files.

Mayor Dawson appointed H. K. Miller, O. T. Spence and Mrs. C. L. Craddock as Finance Committee.

Recorder instructed by council to write Ernest L. Bailey, State Road Commissioner and W. D. Payne, President of Nitro Industrial Corporation. Copies of these letters being on City files.

There being no further business before council a motion ~~to~~ to adjourn carried. Meeting adjourned.

 Mayor.  
C. R. Dawson.

 Recorder.  
T. A. Lewis.

August 9, 1933.

The council of the Town of Nitro held a Special meeting on the 9th. day of August, 1933.


This meeting being held as provided by Sections 2 and 7, Article 8, Chapter 11, Code of 1930, for the purpose of making up Estimates, Proposing and Laying Levies.

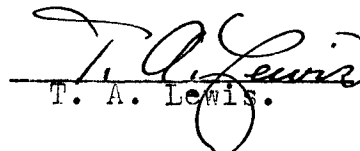
All members of council being present the meeting was called to order by Mayor Dawson.

Lists of assessments of Personal, Real Estate and Public Utility Properties within the corporate limits of the Town of Nitro having been received from the assessors of Kanawha and Putnam Counties and same being approved by council, the council proceeded to make up levy estimates as provided by Sections 2 and 7, Article 8, Chapter 11, Code of 1930, and did determine and estimate that it will be necessary to raise by levy the amount of \$3000.76.

Lists of assessments by assessors and Levy Estimate Form are on City files.

There being no further business before the council a motion to adjourn carried. Meeting adjourned.

 Mayor.  
C. R. Dawson.

 Recorder.  
T. A. Lewis.

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August 22, 1933.

At a Special Session of the Council of the Town of Nitro, held in the council chambers thereof, on the 22nd. day of August, 1933, there were present C. R. Dawson, Mayor, T. A. Lewis, Recorder, and J. F. Santrock, H. K. Miller, L. H. Kessel, O. T. Spence, Mrs. C. L. Craddock, members of the council.

Meeting called to order by Mayor Dawson.

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of the Town of Nitro, will be \$3000.76, according to the estimate made up and entered of record on the 9th. day of August, 1933; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exception thereto, it is therefore ordered that the said estimate and the rates of levy proposed therein be approved and that 12.5¢ be, and the same is hereby levied on each one hundred dollars' assessed valuation of all property in Class No.1, 25.0¢ on each one hundred dollars'

August 22, 1933, - Cont'd.

valuation of all property in Class No. 2, and 50.0¢ on each one hundred dollars' assessed valuation of all property in Class No. 4 in said municipality, for the purpose aforesaid, based on the last assessment therein, as follows:

ASSESSED VALUATION	RATE OF LEVY APPROVED.
Class No. 1.	
Personal Property                      \$128.433	12.5¢
Public Utility Property              12.100	
Class No. 2.	
Real Estate                              \$208.200	25.0¢
Class No. 4.	
Real Estate                              \$153.100	50.0¢
Personal Property                      53.920	
Public Utility Property <u>253.900</u>	
Total for Municipality              \$ 809.653	

There being no futher business before the council a motion for adjournment carried. Meeting adjourned.

C. R. Dawson Mayor.  
C. R. Dawson.

T. A. Lewis Recorder.  
T. A. Lewis.



August 29, 1933.

The Council of the Town of Nitro held its regular meeting on the 29th. day of August, 1933.

All members being present excepting councilman L. H. Kessel the meeting was called to order by Mayor Dawson.

Mayor called for reading of minutes of last regular meeting held on the 25th. day of July, 1933, also reading of minutes of special meeting held on the 9th. day of August, and special meeting held on the 22nd. day of August, 1933.

Minutes of above Three meetings approved as read.

Treasurer presented financial statement for approval for the fiscal year beginning July 1st. 1932 and ending June 30th. 1933.

Financial statement approved and signed by C. R. Dawson, Mayor H. K. Miller, O. T. Spence and Mrs. C.L. Craddock, Members of finance committie. Copy of this statement being on City files.

Treasurer presented list of Real Estate delinquent for the non-payment of taxes thereon for the year 1932, verified by his affidavit thereto appended, which said list being examined by Council and found to be correct, was therefore allowed and a certified copy thereof directed to be delivered to the Sheriffs of Kanawha and Putnam Counties. Copies of said lists on City files.

There being no futher business before the Council a motion for adjournment was put in order and carried. Meeting adjourned.

C. R. Dawson Mayor

T. A. Lewis Recorder.

September 26, 1933.

The council of the Town of Nitro held its regular meeting on the 26th. day of September, 1933.

All members of the council being present the meeting was called to order by Mayor C. H. Dawson.

Mayor called for reading of minutes of last regular meeting held on the 29th. day of August, 1933. Minutes approved as read.

Recorder read letter to council written to the Putnam County Assessor and answer thereto. Copy of letter and answer being on City files.

Matter of im-proper tax charge against East View Land Co; for year 1932 brought to councils notice. Motion to refund the im-proper charge carried and City Treasurer ordered to draw on City Treasury to amount of \$ 74.06 in payment of same.

Recorder instructed by council to write State Road Commissioner Bailey asking for definite date in the following week to meet representertives of council.

Matter of bonds for policeman and Treasurer discussed and tabled until next regular meeting.

There being no futher business before the Council at this time motion to adjourn carried. Meeting adjourned.

C. H. Dawson  
C. H. Dawson, Mayor.

T. A. Lewis  
T. A. Lewis, Recorder.

October 31, 1933.

At the regular meeting of the council of the Town of Nitro held on the 31st. day of October, 1933, the following members were present:

C. R. Dawson, Mayor; T. A. Lewis, Recorder; J. F. Santrock, councilman and Mrs. C. L. Craddock, councilwoman; members of council absent were, R. K. Miller, O. T. Spence and L. H. Kessel.

Meeting was called to order by Mayor Dawson.

Mayor called for reading of minutes of regular meeting held on the 26th. day of September, 1933. Minutes approved as read.

Mayor spoke briefly on meeting of October 2nd. between representatives of City and State Road Commissioner Ernest L. Bailey, and then proceeded to read to council letters written by several business houses located in Charleston. The meeting with Road Commissioner Bailey and letters mentioned all having to bear on the improvement of roads in vicinity and through Nitro. Letters are on City files.

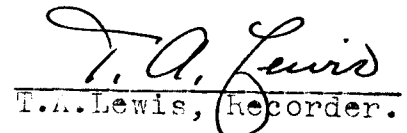
The matter of reducing bond for recorder and Treasurer T. A. Lewis was brought to councils attention. After some discussion the following resolution was adopted by council:

"Resolved that inasmuch as City Recorder and Treasurer Thomas A. Lewis does not have in his possession or subject to his order, monies, at any one time, in excess of the amount of \$1500.00, that bond covering his position as City Recorder and Treasurer, be reduced to the extent of \$2000.00, which leaves the required coverage at \$1500.00."

There being no futher business before the council at this time, a motion for adjournment was put in order.

Motion carried. Meeting adjourned.

  
C. R. Dawson, Mayor.

  
T. A. Lewis, Recorder.

T November 28, 1933.

At a regular session of the council of the City of Nitro, held in the council chambers thereof on Tuesday, the 28th. day of November, 1933, there were present:

O. R. Dawson, Mayor, T. A. Lewis, Recorder, and J. F. Santrock, C. T. Spence, L. H. Kessel and Mrs. C. L. Craddock, members of council. Councilman H. K. Miller absent.

(The meeting was called to order by O. R. Dawson, Mayor.)

Mayor called for reading of minutes of last regular meeting held on the 31st. day of October, 1933. Minutes approved as read.

Recorder placed before council petition of Scott Jones, asking for refund on tobacco license, council deemed this irreclaimable but requested Recorder to take up this question with City of St. Albans and ascertain how they handled such matters.

Mayor Dawson informed council that it was his understanding that the Civic Benefits Association were now ready to pay into the City treasury funds collected monthly from the various Industrial plants located in Nitro, also that the Nitro Industrial Corporation wished for the City of Nitro to purchase equipment of fire-department. The purchase price to be \$3600.00, to be paid in monthly installments of \$100.00 per month.

Motion made and carried that these matters be tabled until letter outlining above proposition be received from the Civic Benefits Association and a special meeting of council to be called if deemed necessary.

A committee composed of O. Z. Wiley, E. E. Higginbotham and C. E. Smith, appointed by H. O. Wallace, President of Nitro Chamber of Commerce, accompanied by J. C. Spence, City Engineer of Dunbar attended the council meeting to work in conjunction with council in regard to projects to grade and lay a 10 inch stone base, 20 feet wide, beginning at Eighth Street and running through to Forty-first Street on Second Avenue, and likewise improve those parts of Third Avenue now in use; to repair that section of Twenty-first Street above Blakes Creek Bridge on the right, in same manner as Second Avenue is being prepared; also to lay a cement side-walk from opposite Manufacturers Bank on Twenty-second Street to First Avenue, and thence from Twenty-second Street to continue side-walk to Twenty-fourth Street on First Avenue.

Mr. M. A. Bender was called into the meeting and proceeded to draw up estimates of these projects, same to be submitted to the Civic Works Administration for approval.

Motion that M. A. Bender be appointed as City Engineer carried.

There being no further business before the council at this time a motion for adjournment carried. Meeting adjourned.

*C. R. Dawson*  
C. R. Dawson, Mayor.

*T. A. Lewis*  
T. A. Lewis, Recorder.

December 19, 1933.

At a regular session of the council of the City of Nitro, Kanawha County, held in the council chambers thereof, in the City Office building on Tuesday, the 19th. day of December, 1933, there were present:

C. R. Dawson, Mayor,                      T. A. Lewis, Recorder,  
and J. F. Santrock, Mrs. C. L. Craddock, H. K. Miller,  
L. H. Kessel, members of the council of said city.

In accordance with Section 11, Article 8, Chapter 11, Acts 1933, as amended by Second Extraordinary Session 1933, the council proceeded to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

CURRENT REGULAR MUNICIPAL PURPOSES  
ESTIMATE

(a) The amount due the municipality for regular municipal purposes, and the amount that will become due and collectable from every source for such purposes, except from the levy of taxes to be made for the current fiscal year.

ESTIMATED RECEIPTS:

Balance in hands of the city treasurer	\$ 793.82
Taxes uncollected	654.46
General licenses	250.00
Total estimated receipts(except from current levy)	\$1698.28

(Continued on page 34)

## ESTIMATED DISBURSEMENTS:

(b) Debts and demands owed by the municipality for regular municipal purposes, and the debts and demands that will become due and payable for such purposes, during the current fiscal year.

Debts legally accrued, due and unpaid June 30, 1933, \$180.50

(c) All other expenditures payable out of the funds of the municipality for regular municipal purposes for current fiscal year.

Salaries of General Administrative officers	\$1051.00
Salaries of Police	1320.00
Expenses keeping and feeding prisoners	25.00
Furniture and fixtures	25.00
Stationery, office supplies and equipment	100.00
Postage	25.00
Water (city office)	18.00
Light "	30.00
Fuel "	20.00
Telephone and telegraph	75.00
Rents	180.00
Advertising and legal publications	75.00
Premiums on officials' bonds	50.00
Election expenses	50.00
Salaries - Street Comm'r and regular employees	75.00
New Equipment - Street Department	50.00
Maintenance of streets and alleys	463.38
Maintenance of sewers	371.16
Workmens compensation premiums	25.00
Audit by Tax Commissioner	50.00
Land Books	30.00
Refunding erroneous payments	10.00
Delinquent taxes and discount	400.00

Total estimated disbursements \$4699.04

Total estimated receipts brought forward 1698.28  
 amount to be raised by levy 3000.76

And the council doth determine and estimate that it will be necessary to raise by levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$3000.76 and to provide for said amount a levy of twelve and one half cents (12.5%) is hereby proposed to be levied on each one hundred dollars' valuation of all property in Class Number 1, twenty-five cents (25.0%) on each one hundred dollars' valuation of all property in Class Number 2 and fifty cents (50.0%) on each one hundred dollars' valuation of all property in Class Number 4 in said municipality, for the purposes aforesaid, based upon the last assessment therein, as follows:

	Assessed Valuation	Rate Proposed	Taxes Levied (Whole Dollars)
CLASS NUMBER 1		12.5¢	
Personal Property	\$128,433		\$ 160.54
Public Utility Property	12,100		15.12
Total Class Number 1	\$140,533		\$ 175.66

CLASS NUMBER 2		25.0¢	
Real Estate	\$208,200		\$ 520.50
CLASS NUMBER 4		50.0¢	
Real Estate	\$153,100		\$ 765.50
Personal Property	53,920		269.60
Public Utility Property	<u>253,900</u>		<u>1269.50</u>
Total Class Number 4	\$480,920		\$2304.60
Total for Municipality	\$809,653		\$3000.76

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA and PUTNAM

CITY OF NITRO To-witt:

I, T. A. Lewis, Recorder, in and for the municipality of NITRO, counties of Kanawha and Putnam and State of West Virginia, do hereby certify that the foregoing are true copies from the records of orders made by the council of said municipality on the 19th. day of December, 1933.

Given under my hand this 19th. day of December, 1933.

T. A. Lewis  
Recorder  
 (Official Title)

There being no further business before the council at this time a motion for adjournment was put in order and carried.  
 Meeting adjourned.

C. F. Dawson  
 C. F. Dawson, Mayor  
T. A. Lewis  
 T. A. Lewis, Recorder.

December 28, 1933.

At a regular session of the council of the City of Nitro, held in the council chambers thereof on Tuesday, the 26th. day of December, 1933, there were present:

O. H. Dawson, Mayor, T. A. Lewis, Recorder,  
and J. E. Santrock, H. K. Miller, L. H. Kessel, C. T. Spence,  
Mrs. C. L. Craddock, members of the council of said city.

The meeting was called to order by the mayor.

Mayor called for reading of minutes of last regular session held on Tuesday, the 28th. day of November, 1933.

Minutes approved as read.

Mayor called for reading of minutes of council meeting held on Tuesday, the 19th. day of December, 1933. Approved as read.

Mayor Dawson read letter to council from the Civic Benefits Association, said letter containing proposition to council in matter of City taking over the operations that the Civic Benefits Association have been maintaining.

After some discussion on question Councilman Santrock placed motion before council that in view of the fact that at this time there is a Charter Bill before the State Legislature to extend the City limits, that this matter be tabled until such time as the State Legislature had acted on bill now pending, motion seconded by Mrs. C. L. Craddock. Motion carried.

Recorder instructed to advise Civic Benefits Association by letter of the above ruling.

Councilman Spence put motion before council that the same distance be maintained on either side of street from property line to edge of newly constructed pavement; said motion having to bear on work now under construction on Second Avenue, between Eighth Street and Forty-first Street. Motion seconded by Councilman Kessel. Motion Carried.

Recorder instructed to advise L. A. Bender, city engineer, of said ruling.

Ordinance No. 28, an ordinance governing the parking of motor vehicles or other vehicles on First Avenue in front of Post Office and providing a penalty for violation thereof was adopted by council.

There being no further business before the council at this time a motion to adjourn was put in order. Motion carried.

Meeting adjourned.

*C. H. Dawson*  
C. H. Dawson, Mayor.

*T. A. Lewis*  
T. A. Lewis, Recorder.



January 2, 1934.

At a special session of the council of the City of Nitro on Tuesday January 2, 1934, held in the council chambers thereof, there were present:

C. R. Dawson, Mayor, T. A. Lewis, Recorder,  
J. F. Santrock, H. K. Miller, L. H. Kessel, O. T. Spence,  
Mrs. C. L. Craddock, members of council of said city.

Meeting was called to order by the mayor.

Mayor read letter from Tax Commissioner under date of December 29, 1933, addressed to all levying bodies, said letter stating the Supreme Court of Appeals had held as unconstitutional, null and void, committee substitute for House Bill No. 84.

Under this decision, the proposed levies, on which final action was to be taken at this meeting of council can not be laid.

Meeting recessed without day and council to be called together later to consider estimates already prepared, amend the same and lay levies in accord with future legislation.

*C. R. Dawson*  
C. R. Dawson, Mayor.

*T. A. Lewis*  
T. A. Lewis, Recorder.

January 2, 1934.

Mayor C. R. Dawson called a special session of the council of the City of Nitro and all members being present the meeting was called to order by the mayor.

At this time Mayor Dawson offered his resignation, resignation to be effective immediately. Motion made and seconded that resignation be accepted. Motion carried.

Motion made and carried that C. R. Dawson's services be retained in an advisory capacity until such time as some person had been appointed by council as mayor. Motion carried.

Motion made and carried that H. K. Miller, councilman, be authorized to countersign all orders drawn on city treasury until such time as some person had been appointed by council as mayor.

A. A. Bender, city engineer, addressed the council at this time in regard to motion passed at regular session of council on the 26th day of December, 1933, said motion reading:

That the same distance be maintained on either side of street from property line to edge of newly constructed pavement.

After some discussion it was agreed to strike this motion from the records.

January 2, 1934, cont'd.

There being no further business before the council at this time a motion to adjourn carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
 and acting mayor.

January 30, 1934.

At a regular session of the council of the city of Nitro, county of Boone, held in the council chambers thereof, in the City Office building on Tuesday, the 30th. day of January, 1934, there were present:

T. A. Lewis, acting mayor and recorder, and J. F. Santrock, Mrs. J. B. Craddock, H. F. Miller, C. E. Spence, members of the council of said city.

Meeting was called to order by T. A. Lewis, acting mayor.

Minutes of regular session of council held on December 28, 1933, read and approved by council.

Minutes of special session of the council held on January 3, 1934, read and approved by council.

Action made and carried that the report of the city engineer, L. L. Tolan, in regard to projects 20-64 and 20-192 be accepted and same be entered on city records, the report follows:

TO THE HONORABLE MAYOR AND CITY COUNCIL,  
 CITY OF NITRO, NITRO, WEST VIRGINIA.

Submitted herewith is a current report on financial conditions and progress on two projects in the CITY of NITRO:

Project 20-64 Second Avenue		Balance
Amount Allowed	\$13,363.00	(Amount Expended \$4,384.82 \$8,978.18
Project 20-192 Third Avenue S-21st. Street First Avenue Sidewalk		
Amount Allowed	\$15,431.55	(Amount Expended \$5,096.61 \$10,334.94

The above refers to later only. There was a total of \$3,467.00 allowed for materials and supplies of which sum a balance of \$2,453.70 remaining on both projects.

This work is subject to inspection by both County and State inspectors and they have all approved of our work.

we were at first handicapped by lack of tools and later by trucks, in addition to this our projects called for 150 men, but our pay-rolls have never shown over 110 men, including foremen and all, and this number has recently been reduced to 67 men to authorized rate.

In the writers opinion there is a sufficient amount of money remaining to complete all work proposed under both projects.

Respectfully Submitted,

(Signed) M. L. Bender,  
City Engineer.

Recorder read letter to council signed by Dr. J. L. Skaggs, Dr. C. B. Marshall, J. E. Temple and C. J. Kelly, letter being in protest and complaining of Ordinance No. 22. Motion was made and carried that this matter be tabled until next regular session of the council and prior to such date an invitation be extended to signers thereof, to appear in person before the city council and set forth their reason for objection to said ordinance.

Action made and carried, that the city engineer or authorized to co-operate with the company concerned, in the removal or necessary repairing of board plat-form located at corner of Twenty-third Street on First Avenue, so as not to interfere with the First Avenue repairing project and other hazardous conditions.

Council proceeded to make up Levy Estimates by approving estimates of council meetings held on August 22, 1933, and December 10, 1933, and signing same.

Mrs. C. L. Craddock introduced question of dividing town into wards. After some discussion a motion to table this matter until the next regular session of city council carried.

There being no further business before the council at this time a motion to adjourn carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.

February 15, 1934.

At a special session of the council of the City of Nitro, Kanawha county, held in the council chambers thereof, in the City Office building on Tuesday, the 15th. day of February, 1934, there were present:

T. A. Lewis, Acting Mayor and Recorder, and J. F. Santrock, Mrs. J. L. Bradcock, H. K. Miller, L. R. Kessel, members of the council of said city.

The meeting was called to order by T. A. Lewis, acting mayor.

Recorder read letter to council from tax Commissioner Fred L. Fox, under date of February 3, 1934, said letter stating that Levy Estimates were being returned for correction, as proposed levies had been laid of 12.5 cents on Class No. 1 Property, 25.0 cents on Class No. 2 Property and 30.0 cents on Class No. 4 Property, whereas the maximum of the levies to be laid for current expenses is 8.75 cents on Class No. 1 Property, 17.5 cents on Class No. 2 Property and 35.0 cents on Class No. 4 Property.

In accordance with Section 11, Article 8, Chapter 11, Acts 1933, as amended by House Bill No. 234, Acts Legislature 1934, Extraordinary Session, the council proceeded to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses for collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

#### CURRENT REGULAR MUNICIPAL PURPOSES

##### ESTIMATE

(1) The amount due and the amount that will become due and collectible from every source during the fiscal year, except from the levy of taxes to be made from the year.

##### ESTIMATED RECEIPTS

Balance in hands of the city treasurer	\$ 788.82
Taxes uncollected	654.46
General licenses	226.00
Police Court Fines	135.00
Total estimated receipts (except from current levy)	\$1879.28

Bills outstanding June 30, 1933, incurred after  
November 8, 1932

TOTAL

\$ 180.50

## CURRENT EXPENDITURES

Mayor, treasurer and city attorney	\$1051.00
Salaries of Police	1320.00
Expenses keeping and feeding prisoners	10.00
Stationery, office supplies and equipment	50.00
Postage	10.00
Water city office	18.00
Light " "	30.00
Fuel " "	20.00
Telephone and telegraph	60.00
Rents city office	180.00
Advertising and legal publications	50.00
Premiums on officials' bonds	33.25
Election expenses	50.00
Salaries-Street Com'r and regular employees	75.00
New Equipment-Street Department	25.00
Maintenance of streets and alleys	135.81
Maintenance of sewers	150.75
Audit by Tax Commissioner	50.00
Land Books	17.50
Refunding erroneous payments	10.00
Delinquent taxes and discount	400.00
Total estimated disbursements	\$3879.81

Total estimated receipts brought forward \$1879.28

Amount to be raised by levy \$2100.53

And the council doth determine and estimate that it will be necessary to raise by levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2100.53 and to provide for said amount a levy of eight and three fourth cents (8.75%) is hereby proposed to be levied on each one hundred dollars' valuation of all property in Class Number 1, seventeen and one half cents (17.5%) on each one hundred dollars' valuation of all property in Class Number 2 and thirty-five cents (35.0%) on each one hundred dollars' valuation of all property in Class Number 4 in said municipality, for the purposes aforesaid, based upon the last assessment therein, as follows:

ASSESSED VALUATION		Rate Authorized	Rate Proposed	Taxes
CLASS NUMBER 1				
Personal Property	\$128,433	8.75	8.75	\$ 112.38
Public Utility Property	12,100	8.75	8.75	10.58
CLASS NUMBER 2				
Real Estate	\$208,200	17.5	17.5	\$ 364.35
CLASS NUMBER 4				
Real Estate	\$153,100	35.0	35.0	\$ 535.85
Personal Property	53,320	35.0	35.0	189.72
Public Utility Prop.	253,900	35.0	35.0	888.65
Total for Municipality	\$809,553			\$2100.53

February 13, 1934, cont'd.

5KICG

STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA and PUTNAM,  
CITY OF NITRO

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality  
of NITRO, county of Kanawha and Putnam and State of  
West Virginia, do hereby certify that the foregoing are true  
copies from the records of orders made by the council of said  
municipality on the 13th. day of February, 1934.

Given under my hand this 13th. day of February, 1934.

T. A. Lewis  
T. A. Lewis, Recorder.

Recorder called attention of council to matter of taxes that  
had been collected during month of October, 1933, said collec-  
tions being illegal.

After some discussion council ruled that City Treasurer should  
return all amounts paid to tax-payers.

There being no further business to come before council at this  
time a motion for adjournment was put in order.

Motion carried. Meeting adjourned.

T. A. Lewis  
T. A. Lewis, Recorder  
and Acting Mayor.

February 20, 1934.

At a special session of the council of the city of Nitro, held in the council chambers thereof on Tuesday, the 20th. day of February, 1934, there were present:

T. A. Lewis, acting mayor and city recorder, and  
J. F. Santrock, Mrs. C. L. Craddock, H. C. Miller, L. R. Kessel,  
C. F. Spence, members of the council of said city.

The meeting was called to order by acting mayor T. A. Lewis.

Acting mayor Lewis stated to council that reason of call for special meeting was to lay the levies according to Levy Estimates arrived at at council meeting held on Tuesday the 13th. day of February, 1934, and to transact such other business as might come before the council at this time.

The laying of Levies were as follows:

#### CURRENT REGULAR MUNICIPAL LEVY

#### ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of City of Nitro, in Kanawha and Putnam counties, will be \$2100.53, according to the estimate made up and entered of record on the 13th. day of February, 1934, and said estimate having been published or posted as required by law, and no one appearing to oppose the same or to take exception thereto, and the Tax Commissioner having approved the same in writing, it is therefore ordered that the said estimate and the rates of levy proposed therein be approved and that eight and three fourth cents (8.75¢) be, and the same is hereby levied on each one hundred dollars' assessed valuation of all property in Class Number 1, seventeen and one half cents (17.5¢) on each one hundred dollars' assessed valuation of all property in Class Number 2 and thirty-five cents (35.0¢) on each one hundred dollars' assessed valuation of all property in Class Number 4 in said municipality, for the purposes aforesaid, based upon the last assessment therein.

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA and PUTNAM

CITY OF NITRO,

To wit:

I, T. A. Lewis, recorder, in and for the municipality of NITRO, counties of KANAWHA and PUTNAM and STATE OF WEST VIRGINIA, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 13th. day of February, 1934.

Given under my hand this 20th. day of February, 1934.

T. A. Lewis  
T. A. Lewis, Recorder.

February 20, 1934, cont'd.

5KICc

Acting mayor Lewis read to council house Bill No. 125, this bill having been passed by the State Legislature, extraordinary session of 1933, said bill dealing with municipalities acquiring, improving or constructing a waterworks system.

After some discussion by members of council, Mrs. C. L. Craddock made a motion that the recorder be instructed to communicate with the holders of the Gold Mortgage Bonds -First Mortgage- of the Kanawha Valley Water Corporation or their representatives and ascertain at what price these Gold Bonds can be purchased.

He is also authorized to negotiate with aforesaid bond holders regarding the purchase of said Gold Bonds.

Motion seconded and carried.

There being no further business before the council at this time a motion for adjournment carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.



February 27, 1934.

At the regular session of the Council of the City of Nitro, held in the council chambers thereof on the 27th. day of February, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor; and J. P. Santrock, Mrs. C. L. Craddock, H. R. Miller, L. H. Kessel, members of said council.

The meeting was called to order by Acting Mayor T. A. Lewis.

Minutes of council meetings held on the 30th. day of January, 1934, the 13th. day of February, and the 20th. day of February, 1934, read and approved by council.

Recorder called attention to protest against Ordinance No. 28, said protest being on City files. After discussing this question for some time it was ruled by council that owing to absence of councilman O. T. Spence that this matter be tabled until next regular session of council.

Recorder brought to attention of council the question of dividing the Town of Nitro into wards, after some discussion of this question a motion was made and passed that this matter be tabled until next regular session of the council and that the Recorder be instructed to write City Attorney D. T. Taylor, asking his opinion as to whether or not it would be necessary for each ward to have its own voting poll or could election be held at one certain place in City limits.

There being no further business before council at this time a motion to adjourn was put in order. Motion carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.

March 27, 1934.

At the regular session of the council of the City of Nitro, held in the council chambers thereof on the 27th. day of March, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor; and J. W. Sautrock, Mrs. G. L. Sautrock, J. J. Miller, L. L. Fessel, C. W. Spence, members of said council.

The meeting was called to order by Motion of T. A. Lewis.

Recorder read minutes of last regular meeting held on the 27th. day of February, 1934. Minutes approved as read.

Question of protest against Ordinance No. 22, which question had been tabled at last regular meeting, brought to council's attention. Recorder proceeded to read to council protest signed by Dr. J. A. Sparks, Dr. G. W. Marshall, J. A. Temple and C. L. Kutz, signers of said protest.

Motion for repeal of said Ordinance No. 22 was put in order, Motion seconded and carried.

The question of dividing City of Nitro into wards, this question being tabled at last regular meeting, was brought to council's attention, Recorder read to council letter received from D. A. Taylor, City Attorney, said letter stating that there was no authority in Statute whereby Council has right to divide City into wards. Council ruled that this matter be tabled indefinitely.

Question of closing Seventh Street to cars at council, ruled by council that acting mayor look over the situation with the Street Commissioner and act as he thought best about matter.

Question as to whether or not City could <sup>hold</sup> primary election or elections be made by certificates brought before council. After discussing matter council instructed Recorder to write the City attorney for his opinion on question.

There being no further business before council at this time a motion to adjourn carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.

April 3, 1934.

At a special meeting of the council of the City of Nitro, held on the 3rd. day of April, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor; and J. F. Santrock, Mrs. C. L. Craddock, L. F. Cosgel, O. T. Spence, members of said council.

The meeting was called to order by Acting Mayor T. A. Lewis.

Acting Mayor Lewis stated to council that reason of call for special meeting was to discuss method of conducting election of City officers, said election to be held on the 5th. day of June, 1934.

Recorder read to council letter from D. W. Taylor, City attorney, said letter dealing on this matter. After some discussion the following order was made and entered on record:

"Moved, seconded and carried, that the nominations for City officers for the general election to be held on the 5th. day of June, 1934, for term beginning on the First day of July, 1934, and ending on the Last day of June, 1936, shall be made by certificate, signed by the required number of voters, and filed with the Council not later than the 10th. day of May, 1934, as provided by Section 15, Article 3, Chapter 8, Code of 1931 STATE OF WEST VIRGINIA."

Moved that \$25.00 (twenty-five dollars) be allowed to canvass and register all legalized voters in City of Nitro, and that O. H. Crow shall be appointed as registrar and shall sit one day for correction and shall receive \$5.00 (five dollars) for time of sitting, said sitting to be from 9 A.M. to 1 P.M. and 2 P.M. to 9 P.M.

Recorder instructed to obtain the Registration Books from the County Clerks of Kanawha and Putnam counties, and upon completion of registration he shall have the books of voters in City of Nitro for the use of City in future elections.

There being no further business before the council at this time a motion to adjourn carried.

Meeting adjourned.

*T. A. Lewis*  
T.A. Lewis, Recorder  
and Acting Mayor.

April 17, 1934.

At a special session of the council of the City of Nitro, held on the 17th. day of April, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor, and J. F. Santrock, Mrs. C. L. Craddock, H. K. Miller, L. H. Kessel, members of said council.

The meeting was called to order by T. A. Lewis, Acting Mayor.

Acting Mayor Lewis stated to council that reason of call to hold special meeting was for the adoption by council of an ordinance providing for the registration of voters at City elections for the City of Nitro and an ordinance providing for the holding of elections for the City of Nitro.

Recorder proceeded to read the above named ordinances to the council.

Upon action the following order was entered of record:

"That the Recorder should strike from the minutes of meeting held on the 3rd. day of April, 1934, sections referring to the appointment of registrar, appointment of registrar and instructions given Recorder to secure registration books from the Clerks of Lincoln and Putnam Counties."

Motion that above mentioned ordinances be adopted carried.

Nominations for registrars was put in order by Recorder.

The following names were submitted to Council to act as registrars: W. M. Roe, J. H. Harrison, C. L. Crow and H. S. Hayes. Upon vote made by ballot J. H. Harrison and H. S. Hayes were declared elected and act as registrars for the redistribution of voters in the City of Nitro election to be held on the 5th. day of June, 1934.

Motion made and carried that each registrar shall receive as compensation for his service the sum of .05 (five cents) for each name registered and that each registrar shall receive as compensation for the two dollars and fifty cents for purpose of the law, collecting and completing such registration the sum of \$2.50 (two dollars and fifty cents) for each day sitting without any further compensation for additional voters registered.

Motion made and carried that the election of City officers to be held on the 5th. day of June, 1934, shall be held in the City Hall.

There being no further business before the council it is the order of the council that the meeting be adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.

April 24, 1934.

At the regular session of the council of the City of Nitro, held on the 24th. day of April, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor; and J. P. Santrock, Mrs. C. L. Craddock, L. H. Kessel, members of said council.

The meeting was called to order by Acting Mayor T. A. Lewis.

Recorder proceeded to read to council minutes of council meeting held on the 27th. day of March, minutes of council meeting held on the 3rd. day of April, and minutes of council meeting held on the 17th. day of April, 1934. Minutes of these meetings approved as read.

Recorder presented to the council a petition, sponsored by the Ministers of the various churches located in Nitro and signed by one hundred and thirty citizens of the town, said petition asking that the council adopt a curfew law. Upon motion which carried, the council voted approving said petition and Recorder was ordered to write City attorney, D. W. Taylor, requesting him to draw up a curfew ordinance governing same and council ruled that ordinance should state age of person as under sixteen years of age to vacate the streets of the City not later than nine-thirty P.M. and that violators of said ordinance shall be fined one dollar.

Upon motion which carried an amendment to Ordinance No. 10 was adopted by the council, said ordinance governing the use of side-walks, Council ruled that all bicycles of violators of said ordinance No. 10 shall be confiscated and held at the City office until redeemed by the payment of a one dollar fine.

There being no further business to come before the council at this time, a motion to adjourn was put in order. Motion carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.

May 15, 1934.

At a special session of the Council of the City of Nitro, held on the 15th. day of May, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor; and J. F. Santrock, L. H. Kessel, H. K. Miller, members of said council.

The meeting was called to order by Acting Mayor T. A. Lewis.

Acting Mayor stated to council that reason of call for special session of council was for the purpose of approving certificates of nominations of citizens who filed for office in the election to be held on the 5th. day of June, 1934, and also for the purpose of adopting an ordinance governing a curfew law.

Recorder read to council a request from Rev. O. L. Hawkins to withdraw his name as a candidate for Mayor and a request from J. F. Santrock to withdraw his name as a candidate for councilman. Upon action which carried, council ordered the names of Rev. O. L. Hawkins and J. F. Santrock to be stricken from the lists of candidates in election of June 5th. 1934.

Upon action which carried, certificates of nominess were approved by the council, said certificates of nominations being held in the City files.

Motion made and carried that Recorder be empowered with authority to strike from any certified lists of candidates the names of any candidate or candidates upon presentation of a written request by any candidate and signed by him.

Recorder read to council the above mentioned ordinance governing curfew law.

Upon action which carried said ordinance was adopted and read and ordered to be entered in the City records.

Recorder stated to council that he had consulted Mr. J. B. Vivian, Mr. Viscose Cooper, in regard to blowing of the regular labor whistle each night at nine-thirty, said list of whistle to be a signal to all persons under the age of sixteen years to vacate streets of City, Mr. Vivian stated they would be glad to cooperate with the City to this extent.

There being no further business before the council at this time motion to adjourn carried. Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder  
and Acting Mayor.

May 29, 1934.

At the regular session of the Council of the City of Nitro, held on the 28th. day of May, 1934, the following were present:

L. L. Lewis, Recorder and Acting Mayor; and  
Mrs. C. L. Craddock, J. M. Santorico, A. H. Miller, R. H. Russell, members of said Council.

The time was called to order by Acting Mayor L. L. Lewis.

The minutes of the regular session of the Council held on the 28th. day of April, 1934, and minutes of special session of the Council held on the 15th. day of May, 1934. Minutes approved as read.

Upon motion, which motion was seconded and carried, Council approved the registration of the City of Nitro for the election to be held on the 5th. day of June, 1934. Said registration being made by W. S. Reynolds and J. H. Harrison.

The Recorder stated to Council that the appointments of Commissioners and Clerks to act in the coming election of June 5th. were in order. For Commissioners the names of Mrs. Cecilia Turner, S. F. Montague, C. L. Gray, H. C. Alexander and C. E. H. were submitted by Council and for Clerks the names of Mrs. Mary L. H. and Frank Adams and Mrs. Virginia P. Roberts.

Balls were presented to each member of the Council bearing names of the above mentioned Commissioners and Clerks it was found that Mrs. Cecilia Turner received three votes, S. F. Montague four votes, H. C. Alexander three votes, C. L. Gray one vote and C. E. H. one vote for office of Commissioners, and for Clerks it was found that Mrs. Mary L. H. had received three votes, Mrs. Virginia P. Roberts four votes and Frank Adams one vote. Mrs. Cecilia Turner, S. F. Montague and H. C. Alexander were declared appointed Commissioners and Mrs. Mary L. H. and Mrs. Virginia P. Roberts were declared appointed Clerks to act in the election to be held on the 5th. day of June, 1934.

There being no further business to come before the Council at this time, the same being adjourned.  
Meeting adjourned.

*L. L. Lewis*  
L. L. Lewis, Recorder  
and Acting Mayor.

June 15, 1934.

At a special session of the council of the City of Nitro, held on the 15th. day of June, 1934, there were present:

W. L. Davis, Mayor and Acting Mayor, and  
J. F. Sistrick, L. H. Russell, W. K. Miller, members of  
said council.

The meeting was called to order by Acting Mayor Davis, who stated to council that said special session was for the purpose of council to act as the board of canvassers of the City of Nitro. Election, held on the 5th. day of June, 1934, there duly being the lawfully and impartially examine the returns of the election held in said city.

And further proceeded to unblock the ballot box and lay before the board of canvassers the ballots, poll books, tally sheets and certificates.

And further proceeded to examine said ballots and poll books and certify the number in each party, the following results were found on the ballots:

And, the council of the City of Nitro, sitting as the board of canvassers of the City of Nitro, having duly and impartially examined the returns of the election held in said city, on the 5th. day of June, 1934, do hereby certify that in said city for the office of Mayor, Earl L. O. per received three hundred and thirty (330) votes, and that Clark C. Knap, received two hundred (200) votes.

And we further certify that in said election held in the City of Nitro, for the office of Recorder, W. L. Davis received two hundred and thirty (330) votes, and that Othmar Harrison received two hundred and seventy four (274) votes.

And we further certify that in said election held in the City of Nitro, for the office of Councilman, L. H. Russell received three hundred and fifty three (353) votes, and that J. Scott Scott received two hundred and sixty (260) votes, and that F. L. Dietz received two hundred and ninety five (295) votes, and that William F. Hutz received two hundred and seventy (270) votes, and that Samuel D. Lyons received two hundred and fifty five (255) votes, and that John R. Huth received two hundred and thirty eight (238) votes, and that A. D. Statton received two hundred and fifty one (251) votes, and that C. Z. Gilg received two hundred and ten (210) votes, and that Albert A. Hansen received two hundred and nine (209) votes, and that Mrs. Grace L. Craft received two hundred and two (202) votes, and that W. L. Miller received one hundred and ninety six (196) votes.

And, the common council of the City of Nitro, do hereby order that the above findings shall be recorded among the



records of the City of Nitro, Kanawha and Putnam counties,  
STATE OF WEST VIRGINIA.

Given under our hands this 18th. day of June, 1934.

	Signed	T. A. Lewis, Acting Mayor
	"	" " " , Recorder
	"	J. M. Santrock, Members
SEAL	"	L. E. Kessel, of
	"	L. E. Miller, council.

The ballots were then again sealed up carefully in a new envelope, and each member of the board proceeded to write his name across the place where such envelope was sealed.

The ballots, poll books, tally sheets and certificates were again placed in the ballot box and said ballot box locked by two pad locks, the recorder taking charge of the keys to same.

There being no further business to come before the council at this time a motion to adjourn carried. A time adjourned.

*T. A. Lewis*  
T. A. Lewis, Mayor  
and Acting Mayor.

June 26, 1934.

At the regular session of the council of the City of Nitro, held on the 26th. day of June, 1934, there were present:

T. A. Lewis, Recorder and Acting Mayor, and  
J. F. Santrock, H. K. Miller, L. H. Kessel, members of said council.

The meeting was called to order by Acting Mayor Lewis.

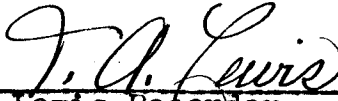
Recorder read to council minutes of regular session of council held on the 29th. day of May, and minutes of special meeting of council held on the 15th. day of June, 1934. There being no objections or corrections to aforesaid minutes, council voted that they stand approved as read.

Recorder read statement of approximate financial condition of City of Nitro up to July 1, 1934. This report showing that \$653.44 had been received from the Sheriff of Kanawha County, on year 1933 Real Estate and Personal Property Taxes and that approximately \$281.98 was still due City from that source, and that there were due \$249.53 from the Sheriff of Putnam County with nothing received to date, and that there had been received by City \$800.00 from the State Auditors office, partial payment on Public Service Corporation Taxes for year 1933, leaving approximate balance of \$86.75 due the City of Nitro, making a grand total of \$617.26 due City from afore mentioned revenues.

Motion to change the regular meeting night of the council of the City of Nitro from the last Tuesday in each month to the first Tuesday after the first day of each month was seconded and upon vote carried.

Motion made and carried that all outstanding bills against the City be paid before expiration of fiscal year which ends on June 30, 1934.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
T.A. Lewis, Recorder  
and Acting Mayor.

July 3, 1934.

At the regular session of the council of the City of Nitro, held on the 3rd. day of July, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H. Putney, S. D. Lyons, members of said council.

The meeting was called to order by the Mayor.

The Mayor called for the reading of minutes of regular session of the council held on the 26th. day of June, 1934, there being no objections or corrections to said minutes Mayor Cooper declared minutes approved as read.

Mayor Cooper addressed the council at length, bringing to their notice what the aim of the present council should be in the governing of the citys affairs, also made mention in an appreciative manner of the carrying out and carefulness of handling the citys business by the previous council.

It was moved and seconded and motion carried that City should purchase a ventilating fan and a safe for the City office, price not to exceed \$50.00 for safe.

Motion made and carried that a committee of three be appointed to investigate condition of sewer line back of residences on N. 21st. Street. Mayor Cooper appointed L. H. Kessel, W. H. Putney and S. D. Lyons as the committee.

Mayor Cooper brought the question of appointment of City Sergeant before the council, upon motion which carried T. A. Lewis was declared appointed to fill the office of Sergeant for City.

Question of appointment of policeman for City brought before council. Upon motion which carried H. M. Graves was declared appointed to act as City policeman.

Question of attorneys services brought to councils attention. After some deliberation of this matter a motion was made and carried that City should dispenche with the services of D. W. Taylor, who had acted as the attorney for the City of Nitro for the past two years, and that Recorder be instructed to advise the said D. W. Taylor as to this ruling.

Question of salaries for Recorder and Policeman brought to councils notice. Upon motion which carried it was ruled to table matter of salaries until the next regular session of the council.

Recorder presented each member of council with a financial statement of the City for the month of June, 1934, said month being the last month of the fiscal year beginning July 1st. 1933, and ending June 30th. 1934, also reading contents of said statement to council. Upon motion which carried it was ruled by council that contents of this statement be entered in the records of the City.

July 3, 1934, Cont'd.

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## FINANCIAL STATEMENT OF THE CITY OF NITRO.

FOR MONTH OF JUNE 1934.

GENERAL FUND

Bank balance, June 1, 1934	\$393.04	
Cash in hand of Treasurer June 1, 1934	<u>24.61</u>	\$417.65

RECEIPTS JUNE 1st. to JULY 1st. 1934.

Taxes, Redemption 1932, State Auditor	\$ 1,50	
General Licenses	206.50	
Police Court Fines	<u>20.50</u>	\$228.50
		\$646.15

DISBURSEMENTS JUNE 1st. to JULY 1st. 1934.

Less checks issued 336 to 360	\$507.63	
Election supplies	.25	
Postage and stamped envelopes	.67	
Labor on streets "Transfer"	<u>13.50</u>	\$522.05
Book balance July 1, 1934		\$124.10
Bank " " " "	\$ 53.41	
Cash in hand of Treasurer July 1, 1934	<u>70.69</u>	\$124.10
True balance July 1, 1934		

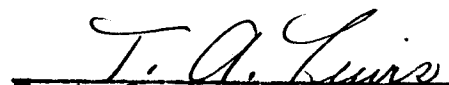
The question of placing "STOP" and "STREET NUMBER" signs at entrance to streets bordering on First Avenue was discussed by the council. It was agreed that the aforementioned committee on N. 21st. Street sewer line investigate this matter and ascertain number of signs needed, and consult with Mr. A. M. Harmon and the State Road Commissioner in regard to procuring these signs and probable cost of signs and installing.

Question raised of council meeting with the Board of Directors of the Civic Benefit Association for purpose of ascertaining what arrangement can be made in regard to payment of funds derived from the industrial plants of Nitro into the treasury of the City so that the City of Nitro may take over the fire department, fire hydrants and street lighting and assume all responsibilities of same. After some discussion a motion was made which motion carried, that the council meet with the Board of Directors

on the 10th. day of July, 1934, and that Recorder be instructed to advise Mr. J. E. Hulshizer, Secretary, of said meeting, he in turn to notify members of board.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

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July 10, 1934.

At a special session called by Mayor Earle H. Cooper, held on the 10th. day of July, 1934, meeting being held in the office of the Nitro Industrial Corporation Bldg. there were present: Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L.H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H. Putney, S. D. Lyons, members of the council of the City of Nitro, and J. E. Hulshizer, J. C. Pickens, C. N. Hand, G. C. Alderson, W. A. Vivian, members of the Board of Directors of the Civic Benefit Association, Nitro, West Virginia, and H. O. Wallace, C. L. Molloham, representatives of the Appalachian Electric Power Company.

Mayor Cooper called the meeting to order and stated that reason of joint session was for the purpose of hearing what proposition the Civic Benefit Association had to offer the City of Nitro in regard to the payment of funds accruing from the various industrial plants of Nitro, the payment of such funds being to enable the City to take over and assume all responsibilities of the services that has hitherto been maintained by the Civic Benefits Association, such as, street lighting, fire hydrants and fire department.

Mr. J. E. Hulshizer, Secretary of the Civic Benefits Association presented a letter addressed to the City of Nitro, the City Recorder was called upon to read to those assembled, said letter outlined the normal monthly receipts and the ordinary disbursements of the Civic Benefits Association.

Mr. Hulshizer also presented a statement of the Civic Benefits Association for the month of June, 1934, this statement showing the receipts from the various industries of Nitro and the disbursements for the maintenance of the fire department, street lighting, fire hydrants, repairs, office expenses etc. The above mentioned letter and statement have been placed in the City files.

Asked as to when these payments could be made into the City treasury, Mr. Hulshizer stated that payments would be

July 10, 1934, Cont'd.

made not later than the 15th. day of each month.

Recorder also read letter under date of June 1, 1934, signed by S. T. Preston, Power Engineer, Appalachian Electric Power Co.

After some discussion of these matters the meeting was adjourned and council agreeing to reconvene in the City Hall.

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July 10, 1934.

At a special session called by agreement of the council after the meeting held with the Board of Directors of the Civic Benefits Association, said meeting being held in the City Hall, and held on the 10th. day of July, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder,  
and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H.  
Putney, S. D. Lyons, members of said council.

The meeting was called to order by Mayor Cooper.


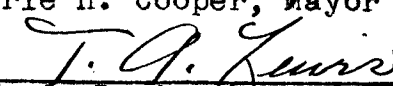
After some discussion of the proposition as set forth by the Civic Benefits Association in regard to the payment into the City treasury of funds derived from the Nitro industrial plants, said funds to be paid over to the City not later than the 15th. day of each month, and the payment of such funds being to enable the City of Nitro to take over and assume all responsibilities of the operation and maintenance of services that has been maintained hereto before by the said Civic Benefits Association, the following motion was put in order:

Moved, seconded and carried, that the City of Nitro accept the conditions as outlined in letter under date of July 10, 1934, and directed to the City of Nitro, said letter being from the Civic Benefits Association and signed by J. E. Hulshizer, Secretary.

As mentioned in minutes of previous meeting said letter has been placed in files of City.

Upon motion which carried it was ruled by council that Mayor Cooper and Recorder Lewis call upon D. W. Payne, Attorney, asking advise in regard to contract between the City of Nitro, the Civic Benefits Association and the Appalachian Electric Power Company. Also call on S. T. Preston, Power Engineer, Appalachian Electric Power Company to ascertain what kind of contract his company would be willing to make with the City of Nitro in regard to the installation of a new lighting system.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor  
  
T. A. Lewis, Recorder.

58100

At the regular session of the council of the City of Nitro, held on the 7th. day of August, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H. Putney, S. D. Lyons, members of said council.

The meeting was called to order by Mayor Cooper.

Mayor called for reading of the minutes of regular meeting held on the 3rd. day of July, 1934, and minutes of special meeting held on the 10th. day of July, 1934. There being no objections or corrections Mayor Cooper declared minutes stand approved as read.

Mayor Cooper called for report of standing committee; councilman Putney stated to council that he had made arrangements to obtain fan for use in City office with the fire-department. Committee reported as being unable to purchase safe for City office. Councilman Lyons reported that he and councilman Scott called at the State Road Commissioners office in regard to obtaining street signs but Commissioner was absent from office, they then proceeded to see Mr. J. C. Blackwood and received a very favorable reply.

Mayor Cooper and Recorder Lewis reported on consultation held with W. D. Payne, Attorney, and Mr. S. T. Preston, Power Engineer, Appalachian Electric Power Co. Recorder read letter under date of July 13, 1934, to council, said letter written by W. D. Payne, Attorney, and addressed to the Appalachian Electric Power Co; said letter has been placed in the City files. The council ruled that the Mayor and Recorder go to Charleston on August 9th. and consult further with Mr. Preston in matter of contract between City and Power Company for the proposed new street lighting system.

Upon motion which carried L. H. Kessel was reappointed Street Commissioner.

The question of salaries for Recorder and Policeman was tabled until next regular meeting.

Councilman Kessel reported on the N. 21st. Street sewer line.

Motion made and carried that Recorder draw up an ordinance governing the removal of lids from sewer lines and the disposing of garbage into sewer lines, fine to range from Five (5) to Twenty-five Dollars (\$25.00), and carrying a jail sentence not to exceed Three (3) months, in the discretion of the Mayor.

Motion made and carried that Recorder draw up an ordinance prohibiting the discharge of any firearms within the City limits, fine to range from One (1) to Ten Dollars (\$10.00).

Motion made and carried that Recorder draw up an ordinance governing the obtaining of a building permit, charge for issuing permit to be One Dollar (\$1.00).

Recorder instructed to notify owner of residence No. 3602 that they shall at once clean up remnants of small building facing on

August 7, 1934, Cont'd.

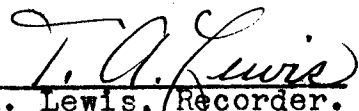
First Avenue, failure to comply with this order they shall be prosecuted according to the City Ordinance governing these matters.

Motion made and carried that the Street Commissioner be empowered to instruct property owners to remove all obstructions from streets and must keep weeds and grass cut in proper manner on their property.

Motion made and carried that the City Purchase three large window panes.

As the valuations on Real Estate, Personal and Public Utility Property had not been received by the Recorder at this time and council been unable to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year Mayor Cooper declared the meeting ~~in~~ recess until Tuesday, the 14th. day of August, 1934.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To wit:

At a special session of the council of the City of Nitro, Kanawha county, held in the council chambers thereof, in the City Hall building on Tuesday the 14th. day of August, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder,  
and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H. Putney,  
S. D. Lyons, members of the council of said city.

In accordance with Section 14, Chapter 67, Acts 1934, Extraordinary Session (House Bill No. 234), the council proceeded to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

## CURRENT REGULAR MUNICIPAL PURPOSES

## ESTIMATE

(1) The amount due and the amount that will become due and collectible from every source during the fiscal year, except from the levy of taxes to be made for the year.

## ESTIMATED RECEIPTS

Balance in hands of the city treasurer	\$ 124.10
Redemption and sale of delinquent lands	\$ 12.00
Taxes uncollected	\$ 657.62
General licenses	\$ 200.00
Police Court Fines	\$ <u>50.00</u>
Total estimated receipts (except from current levy)	\$1043.72

## ESTIMATED DISBURSEMENTS

(2)

## (b) CURRENT EXPENDITURES.

Salary of Mayor	\$ 1.00
Salary of Recorder	\$ 150.00
Salary of Chief of Police	\$ 250.00
Expenses keeping and feeding prisoners	\$ 30.00
Stationery, office supplies	\$ 50.00
Postage	\$ 10.00
Water	\$ 18.00
Light for street lighting	\$1320.00
Light - other purposes	\$ 35.00
Fuel	\$ 20.00
Telephone and telegraph	\$ 55.00
Rents	\$ 180.00
Advertising and legal publications	\$ 50.00
Premiums on officials' bonds	\$ 42.00
Attorneys' fees, court costs etc.	\$ 50.00
Salary - Street Comm'r	\$ 10.00
Maintenance of streets and alleys	\$ 237.47
Maintenance of sewers	\$ 148.00
Audit by Tax Comm'r	\$ 50.00
Refunding erroneous payments	\$ 10.00
Delinquent taxes and discount	\$ <u>508.25</u>
Total estimated disbursements	\$3224.72
Total estimated receipts brought forward	\$1043.72
Amount to be raised by levy	\$2181.00

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2181.00 and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

eight and three fourth cents (8.75¢) on Class No. 1 property,  
seventeen & one half cents (17.5¢) on Class No. 2 property,  
and, thirty-five cents (35.0¢) on Class No. 4 property,  
for the purpose aforesaid, based upon the last assessment therein  
as follows:

CLASS	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levied (Whole Dollars)
Number 1				
Personal Property	\$ 39,070	8.75¢	8.75	\$ 34.00
Public Utility Property	\$ 52,100	8.75¢	8.75¢	\$ 45.00
Total Class No. 1	\$ 91,170			\$ 79.00
Number 2				
Real Estate	\$165,650	17.5¢	17.5¢	\$ 289.00
Number 4				
Real Estate	\$199,300	35¢	35¢	\$ 697.00
Personal Property	\$ 62,830	35¢	35¢	\$ 219.00
Public Utility Property	\$256,500	35¢	35¢	\$ 897.00
Total Class No. 4	\$518,630			\$1813.00
TOTAL MUNICIPALITY	\$775,450			\$2181.00

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of  
NITRO county of Kanawha and Putnam and State of West Virginia,  
do hereby certify that the foregoing are true copies from the  
records of orders made by the council of said municipality on  
the 14th. day of August, 1934.

Given under my hand this 14th. day of August, 1934.

(SIGNED) T. A. Lewis

Recorder.

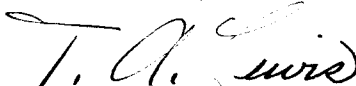
Mayor Cooper called for Recorder to read to council Ordinance  
No. 32, 33 and 34.

Upon motion which carried council voted to adopt Ordinance  
No. 32 and Ordinance No. 33, said ordinances No. 32 and No. 33  
to be recorded in the city ordinance book.

After some discussion council ruled that Ordinance No. 34  
should be tabled until next regular meeting and that Recorder  
should write Mr. M. A. Bender asking him to attend said meeting.

There being no further business to come before the council at  
this time a motion for adjournment carried. Meeting Adjourned.

  
Earle H. Cooper, Mayor.

  
T. A. Lewis, Recorder.

August 21, 1934.

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STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA AND PUTNAM,  
CITY OF NITRO, To-wit:

At a special session of the council of the City of Nitro, in Kanawha county, held in the council chambers thereof on Tuesday, the 21st. day of August, 1934, Present:

Earle H. Cooper, Mayor, and T. A. Lewis, Recorder,  
and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, S. D. Lyons,  
W. H. Putney, members of the council of said City of Nitro.

CURRENT REGULAR MUNICIPAL LEVY

ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of City of Nitro, in Kanawha and Putnam Counties, will be \$2181.00, according to the estimate made up and entered of record on the 21st. day of August, 1934; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exceptions thereto, and the Tax Commissioner having approved the same in writing, it is therefore ordered that the said estimate and the rates of levy proposed therein be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz:

eight and three fourth cents (8.75¢) on Class No. 1 property, seventeen & one half cents (17.5¢) on Class No. 2 property, and thirty-five cents (35.0¢) on Class No. 4 property, for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied (Whole Dollars)
Number 1			
Personal Property	\$ 39,070	8.75¢	\$ 34.00
Public Utility Prop.	\$ 52,100	8.75¢	\$ 45.00
Total Class No. 1	\$ 91,170		\$ 79.00
Number 2			
Real Estate	\$165,650	17.5¢	\$ 289.00
Number 4			
Real Estate	\$199,300	35.0¢	\$ 697.00
Personal Property	\$ 62,830	35.0¢	\$ 219.00
Public Utility Prop.	\$256,500	35.0¢	\$ 897.00
Total Class No. 4	\$518,630		\$ 1813.00
TOTAL MUNICIPALITY	\$775,450		\$ 2181.00

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro, counties of Kanawha and Putnam, and State of West Virginia, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 21st. day of August, 1934.

Given under my hand this 21st. day of August, 1934.

T. A. Lewis, Recorder.

The council having met for no other purpose than the laying of the levies as provided by Section 15, Chapter 67, Acts of Legislature, Extraordinary Session, 1934, (House Bill No. 234), a motion made to adjourn carried. Meeting adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

September 4, 1934.

5KICC

At the regular session of the council of the City of Nitro, held on the 4th. day of September, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H. Putney, S. D. Lyons, members of the council of said city, and S.T. Preston, C. B. Talley, representatives of the Appalachian Electric Power Company, and M. A. Bender.

Mayor Cooper called for the reading of the minutes of last regular meeting held on the 7th. day of August, reading of minutes of special meeting held on the 14th. day of August, and the reading of minutes of special meeting held on the 21st. day of August, 1934. There being no objections or corrections Mayor Cooper declared minutes stand approved as read.

Mayor called for reading of contract presented by the Appalachian Electric Power Company to the City of Nitro, said contract asking that Power Company be granted a Five (5) year lease for the new street lighting system.

Councilman Putney moved that contract be accepted by the city, motion was seconded by Councilman Scott, and upon motion carried.

Recorder was again called on to read Ordinance No. 34 to council, after some discussion by council and M. A. Bender, council ruled that the matter of issuing building permits be tabled until the next regular meeting of the council and in the meantime that M. A. Bender and the Recorder draw up a building code, said code to cover all questions that might arise in the future of all building and construction work of any sort within the corporate limits of the city.

Councilman Putney moved that M. A. Bender be reappointed as city engineer, motion seconded by councilman Lintzmeyer. Upon vote by council motion carried.

Mayor Cooper appointed the following members of the city council to act as the finance committee in auditing the financial affairs of the city, F. M. Lintzmeyer, S. D. Lyons, and Joseph Scott.

It was agreed between the finance committee and the city treasurer that they would meet at the city office for purpose of auditing the financial statement of the City of Nitro for the fiscal year beginning July 1st. 1933, and ending June 30, 1934, at 7 - 30 P.M. September 6, 1934.

Recorder read to council the financial statement of the City of Nitro for the fiscal year beginning July 1, 1933, and ending June 30, 1934.

Upon motion by councilman Lyons, said motion being seconded by councilman Lintzmeyer, council voted that the salary for street commissioner shall be Two Hundred and Fifty Dollars (\$250.00) per year. Motion declared carried.

Upon motion made by councilman Putney, said motion being seconded by councilman Kessel, council voted that the salary of the City Recorder shall be Seventy-Five Dollars (\$75.00) per month. Motion declared carried.

Upon motion by councilman Putney, seconded by councilman Lyons, council voted that the salary of H. M. Graves shall be One Hundred and Ten Dollars (\$110.00) per month. Motion declared carried.

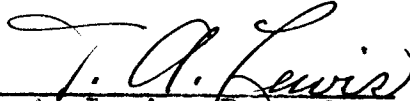
Motion made by councilman Putney, seconded by councilman Lyons, that W. B. Coleman should be consulted in regard to acting as extra policeman upon vote carried.

Motion made by councilman Lyons, and seconded by councilman Kessel, that the Mayor, Recorder and <sup>town</sup> Policeman shall be reimbursed for expenses in making out of <sup>town</sup> trips when on city business, upon vote by council was declared carried.

Upon motion made by councilman Lintzmeyer that Recorder apply for bonds for T. A. Lewis, Recorder and Treasurer, Harry M. Graves, Chief of Police, and bond for one extra policeman, at Thirty-Five Hundred Dollars (\$3500.00) each, said motion seconded by councilman Putney. Upon vote by council motion was declared carried.

There being no further business to come before the council at this time, a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

October 2, 1934.

5KICC

At the regular session of the council of the City of Nitro, held on the 2nd. day of October, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and S. D. Lyons, L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, members of council of said city, and S. T. Preston, Power Engineer, Applachian Electric Power Company.

The meeting was called to order by Mayor Cooper.

The Mayor called for reading of minutes of the last regular session, held on the 4th. day of September, 1934. There being no objections or corrections, minutes were declared approved as read.

Mr. S. T. Preston, Power Engineer, raised question of the moving of certain poles on Second Avenue, said poles being used by both the Power Company and the Telephone Company. Mr. Preston suggested that the Recorder write Mr. S. E. Hall of the Telephone Company, asking him to get in touch with Mr. Frank Hand of the Power Company so that both parties might cooperate in the moving of these poles.

A motion was made by councilman Lyons and seconded by councilman Kessel that Recorder see Mr. Sibley or some other official of the Rubber Service Laboratories in regard to purchasing new heater from them for the city office. Motion carried.

Motion by councilman Lintzmeyer, seconded by councilman Kessel, that the cell windows of the city jail be repaired and suitable material be purchased by the city for protection of windows on the inside to prevent the destruction of same by prisoners confined therein. Motion carried.

Recorder read Building Code Ordinance No. 34, to council. Motion made by councilman Lyons and seconded by councilman Kessel, that code be adopted as read with exception of change in paragraph (f) Section 4, said paragraph dealing with the building of outhouses and garages near or on property line. Motion carried.

Council ruled that Two Dollars (\$2.00) shall be charged for all building permits.

There being no further business to come before council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



October 10, 1934.

69

At a special meeting of the council of the City of Nitro, held on the 10th. day of October, 1934, there were present:

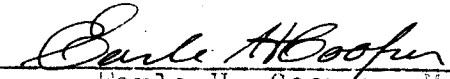
Earle H. Cooper, Mayor, and T. A. Lewis, Recorder, and W. H. Putney, Joseph Scott, L. H. Kessel, members of the council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper stated to council that reason of call for special meeting was to discuss the conditions of the foot-bridge spanning Blakes Creek, said bridge being located on old county road near Twenty First Street.

Motion made by councilman Putney that said bridge be condemned and proper notices be posted on each end of bridge stating condemnation, and any person traveling across said bridge were doing so at their own risk. Motion seconded by councilman Kessel and upon vote was declared carried.

Motion for adjournment carried. Meeting adjourned.

  
\_\_\_\_\_  
Earle H. Cooper, Mayor

  
\_\_\_\_\_  
T. A. Lewis, Recorder.

November 6, 1934.

5KICC

At the regular session of the council of the City of Nitro, held on the 6th. day of November, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, S. D. Lyons, Joseph Scott, members of the council of said city and M. A. Bender, City Engineer.

The meeting was called to order by Mayor Cooper.

Mayor called for the reading of minutes of previous meetings.

Recorder read minutes of last regular session of council held on the 2nd. day of October, and minutes of special session of council held on the 10th. day of October, 1934.

There being no objections or corrections minutes were declared approved as read.

The question of heater for city office was discussed by council and council ruled that Mayor Cooper purchase heater from the Baird Hardware Co.

Recorder read to council corrected paragraph (f) Section 4, of Ordinance No. 34.

Recorder read to council an ordinance prohibiting the discharge or firing and sale of at retail of fireworks and other pyrotechnic display. Upon motion by councilman Lyons and seconded by councilman Kessel, council voted to adopt this ordinance as read.

A motion by councilman Lyons that a survey be made and free rights of ways be obtained of the proposed F-E-R-A Blakes Creek change was seconded by councilman Scott and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

November 20, 1934.

At a special session of the council of the City of Nitro, held on the 20th. day of November, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
F. M. Lintzmeyer, Joseph Scott, W. H. Putney, S. D. Lyons,  
L. H. Kessel, members of the council of said city.

The meeting was called to order by Mayor Cooper, who stated to council that reason for call of extra session of council was to take up and discuss the matter of city purchasing suitable ground for a city building, the building to be used as a city hall with necessary offices, jail to take care of city prisoners and also to house the Fire Department.

After some discussion by all members of the council a motion was introduced by councilman Lyons and seconded by councilman Lintzmeyer, that Mayor Cooper appoint committees to investigate the purchasing of Lot No. 4102, owned by A. W. Cox, the cost of same, cost of material, labor, and all matters pertaining to the building of a city hall.

Mayor Cooper appointed councilmen Lyons and Putney to investigate the purchase of Lot No. 4102, and appointed Recorder Lewis and councilman Lintzmeyer as a finance committee in regard to this project.

Ther being no further business to transact at this meeting a motion to adjourn carried. Meeting adjourned.

Earle H. Cooper  
E. H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

December 4, 1934.

At the regular session of the council of the City of Nitro, held on the 4th. day of December, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, S. D. Lyons, W. H. Putney, members of council of said city.

Mayor Cooper called for reading of minutes of regular session of council held on the 6th. day of November, 1934, and minutes of special session of council held on the 20th. day of November, 1934.

Recorder read the above mentioned minutes to council and there being no objections or corrections, minutes were declared approved as read.

Mayor called for report of committee on the proposed purchase of Lots No. 4102 and 4104, lots to be purchased for the purpose of building a city building, building to be comprised of city hall, council chambers, city office, city jail and housing of the fire department; councilman Putney stated committee had been unable to get a stated price on this property from A. W. Cox, owner, but that Mr. Cox promised to advise later.

Mayor called for report of committee on obtaining loan through the FWA Dept. Recorder Lewis stated that he and councilman Lintzmeyer had been to see Mr. O'Neal in regard to this matter and had been advised by Mr. O'Neal that acceptance of applications for FWA loans had been closed since last February, but that it was generally understood that Congress would make another appropriation about the First of 1935, Mr. O'Neal thought it advisable for city to go ahead with plans and have application ready to submit by the First of 1935.

Councilman Lyons called for the reading of Receipts and Disbursements for month of November, 1934.

Motion by councilman Putney and seconded by councilman Kessel that all city departments obtain an order for gasoline and oil from the City Recorder, order to be duly signed by Recorder, upon vote by council was declared carried.

Motion made by councilman Putney that Ordinance No. 35, be suspended until January 1, 1935, was seconded by councilman Kessel and upon vote by council was declared carried.

At this time councilman Putney was advised by Mr. Riley, Store Manager for the A. W. Cox Department Store that Mr. Cox told him that the City could obtain all property owned by the A. W. Cox Department Store Company located on First Avenue, and comprised of lot and building 4102, lot and building 4104, 41st. Street and lots and buildings 4001 and 4003, 40th. Street for the sum of \$3500.00. Councilman Putney stated to council that he thought he knew a party who would purchase all of above mentioned property and resell to the city the part of this property city wished to obtain. Councilman Putney was

instructed to investigate this matter further and ascertain just what amount the possible purchaser of above mentioned property would ask for lots 4102 and 4104.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Earle H. Cooper*

Earle H. Cooper, Mayor

*T. A. Lewis*

T. A. Lewis, Recorder

\*\*\*\*\*

December 11, 1934.

At a special session of the council of the City of Nitro, held on the 11th. day of December, 1934, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, W. H. Putney, members of council of said city and M. A. Bender, City Engineer.

Meeting was called to order by Mayor Cooper.

Mayor Cooper stated to council that reason for call of special session was to study and discuss paragraph (f) section 4, of Building Code Ordinance No. 34, said paragraph being very unpopular with the citizens of Nitro. Mayor Cooper read paragraph (f) to council and after a short discussion Councilman Putney moved that paragraph (f) Section 4, of Building Code Ordinance No. 34 be stricken from the records, motion seconded by councilman Lintzmeyer and upon vote by council was declared carried.

There being no further business to transact at this session a motion for adjournment carried. Meeting adjourned.

*Earle H. Cooper*

Earle H. Cooper, Mayor

*T. A. Lewis*

T. A. Lewis, Recorder.

January 8, 1935.

At the regular session of the council of the City of Nitro, held on the 8th. day of January, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
F. M. Lintzmeyer, S. D. Lyons, Joseph Scott, W. H. Putney,  
L. H. Kessel, members of the council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for the reading of minutes of last regular meeting held on the 4th. day of December, 1934, and the special session of council held on the 11th. day of December, 1934. There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for report of committee in regard to purchase of ground for purpose of building a City Hall.

Councilman Putney reported as having nothing definite to report at this time.

Mayor Cooper reported to council consultation held with architect in regard to drawing of plans for proposed city building.

Recorder read to council financial statement of city for month of December, 1934.

Motion made by councilman Lintzmeyer that The Kanawha Valley Bank, Charleston, West Virginia, be selected as the depository for the city, motion seconded by councilman Lyons and upon vote was declared carried.

Recorder read the following resolution to council:

"Whereas, the Manufacturers Bank, Nitro, West Virginia, has liquidated and transferred all accounts and deposits to the Kanawha Valley Bank, Charleston, West Virginia, as of the 29th. day of December, 1934, and

"Whereas, the City of Nitro, operating as a municipality, and having used the said Manufacturers Bank as a depository for all municipal funds, finds it expedient at this time to choose another bank of sound and reliable standing to be used as a city depository; therefore be it

"Resolved, by the common council of the City of Nitro, that The Kanawha Valley Bank, Charleston, West Virginia, shall be and is hereby named as the depository for all municipal funds of said City of Nitro; and do order that T. A. Lewis, Treasurer of city, make all future deposits to the said Kanawha Valley Bank, Charleston, West Virginia, and be it further

"Resolved, that a copy of these proceedings be sent to the United States Fidelity and Guaranty Company, Baltimore, Maryland.

Motion made by councilman Lyons and seconded by councilman Putney that resolution be adopted as read, upon vote carried.

5KICG

Recorder read a letter to council from Mrs. Clara Black, said letter complaining of amount paid her for laundry service for Fire Department.

Motion made by councilman Lintzmeyer that Mrs. Black be paid Six Dollars per month instead of Four Dollars and Fifty cents as heretofore was seconded by councilman Putney and upon vote was declared carried.

Motion by councilman Lyons that Mayor Cooper appoint a committee to investigate the need of additional street lights on old county road, beginning at 23rd. Street, and running towards 31st. Street; and need of additional street light on upper end of 15th. Street next to old county road; and need of additional street light on First Avenue at corner of 2nd. Street.

The committee to be empowered with authority to order such additional street lights as deemed necessary by them. Motion seconded by councilman Kessel and upon vote was declared carried.

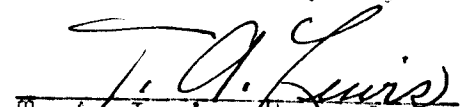
Mayor Cooper appointed the following members of the council as the committee on installing of additional street lights:

S. D. Lyons, Joseph Scott and L. H. Kessel.

Motion by councilman Lyons that the installing of a street light on street known as Left Fork of 21st. Street, midway between light at bridge on 21st. Street and light on upper end of Left Fork be ordered and that the Recorder advise the Appalachian Electric Power Company of this ruling; motion seconded by councilman Putney and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

February 5, 1935.

5K1C6

At the regular session of the council of the City of Nitro, held on the 5th. day of February, 1935, there were present:

E. H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, S. D. Lyons, F. M. Lintzmeyer, W. H. Putney, L. H. Kessel, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session held on the 8th. day of January, 1935. There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for report of committee on the placing of additional street lights.

Councilman Lyons reported to council the moving of one street light from Civic Centre to old county road and the placing of two additional street lights in same section; also the placing of one additional street light on upper end of 15th. Street next to old county road and placing of one additional street light on First Avenue at 2nd. Street.

Motion by councilman Putney, seconded by councilman Scott, that committee on placing of additional street lights be discharged upon vote by council was declared carried.

Recorder read to council Financial Statement of city for the month of January, 1935.

Recorder instructed by council to investigate about Insurance Policies on Fire Engines.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.





March 5, 1935.

At the regular session of the council of the City of Nitro, held on the 5th. day of March, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, City Recorder,  
and S. D. Lyons, Joseph Scott, F. M. Lintzmeyer, W. H. Putney,  
L. H. Kessel, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session held on the 5th. day of February, 1935.

There being no objections or corrections minutes were declared approved as read.

Recorder reported to council on Fire Engine Insurance.

Recorder read to council the Financial Statement of city for the month of February, 1935.

Motion by councilman Lyons that an amendment be made to Ordinance No. 24 stating that the sum of Twenty-five cents (25¢) be paid to the appointed Dog Catcher for each dog placed in the city dog pound by him, was seconded by councilman Lintzmeyer, and upon vote by council was declared carried.

The Recorder brought to the councils attention the new rates on street lighting obtainable by the city by signing a new contract with the Appalachian Electric Power Company, and proceeded to read to council the following agreement:

MINUTES

Nitro, West Virginia

At a regular meeting of the Town Council, held in the Council Chamber, March 5, 1935, there were present

E. H. Cooper, Mayor, T. A. Lewis

Recorder and Councilmen

*W. H. Putney*  
*Joseph Scott*  
*L. H. Kessell*  
*S. D. Lyons*  
*F. M. Ditzmeyer*

The Appalachian Electric Power Company presented a contract for street lights, as follows:



I N D E X

	Page
Minutes of meeting at which Contract was presented . . . .	1
Resolution approving contract and authorizing Mayor and Recorder to execute . . . . .	4
Certificate showing Vote on Resolution . . . . .	4
Recorder's Certificate on Proceedings and Validity . . . .	6
Contract as approved and executed . . . . .	7 27
Minutes of meeting showing approval of minutes of meeting at which contract was approved and ordered executed . . . . .	9
Attorney's Certificate . . . . .	11
Manager's Memorandum . . . . .	11



**This Agreement** made and entered into this 5<sup>th</sup> day of March, 1935,  
by and between APPALACHIAN ELECTRIC POWER COMPANY, a corporation (hereinafter sometimes  
called "Contractor"), and the City of Nitro, state  
of West Virginia, (hereinafter sometimes called "Municipality").

## WITNESSETH

The parties hereto, each in consideration of the covenants and agreements of the other as hereinafter set forth, agree as follows:

1. Contractor agrees to provide and maintain a street lighting circuit in the Municipality, consisting of the following number, candle-power and type of lamps, viz:

## NUMBER AND TYPE OF LAMPS NOW INSTALLED ON EXISTING FACILITIES

Number of Lamps	Candle-Power Manufacturer's Rating	Type
.....	600	Standard Overhead
.....	400	" "
.....	250	" "
.....	100	" "
<u>71</u>	80	" "
.....	.....	.....
.....	.....	.....
.....	.....	.....

## NUMBER AND TYPE OF LAMPS REQUIRING NEW FACILITIES OR ADDITIONS TO PRESENT FACILITIES

Number of Lamps	Candle-Power Manufacturer's Rating	Type
.....	600	Standard Overhead
.....	400	" "
.....	250	" "
.....	100	" "
.....	80	" "
.....	.....	.....
.....	.....	.....
.....	.....	.....

together with electric energy through a general system of overhead distribution, sufficient to operate said lamps continuously from one-half hour after sunset until one-half hour before sunrise, every night and all night, approximately Four Thousand (4000) hours per annum during the term of years hereinafter set forth. Said lamps shall be so maintained and operated that they will give the maximum amount of illumination obtainable under commercial conditions.

2. Contractor agrees to install such additional lamps of respective candle-power and types above specified as the Council of the Municipality may on its written order, from time to time, require, payment for the service of such additional lamps to be at the rate hereinafter specified, provided, however, that one additional lamp of not less than 80, candle-power shall be installed for each extension of 200 feet from





Whereupon Councilmen  
the following resolutions:

*F.M. Lintzmeyer*

introduced

RESOLVED: That the proposed contract for street lighting between the City and the Appalachian Electric Power Company, dated the 5<sup>th</sup> day of March, 1935, be and the same is hereby approved and ratified, and that the Mayor and Recorder be and they are hereby authorized to accept and execute same for and on behalf of the City of Nitro;

RESOLVED FURTHER: That the Recorder be and he is hereby instructed to incorporate said proposed contract in the minutes of this meeting as a part of the permanent records of the Council.

Councilman *S.D. Lyons*  
vote on said resolution was, as follows:

seconded the resolution and the

<u><i>W.H. Putney</i></u>	Aye	<u><i>S.D. Lyons</i></u>	Aye
<u><i>Joseph Scott</i></u>	Aye	<u><i>F.M. Lintzmeyer</i></u>	Aye
<u><i>L.H. Kessell</i></u>	Aye		Aye

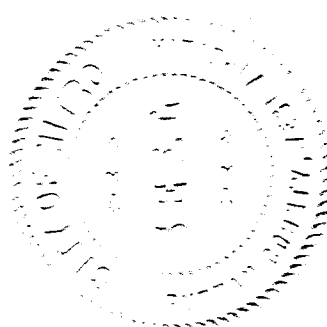
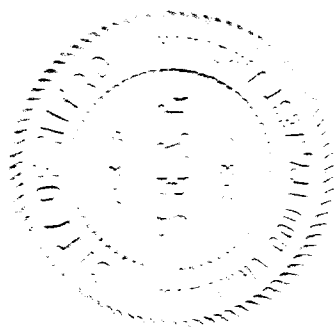
Resolution duly enacted and adopted.

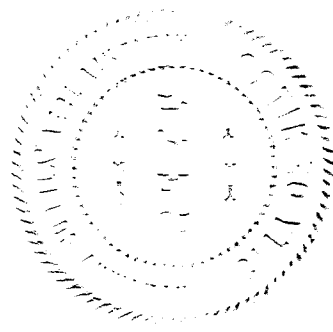
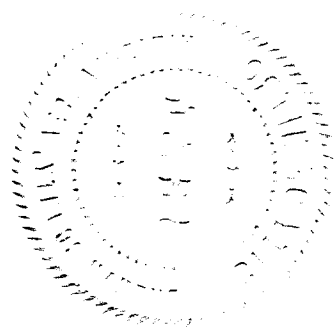
There appearing no further business ready for transaction, the Council adjourned by a unanimous vote.

*Earle H. Cooper*  
Mayor

*T.A. Lewis*  
Recorder

(Affix Seal)

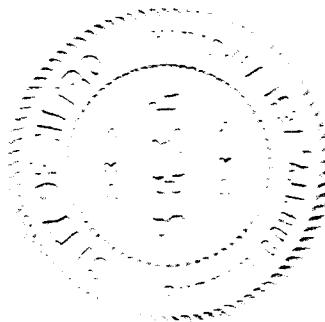
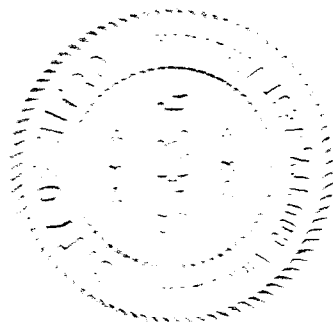


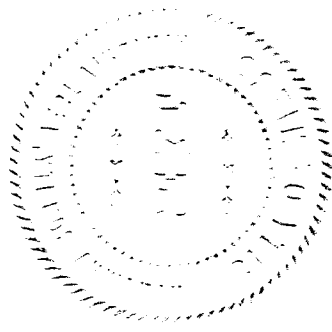
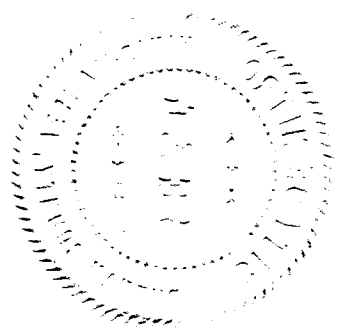


I, T. A. Lewis, Recorder of the City of Nitro, West Virginia, do  
hereby certify the aforesaid to be a true and correct copy of the minutes  
of the meeting of the Council of the City of Nitro, as held on March  
5, 1935.

T. A. Lewis  
Recorder

(Affix seal)





I certify that the City of Nitro was incorporated under an order of the Circuit Court of Kanawha County, dated February 20, 1932, and I further certify that the Mayor, Councilmen and Recorder of the City are, as follows:

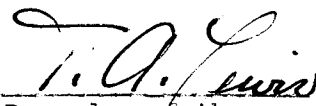
E. H. Cooper, Mayor

Joseph Scott	Councilman
L. H. Kessell	"
Sam Lyons	"
W. H. Putney	"
F. M. Lintzmeyer	"

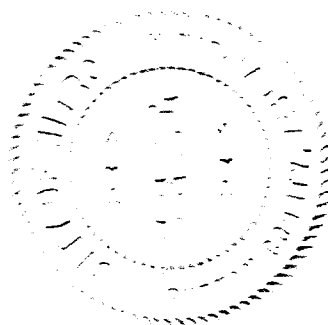
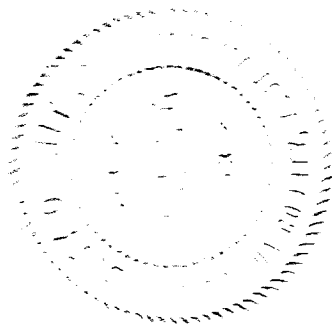
T. A. Lewis, Recorder

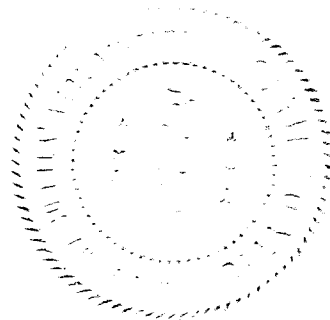
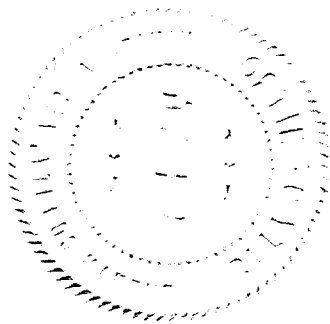
each of whom duly and legally qualified for holding office and have held such office ever since.

In witness whereof, I have hereunto set my hand and seal of said city this the 5th day of March, 1935.

  
Recorder of the  
City of Nitro, W. Va.

(Affix Seal)





April 2, 1935.

At the regular session of the council of the City of Nitro, held on the 2nd. day of April, 1935, there were present:

E. M. Cooper, Mayor, T. A. Lewis, Recorder, and  
S. D. Lyons, F. M. Lintzmeyer, W. H. Putney, Joseph Scott,  
L. H. Kessel, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session of council held on the 5th. day of March, 1935.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement of city for the month of March, 1935.

Motion by councilman Kessel that a committee be appointed to meet with J. E. Roark to ascertain when city may expect action in regard to sidewalks that have been torn up on First Avenue in lower end of town. Motion seconded by councilman Putney and upon vote of council was declared carried.

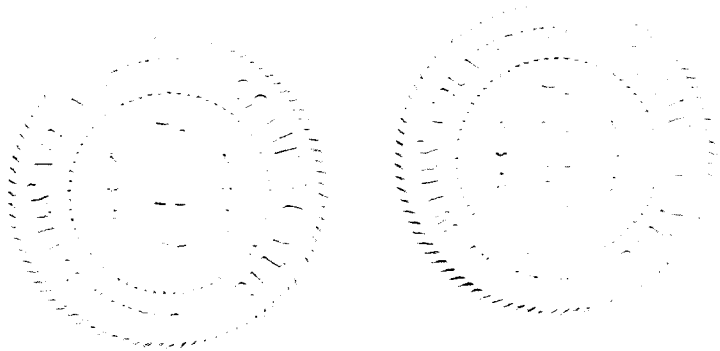
The following members of the council were appointed on this committee: S. D. Lyons, L. H. Kessel and W. H. Putney.

Motion by councilman Kessel that the following amendment be entered of record:

Be it enacted by the common council of the City of Nitro, that Section 3, Ordinance No. 24, shall be changed to read "Impound the same for seven days" instead of impound the same for fifteen days as hereinbefore stated in said ordinance.

Motion seconded by councilman Lyons and upon vote by council was declared carried.

Motion made by councilman Putney that Theatres should not be allowed to operate on Sundays was seconded by councilman Lyons, and upon vote of council was declared carried.

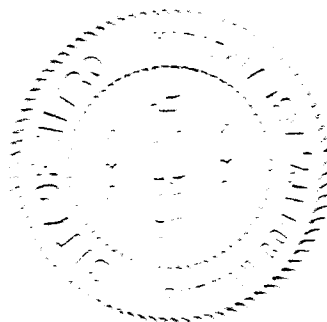
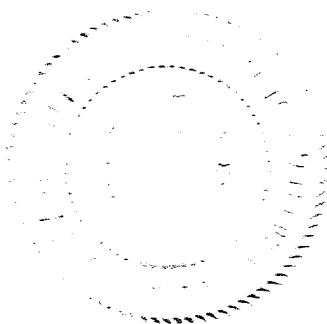


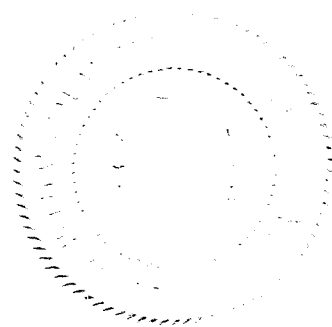
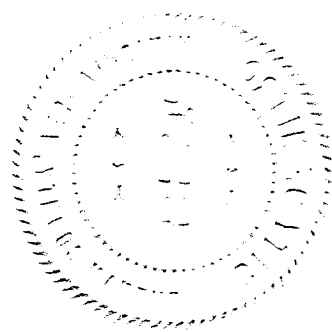


I, T. A. Lewis, Recorder of the City of Nitro, West Virginia,  
do hereby certify the foregoing to be a true copy of the minutes of the  
meeting held on April 2, 1935.

T. A. Lewis  
Recorder

(AFFIX SEAL)





Attorney's Certificate

It is our opinion, based upon examination of the foregoing papers, that the Street Lighting Contract herein described as having been executed by the Mayor and Recorder of the City of Nitro, West Virginia, on the 5<sup>th</sup> day of March, 1935, is valid as to councilmanic procedure.

  
\_\_\_\_\_  
Attorney

Manager's Memorandum



May 7, 1935.

At the regular session of the council of the City of Nitro, held on the 7th. day of May, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, L. H. Kessel, W. H. Putney, F. M. Lintzmeyer, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session of council held on the 2nd. day of April, 1935.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council the Financial Statement of city for the month of April, 1935.

Mayor Cooper called for report of committee on sidewalks on First Avenue in the vicinity of 40th. and 41st. Streets. Councilman Putney made breif report.

Mayor Cooper and Recorder Lewis made report on consulting with Attorney Mohler of Charleston in regard to obtaining loan required for the erection of a city building. The advise given by Attorney Mohler was that unless the city could devise some means of raising additional revenue other than the present revenue derived from taxes that the loan applied for would be refused.

Mayor Cooper reported to council in regard to various trips that he had made to Charleston to obtain information on the present law governing the cases of drunken drivers.

Recorder read to council a combination letter and bill signed by G. S. Smith, charge being Five Dollars (\$5.00), for the hauling of one peice of pipe from the Industrial Area to the Base Hospital Area. After some discussion by members of council it was decided that the charge was too excessive for time required in hauling pipe and council instructed Recorder to return bill to G. S. Smith asking for readjustment of same and to also state on bill as to who authorized the hauling and how much time was consumed in the hauling.

Application for membership to the West Virginia League of Municipalities was introduced to the council. Upon motion by councilman Putney, motion seconded by councilman Scott that the City of Nitro become a member of the above mentioned League upon vote by council was declared carried.

Mayor Cooper read to council proposed amendment to Ordinance No. 3, an ordinance governing drunkenness within the city limits and providing a penalty for the violation thereof; also a proposed ordinance governing Lewd and Lascivious Cohabitation and providing a penalty for the violation thereof; also a proposed ordinance governing Houses of Ill Fame and Assignment and providing a penalty for the violation thereof. Councilman Putney requested that the amendment to Ordinance No. 3, the proposed ordinance governing Lewd and Lascivious Cohabitation and ordinance governing Houses of Ill Fame be

May 7, 1935. Cont'd.

introduced at the next regular council meeting for the second reading and further action of council.

Mayor Cooper appointed the following members of council as a committee on the sanitary condition of city:

Joseph Scott, W. H. Putney, and L. H. Kessel.

Motion by councilman Kessel, said motion being seconded by councilman Putney, that the Lyric Theatre be allowed to operate seven days a week upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor.

T. A. Lewis  
T. A. Lewis, Recorder.

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May 18, 1935.

At a special session of the council of the City of Nitro, held on the 18th. day of May, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
W. H. Putney, F. M. Lintzmeyer, Joseph Scott, S. D. Lyons,  
members of council of said city.

The meeting was called to order by Mayor Cooper who stated to council reason for call of special session was to discuss the purchase of a Ford Truck from the Mc Million Motors, Inc; said truck to be used mostly for the use of the Police Department. Price asked for truck by the Mc Million Motors, Inc. being \$275.00.

Motion was made by councilman Putney that city purchase said truck providing that the Mc Million Motors, Inc. deduct from purchase price the cost of 1935-36 license, Fifteen Dollars (\$15.00), motion seconded by councilman Lintzmeyer and upon vote by council was declared carried.

Motion to adjourn meeting carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor.

T. A. Lewis  
T. A. Lewis, Recorder.

June 4, 1935.

At the regular session of the council of the City of Nitro, held on the 4th. day of June, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
F. M. Lintzmeyer, Joseph Scott, S. D. Lyons, L. H. Kessel,  
W. H. Putney, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 7th. day of May, and minutes of special session of council held on the 18th. day of May, 1935.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council the FINANCIAL STATEMENT of city for the month of May, 1935.

An amendment to ORDINANCE NO. 3, and ORDINANCES NO. 36 and 37 were introduced for second reading and action of council on same.

Mayor Cooper called for report of committee on uncompleted sidewalks in lower end of city on First Avenue.

Committee reported that they had been promised that sidewalks would be completed, but to date this had not been done.

Committee was instructed to see Mr. Kane in regard to this matter.

Mayor Cooper called for report of committee on sanitation. Councilman Kessel reported sanitation in fair condition.

Mayor called for report of Street Commissioner as to what improvements had been made to city streets during month of May.

Street Commissioner Kessel reported that about Twenty loads of cinders had been distributed on different streets and that several streets had been graded.

Mayor Cooper called for action of council on ORDINANCE NO. 3, also action on ORDINANCES NO. 36 and 37.

Upon vote by council the amendment to ORDINANCE NO. 3, and ORDINANCES NO. 36 and 37 were declared adopted.

Councilman Lyons introduced ORDINANCE NO. 38, an ordinance governing drunken driving. This ordinance to come before council for second reading and action of council on same at the next regular session of the council to be held on the 2nd. day of July, 1935.

Councilman Lyons proposed that an ordinance governing the blocking of ditches or any drains within the city limits be drawn up and presented to council.

Mayor Cooper introduced to council the problem that is facing the CITY OF NITRO, the question being as to the means or method to be used in caring for sewerage disposal after the flood stage is raised. After some discussion on this question

June 4, 1935, Cont'd.

Councilman Lyons moved that a committee be appointed to consult with the United States Government Engineers in regard to this matter. Motion seconded by Councilman Putney and upon vote by council was declared carried.

Councilman Putney made motion that a committee be appointed to consult with the proper authorities on a F E R project for the building of a city park. Motion seconded by Councilman Lyons and upon vote by council was declared carried.

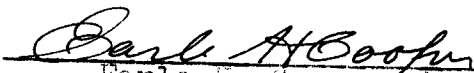
Mr. R. Carrier appeared before council begging that property lines be established at end of 15th. Street, on Old County Road and along Old County Road and up street opposite 15th. Street, and also establish property lines on Penwood Avenue.

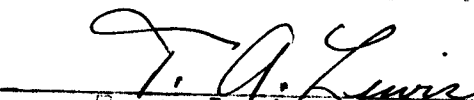
Council ruled that the City Engineer be instructed to establish the lines in question.

Mayor Cooper appointed Councilman Scott and M. A. Bender, City Engineer, as the committee on consulting with the United States Government Engineers in regard to sewerage disposal.

The Mayor appointed Councilmen Lyons and Putney and G. C. Alderson, of the Nitro Industrial Corporation, as the committee to consult with F E R authorities in regard to the city park project.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting Adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



June 21, 1935.

At a special session of the council of the City of Nitro, held in the council chambers thereof, on the 21st. day of June, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and F. M. Lintzmeyer, S. D. Lyons, Joseph Scott, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper stated to council reason of call for special session of council was:

1. To have report of the FINANCE COMMITTEE on the financial condition of the City Of Nitro.

2. To take action in regard to renewal of bonds for

Thomas A. Lewis, Recorder and Treasurer, Harry M. Graves, Chief of Police, and William G. Bird, Patrolman.

Councilman Lyons stated that the books and accounts of Thomas A. Lewis, Recorder and Treasurer, had been examined by F. M. Lintzmeyer, S. D. Lyons, Joseph Scott, Finance Committee, and found to be correct in every respect, all monies or property in his control or custody being accounted for, with proper securities and funds on hand to balance his accounts, and he is not now in default. He has performed his duties in an acceptable and satisfactory manner.

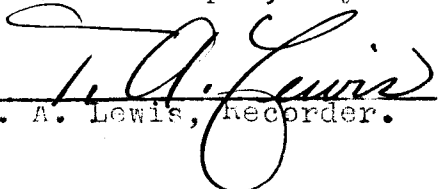
Councilman Lintzmeyer moved that the Recorder apply to the United States Fidelity and Guaranty Company for Continuation Certificates on Bonds for Thomas A. Lewis, Recorder and Treasurer, Harry M. Graves, Chief of Police, William G. Bird, Patrolman, amount of each bond to be same as previous year Thirty Five Hundred Dollars (\$3500.00), and that a copy of these proceedings be mailed to the United States Fidelity and Guaranty Company.

Motion seconded by Councilman Scott, and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.

Meeting Adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

June 26, 1935.

At a special session of the council of the City of Nitro, held on the 26th. day of June, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, L. H. Kessel, F. M. Lintzmeyer, S. D. Lyons, members of council of said city, M. A. Bender, City Engineer, J. E. Hulshizer, J. C. Pickens, G. L. Lagun, George Munkenback, and H. K. Eckert.

Meeting was called to order by Mayor Cooper.

Mayor Cooper stated reason of call for special session was for council and residents of N. 21st. Street to get together and try and devise plans and means of overcoming the trouble with sewer in back of all property on N. 21st. St.

After some discussion Mr. J. C. Pickens made motion that a committee be appointed to consult with the proper authorities in regard to obtaining funds from the FEE to lay a new sewer on N. 21st. Street.

Motion seconded by Councilman Lyons and upon vote was declared carried.

Mayor Cooper appointed the following as members of the committee:

M. A. Bender, City Engineer and G. C. Alderson.

There being no further business to transact at this time a motion to adjourn carried. Meeting Adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

July 2, 1935.

At the regular session of the council of the City of Nitro, held on the 2nd. day of July, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, S. D. Lyons,  
W. H. Putney, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session held on the 4th. day of June, minutes of special meeting held on the 21st. day of June, and minutes of special meeting held on the 26th. day of June, 1935.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement of city for the month of June, 1935.

Mayor Cooper called for report of committee on sidewalks.

Councilman Lyons stated that project that was in force when sidewalks in lower end of town on First Avenue were torn up was finished but that it was expected that a new project would be granted and that this matter would be taken care of.

Mayor called for report of committee on sanitation.

Councilman Scott stated that there had not been any complaints on sanitation.

Committee on obtaining funds from FFR reported nothing done.

Motion by councilman Kessel that a committee be appointed to see R. Carrier and H. N. Tinsley in regard to changing of fence on Penwood Avenue was seconded by councilman Putney and upon vote by council was declared carried.

Street Commissioner Kessel reported that some work had been done on streets and condition of streets was generally fair.

An ordinance governing operating motor vehicles while under the influence of intoxicating liquor, drugs or narcotics was introduced for second reading.

Councilman Putney moved that ordinance be adopted as read, motion seconded by councilman Scott and upon vote by council was declared carried.

Mayor Cooper introduced to council an ordinance governing the disposal of offensive substances, garbage and trash.

Councilman Lyons requested that this ordinance be introduced for second reading and action of council at the next regular session of council.

Mayor Cooper introduced to council an ordinance governing Hawkers and Peddlers.

Councilman Kessel requested that this ordinance be introduced for second reading and action of council at the next

July 2, 1935, Cont'd.

regular session of council.

Moved by councilman Putney that Section of Building Code covering cost of License Permit for sidewalks be stricken from Code and that no charge is to be made for sidewalk permits hereafter and that on request by those who have paid permit fee on sidewalks that refund of fee charged should be made.

Rev. U. E. Wills presented a petition for Local Option Election to be held by city, said petition containing names of 328 legalized voters.

After some discussion it was deemed advisable to table this matter until the next regular session of the council.

P. Witry complained to council that he had some \$40.00 tied up in fireworks.

Council advised Mr. Witry to try and dispose of them to some merchant outside of the city limits.

There being no further business to transact at this time a motion for adjournment carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor  
T. A. Lewis  
T. A. Lewis, Recorder.

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July 18, 1935.

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At a special session of the council of the City of Nitro, held on the 18th. day of July, 1935, session being called by Earle H. Cooper, Mayor, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, L. H. Kessel, W. H. Putney, S. D. Lyons, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper stated to council that object of calling special-session was to discuss the matter of erecting a city building, the procedure of obtaining funds for same, and also discuss method of obtaining a lot for city building.

Mr. G. E. Lane stated to council that the project must be approved by the council and that the City must have a clear deed and title to land on which said city building was to be located before appropriation would be made by the WPA.

After some discussion by members of the council, councilman Lyons made motion that a committee be appointed to investigate the securing of land on which to construct a city building.

Motion seconded by councilman Putney and upon vote by council was declared carried.

Mayor Cooper appointed councilmen Putney and Lyons and G.E. Lane as members of the committee.

There being no further business to transact at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

August 6, 1935.

At the regular session of the council of the City of Nitro, held on the 6th. day of August, 1935, there were present:

Earle K. Cooper, Mayor, T. H. Lewis, Recorder, and Joseph Scott, S. D. Lyons, W. H. Putney, E. H. Lintanier, L. H. Kessel, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor called for reading of minutes of regular session held on the 2nd. day of July, and minutes of special session of council held on the 19th. day of July, 1935. There being no objections or corrections minutes were declared approved as read.

Recorder presented to council Financial Statement of city for the month of July, 1935.

Mayor Cooper called for report of committee appointed to see Mr. A. H. Cox, in regard to obtaining lot on which to build the proposed City Building.

Councilman Putney reported that at time committee called to see Mr. Cox that he was absent from Charleston.

Mr. G. E. Lane, also a member of committee, reports that he had been able to contact Mr. Cox at a later date, that he had presented wishes of council in wanting to obtain lot on Forty-First Street, First Avenue, but that Mr. Cox did not seem disposed to let the city have this particular lot but offered city a lot in rear of the A. H. Cox Department Store, located between 20th. and 21st. Streets, First Avenue.

Mayor Cooper instructed committee to investigate and learn what the local industries thought about locating the Fire Department at Civic Centre and also take this matter up with the Underwriters.

Mayor Cooper appointed Councilmen Lyons, Putney and Kessel, as committee to see Mr. P. Carrier and H. H. Tinsley in regard to changing of fence on Penwood Avenue.

Mayor called for report of Street Commissioner.

Street Commissioner Kessel reports that there was very little work done on streets during month of July.

Question of Local Option Election was brought to councils attention.

This matter was discussed by the members of council and some citizens of the city who were present at this meeting.

The main subject discussed was the registration of voters it being brought out that the registration of voters in last city election cost the city in excess of \$120.00, and in view of the fact that there is to be another election of officers in this same year that the city was not financially able to pay for registration at the rate per name registered as provided by Section 5, Ordinance No. 28 of city ordinances.

It was suggested by Rev. Mills that this might be taken care of by appointing two members of churches who would donate their services free, this suggestion upon, with understanding that

the Treasurer of city would draw an order on the city treasury made payable to each Registrar at rate provided by Section 5, Ordinance No. 29, and that each Registrar would endorse their respective check and return it to the Treasurer to be entered in the city receipts as a donation.

It was moved by councilman Putney that a Local Option Election should be held, this motion was seconded by councilman Scott and upon vote by council was declared carried.

Motion by councilman Lyons that election be set for the 24th. day of September, 1935, was seconded by councilman Lintzmeyer, and upon vote by council was declared carried.

Recorder instructed to advise Mr. A. W. Cox that council had his proposition under consideration in regard to lot on First Avenue, Civic Centre.

Mayor Cooper offered to council a proposed ordinance governing the use of head and tail lights on bicycles during hours of darkness and providing a penalty for the violation thereof.

Requested by councilman Lintzmeyer that this ordinance be introduced at the next regular session of council for second reading.

Mayor Cooper brought to councils attention the question of parking on Bank Street. After some discussion it was decided that this matter be worked out by the Police Department.

Councilman Putney made motion that the Finger Print Outfit be returned, motion seconded by councilman Kessel and upon vote by council was declared carried.

Mayor Cooper read letter to council that he had written to Mr. Kuhn concerning an old building located above old county road on 15th. Street. Councilman Lyons made motion that a committee be appointed to investigate the condition of Building, motion seconded by councilman Putney and upon vote by council was declared carried.

The following members of council were appointed as the committee, S. D. Lyons, W. H. Putney and L. H. Kessel.

The purchase of an adding machine for city office was tabled until the next regular session of council.

Mayor Cooper requested that all members of council investigate the sanitary condition of House No. 1231- 12th. Street.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting Adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

August 13, 1935.

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STATE OF WEST VIRGINIA,  
 COUNTIES OF KANAWHA AND PUTNAM,  
 CITY OF NITRO,

To-wit:

At a special session of the council of the City of Nitro,  
 Kanawha and Putnam counties, held in the council chambers thereof,  
 in the City Office Building on Tuesday, the 13th. day of August,  
 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
 S. D. Lyons, F. M. Lintzmeyer, members of the council of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1934,  
 Extraordinary Session (House Bill No. 234), the council proceeded  
 to make up an estimate of the amounts necessary to be raised by a  
 levy of taxes for the current fiscal year, to cover all municipal  
 debts and liabilities payable during the said year, including prob-  
 able expenditures for municipal purposes, and proper allowances  
 for delinquent taxes, expenses of collections and contingencies;  
 but deducting therefrom the money in the city treasury applicable  
 to said purposes during the year and doth determine and estimate  
 the several amounts to be raised as follows:

## CURRENT REGULAR MUNICIPAL PURPOSES

## ESTIMATE

(1) The amount due and the amount that will become due and  
 collectable from every source during the fiscal year, except from  
 the levy of taxes to be made for the year.

## ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$ 867.07
Redemption and sale of delinquent lands	45.00
Taxes uncollected	624.78
General licenses	250.00
Building and other permits	30.00
Dog licenses	75.00
Police court fines	125.00
Miscellaneous	<u>25.00</u>
Total estimated receipts (except from current levy)	\$2041.85



## ESTIMATED DISBURSEMENTS

(2) All other expenditures to be paid out or receipts of the municipality for the current year with proper allowance for delinquent taxes, exonerations and contingencies.

## (b) CURRENT EXPENDITURES

Salary of Mayor	\$ 1.00
Salary of City Recorder	150.00
Salary of Chief of Police	900.00
General expenses Police Department	35.00
Expenses keeping and feeding prisoners	10.00
Stationery, office supplies and equipment	25.00
Postage	5.00
Water	18.00
Light for street lighting	1252.45
Light - other purposes	35.00
Fuel	15.00
Telephone and telegraph	60.00
Advertising and legal publications	50.00
Premiums on official's bonds	76.25
Election expenses	150.00
Attorneys' fees, court costs and damages	25.00
City Treasurer's or Collector's commissions	110.00
Salary - Street Commissioner	50.00
New Equipment - Street Department	10.00
Maintenance of streets and alleys	335.00
Maintenance of sewers	200.84
Workmen's compensation premiums	20.00
Audit by Tax Commissioner	25.00
Refunding erroneous payments	10.00
Delinquent taxes and discount	<u>270.00</u>
Total estimated disbursements	\$3838.54

Total estimated receipts brought forward \$2041.85

Amount to be raised by levy \$1796.69

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$1796.69 and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

Eight and three-fourth cents (8.75¢) on Class No. 1 property

Seventeen and one-half cents (17.5¢) on Class No. 2 property

Thirtyfive cents (35¢) on Class No. 4 property

for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied
NUMBER 1			
Personal Property	\$ 52,006	8.75¢	\$ 45.50
Public Utility Prop.	\$ 32,000	8.75¢	\$ 28.00
Total Class No. 1	\$ 84,006		\$ 73.50
NUMBER 2			
Real Estate	\$187,700	17.5¢	\$ 328.47
NUMBER 4			
Real Estate	\$197,300	35¢	\$ 690.55
Personal Property	\$ 51,592	35¢	\$ 215.57
Public Utility Prop.	\$139,600	35¢	\$ 488.60
Total Class No. 4	\$398,492		\$ 1394.72
TOTAL MUNICIPALITY	\$670,198		\$ 1796.69

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro counties of Kanawha and Putnam and State of West Virginia, do hereby certify that the foregoing are true copies from the records of orders made by the council of said municipality on the 13th. day of August, 1935.

Given under my hand this 13th. day of August, 1935.

*T. A. Lewis*  
Recorder and Treasurer.

August 20, 1935.

At a special meeting of the council of the City of Nitro, held on the 20th. day of August, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, F. M. Lintzmeyer, S. D. Lyons, L. H. Kessel, members of council of said city.

Mayor Cooper stated to council that reason for call of special session was for the purpose of appointing Two persons to act as Registrars in the proposed Local Option Election.

The petitioners for Local Option Election not being represented at this time as per agreement between petitioners and the city council at the regular session held on the 6th. day of August, 1935, a motion by councilman Lyons that this matter be tabled until the next regular session of council was seconded by councilman Kessel and upon vote by council was declared carried.

There being no other business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

August 20, 1935.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special session of the council of the City of Nitro, of Nitro, West Virginia, in Kanawha and Putnam counties, held in the council chamber thereof on Tuesday, the 20th. day of August, 1935;  
Present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
S. D. Lyons, J. W. Scott, L. H. Kessel, F. M. Lintzmeyer,  
members of the council of said Municipality.

CURRENT REGULAR MUNICIPAL LEVY

ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of City of Nitro, in Kanawha and Putnam counties will be \$1796.69, according to the estimate made up and entered of record on the 13th. day of August, 1935; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exceptions thereto, and the Tax Commissioner having approved the same in writing, it is therefor ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz:

Eight and three-fourth cents (8.75¢) on Class No. 1 property,  
Seventeen and one-half cents (17.5¢) on Class No. 2 property,  
Thirtyfive cents ( .35¢) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment therein, as follows:

5KICC

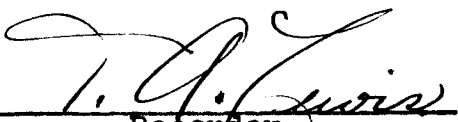
CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied
NUMBER 1			
Personal Property	\$ 52,006	8.75¢	\$ 45.50
Public Utility Property	\$ <u>32,000</u>	8.75¢	\$ <u>28.00</u>
Total Class No. 1	\$ 84,006		\$ 73.50
NUMBER 2			
Real Estate	\$187,700	17.5¢	\$ 328.47
NUMBER 4			
Real Estate	\$197,300	.35¢	\$ 690.55
Personal Property	\$ 61,592	.35¢	\$ 215.57
Public Utility Property	\$ <u>139,600</u>	.35¢	\$ <u>488.60</u>
Total Class No. 4	\$ <u>389,492</u>		\$ <u>1394.72</u>
TOTAL MUNICIPALITY	\$670,198		\$1796.69

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro, counties of Kanawha and Putnam, and State of West Virginia, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 20th. day of August, 1935.

Given under my hand this 20th. day of August, 1935.

  
Recorder.

September 3, 1935.

At the regular session of the council of the City of Nitro, held on the 3rd. day of September, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and L. H. Kessel, F. M. Lintzmeyer, Joseph Scott, S. D. Lyons, W. H. Putney, members of council of said city.

Meeting was called to order by Mayor Cooper.

Mayor called for reading of minutes of regular session held on the 6th. day of August, minutes of special session held on the 13th. day of August, minutes of special session held on the 20th. day of August, 1935.

There being no objections or corrections minutes were declared approved as read.

Mayor called for reading of Financial Statement for month of August, 1935.

Mayor called for report of committee on investigation of old building above old county road, 15th. Street.

Councilman Lyons reported that this matter had been taken care of.

Mayor called for report of committee on investigation of dispute between H. N. Tinsley and R. Carrier concerning line fence on Penwood Avenue.

Councilman Lyons reported that in opinion of committee that this was solely a matter of contrariness between these two parties.

Mayor Cooper read to council copy of letter which he had written to Frank Keener in regard to going through another owners property with new sewer line, this letter entered in city files. Mayor also advised council that he had written Doctor Thames concerning sanitary condition of House 1231 - 12th. St.

Street Commissioner Kessel reported that the scraping of streets had been started.

An ordinance governing the use of head and tail lights on bicycles during the hours of darkness, came up for second reading. Upon vote of council ordinance was declared adopted.

The question of purchase of an adding machine for city came up for discussion. Councilman Putney made motion that machine be purchased, other members of council contended that the city was not financially able to purchase an adding machine at this time and there being no second to motion councilman Putney withdrew said motion.

The question of Local Option Election, which had been tabled pending this meeting, was introduced. After some discussion between members of the council and a number of the citizens present, Rev. Wills on behalf of the petitioners decided to withdraw the petition pending further developments.

Recorder presented statement to council from W. G. Dorman to City of Nitro, W. G. Dorman requesting that the city pay him the amount of FIFTY DOLLARS (\$50.00) for the killing of one dog.

Council decided to ignore this matter.

Councilman Putney made motion that the trading of Ford Truck for a Chevrolet Sedan be approved by council, motion seconded by councilman Lyons and upon vote by council was declared carried.

Mayor Cooper read to council the proposed projects to be submitted to the WPA, these copies have been placed in city files.

Mayor called for report concerning city building.

Councilman Putney reported that he had talked with Mr. Vivian concerning the proposal of Mr. Cox in connection with lot between 20th. and 21st. Streets, First Avenue, and that Mr. Vivian did not seem to be in favor of this location for the fire department.

Motion by councilman Lyons that the Recorder write Mr. Cox explaining the situation and asking Mr. Cox if he would consider letting the city have this lot on which to build a City Hall, which building would also house the Police Department. Motion seconded by councilman Putney and upon vote by council was declared carried.

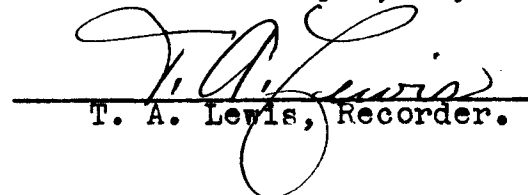
Motion by councilman Lyons that the following amendment be made to Ordinance No. 29, Section 5. To-wit:

SECTION 5. Each registrar shall receive as compensation for his services under this ordinance the sum of  $.02\frac{1}{2}\%$  for each name registered, to be allowed by the council and paid out of the city treasury.

Motion seconded by councilman Scott and upon vote by council was declared carried.

There being no further business to transact at this time a motion for adjournment carried. Meeting adjourned.

  
Earle H. Cooper, Mayor.

  
T. A. Lewis, Recorder.

September 10, 1935.

At a special meeting of the council of the City of Nitro, held on the 10th. day of September, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
L. H. Kessel, Joseph Scott, F. M. Lintzmeyer, S. D. Lyons,  
members of council of said city.

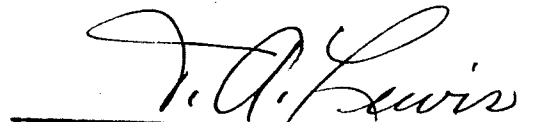
The meeting was called to order by Mayor Cooper, who explained to council that the meeting had been called by request of T. A. Lewis, Recorder and Treasurer, and was called for the purpose of investigating the Mayors Docket in regard to the collection of Fines and Costs and disposition of same.

The council proceeded to examine the Mayors Docket and checking with statements as compiled by the Recorder.

These accounts were found to have been kept correctly and all funds accounted for in a satisfactory manner.

There being no further business to come before council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor.

  
T. A. Lewis, Recorder.



October 8, 1935.

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At the regular session of the council of the City of Nitro, held on the 8th. day of October, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and F. M. Lintzmeyer, Joseph Scott, S. D. Lyons, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 3rd. day of September, and minutes of the special session held on the 10th. day of September, 1935.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for the reading of the Financial Statement for the month of September, 1935.

Mayor Cooper reported to council the work that had been done on streets and sidewalks during month of September.

The question of purchasing an adding machine was brought to councils attention. Councilman Lyons entered motion that adding machine be purchased. Motion seconded by councilman Lintzmeyer and upon vote by council was declared carried.

Moved by councilman Lyons that the Recorder write the Appalachian Electric Power Company, requesting that they install an additional <sup>347</sup> 18th. Street, at the railway crossing of the New York Central Rail Road. Motion seconded by councilman Lintzmeyer and upon vote by council was declared carried.

Mayor Cooper read to council Bulletin No. 35 and Bulletin No. 36 of the West Virginia League Of Municipalities.

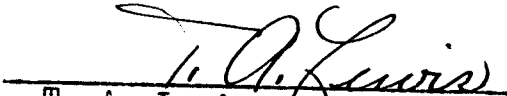
Motion by councilman Lyons that H. M. Graves be allowed a vacation on full pay was seconded by councilman Lintzmeyer and upon vote by council was declared carried.

Council discussed the condition of various streets and ruled that there should be several more loads of cinders distributed on the streets where they were most needed.

Council discussed the condition of the jail cells and ruled that cells be cleaned and be put in a sanitary condition and that new cots and new bed clothes be purchased for same.

There being no further business to come before the council at this time a motion to adjourn carried. Meetin Adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

November 5, 1935.

At the regular session of the council of the City of Nitro, held on the 5th. day of November, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, S. D. Lyons, F. M. Lintzmeyer, L. H. Kessel, W. H. Putney, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session held on the 8th. day of October, 1935. There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement for month of October, 1935.

Mayor Cooper read to council the following:

Bulletin No. 40 of The West Virginia League of Municipalities, report on activities of the League during the holding of municipal police school, held during the week of October 14th; letter sent by Mayor Cooper to local members of the State Legislature in regard to financial straits of the various municipalities of West Virginia, financial condition being caused mostly by the Tax Limitation Amendment; letter stating that there was a possibility of the Legislature being called together for a special session in the near future and begging that if this session should be called that the members of the Legislature take action in amending the Tax Limitation Amendment, making it possible for municipalities to derive an increased revenue from Real and Personal Property Taxes; also asking that an amendment be made to the State Liquor Law, this amendment providing a certain per cent of all liquor sales to towns and cities where Liquor Stores and Agencies were located.

Street Commissioner Kessel reported to council work that had been done on streets during month of October.

Letter written and signed by W. E. Williams was read to council by Mayor Cooper, said letter asking that council have a street light placed on 40th. Street at intersection of 40th. Street and Old County Road. This matter referred to committee governing the placing of street lights for investigation.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

The common council of the City of Nitro held its regular session on the 3rd. day of December, 1935, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, S. D. Lyons, F. M. Lintzmeyer, L. H. Kessel, W. H. Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session held on the 5th. day of November, 1935. There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement for month of November, 1935.

Mayor Cooper called for report of Committees:

Councilman Lyons made report on street light installed at 40th. Street Bridge on old county road.

Mayor Cooper reported to council a meeting that had been held concerning the case of Robert Martin, and read to council a letter received from W. J. Cunningham, State Service Officer, in connection with this case.

Mayor read to council Bulletin No. 43, issued by The West Virginia League of Municipalities.

Councilman Kessel, Street Commissioner, reported work done on streets during month of November, 1935.

Recorder read to council Form of Agreement, presented by the Appalachian Electric Power Company, said Agreement begging certain rights and privileges concerning all light poles owned by the Appalachian Electric Power Company in City of Nitro.

The Agreement to be signed by the Mayor and Recorder of the City of Nitro.

After some discussion by members of council on this matter Councilman Lintzmeyer moved that Fire Chief Ellis work with committee on street lights in investigating the poles used by the Fire Department in carrying out their alarm system.

Motion Seconded by Councilman Putney and upon vote by council was declared carried.

Letters were read to council from the Nitro Industrial Corporation to the Civic Benefits Association and reply; also correspondence between the Civic Benefits Association and Mayor Cooper concerning discontinuance of payments of the Nitro Industrial Corporation to the Civic Benefits Association.

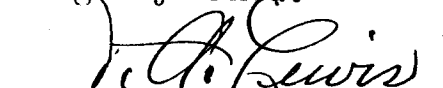
This matter was discussed by members of council and it was decided to take no action in matter until hearing further from the Civic Benefits Association.

Question of moving certain lights in East End of Town was brought to councils attention by Mayor Cooper.

This matter was referred to committee on street lights.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

January 7, 1936.

The council of the City of Nitro held its regular session on the 7th. day of January, 1936. There were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, L. H. Kessel, F. M. Lintzmeyer, W. H. Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for the reading of minutes by the Recorder of the last regular session held on the 3rd. day of December, 1935. There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for the reading of the Financial Statement for the month of December, 1935.

Bulletins No. 47 and 48; Resolutions adopted at the Annual Conference, December 16, 1935, of The West Virginia League of Municipalities were read to council by Mayor Cooper.

The Mayor called for report of committee on street lights, councilman Scott stated to council that there was nothing to report. Street Commissioner Kessel reported work that had been done on streets during month of December, 1935.

Mayor Cooper read to council letters received from the Civic Benefits Association, said letters dealing with the reduction in revenue to be paid to the City of Nitro by said Association and effective January 1, 1936. These letters have been placed in the City files.

The Mayor placed before council a proposed reduction in salaries which would partly overcome the above mentioned reduction in revenue. After some discussion by members of council the following motion was introduced by councilman Putney and said motion was seconded by councilman Lintzmeyer:

"Moved that the salary of Fire Chief I. E. Ellis, be reduced from \$150.00 per month to \$130.00 per month, and, that the salaries of the Firemen be reduced from \$115.00 per month to \$105.00 per month, and, that the salary of \$250.00 per year, paid to the Street Commissioner, should be discontinued. These reductions to be effective as of January 16, 1936." Upon vote by council motion was declared approved and carried.

Councilman Putney placed motion before council that the City of Nitro should continue as a member of The West Virginia League of Municipalities for the year 1936.

Motion seconded by councilman Kessel and upon vote by the council was declared carried.

Mayor Cooper appointed the following councilmen as a committee to investigate the building of the bridge across Blakes Creek: W. H. Putney, Joseph <sup>Scott</sup> and L. H. Kessel. The committee being instructed to get in touch with M. A. Bender, City Engineer, and to attend to the obtaining of material and workmen for construction of bridge.

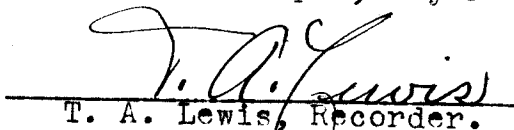
Councilman Putney brought to the councils attention complaints by citizens in lower end of Nitro, concerning the garbage dump located just below the Plant Area, between the New York Central Rail-Road tracks and Kanawha River, said complaints being that foul odors came from this section and that it was a harboring place for animals, insects and disease. Mayor Cooper to take up this matter with Mr. L. D. Smith, Agent for the Railway Company.

Mayor Cooper appointed councilman Putney to see residents in lower Nitro who live just outside of the City limits, in regard to paying certain rates to the City of Nitro for Fire Protection, rates to be approved at a later date.

Councilmen Putney and Kessel were instructed by the Mayor to investigate as to what can be done on Third Avenue in regard to drainage and putting road in shape that it may be traveled over.

There being no further business to come before the council at this meeting a motion to adjourn carried. Meetin Adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

February 4, 1936.

The council of the City of Nitro held its regular session on the 4th. day of February, 1936. There were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and S. D. Lyons, F. M. Lintzmeyer, L. H. Kessel, W. H. Putney, members of council of said city.

Mayor Cooper called the meeting to order.

Mayor called for reading of minutes of the last regular session held on the 7th. day of January, 1936. There being no objections or corrections minutes were declared approved as read.

Mayor called for reading of Financial statement for month of January, 1936.

Mayor called for report of Committees. Street Commissioner Kessel reported for committee on Blakes Creek Bridge as to material purchased, surveying and progress made so far in construction of bridge. Reported that nothing had been done on Third Avenue owing to cold and bad weather. Recorder read to council letters in regard to garbage dump in lower Nitro. These letters have been placed in files of City. Mayor Cooper called councils attention to bad condition on First Avenue between 29th. and 30th. streets, condition being caused by the digging up of road to lay a water line. This work being done by the Weaver Crane and Trucking Co; and contracted from the West Virginia Water Service Company. Letters in regard to this matter have been placed in the City files. Street Commissioner Kessel reported that no work had been done on streets after the 15th. day of month. Councilman Putney reported that owing to working conditions as being unable to do much in regard to citizens of lower Nitro contributing to City for fire protection.

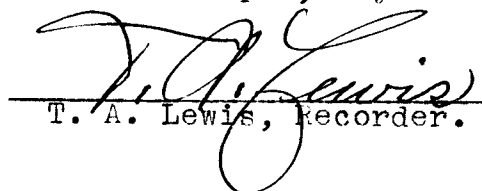
Recorder read letter to council from The West Virginia League of Municipalities.

Mayor Cooper re-read Bulletin No. 55 of the League to council.

Councilman Putney entered motion that Membership dues for Six months of Year 1936 be paid to the West Virginia League of Municipalities. Motion seconded by Councilman Lintzmeyer and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

March 3, 1936.

The council of the City of Nitro held its regular session on the 3rd. day of March, 1936. There were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, F. M. Lintzmeyer, L. H. Kessel, members of council of said city.

The meeting was called to order by Mayor Cooper.

The Mayor called for the reading of minutes of last regular session. There being no objections or corrections minutes were declared approved as read.

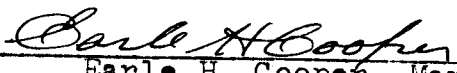
The Mayor called for the reading of the Financial Statement for the month of February, 1936.

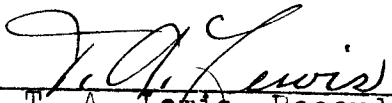
Report of Committees: Street Commissioner Kessel reported that bridge over Blakes Creek had been finished but that there was a small amount of filling to do at each end of bridge. Also reported no work done on streets during month of February but there was plenty of work that needed doing.

Mayor Cooper brought to councils attention the matter of time that Street Commissioner Kessel had put in on Blakes Creek Bridge, the estimated time being 18 hours. The Mayor requested action by the council in allowing the time and also rate per hour for same.

Councilman Lintzmeyer entered motion that Street Commissioner Kessel be allowed 18 hours for this service and that the rate be 40¢ per hour. Motion seconded by councilman Scott and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting Adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

April 7, 1936.

At the regular session of the council of the City of Nitro, held on the 7th. day of April, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, F. M. Lintzmeyer, S. D. Lyons, L. H. Kessel, W. H. Putney, members of council of said city.

Mayor Cooper called the meeting to order and called for reading of minutes of regular session of council held on the 3rd. day of March, 1936. There being no objections or corrections minutes were declared approved as read.

Reading of Financial Statement for month of March, 1936.

Mayor called for report of Committees. Councilmen Lyons and Putney stated there was nothing to report of consequence. Street Commissioner Kessel reported that very little work had been done on streets during March and that cinders were not available.

Recorder introduced to council an ordinance governing the granting of a franchise to the Chesapeake and Potomac Telephone Company of West Virginia. Mr. J. R. B. Crigler, representing the Chesapeake and Potomac Telephone Company explained to council the different phases of ordinance.

After some discussion by all members of council councilman Lyons entered motion that ordinance be adopted as read, motion seconded by councilman Putney and upon vote by council was declared carried.

Mayor Cooper reported to council of his attendance at the Safety Meeting held at the Capitol Building, Charleston, W.Va. March 16, 1936.

An amendment to Ordinance No. 6 was read to council by Mayor Cooper, said ordinance governing reckless driving and providing a penalty for the violation thereof.

Councilman Putney entered motion that amendment be adopted, motion seconded by councilman Scott and upon vote by council was declared carried.

An ordinance governing the location and requirements for the maintenance of hog pens within the city limits and providing a penalty for the violation thereof was read to council by the Mayor. After some discussion by members of the council it was decided to table the ordinance for time being, and a committee be appointed to investigate location and sanitary conditions of pens. The following members of the council were appointed by the Mayor to serve as committee, Councilmen Scott, Putney and Kessel.

A complaint made by John W. Higginbotham, regarding the danger from a certain tree was brought to councils attention by the Mayor. It was moved and seconded and upon vote by council motion carried to appoint a committee to investigate



this matter, the following members of council were appointed to serve as committee, councilmen Putney, Scott and Lyons.

Upon motion by councilman Lintzmeyer, motion seconded by councilman Lyons that payment of bill presented to City by Mrs. C. O. Woods for groceries purchased by Nora Vaughn be approved, upon vote by council motion was declared carried.

Councilman Lyons offered the following Resolution:

"I move that the following resolution be adopted".

"Whereas, The City of Nitro shall hold an election of officers on the 2nd. day of June, 1936, as provided by Section 4, Article 3, Chapter 8, Code of 1931, State of West Virginia; therefor be it

"Resolved, That all nominations be made by certificate, and signed by the required number of voters, and filed with the City Recorder not later than the 2nd. day of May, 1936, as provided by Section 16, Article 3, Chapter 8, Code of 1931, State of West Virginia.

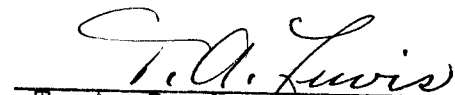
"Be It Further Resolved; That the registrars, after having completed the registration, shall, for the purpose of amending, correcting and completing such registration, sit together at the City Office For Two days, commencing on the Third Monday in May next.

"Be It Further Resolved; That the election shall be held in building known as the City Office".

Councilman Putney seconded the motion and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

April 21, 1936.

At a special session of the council of the City of Nitro, held on the 21st. day of April, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, W. H. Putney, F. M. Lintzmeyer, members of council of said city.

Mayor Cooper called the meeting to order and stated to council that special meeting had been called for the purpose of appointing two legal voters of the City of Nitro as registrars for the registration of voters in the election of city officers to be held on the 2nd. day of June, 1936.

Nominations were put in order by Mayor Cooper.

Councilman Putney nominated R. C. Alexander and councilman Scott nominated Mrs. Z. S. Raynes.

Motion that nominations close carried.

R. C. Alexander and Mrs. Z. S. Raynes were declared appointed as registrars.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
\_\_\_\_\_  
Earle H. Cooper, Mayor

  
\_\_\_\_\_  
T. A. Lewis, Recorder.

May 5, 1936.

The common council of the City of Nitro held its regular session on the 5th. day of May, 1936, those present were:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, F. M. Lintzmeyer, L. H. Kessel, S. D. Lyons, W. H. Putney, members of council of said city.

Meeting called to order by Mayor Cooper.

The Mayor called for reading of minutes of the regular session of council held on the 7th. day of April, and minutes of special session held on the 21st. day of April, 1936. There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement for month of April, 1936.

Mayor Cooper called for report of Committees.

For the committee appointed to investigate the complaint of John W. Higginbotham in regard to a certain tree supposed to be a menace councilmen Lyons and Putney reported that in their judgment the city was in no way responsible for condition of tree.

The committee on hog pens and sanitation reported no investigation made in this matter and were instructed by Mayor Cooper to investigate and report back to Mayor Cooper as early as possible.

Mayor Cooper called the councils attention to complaints that had been made in regard to conditions prevailing at Grace Grants.

A motion that council hold a special meeting on the 8th. day of May, to investigate this matter was seconded and upon vote by council was declared carried.

Councilman Lyons entered motion that the regular <sup>session</sup> of the council for month of June be held on the 9th. day of June instead of the 2nd. day of June owing to the 2nd. day of June being city election day. Motion seconded by councilman Putney and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

MAY 12, 1936.

The council of the City of Nitro held a special session on the 12th. day of May, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and S. D. Lyons, L. H. Kessel, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper stated to council that meeting was for purpose of approval by council of certificates of nomination filed by candidates for office in the election of officers to be held on the 2nd. day of June, 1936.

The Recorder presented to council withdrawals filed by Arthur F. Williams and L. H. Kessel as candidates for council.

Upon motion, said motion being duly seconded that the names of Arthur F. Williams and L. H. Kessel be stricken from the list of candidates for council. Upon vote by council motion was declared carried.

The Recorder presented to council certificates of nomination of the following named persons:

FOR MAYOR: Earle H. Cooper, W. G. Bird, W. F. Gunnoe, J. M. Carpenter, Geo. E. Munkenbeck.

FOR RECORDER: T. A. Lewis.

FOR COUNCILMEN: W. H. Putney, J. L. Bess, L. E. Gillespie, J. W. Scott, S. D. Lyons, Edw. V. Hendel, J. E. Waldorf, G. F. Hayes, C. E. "Jack" Smith.

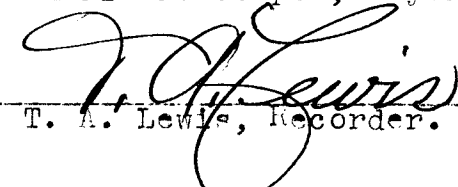
Motion by councilman Lyons that certificates be accepted and approved was seconded by councilman Kessel.

Upon vote by council motion was declared carried.

Motion by councilman Kessel that the Recorder be empowered with the authority to strike from the list of candidates the name of any person presenting a written notice to the council so to do and signed by him, motion seconded by councilman Lyons and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

May 26, 1936.

The council of the City of Nitro held a special session on the 26th. day of May, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and Joseph Scott, F. M. Lintzmeyer, S. D. Lyons, L. H. Kessel, W. H. Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

✓ Mayor Cooper stated to council that the meeting was called for the purpose of council approving the registration of voters and the appointment of an election board to act in the election of city officers on June 2nd. 1936.

The Recorder read to council the following affidavit:

STATE OF WEST VIRGINIA, PUTNAM AND KANAWHA COUNTIES, NITRO, WEST VIRGINIA, to-wit:

We the undersigned registrars do hereby certify that the foregoing is a true and correct list of the voters in our Precinct as registered by us.

SIGNED

"

R. C. Alexander

Manette C. Raynes

REGISTRARS

Councilman Putney entered motion that registration be approved, motion seconded by councilman Scott and upon vote by council was declared carried, thereupon the Recorder proceeded to seal the registration books in an envelope.

Mayor Cooper stated to council that the appointment of persons to act as commissioners and clerks on election board was now in order.

Motion by councilman Lyons that all persons present other than the members of the council should be requested to vacate the council chambers during the period of appointing the election board was seconded by councilman Scott and upon vote by the council was declared carried.

Upon request by Mayor Cooper all visitors left the council chambers.

Councilman Lyons entered motion that councilman Putney call names of nominees to act on election board, motion seconded by councilman Kessel and upon vote by council was declared carried.

Councilman Putney proceeded to call the names as follows:

FOR COMMISSIONERS: R. C. Alexander, S. F. Montague, J. F. Santrock.

FOR CLERKS: R. M. Tormey, Earl Young, P. T. Bricker, L. L. Betz.

Councilman Kessel entered motion that names of persons be accept-

May 26, 1936. Cont'd.

ed and appointments made as called. Motion seconded by Councilman Lintzmeyer and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

\*\*\*\*\*

June 9, 1936.

The common council of the City of Nitro held its regular session on the 9th. day of June, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
J. W. Scott, F. M. Lintzmeyer, S. D. Lyons, L. H. Kessel, W. H.  
Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of the regular session held on the 5th. day of May, reading of minutes of special session held on the 12th. day of May and reading of minutes of special session held on the 26th. day of May, 1936.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement of city for month of May, 1936.

Mayor Cooper called for report of Committees:

Councilman Scott reporting for committee on sanitation reported no complaints filed and sanitation in good condition.

Street Commissioner Kessel reported that some work had been done on certain streets during month of May.

Mayor Cooper called councils attention to condition of sewer line running out of 40th. Street hollow, stating that owing to the fact that this sewer line was not connected with any city sewer that refuse was being run out on ground and into creek causing a very unsanitary condition of which residents of that section of town were making complaints.

Councilman Putney suggested that a committee be appointed to investigate the condition of 40th. Street sewer and approximate cost of repairing same.

Mayor Cooper appointed the following members of council as the

committee: Councilman Scott, Putney and Kessel.

Councilman Putney entered motion that the matter of repairing sewer be taken up with the PWA; motion seconded by councilman Scott and upon vote by council was declared carried.

The matter of insurance premium due on Fire Engine was placed before the council. Councilman Lintzmeyer entered motion that Treasurer draw order on the City treasury in payment of amount due, motion seconded by councilman Putney and upon vote by council was declared carried.

Mayor Cooper stated to council that it was their duty at this time to act as a board of canvassers and carefully and impartially examine the returns of the election of city officers held on the 2nd. day of June, 1936.

The Recorder proceeded to unlock the ballot box and lay before the board of canvassers the ballots, poll books, tally sheets and certificates.

The board proceeded to open the sealed package of ballots laid before them and count said ballots. The first count made by councilman Lyons showed a total of 773 ballots cast whereas the poll books showed a total of 772 ballots cast. The council ruled that ballots be recounted. On the second count, made by councilman Lintzmeyer, the ballots checked with the poll books.

The Recorder then presented to council for their signature the certificate certifying the results of the election.

Councilman Lyons immediately voiced his objection to signing of certificate, claiming that ballots had not been printed in a legal manner and according to law.

After considerable discussion by members of the council and citizens who were present, councilman Lintzmeyer made motion to adjourn the meeting to some future date, motion seconded by councilman Putney, motion put before council for vote, motion failed to carry.

Motion by councilman Lyons that council express their opinion as to whether they thought ballots were illegal by a standing vote was seconded by councilman Kessel and upon vote by council was declared carried.

Mayor Cooper stated motion to council asking that each member of council who thought that ballots were illegal to signify by rising to their feet. All members of council voted that ballots were illegal.

Councilman Lintzmeyer entered motion to adjourn meeting until such time that legal advise had been obtained as to whether or not ballots had been printed in a legal manner, motion seconded by councilman Putney and upon vote by council was declared carried.

The ballots were again sealed in large envelope and envelope signed on back by Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, F. M. Lintzmeyer, W. H. Putney, L. H. Kessel, S. D. Lyons, members of council. Ballots were then returned to ballot box and box locked, Recorder taking charge of keys.

Mayor Cooper then adjourned the meeting.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

June 12, 1936.

The council of the City of Nitro held a special session on the 12th. day of June, 1936, there were present:

Earle H. Cooper ,Mayor,        T. A. Lewis, Recorder,        and  
S. D. Lyons, J. W. Scott, F. M. Lintzmeyer, L. H. Kessel,  
W. H. Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper stated to council that object of call for special meeting was to discuss in a general way the question of ballots used in election of June 2nd. and also advised council as to opinion and advise received from D. N. Mohler, Attorney.

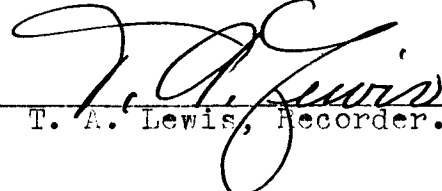
Mayor Cooper proceeded to read Sections 3 & 4, Article 5, Chapter 3, Code of West Virginia, These sections governing the election laws of general elections and asking council to again consider the signing of certificate certifying the results of election held on June 2nd. 1936.

Councilman Lyons requested that Section 12, Article 4, Chapter 3, Code of West Virginia, be read to council.

Mayor Cooper proceeded to grant this request. The Recorder called attention of councilman Lyons to the fact that this particular section had reference to primary elections only, and did not govern general elections. Councilman Lyons contended that the election held by the city on June 2nd. was a primary election and proceeded to voice his further objections of certifying results of election.

Motion by councilman Lyons that meeting adjourn was seconded by councilman Putney and upon vote by council was declared carried.  
Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



June 17, 1936.

The council of the City of Nitro held a special session on the 17th. day of June, 1936, this session being called by request of councilman Lintzmeyer after a conference between Mayor Cooper and members of council. There were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
J. W. Scott, S. D. Lyons, L. H. Kessel, W. H. Putney, F. M. Lintzmeyer, members of council of said city.

Meeting was called to order by Mayor Cooper.

Mayor Cooper informed council that meeting was called for purpose of certifying results of election held on the 2nd. day of June, 1936, and advised council of visit by himself and Recorder to the firm who had printed the ballots and also the Attorney General's Office and of being assured at each place that ballots had been printed in a legal manner and according to law.

Councilman Lyons, as he had done in meetings of June 9th. and 12th. again objected to council certifying results of the election and again cited the Mayor and council to Section 12, Article 4, Chapter 3, Code of West Virginia. It was again called to his attention that Section 12, Article 4, Chapter 3, had reference to primary elections only and not to general elections; he then claimed that the election held on June 2nd. was a primary and general election combined.

The council proceeded with the matter of certifying results of election and found the following:

We, the common council of the City of Nitro, sitting as the board of canvassers of the City of Nitro, having carefully and impartially examined the returns of the election held in said City, on the 2nd. day of June, 1936, do hereby certify that in said City for the office of Mayor, Earle H. Cooper received Three hundred and Three (303) votes, and that W. G. Bird received Two hundred and Fifty-nine (259) votes, and that W. F. Gunnoe received One hundred and Thirty-three (133) votes, and that J. M. Carpenter received Twenty-four (24) votes, and that Geo. E. Munkenbeck received Fifty (50) votes.

And we further certify that at said election held in the City of Nitro, for the office of Recorder, T. A. Lewis received Six hundred and Thirty-eight (638) votes.

And we further certify that at said election held in the City of Nitro, for the office of Councilmen, W. H. Putney received Five hundred and Sixteen (516) votes, and that J. L. Bess received Three hundred and Thirty-nine (339) votes, and that C. E. "Jack" Smith received Five hundred and Forty-seven (547) votes, and that Edward V. Hendel received Four hundred and Forty-five votes, and that J. E. Waldorf received Four hundred and Fifty-two (452) votes, and that L. E. Gillespie received One hundred and Sixty-one (161) votes, and that J. W. Scott received Three hundred and Sixty-three (363) votes, and that S. D. Lyons received Three hundred and Nine (309) votes, and that G. F. Hayes

June 17, 1936. Cont'd.

received Three hundred and Sixteen (316) votes.

We, the common council of the City of Nitro, do hereby order that the above findings shall be recorded among the records of the City of Nitro, KANAWHA and PUTNAM COUNTIES, STATE OF WEST VIRGINIA.

Given under our hands this 17th. day of June, 1936.

SIGNED	<u>EARLE H. COOPER, MAYOR</u>
"	<u>T. A. LEWIS, RECORDER</u>
"	<u>F. M. LINTZMEYER, COUNCILMAN</u>
"	<u>W. H. PUTNEY</u> "
"	<u>L. . KESSEL</u> "
"	<u>J. W. SCOTT</u> "

The council then proceeded to issue certificates of election to the following:

We, the common council of the City of Nitro, sitting as the board of canvassers of the City of Nitro, having carefully and impartially examined the returns of the election held in said City, on the 2nd. day of June, 1936, do hereby certify that in said City at said election, that Earle H. Cooper received the majority of the votes cast for Mayor, and that in said election T. A. Lewis received the majority of votes cast for Recorder, and that in said election W: H. Putney, C. E. "Jack" Smith, Edward V. Hendel, J. E. Waldorf, and J. W. Scott received the majority of votes cast for Councilmen

SIGNED	<u>EARLE H. COOPER, MAYOR</u>
"	<u>T. A. LEWIS, RECORDER</u>
"	<u>F. M. LINTZMEYER, COUNCILMAN</u>
"	<u>W. H. PUTNEY</u> "
"	<u>L. H. KESSEL</u> "
"	<u>J. W. SCOTT</u> "

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

*Earle H. Cooper*  
Mayor

*T. A. Lewis, Recorder.*

July 7, 1936.

The council of the City of Nitro held its regular session on the 7th. day of July, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, Edw. V. Hendel, J. E. Waldorf, W. H. Putney, C. E. Smith, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for the reading of minutes of regular session of council held on the 9th. day of June, minutes of special session of council held on the 12th. day of June, and minutes of special session of council held on the 17th. day of June, 1936. There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for the reading of Financial Statement for month of June, 1936.

Reading of the following report of the Finance Committee:

We, F. M. Lintzmeyer and J. W. Scott, members of the

council of the City of Nitro, West Virginia, do hereby certify that we have carefully examined the books and accounts of Thomas A. Lewis, Recorder and Treasurer, of the City of Nitro, West Virginia, and found them to be correct in every respect, all monies or property in his control or custody being accounted for, with proper securities and funds on hand to balance his accounts, and he is not now in default. He has performed his duties in an acceptable and satisfactory manner.

Given under our hand this 26th. day of June, 1936.

SIGNED	<u>F. M. Lintzmeyer</u>	FINANCE
"	<u>J. W. Scott</u>	COMMITTEE

Mayor Cooper called for report of Committees:

For committee on 40th. Street Hollow sewer line, councilman Putney reported that the approximate cost would be \$100.00.

Mayor Cooper appointed the following members of council as a committee in regard to this work: Councilmen Putney, Scott and Hendel.

Mayor Cooper reported to council of attendance of himself and Recorder at the meeting held on the 16th. day of June, 1936, at the State Capitol Building, at which time The West Virginia League of Municipalities presented a petition to Governor Kump, said petition begging Governor Kump to place before the Legislature, who at that time were in special session, some method or plan for municipal relief.

July 7, 1936. Cont'd.

August 4, 1936. Cont'd.

Councilman Putney entered motion that the following amendment to Ordinance No. 34 be approved by council and become effective from passage, to-wit:

"Be it ordained by the common council of the City of Nitro that the following paragraph be added to and included in Section 2, of Ordinance No. 34."

"Repairs to structures already built, such as reinforcing or repairing of foundations, basements, weatherboarding, roofing with incombustible roofing material, or painting, shall not require a permit."

Motion seconded by councilman Smith and upon vote by council was declared carried.

The appointment of a Building Inspector was brought before the council by Mayor Cooper.

Motion by councilman Smith that M. A. Bender, City Engineer be appointed Building Inspector and that he should appoint someone of his own choice to act as assistant Building Inspector was seconded by councilman Waldorf and upon vote by council was declared carried.

M. A. Bender appointed I. E. Ellis, Fire Chief, as assistant Building Inspector.

Council ruled that committee on sanitation should be made to act permanently during this term of office.

M. A. Bender, City Engineer, reported to council of proposed project in the Kanawha County section of City of Nitro, project to cover the grading and terracing of First Avenue from Seventh Street to Twenty-first Street, inclusive, 1980 lineal feet, 20 feet wide.

Clean present stone base, apply prime coat and pre-mixed top on South Twenty-first Street, 900 lineal feet, 20ft. wide.

Construct 24 inch pipe culvert across Twenty-first Street adjacent to School property, 100 lineal feet.

Mr. Bender informed council that he would have forms ready to submit to WPA in next few days.

Mayor Cooper brought before the council the question of water rates paid by the citizens of Nitro to the West Virginia Water Service Company, asking for a general discussion by members of council and citizens present as to what procedure they thought best to pursue in regard to obtaining a reduction in the present rates paid. Mayor Cooper read copy of letter which he had written under date of July 14, to D. N. Mohler, Attorney, in regard to this matter and Attorney Mohler's reply under date of July 16.

The council and citizens present discussed this matter for some time after which councilman Smith entered motion that the following resolution be adopted and entered of record in minutes of this meeting, to-wit:

"Resolved that the City Attorney be requested to ask the West Virginia Water Service Company to reduce the rate charged the citizens of Nitro for water, equal to that charged

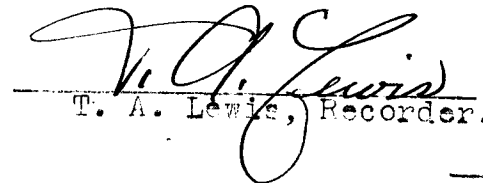
August 4, 1936. Cont'd.

in adjoining cities to Nitro."

Motion seconded by councilman Scott and upon vote by council was declared carried.

Owing to fact that City of Nitro has not received assessments made by the Kanawha County Assessor, and therefore being unable to make up the Levy Estimate for year 1936 at this meeting, Mayor Cooper declared the meeting recessed until some future date.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

August 27, 1936.

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STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO, To-wit:

At a special session of the council of the City of Nitro, Kanawha and Putnam Counties, held in the council chambers thereof, in the City building on Thursday, the 27th. day of August, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
W. H. Putney, Edw. V. Hendel, C. E. Smith, J. E. Waldorf, J. W. Scott,  
members of the council of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933, Second Extraordinary Session (House Bill No. 234), the council proceeded to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

CURRENT REGULAR MUNICIPAL PURPOSES

ESTIMATE

(1) The amount due and the amount that will become due and collectible from every source during the fiscal year, except from the levy of taxes to be made for the year.

ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$ 492.28
Redemption and sale of delinquent lands	52.00
Taxes uncollected	395.00
General licenses	450.72
Building and other permits	50.00
Police Court fines	600.00
Miscellaneous	<u>125.00</u>
Total estimated receipts (except from current levy)	\$2165.00

(2) All other expenditures to be paid out of receipts of the municipality for the current year with proper allowances for delinquent taxes, exonerations, and contingencies.

(b) CURRENT EXPENDITURES

Salary of Mayor	\$ 1.00
Salary of City Recorder	600.00
Salary of Chief of Police	900.00
General expenses Police Department	15.00
Expenses keeping and feeding prisoners	10.00
Stationery, office supplies and equipment	10.00
Postage	10.00
Water	18.00
Light for street lighting	1271.28
Light - other purposes	25.00
Fuel	20.00
Telephone and telegraph	55.00
Advertising and legal publications	50.00
Premiums on official's bonds	51.25
Attorneys' fees, court cost and damages	25.00
City Treasurer's commissions	150.00
Salary - Street Commissioner	50.00
New Equipment - Street Department	10.00
Maintenance of streets and alleys	300.00
Maintenance of sewers	73.00
Workmen's compensation premiums	20.00
Audit by Tax Commissioner	25.00
Refunding erroneous payments	10.00
Contingent expenses	150.00
Delinquent taxes and discount	<u>350.47</u>
Total estimated disbursements	\$4200.00

Total estimated receipts brought forward	\$2165.00
Amount to be raised by levy	\$2035.00

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2035.00 and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

Eight and three-fourths cents (8.75¢) on Class No. 1 property  
 Seventeen and one-half cents (17.5¢) on Class No. 2 property  
 Thirty-five cents (35¢) on Class No. 4 property

for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied
NUMBER 1			
Personal Property	\$ 47, 220	8.75¢	\$ 41.00
Public Utility Property	\$ 27,400	8.75¢	\$ 24.00
Total Class No. 1.	\$ 74,620		\$ 65.00
NUMBER 2			
Real Estate	\$235,850	17.5¢	\$ 412.00
NUMBER 4			
Real Estate	\$228,350	35¢	\$ 799.00
Personal Property	\$ 57,790	35¢	\$ 202.00
Public Utility Property	\$159,100	35¢	\$ 556.00
Total Class No. 4	\$445.240		\$1558.00
TOTAL MUNICIPALITY	\$755,710		\$2035.00

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro counties of Kanawha and Putnam and State of West Virginia, do hereby certify that the foregoing are true copies from the records of orders made by the council of said municipality on the 27th. of August, 1936.

Given under my hand this 27th. day of August, 1936.

*T. A. Lewis*  
 RECORDER.



September 1, 1936.

The council of the City of Nitro met with officials representing the West Virginia Water Service Company on the 1st. day of September, 1936. Those present were:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and C. E. Smith, J. W. Scott, J. E. Waldorf, Edw. V. Hendel, W. H. Putney, members of council of said city, and E. F. Veader, G. S. Bradley, J. R. Peck, official representatives of the West Virginia Water Service Company.

The meeting was called to order by Mayor Cooper, who stated that the meeting was been held for the purpose of discussing in a general way by all present the present domestic rates now being paid by the citizens of Nitro who felt that they were paying a higher rate than other towns in the Kanawha Valley.

Mr. Veader proceeded to read to council the different rates paid by towns that are serviced by the West Virginia Water Service Company. After discussing the matter of water rates by Mr. Veader and the members of the council Mr. Veader stated that he could not possibly give out anything definite at this time but would be glad to take the matter under consideration and try to work out some plan that would be beneficial to the people of Nitro and would advise the council as to the decision arrived at at an early date.

A motion to adjourn the meeting carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

September 1, 1936.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special session of the council of the City of Nitro, in Kanawha and Putnam counties, held in the council chamber thereof on Tuesday, the 1st. day of September, 1936; Present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith, W. H. Putney, J. E. Waldorf, J. W. Scott, Edw. V. Hendel,  
members of the council of said Municipality.

CURRENT REGULAR MUNICIPAL LEVY

ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of Nitro, in Kanawha and Putnam counties will be \$2035.00, according to the estimate made up and entered of record on the 27th. day of August, 1936; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exception thereto, and the Tax Commissioner having approved the same in writing, it is therefor ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz:

Eight and three-fourth cents (8.75¢) on Class No. 1 property,  
Seventeen and one-half cents (17.5¢) on Class No. 2 property,  
Thirty-five cents (35¢) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment therein, as follows:

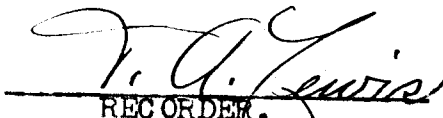
CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied
NUMBER 1			
Personal Property	\$ 47,220	8.75¢	\$ 41.00
Public Utility Property	\$ <u>27,400</u>	8.75¢	\$ <u>24.00</u>
Total Class No. 1	\$ 74,620		\$ 65.00
NUMBER 2			
Real Estate	\$235,850	17.5¢	\$ 412.00
NUMBER 4			
Real Estate	\$228,350	35¢	\$ 799.00
Personal Property	\$ 57,790	35¢	\$ 202.00
Public Utility Property	\$ <u>159,100</u>	35¢	\$ <u>556.00</u>
Total Class No. 4	\$ <u>445,240</u>		\$ <u>1558.00</u>
TOTAL MUNICIPALITY	\$755,710		\$2035.00

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro, counties of Kanawha and Putnam, and State of West Virginia, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 1st. day of September, 1936.

Given under my hand this 1st. day of September, 1936.

  
RECORDER.

September 8, 1936.

At the regular session of the council of the City of Nitro, held on the 8th. day of September, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf; Edw. V. Hendel; C. E. Smith; W. H. Putney; members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session held on the 4th. day of August; reading of minutes of meeting held on the 27th. day of August; and minutes of meeting held on the 1st. day of September, 1936.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for the reading of Financial Statement for month of August, 1936.

Mayor Cooper called for the report of committees.

Councilman Hendel reported that a great deal of paper and paper boxes were being scattered over different streets and intimated that steps should be taken to correct this matter.

Councilman Putney reported that no funds had been collected to date from residents living outside of city limits in section known as 40th. Street Hollow, funds to be applied to the cost of sewer put in by city.

Street Commissioner Kessel reported that several bad places had been repaired during month of August.

Mayor Cooper appointed the following members of council as the Finance Committee for term beginning July 1, 1936, and ending June 30, 1938:

Councilman Edw. V. Hendel and councilman W. H. Putney.

The resignation of L. L. Higginbotham, member of the Nitro Fire Department, resignation effective September 15, 1936, was read to council by Mayor Cooper.

The applications of Carl Stamm, Frank Grover and Jesse F. Norvel asking for appointment as firemen on the fire department were read to council by the Mayor who stated that in addition to these applications, B. Workman and Ted Kessel had made verbal application.

Motion by councilman Waldorf that in case of vacancies on the fire department that Fire Chief Ellis be given authority to fill all vacancies was seconded by councilman Putney and upon vote by council was declared carried.

The matter of more police protection was brought to councils attention. Councilman Putney entered motion that a committee be appointed to take up this matter with the Business Mens Association asking them to assist City in the payment of wages of a special policeman. Motion seconded by councilman Smith and upon vote by council was declared carried. Mayor Cooper appointed councilmen Putney and Smith as the committee.

Recorder read to council complaint of Mr. and Mrs. Homer Putney in regard to automobiles being parked in front of their residence. Council did not take action at this time on the matter.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

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October 6, 1936.

At the regular session of the council of the City of Nitro, held on the 6th. day of October, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf, Edw. V. Hendel, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 8th. day of September, 1936.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council the Financial Statement of city for month of September, 1936, and Fiscal Statement of city for year beginning July 1, 1935 and ending June 30, 1936.

Mayor Cooper reported to council of trip to Charleston in regard to the P-W-A Project which had been submitted to the P-W-A office at Charleston, he stated from what he could learn that the sponsor was expected to pay a certain per cent of the cost of such projects but that he contemplated making another trip to Charleston to investigate this matter and see if there was any possibility of getting the project through.

Mayor Cooper read letter to council from Fire Chief Ellis, the letter asking that an additional fire hydrant be installed on South 21st. Street. Councilman Hendel suggested that matter of installing additional fire hydrant be taken up with the officials of the West Virginia Water Service Company.

The matter of dangerous railroad crossings in Nitro was brought to attention of council, after some discussion Mayor Cooper volunteered to take this matter up with railroad officials and see what could be done about it.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

October 20, 1936.

The council of the City of Nitro held a special session on the 20th. day of October, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
J. W. Scott, C. E. Smith, J. E. Walderf, Edw. V. Hendel,  
W. H. Putney, members of council of said city, and quite a number  
of the citizens of Nitro also attended this meeting.

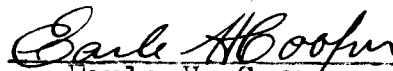
The meeting was called to order by Mayor Cooper who stated to council that this meeting had been called by request of Mr. Robt. Sibley, petitioning that council would consider the passing of an ordinance prohibiting the keeping or raising of pigs within the corporate limits of the city, unless such pigs be enclosed in a pen situated not less than (500) five hundred feet from any residence. Mayor Cooper proceeded to read to council Mr. Sibley's letter under date of Oct. 14, 1936, also list of petitioners, also copy of letter under date of Oct. 15, 1936, written by Mr. Thos. Bartram to Dr. E. S. Tisdale, State Sanitary Engineer. Mr. Wm. Wintz, one of the citizens present read copy of letter written by him to Dr. Tisdale in answer to Mr. Bartrams letter. These letters have been placed in the city files.

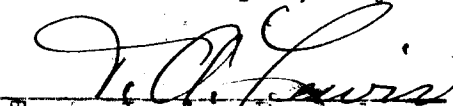
Mayor Cooper called for the members of council to express their views on this matter and then called on several citizens present to give their opinion. After considerable discussion by members of council and citizens councilman Smith entered motion that a committee be appointed to make an investigation of all sanitary conditions, committee to report back at the next regular session of council. Motion seconded by councilman Putney and upon vote by council was declared carried.

Mayor Cooper proceeded to appoint councilman Smith and Street Commissioner Kessel to act with the committee on sanitation, making a total of five now on committee.

Members of committee are councilmen Scott, Hendel, Putney, Smith and Street Commissioner Kessel.

There being no other business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

The council of the City of Nitro held its regular session on the 10th. day of November, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
Edw. V. Hendel, J. E. Waldorf, W. H. Putney, members of council  
of said city.

The meeting was called to order by Mayor Cooper.

The Mayor called for reading of minutes of regular session of council held on the 6th. day of October and minutes of special meeting held on the 20th. day of October, 1936.

There being no objections or corrections minutes were declared approved as read.

The Recorder read the Financial Statement for month of October, 1936.

Mayor Cooper called for report of committees:

Councilman Putney reported for committee on sanitation and stated that no investigation had been made yet in regard to the proposed ordinance governing the keeping and raising of hogs within the city limits but that the members of committee had talked the matter over and still had it under consideration and would possibly take some action in the matter at the regular session of the council on January 5, 1937.

The Recorder stated to council that E. M. Merriell, United States Government Engineer had visited the office a few days previous to this meeting and that Mr. Merriell wished the council to know that his department were working on a plan to take care of the city sewerage, he also stated that they expected to fill the Locks at Winfield on July 1, 1937, and that he or other members of the Engineering Department would get in touch with the city council in the near future..

Mayor Cooper read copy of letter to council that he had written to L. S. Emery, Assistant Superintendent, New York Central Railroad, Charleston, West Virginia, letter written by request of council in regard to the dangerous condition of crossings at Eighteen Street and at Forty-second Street, said letter begging that the railway company take action in installation of signal lights at these particular crossings, and letter received in reply under date of October 16, stating that the railway officials had this matter under investigation, and letter under date of October 24, 1936, stating that while they appreciated the position of the council in wanting to eliminate the element of danger at these crossings their survey of the conditions existing at the present time indicate that these crossings could scarcely be considered dangerous if motorists would exercise a reasonable care and caution and under these circumstances the railway company did not feel that the installation of signal lights were warranted at this time. These letters have been placed in the files of the city.

Mayor Cooper reported to council the bad condition of the fire engine, the council discussed this matter for some time and decided that there should not be any definite action taken at


November 10, 1936. Cont'd.

present more than to investigate as to how much it will cost to put engine in good shape.

A letter written by M. A. Bender, City Engineer, in regard to tapping of sewer line in Area "P" was read to council by Mayor Cooper, the letter stating that in opinion of writer that this sewer line was overtaxed and therefore he could not recommend that any additional service be placed on this eight inch sewer at this time.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



December 8, 1936.

The council of the City of Nitro held its regular session on the 8th. day of December, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, W. H. Putney, J. E. Waldorf, C. E. Smith, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for the reading of minutes of the last regular session of council held on the 10th. day of November, 1936. There being no objections or corrections minutes were declared approved as read.

The Mayor called for reading of Financial Statement for month of November, 1936.

The committee appointed to consult merchants in regard to obtaining funds for better police protection having nothing definite to report were discharged from that obligation by Mayor Cooper.

Street Commissioner Kessel being absent from meeting Mayor Cooper reported to council that some repairing had been done on certain streets and that a grader was now scraping Second Avenue, also a group of State employees were engaged in repairing First Avenue, North of the Kanawha County line; also reported that part of the sewer system had been cleaned in the Putnam end of town.

Mayor Cooper reported to council of damage suit pending, the plaintiff being Mrs. Vera B. Peese vs The City of Nitro; West Virginia Water Service Company and the Weaver Crane and Trucking Company. Mayor Cooper stated to council that he understood that the Weaver Crane and Trucking Company would assume all responsibility for damages and in all probability the suit would be settled out of court.

Mayor Cooper read letter to council received from C. G. Knapp, letter complaining of bad condition of sidewalk on First Avenue, at Thirty-ninth Street, and his reply to said letter. Letter and copy of answer have been placed in the city files. No action was taken by council at this time in regard to this matter.

The Mayor called the councils attention to WPA project, known as Sponsors Proposal No. 1; purpose of project grading and terracing First Avenue; surfacing South Twenty-first Street and installing a twenty-four inch culvert across Twenty-first Street in the High School Area, stating to council that the amount of \$1075.00 would have to be guaranteed by the city as sponsor of this project before application of project would be approved.

After some discussion on this matter councilman Putney entered motion that a special meeting be called and that property owners on South Twenty-first Street be notified to attend this meeting to discuss with members of council concerning this project, motion seconded by councilman Smith and upon vote by council was declared carried.

Council ruled that meeting be held December 11, 1936.

Mayor Cooper read letter to council received by Wiseman & Jones Garage from the American-LaFrance and Foamite Industries, Inc.

December 8, 1936. Cont'd.

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This letter stating the cost of parts needed for repairing Fire Engine.

A letter to Mr. E. F. Veader of the West Virginia Water Service Company was read to council by Mayor Cooper. Letter asking that an additional fire hydrant be installed on South Twenty-first Street in the vicinity of J. R. Peck's residence.

The new rates on street lights was brought to councils attention by Mayor Cooper who read letter received from W. F. Ficklen, Manager, Appalachian Electric Power Company, also statement outlining new rates.

The following resolution was placed before the council for their approval:

"Resolved: That the City of Nitro accept the new rates on street lights as presented by the Appalachian Electric Power Company, and effective as of November 1, 1936."

Motion for adoption of resolution made by councilman Smith, seconded by councilman Waldorf, and upon vote by council was declared carried.

A letter from the Civic Benifits Association, J. E. Hulshizer, Secretary, protesting the removal of fire hydrants in the Plant Area, without first consulting those concerned was read to council by Mayor Cooper and the Mayor's reply to same, these letters have been placed in the city files.

A recommendation was offered to council by the Recorder, object being to solve to a certain extent the special police problem and the enforcement of city ordinances at all times, as follows:

1st. That all special officers who are under oath be instructed that they are expected to act at all times when violation of any city ordinance is brought to their attention regardless of whether they are on regular duty or not.

2nd. That special officers shall be paid 50¢ for each arrest made whether conviction in case is found or not, this amount to be paid in addition to the regular fee of \$1.00 when conviction is found in case and fine and costs are paid.

A motion was entered by councilman Smith that the above recommendation be adopted, seconded by councilman Putney and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

December 11, 1936.

The council of the City of Nitro held a special session on the 11th. day of December, 1936, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, C. E. Smith, Edw. V. Hendel, members of council of said city; also H. K. Miller, Thos. Bartram, B. H. Reppert, E. W. Booth, Dr. D. E. Hendricks, A. F. Williams, Dr. S. L. Carter H. C. Gallaway, R. R. Wallace, J. C. Jordon, residents and property owners of South Twenty-first Street, Area "R".

Mayor Cooper called the meeting to order and stated to those present that object of meeting was to discuss a ~~WPA~~ project, known as Sponsors Proposal No. 1, which project included the re-surfacing of South Twenty-first Street and costing \$959.39, which would cost each property holder approximately 60¢ per front foot.

After some discussion on this matter all property owners present agreed to pay their proportionate share of the cost.

Those owning property on South Twenty-first Street and not present at the meeting were to be consulted in the near future and learn their views on this proposition.

There being no other business to transact at this time the meeting was adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

January 5, 1937.

The council of the City of Nitro held its regular session on the 5th. day of January, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, J. E. Walderf, C. E. Smith, W. H. Putney, members of council of said city.

Meeting was called to order by Mayor Cooper.

Mayer Cooper called for reading of minutes of last regular session held on the 8th. day of December, and reading of minutes of special session held on the 11th. day of December, 1936. There being no objections or corrections minutes were declared approved as read.

The damage suit of Vera B. Weese vs The City of Nitro, The West Virginia Water Service Company and The Weaver Crane and Trucking Company was brought to council's attention by Mayer Cooper, who stated to council that this suit had been settled out of court and that The Weaver Crane and Trucking Company had assumed all responsibility, settling with the Plaintiff for the sum of \$50.00 (FIFTY DOLLARS).

Letters were read to council from The West Virginia Water Service Company, said letters being answers to letters written by Mayer Cooper in regard to the removal of fire hydrants in the Nitro Plant Area without notice from the Water Company, to either to the City of Nitro, Fire Chief Ellis or the industries concerned; also letter in regard to the installation of an additional fire hydrant on the upper end of South Twenty-first Street. These letters have been placed in the city files.

Mayer Cooper reported to council of removal of Fire-Engine from Fire Station to the Wiseman and Jones Garage, at which place it will underge repairs.

The question of the WPA project, known as Spensers Proposal No. 1, was brought to council's attention by the Mayor, who proceeded to read to council the rules governing this project as laid down by the Government Officials.

Councilman Smith entered motion that application for this project be filed with the WPA officials at Charleston for approval of same, motion seconded by councilman Walderf and upon vote by council was declared carried.

Motion by councilman Putney that no amendment or changes be made at this time to Ordinance No. 9, said ordinance governing the keeping of animals and fowls, was seconded by councilman Walderf and upon vote by council was declared carried.

The resignation of councilman Edward V. Hendell, effective as of January 1, 1937, was read to council.

Councilman Putney made motion that resignation be accepted, motion seconded by councilman Smith and upon vote by council was declared carried.

January 5, 1937, Cont'd.

A request by residents living on Eighth Street for an additional street light to be installed on the upper end of Eighth Street, next to the old county road was brought to attention of council by Mayer Cooper. After a short discussion on this matter councilman Putney made motion that an additional street light be installed on the upper end of Eighth Street, next to old county road. Motion seconded by councilman Smith and upon vote by council was declared carried.

Recorder Lewis requested the council to change the regular meeting night of council from the first Tuesday after the first day of each month to the second Tuesday of each month so that there might be ample time to make out a more accurate Financial Statement for the previous month.

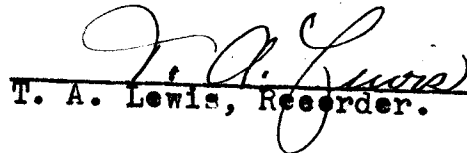
Councilman Putney made motion that the regular meeting of council be held on the second Tuesday of each month, motion seconded by councilman Smith and upon vote by council was declared carried.

Councilman Putney entered motion that someone be employed to list all dogs and dog owners within the corporate limits of Nitro, motion seconded by councilman Walderf and upon vote by council was declared carried.

Mayer Cooper appointed councilman Walderf as member on Committee on sanitation and also as member of committee on street lights, to fill vacancy on each committee created by the resignation of Edw. V. Hendel.

There being no further business to transact at this time a motion for adjournment carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

February 2, 1937.

There was a special meeting held at the Witry Hall on the 2nd. day of February, 1937, this meeting being called by Mayor Earle H. Cooper.

All members of council and approximately fifty citizens of Nitro were present at this meeting.

Mayor Cooper explained to those present that purpose of meeting was to discuss a building for general city purposes, stating that it was still possible to obtain funds through the PWA, ~~45% by~~ <sup>45% by</sup> ~~cost of~~ building to be appropriated by the PWA and 55% by the city.

Mayor Cooper stated that he would like for all present that would do so to express their views on this matter and state as to whether or not they were in favor of acquiring a city building.

Mr. Chas. Simpson asked about what the building would cost, Mayor Cooper replied that it would cost approximately \$25,000.

Those speaking in favor of erecting a city building were: Mrs. C. E. Smith, Mrs. Thos. Bartram, Mr. G. C. Alderson, Mr. J. C. Jordan and councilman Putney.

Mr. Alderson <sup>stated</sup> that if the town of Nitro was ever going to do anything that now was the time and suggested that Mayor Cooper appoint a committee of business men to act in conjunction with the city council and that they should make a thorough investigation and ascertain what the citizens wanted in regard to a city building and how much the building would cost.

Mr. Jordan suggested that there should be a more concrete plan drawn up by a committee appointed to work with the city council.

Mr. I. E. Ellis, Fire Chief, spoke of the town extending more to the Southern end of town in future years and stated that in his opinion the city building should be in the lower end of town and built to house the fire department as well as for other purposes.

Councilman Putney stated that now was the logical time for the town to build a city building so that the town would have the advantage of obtaining 45% of the cost from the PWA.

Mr. Chas. E. Roe spoke very much in disfavor of building a city building, stating that a city building was not needed at this time.

A motion was made and seconded that Mayor Cooper appoint a committee to act with the city council. Motion carried.

Mayor Cooper attempted to appoint a committee from those present but failed to get the desired number, it was then agreed that the Mayor should appoint a committee at a later date.

There being no further business at this time the meeting was declared adjourned.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

March 11, 1937.

The council of the City of Nitro held its regular session on the 11th. day of March, 1937, members present were:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and W. H. Putney, J. W. Scott, J. E. Waldorf, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for the reading of minutes of regular session of council held on the 5th. day of January, and reading of minutes of special meeting held on the 2nd. day of February, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of financial statement of city for the months of January and February, 1937.

The Recorder also read to council the following:

Financial Statement of the Civic Benefits Association for the year 1936; Financial Statement of the Fire Department and Street Lighting Fund for year 1936; Report of Fire Chief Ellis on number of fire alarms turned in during year 1936, and report on fire hydrant pressure, also approval of services and recommending adjustment of salary in regard to F. E. Grover, fireman.

Councilman Waldorf reported to council request of M. L. Shaffer that an additional street light be installed on Second Avenue, near Twenty-third Street. After discussing this matter council decided that a light at this point was not needed.

The matter of the WPA Project, known as Sponsors Proposal No. 1, was brought to the councils attention by Mayor Cooper.

Councilman Putney moved that this matter be tabled, motion seconded by councilman Scott and upon vote by council was declared carried.

Motion by councilman Putney that the enforcement of the dog ordinance be tabled was seconded by councilman Waldorf and upon vote by council was declared carried.

Motion by councilman Waldorf that A. M. Harmon be appointed councilman to fill the vacancy on the council created by the resignation of Edw. V. Hendel was seconded by councilman Putney and upon vote by council was declared carried.

Councilman Waldorf made motion that F. E. Grover, fireman, should be paid at the regular firemans salary and effective as of January 1, 1937, motion seconded by councilman Scott and upon vote by council was declared carried.

March 11, 1937, Cont'd.

The matter of the City Building Project was brought to the councils attention by Mayor Cooper.

Councilman <sup>Walder</sup> moved that this matter be tabled for the present and that a committee be appointed to investigate the different sites and price of same.

Motion seconded by councilman Putney and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.



At the regular session of the council of the City of Nitro, held on the 13th. day of April, 1937, there were present:

- Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith, W. H. Putney, J. E. Waldorf, A. M. Harmon,  
members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 11th. day of March, 1937.

There being no objections or corrections minutes were declared approved as read.

The Mayor called for reading of Financial Statement of city for month of March, 1937.

Mayor Cooper called for report of special committee in regard to cost of City Building and purchase of lot on which to erect building. Councilman Harmon <sup>reported</sup> to Mayor and council that the approximate cost of building would be \$18,500.00, which amount does not include the necessary jail cells. Councilman Waldorf reported that the lot would cost \$1,200.00.

Mayor Cooper called for report of work done on streets during month of March. Street Commissioner Kessel reported that some streets had been repaired the first half of March and that there were several streets in need of repairs.

The Mayor brought to the councils attention the appointment of a police officer to fill vacancy created by the resignation of H. M. Graves, stating that this work was been taken care of by officer Frank Adams temporarily and that the permanent appointment would be made in a short time.

Mayor Cooper <sup>reported</sup> a call made on him by a representative of the State Planning Board.

The question of a method of raising more revenue was brought to the councils attention. Councilman Putney made motion that a finance committee be appointed to take this matter under advisement and try and devise some means whereby more revenue may be raised on which the city may carry on its obligations in a more successful manner. Motion seconded by councilman Harmon and upon vote by council was declared carried. Mayor Cooper appointed councilman Harmon as a member of the finance ~~committee~~ <sup>committee</sup> to succeed Edw. V. Hendel, resigned.

The finance committee is now composed of the following councilmen: W. H. Putney, J. E. Waldorf, and A. M. Harmon, who are to act on the above matter.

The matter of the South Twenty-first Street Project was brought before the council. Mayor Cooper called on City Engineer M. A. Bender to state to council what the prospects were in regard to this project. Mr. Bender stated that all <sup>the</sup> work had been suspended until after April 14th. but that work on this project would be started as soon as possible after that date.

April 13, 1937. Cont'd.

Councilman Smith made motion that the action taken by Mayor Cooper in regard to this project be approved, motion seconded by councilman Putney and upon vote by council was declared carried.

Councilman Putney reported that he had secured a place in which to impound dogs whenever it was needed.

The question of the city sewer system was brought before council. M. A. Bender, City Engineer, stated that he had been keeping in touch with the United States Engineers in regard to this matter and that there had been three surveys made to date. The members of council suggested that Mr. Bender write the Government Engineers and get some definite idea as to how this matter was going to be taken care of.

Councilman Harmon entered motion that building committee be authorized to present project for city building to architects, motion seconded by councilman Smith and upon vote by council was declared carried.

It was ruled that cleanup week would be week of May 2nd. and that the 4th. and 6th. days of May would be the days of hauling garbage.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

April 27, 1937.

At a special meeting of the council of the City of Nitro, held on the 27th. day of April, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and W. H. Putney; J. W. Scott; J. E. Waldorf; C. E. Smith; A. M. Harmon; members of council of said city; a few citizens of Nitro were also present.

The meeting was called to order by Mayor Cooper who stated to those assembled that reason of call for special meeting was to decide whether or not Nitro should adopt daylight saving time in line with the City of Charleston and other neighboring towns.

After some discussion of this matter by practically all present it was suggested that a vote be taken of the visitors present to ascertain their view of the matter.

A unanimous vote in favor of daylight saving time was the result.

A motion by the council was now in order.

Councilman Harmon moved that the City of Nitro adopt daylight saving time, effective midnight, Saturday, May 1st.

Motion seconded by councilman Putney and upon vote by council was declared carried.

It was ruled that the curfew hour should remain as usual, that is 9-30 P. M. E. S. T. 10-30 P. M. D. L. S.T.

A motion to adjourn carried.

Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

June 8, 1937.

The council of the City of Nitro held its regular session on the 8th. day of June, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and C. E. Smith, J. E. Waldorf, A. M. Harmon, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session held on the 13th. day of April, and special session of council held on the 27th. day of April, 1937.

There being no objections or corrections minutes were declared approved as read.

\* NOTE: There was no meeting of council held during month of May, 1937. This being due to sickness of council members.

Mayor Cooper called for reading of Financial Statements of City for months of April and May, 1937.

Report of committees in order: Councilman Waldorf reporting on sanitation advised that he had investigated the condition of hog pens and barn at Thirty-first Street, Third Avenue, and that the hogs had been removed and conditions were much better.

Reporting on street lights councilman Waldorf advised that there was no street light from Thirty-first Street bridge up to the Burdette residence.

Committee on City Building reported that nothing had been done to date and recommended that this matter be brought up before council at its next regular meeting.

Reporting on more revenue councilman Harmon suggested assessing a capitation tax; a motion being in order councilman Harmon moved that the City Attorney be requested to prepare an ordinance authorizing the City of Nitro to establish and collect a capitation tax of ONE DOLLAR (\$1.00), payable by each male citizen of Nitro each year, and to be effective on and after January 1st. 1937, if possible, and if not possible to be included in this years revenue, to be effective on and after the 1st. day of January, 1938.

Motion seconded by councilman Waldorf and upon vote by council was declared carried.

The question of salary of C. H. Oldenburg, city fireman, was brought to councils attention by Mayor Cooper.

Motion by councilman Harmon that salary be increased TEN DOLLARS (\$10.00) per month, effective the 1st. day of June, 1937, was seconded by councilman Smith and upon vote by council was declared carried.

Motion by councilman Smith that the Recorder apply to the Bonding Company for continuation certificate for T. A. Lewis, as Recorder and Treasurer at THIRTY-FIVE HUNDRED DOLLARS (\$3500.00), was seconded by councilman Waldorf and upon vote by council was declared carried.

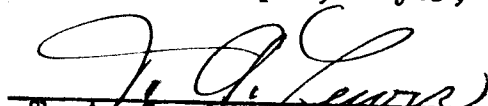
June 8, 1937. Cont'd.

Motion by councilman Harmon that Recorder apply to Bonding Company for bond for W. M. Greer as policeman, amount of bond to be THIRTY-FIVE HUNDRED DOLLARS (\$3500.00), was seconded by councilman Smith and upon vote by council was declared carried.

Motion by councilman Waldorf that street light be installed on second pole South of Thirty-first Street bridge on Third Avenue, was seconded by councilman Smith and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor,

  
T. A. Lewis, Recorder.

\*\*\*\*\*O\*\*\*\*\*

July 13, 1937.

The council of the City of Nitro held its regular session on the 13th. day of July, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
J. E. Waldorf, W. H. Putney, C. E. Smith, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 8th. day of June, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of city for month of June, 1937.

In report of committees on sanitation and street lights, members of committees reported that everything was satisfactory. The Street Commissioner being absent from meeting there was no report made on work done or work needed on streets.

Mayor Cooper reported to council that a new corporation had been organized to take over the sewerage system.

The Recorder reported to council that bonds applied for for the Treasurer and Chief of Police had not been received to date, that he had been in communication with the American Insurance Agency, Charleston, and had been informed that the bond for Treasurer had been issued, but they were having some

July 13, 1937, Cont'd.

trouble securing bond for the Chief of Police, Mr. Rusk, President of Agency was absent from town at this time but would get in touch with this office on his return to city.

Recorder read statement to council from the West Virginia Black Rock Company, Charleston, West Virginia, from which company the black rock to resurface South Twenty-first Street had been purchased.

Mayor Cooper suggested that this matter be taken care of when all bills were in.

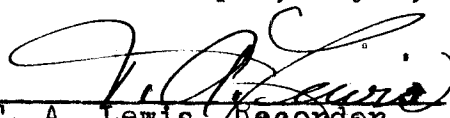
The matter of the Fire Department salaries was brought before the council by Mayor Cooper. After a short discussion councilman Smith made motion that effective July 1, 1937, that salary of the Fire Chief should be ONE HUNDRED AND FORTY DOLLARS (\$140.00) per month, and that salaries of firemen should be ONE HUNDRED AND TEN DOLLARS (\$110.00) per month.

Motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to transact at this time a motion to adjourn carried.

Meeting adjourned.

  
Earle H. Cooper, Mayor,

  
T. A. Lewis, Recorder.

August 5, 1937.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO, To-wit:

At a special session of the council of the city of Nitro, Kanawha and Putnam Counties, held in the council chambers thereof, in the City building on Thursday, the 5th. day of August, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith, J. W. Scott, members of council of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933, Second Extraordinary Session (House Bill No.234), the council proceeded to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

#### CURRENT REGULAR MUNICIPAL PURPOSES

##### ESTIMATE

(1) The amount due and the amount that will become due and collectible from every source during the fiscal year, except from the levy of taxes to be made for the year.

##### ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$1303.78	
Redemption and sale of delinquent lands	48.00	
Taxes uncollected	286.50	
General licenses	600.00	
Building and other permits	125.00	
Fees: Warrants and bonds	25.00	
Police Court Fines	750.00	
Miscellaneous	<u>25.00</u>	
Total estimated receipts (except from current levy)		\$3163.28

## ESTIMATED DISBURSEMENTS

(2) All other expenditures to be paid out of receipts of the municipality for the current year with proper allowance for delinquent taxes, exonerations, and contingencies.

## (b) CURRENT EXPENDITURES

Salary of Mayor	\$ 1.00
Salary of Recorder	900.00
Salary of Chief and 1 police	1500.00
General expenses Police Department	25.00
Expenses keeping and feeding prisoners	10.00
Stationery, office supplies and equipment	15.00
Postage.	10.00
Water	16.80
Light for street lighting	1134.84
Light - other purposes	20.00
Fuel	20.00
Telephone and telegraph	50.00
Advertising and legal publications	50.00
m	
Premiums on official's bonds	51.25
Election expenses	150.00
Attorney's fees, court cost and damages	50.00
Salaries - Street Comm'r and regular employees	75.00
New Equipment - Street Department	5.00
Maintenance of streets and alleys	500.00
Maintenance of sewers	219.39
Workmen's compensation premiums	5.00
Audit by Tax Commissioner	25.00
League Fee	25.00
Contingent expenses	50.00
Delinquent taxes and discount	<u>375.00</u>
Total estimated disbursements	<u>\$5283.28</u>



Total estimated receipts brought forward      \$3163.28

Amount to be raised by levy      \$2120.00

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2120.00 and to provide for said amount the following levies are proposes to be laid on each one hundred dollars' valuation of each class of property, viz:

Eight & three-fourth cents (8.75¢) on Class No. 1 property,  
Seventeen & one-half cents (17.5¢) on Class No. 2 property,  
Thirty-five cents (35¢) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	<u>Assessed Valuation</u>	<u>Proposes Rates</u>	<u>Taxes Levied</u>
NUMBER 1			
Personal Property	\$ 35,630	8.75¢	\$ 31.00
Public Utility Property	\$ <u>22,600</u>	8.75¢	\$ <u>20.00</u>
Total Class No. 1	\$ 58,230		\$ 51.00
NUMBER 2			
Real Estate	\$243,200	17.5¢	\$ 426.00
NUMBER 4			
Real Estate	\$231,000	35¢	\$ 808.00
Personal Property	\$ 78,455	35¢	\$ 275.00
Public Utility Property	\$ <u>159,900</u>	35¢	\$ <u>560.00</u>
Total Class No. 4	\$ <u>469,355</u>		\$ <u>1643.00</u>
TOTAL MUNICIPALITY	\$770,785		\$ 2120.00

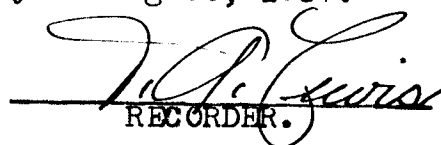
STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,      To-wit:

I, T. A. Lewis, Recorder in and for the municipality of Nitro, Counties of Kanawha and Putnam and State of West Virginia, do hereby certify that the foregoing are true copies from the records of orders made by the council of said municipality on the 5th. day of August, 1937.

Given under my hand this 5th. day of August, 1937.

  
RECORDER.

August 10, 1937.

The council of the City of Nitro met in regular session on the 10th. day of August, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf, A. M. Harmon, W. H. Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 13th. day of July, and minutes of special session held on the 5th. day of August, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of city for month of July, 1937.

Mayor Cooper called for report of committees:

Reporting for committee on street lights councilman Putney stated that a request had been made for street light at School Building. This matter was referred to committee on street lights.

Committee on sanitation reported that everything was satisfactory.

The Recorder reported to council of conversation by phone with the city attorney, D. N. Mohler, regarding the capitation tax ordinance and that Mr. Mohler promised to have this ordinance in the hands of Recorder for reading at the next regular session of council.

Councilman Harmon entered motion that the Treasurer be paid TWENTY-FIVE DOLLARS (\$25.00) per month, effective as of July 1st. 1937. Motion seconded by councilman Waldorf and upon vote by council was declared carried.

Motion entered by councilman Putney that the Annual Membership Fee of TWENTY-FIVE DOLLARS (\$25.00) be paid to the West Virginia League of Municipalities. Motion seconded by councilman Waldorf and upon vote by council was declared carried.

The question of the city changing from Daylight Saving Time to Eastern Standard Time was brought to attention of council.

The council ruled that the city, effective 12 o'clock midnight, Saturday, September 4, 1937, adopt E. S. T.

It was ruled that the finance committee meet with the Recorder and Treasurer August 17, for the purpose of auditing books and accounts of city for the Fiscal Year beginning July 1st. 1936, and ending June 30th. 1937.

Motion entered by councilman Harmon that the Treasurer draw on the City Treasury to amount of TWENTY-FIVE DOLLARS (\$25.00) in payment of ONE firearm for use of Police Department.

Motion seconded by councilman Putney and upon vote by council was declared carried.

Councilman Putney entered motion that the city purchase 52 peices 2x8 and 17 peices 2x6 from L. H. Kessel for amount of TWENTY DOLLARS (20.00), this lumber to be stacked and held in reserve for city purposes when needed. Motion seconded by councilman Waldorf and upon vote by council was declared carried.

Councilman Putney entered motion that Mayor Cooper appoint a committee to draw and outline an ordinance covering the contract of garbage hauling and collection of fees.

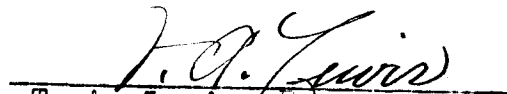
Motion seconded by councilman Harmon and upon vote of council was declared carried.

Mayor Cooper appointed the following members of council as committee on ordinance covering garbage:

Councilmen Harmon, Putney and Waldorf.

There being no further business to come before the council at this time a motion for adjournment carried.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

August 17, 1937.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special session of the council of the Municipality of Nitro, in Kanawha and Putnam Counties, held in the council chamber thereof on Tuesday, the 17th. day of August, 1937; Present:

Earle H. Cooper, Mayor, and T. A. Lewis, Recorder, and J. E. Waldorf, J. W. Scott, A. M. Harmon, W. H. Putney, members of the council of said Municipality.

Mayor Cooper called the meeting to order and the Recorder proceeded to read to council the following approval of levies proposed by council.

TO THE COMMON COUNCIL OF THE MUNICIPALITY OF NITRO, WEST VIRGINIA.

Under and by virtue of the authority vested in me, as Tax Commissioner of the State of West Virginia, under the provisions of Section 23, Chapter 67, Acts 1933, second extraordinary session (House Bill No. 234), the levies proposed by you for your municipality are hereby approved,

Given under my hand this the 12th. day of August, 1937.

SIGNED Ernest K. James  
Tax Commissioner

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of Nitro, in Kanawha and Putnam Counties will be \$2120.00, according to the estimate made up and entered of record on the 5th. day of August, 1937; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exceptions thereto, and the Tax Commissioner having approved the same in writing, it is therefore ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz:

Eight & three-fourth cents (8.75) on Class No. 1, property,  
 Seventeen & one half cents (17.5¢) on Class No. 2, property,  
 Thirty-five cents (35¢) on Class No. 4, property.

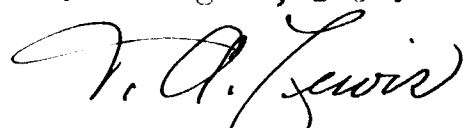
for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied (Whole Dollars)
NUMBER 1			
Personal Property	\$ 35, 630	8.75¢	\$ 31.00
Public Utility Property	\$ 22, 600	8.75¢	\$ 20.00
Total Class No. 1	\$ 58, 230		\$ 51.00
NUMBER 2			
Real Estate	\$243, 200	17.5¢	\$ 426.00
NUMBER 4			
Real Estate	\$231, 000	35¢	\$ 808.00
Personal Property	\$ 78, 455	35¢	\$ 275.00
Public Utility Property	\$159, 900	35¢	\$ 560.00
Total Class No. 4	\$469, 355		\$1643.00
Total Municipality	\$770, 785		\$2120.00

STATE OF WEST VIRGINIA,  
 COUNTIES OF KANAWHA AND PUTNAM,  
 CITY OF NITRO, To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro, counties of Kanawha and Putnam and State of West Virginia, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 17th. day of August, 1937.

Given under my hand this 17th. day of August, 1937.

  
 T. A. Lewis, Recorder.

September 14, 1937.

The council of the City of Nitro held its regular session on the 14th. day of September, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
W. H. Putney, C. E. Smith, J. E. Waldorf, members of council of  
said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 10th. day of August, and minutes of special session of council held on the 17th. day of August, 1937.

Councilman Smith objected to his name being included as member of council present in regular session held on August 10th. and requested that his name be stricken out, which request was granted. There being no other objections or corrections offered minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of city for month of August, 1937, and also reading of Financial Statement of city for fiscal year beginning July 1, 1936, and ending June 30, 1937 and including the following report of the Finance Committee of their findings for the fiscal year:

We, A. M. Harmon, J. E. Waldorf, W. H. Putney, members of the council of the City of Nitro, West Virginia, do hereby certify that we have carefully examined the books and accounts of Thomas A. Lewis, Recorder and Treasurer, of the City of Nitro, West Virginia, and found them to be correct in every respect, all monies and property in his control and custody being accounted for, with proper securities and funds on hand to balance his accounts, and he is not now in default. He has performed his duties in an acceptable and satisfactory manner.

Given under our hand this 17th. day of August, 1937.

SIGNED A. M. Harmon

SIGNED J. E. Waldorf

SIGNED W. H. Putney

FINANCE

COMMITTEE

Committees on sanitation and street lights said there was nothing to report at this time.

The Street Commissioner being absent from meeting there was no report made on work done or condition of streets.

Mayor Cooper called on committee to report that had been appointed to draw up and outline an ordinance covering the contracting of garbage hauling and collection of fees for same.

After some discussion of this matter the members of committee present requested that the drawing up of ordinance be referred to the city attorney.

Earl Walker stated to council that he had been requested to appear before council to learn if anything could be done in regard to dust on Second Avenue between Twenty and Twenty-first Streets. Complaint being that dust was sifting through windows of class rooms of school building and creating an unpleasant condition for teachers and pupils.

Mayor Cooper referred Mr. Walker to the Street Commissioner in regard to obtaining oil to put on Second Avenue adjacent to school building.

Councilman Putney presented an ordinance to Mayor Cooper, who proceeded to read said ordinance to council, this ordinance defining Food Products, Food Establishments, Health Officer, Requiring Permits for Food Establishments, Regulating the Inspection of Food Establishments, Requiring Clean and Sanitary Food Establishments and Regulating the Fixing of Penalties.

No action was taken on this matter at this time.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

October 12, 1937.

The council of the City of Nitro met in regular session on the 12th. day of October, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
W. H. Putney, J. W. Scott, J. E. Waldorf, C. E. Smith, members  
of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 14th. day of September, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of city for month of September, 1937.

The Mayor talked to council of the condition of highway from Nitro through Dunbar to Charleston, stating that it was the intention of the State Road Commission to widen the present highway a few feet in certain places and not build a new highway that would be adequate for the present needs of traffic between these points, and of the objections being raised by business men of Charleston and Dunbar and the council of Dunbar to this particular procedure of the State Road Commission.

After some discussion By Mayor Cooper and members of council it was decided not advisable for the City of Nitro to enter a protest with the State Road Commission at this time in view of the work that was been done on highway in East End of Nitro and down to the Putnam County line.

Committees on sanitation and street lights reported everything O. K.

The question of contracting the hauling of garbage and collections of fees for same was again brought to councils attention.

After some discussion on this matter councilman Waldorf entered motion that this matter be tabled indefinitely. Motion seconded by councilman Putney and upon vote by council was declared carried.

Street Commissioner Kessel being absent Mayor Cooper reported to council that Second Avenue had been worked on and oil had been sprayed on Second Avenue at school building.

Mayor Cooper proceeded to read to council Ordinance No. 43, this ordinance providing for the levying of an annual capitation tax upon each male inhabitant of the City of Nitro, who has attained the age of Twenty-one years, and providing for the collection thereof.

Motion entered by councilman Putney that ordinance be adopted, seconded by councilman Waldorf and upon vote by council was declared carried.



The question of Project No. 2 was brought before council by Mayor Cooper, who advised council that this project was for the purpose of resurfacing North Twenty-first Street, and that all notes had been signed by the property owners for their part of the cost of material.

Councilman Smith entered motion that Mayor Cooper sign the application for project, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Better Bus service for the citizens of Nitro was brought before council. It was brought out that members of council had been requested by some of the citizens to see what could be done in this matter. After some discussion councilman Putney entered motion that the Bus Company be approached in regard to better bus service between Nitro and Charleston, motion seconded by councilman Waldorf and upon vote by council was declared carried. It was suggested by council that Mayor Cooper take this matter up with officials of the Bus Company.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

November 9, 1937.

The city council of Nitro held its regular session on the 9th. day of November, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, C. E. Smith, J. E. Waldorf, members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of last regular session of council held on the 12th. day of October, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of city for month of October, 1937.

Mayor Cooper reported to council of receiving letter from an official of the Greyhound Bus Company in regard to better bus service for Nitro, letter stating that this matter was being considered by officials of the Bus Company.

Mayor Cooper reported to council that application on continuation of WPA project No. 1, had been submitted to proper authorities after a few changes had been made by M. A. Bender, City Engineer and Mr. J. B. Alderson, Supervisor.

This project been for the purpose of resurfacing North Twenty-first Street.

In regard to installation of additional fire hydrant on 40th. Street, near old county road, it was ruled that this matter be taken up with Fire Chief Ellis.

Recorder presented bill to council from Mohler, Peters and Snyder, Attorneys, amount of bill being \$25.00. Charges for Preparation of Ordinance Levying a Capitation Tax and conference with the State Tax Commissioner relative to same.

Councilman Waldorf entered motion that this bill be paid, motion seconded by councilman Smith and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

December 14, 1937.

The council of the City of Nitro met in regular session on the 14th. day of December, 1937, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith, W. H. Putney, J. E. Waldorf, members of council  
of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 9th. day of November, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement for month of November, 1937.

Mayor Cooper read letter to council from Mr. L. O. Grass, said letter complaining of a dog owned by Mrs. O. L. Hawkins, 2601-2603, 26th. Street, barking incessantly. Council did not feel like taking action in this matter at this time and suggested that Mr. Grass be requested to take up the matter with Mrs. Hawkins.

Mayor Cooper read letter to council from L. G. Burns, Auditor from the Tax Commissioners Office. Mr. Burns stated that he was favorably impressed by the way the records had been kept, and the fact that the records had not been audited since the incorporation of Nitro and still each year was found to be completely in balance and all funds properly cared for and no indication of reckless spending left the impression that the City of Nitro had always tried to live within its means, which is unusual to other cities.

Committees on sanitation, street lights etc; reported no complaints.

Councilman Waldorf was requested to get in touch with M. A. Bender, City Engineer, in regard to the main sewer line.

Mayor Cooper read News Bullitin from the West Virginia League of Municipalities, under date of December 8, 1937, in regard to rumors of a Special Session of the State Legislature, to be called by Governor Holt early in 1938. Bulletin begging that the enclosed petition, which petition asks for municipal aid legislation, be signed by each and every elective officer so that it might be presented to the Governor in time for consideration and inclusion of his call, when and if issued.

Councilman Smith entered motion that the Recorder apply to the Bonding Company for bond for A. J. Hedrick, Policeman.

Amount of bond to be Thirty-five Hundred Dollars (\$3500.00) and effective January 1, 1938, and ending December 31, 1938.

Motion seconded by councilman Waldorf and upon vote by council was declared carried.

December 14, 1937, Cont'd.

The question of raising funds for extra full time policeman was brought to councils attention. Councilman Putney suggested that G. C. Alderson, President of the Nitro Chamber of Commerce be requested to call a meeting of all Nitro business men in regard to this matter.

Councilman Putney advised that there was a possibility of obtaining a certain amount of funds from residents living outside of the corporate city limits below 42nd. Street for fire protection and entered motion that a committee be appointed to investigate this angle. Motion seconded by councilman Smith and upon vote by council was declared carried.

Mayor Cooper appointed councilmen Putney and Waldorf as the committee.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. S. Lewis, Recorder.

January 11, 1938.

The council of the City of Nitro held its regular session on the 11th. day of January, 1938, there were present:

Earle H. Cooper, Mayor    T. A. Lewis, Recorder,                      and  
J. W. Scott, C. E. Smith, W. H. Putney, J. E. Waldorf,  
members of council of said city. M. A. Bender also present.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 14th. day of December, 1937.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of City for month of December, 1937.

Mayor Cooper advised council of additional expenditures for month of January, especially in regard to new parts for fire-truck and the necessary cost of labor in fixing truck, advised council that the City had been promised aid by the Civic Benefits Association in this matter. Also advised council of the temporary closing of Forty-first Street and the probable closing of Twenty-ninth Street.

M. A. Bender, City Engineer, addressed the council in regard to the sewers of Nitro, calling their attention to the danger which already exists to a number of families from sewer gas and that in a short space of time that the entire population of Nitro would be endangered, he spoke of being in touch with the Government Engineers ever since this matter first came up and of the co-operation by all concerned that had been given the Government Engineers but had obtained but very little, if any, satisfaction in regard to this matter, he said he had been advised that a meeting would be held between January 1, and 10th. 1938, but he had heard nothing more about it and meeting had not been held.

Mr. Bender proceeded to read letter to council in regard to sewers, copies of which were to be sent to the following:

Hon. Louis A. Johnson, Assistant Secretary of War;  
Hon. M. M. Neely, United States Senator; Hon. Rush D. Holt,  
United States Senator; Hon. Joseph L. Smith, United States  
Congressman; Hon. George W. Johnson, United States Congress-  
man; and Andrew A. Payne, President of the Nitro Industrial  
Corporation.

Committees on sanitation and street lights reported every-  
thing O. K.

Councilman Putney reported that he thought some residents below Forty-second Street would be glad to pay for fire protection so that they might obtain lower insurance rates on their property. This matter tabled until the next meeting.

January 11, 1938. Cont'd.

Mayor Cooper brought to councils attention the few donations that had been made by merchants to help defray the expense of an extra policeman. After a short discussion it was decided that the majority of merchants were not in favor of paying a monthly fee and ruled that the amounts that had been collected be returned.

There being no further business to come before the council a motion to adjourn carried. Meeting adjourned.

Earle H. Cooper  
Earle H. Cooper, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

February 8, 1938.

At the regular session of the council of the City of Nitro held on the 8th. day of February, 1938, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and C. E. Smith; J. E. Waldorf; members of council of said city and M. A. Bender, City Engineer.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 11th. day of January, 1938.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of financial statement of city for month of January, 1938.

The Mayor reported to council on the present personnel of city police, informing council that W. M. Greer, former Chief of Police, had retired from active service on the police force for an indefinite period of time and that A. J. Hedrick was acting Chief for the time being, and that he had secured the services of Walter Coffey to act as extra policeman.

In regard to sewers and danger from sewer gas and unsanitary conditions Mayor Cooper reported to council that letters had been received from Louis A. Johnson, Assistant Secretary of War; Congressmen Smith and Johnson; Senators Neely and Holt, each of whom promised to do everything possible to clear up this matter. These letters have been placed in the city files.

No report was made on sanitation and street lights.

In regard to request to residents that reside below 42nd. Street for fire protection so that they may obtain lower insurance rates Mayor Cooper stated to council that the Insurance Company would give lower rates if proper application was made accompanied with a letter to the Underwriters stating that the Fire Department would respond to all calls on fires in that area.

The Recorder presented statements to council from W. H. Putney's Filling Station to the City of Nitro for gasoline and oil purchased during months of November and December, 1937, and month of January, 1938, for work done on streets by PWA. Councilman Smith entered motion that the account be paid, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Mayor Cooper presented to council insurance rates on police car from L. D. Smith; after some discussion on this matter the council ruled that Mayor Cooper investigate this matter with some of the local insurance agencies.

February 8, 1938. Cont'd.

M. A. Bender, City Engineer, called attention of council to building line established and method of restricting any buildings, business or otherwise being built on lot line and out of line with buildings already built, stating that in all cases buildings should be back fifteen feet from lot line. Mr. E. R. Comstock and Dr. J. E. Temple, who were present, voiced their objections to business buildings being set back fifteen feet from lot line, claiming that the fifteen feet in question was the most valuable part of the property.

The council ruled that the City Attorney be requested to give his opinion on this matter and that a special meeting be held with all property owners on South side of Twenty-first Street between First and Second Avenue to further discuss this matter.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



March 8, 1938.

The council of the City of Nitro held its regular session on the 8th. day of March, 1938, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott, W. H. Putney, G. E. Smith, J. E. Waldorf, members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of Minutes of regular session held on the 8th. day of February, 1938. There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement of City for month of February, 1938.

Recorder introduced to council Record of Audit by the State Tax Commissioners Office during the period beginning July 1, 1932 and ending June 30, 1937. Councilman Smith entered motion that audit be accepted and placed in the City files. Motion seconded by councilman Waldorf and upon vote by council was declared carried.


Mayor Cooper reported to council of his consultation with City Attorney Mohler in regard to the established building line, also additional fire plugs requested by Fire Chief Ellis and of the talk with Mr. E. F. Veador, District Superintendent of the West Virginia Water Service Company in regard to this matter. Mayor Cooper stated to council that he was sure that the additional fire plugs would be installed in the near future.

Also advised council of work being done on Second Avenue between Eighth and Twenty-first Streets by PWA labor. Read letter to council from the West Virginia State Department of Health in regard to sewers and disposal plants. It was also brought to council's attention that a city wide project to be done by PWA labor, had been suggested. Councilman Putney entered motion that application of this project be made, motion seconded by councilman Smith and upon vote by council was declared carried.

The question of obtaining bond for Walter Coffey, Policeman, was introduced to council by Mayor Cooper. Councilman Putney entered motion that bond be applied for, motion seconded by councilman Smith and upon vote by council was declared carried.

Mayor Cooper read letter to council in regard to zoning and planning commission from the Hugh Miller Associates, Inc; Engineers and Architects. After some discussion on this question councilman Smith entered motion that Mayor appoint a planning commission. Motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
T. A. Lewis, Recorder.

  
Earle H. Cooper, Mayor

April 12, 1938.

The council of the City of Nitro held its regular session on the 12th. day of April, 1938, those present were:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith, W. H. Putney, J. W. Scott, J. E. Waldorf, A. H. Harmon,  
members of council of said city.

The meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes by the Recorder of regular session of council held on the 8th. day of March, 1938.

There being no objections or corrections minutes were declared approved as read.

Mayor called for reading of Financial Statement of city for the month of March, 1938.

Mayor Cooper read letter to council from Louis Johnson, Assistant Secretary of War, under date of March 11, 1938, letter being in answer to protest made against the unsanitary condition existing in Nitro resulting from the flooding of sewers. This letter has been placed in the City files.

Mayor Cooper advised council of the appointment of a planning commission, stating that commission had held two meetings and were working on an ordinance governing building lines etc.

Street Commissioner Kessel reported streets as been OK and that all street markers along First Avenue had been installed.

Councilman Putney offered the following Resolution:

"I move that the following Resolution be adopted":

"Whereas, The City of Nitro shall hold an election of officers on the 7th. day of June, 1938, as provided by Section 4, Article 3, Chapter 8, Code of 1931, State of West Virginia; therefore be it:

"Resolved, That all nominations be made by certificate, and signed by the required number of voters, and filed with the City Recorder not later than the 7th. day of May, 1938, as provided by Section 16, Article 3, Chapter 8, Code of 1931, State of West Virginia.

"Be it further Resolved: That each candidate shall pay the sum of FIVE DOLLARS (\$5.00) when filing certificate. No certificate shall be accepted unless FIVE DOLLARS (\$5.00) is paid for each candidates name on certificate.

"Be it further Resolved: That the Registrars, after having completed the registration, shall, for the purpose of amending, correcting and completing such registration, sit together at the City Office For Two Days, commencing on the Second Monday in May next.

"Be it further Resolved: That the election shall be held in the

building known as the Water Company Building and occupied by the Boy Scouts of America".

Councilman Smith seconded motion and upon vote by council was declared carried.

Councilman Waldorf called attention of council to drain pipes on Third Avenue. After some discussion it was ruled that Street Commissioner Kessel should take care of this matter.

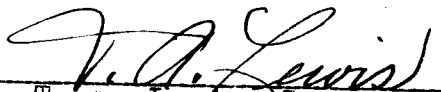
Councilman Putney advised council that financial assistance to meet the expense of installing Street Markers along First Avenue had been promised by the business people along First Avenue.

Councilman Putney entered motion that Second Avenue be opened from Eighth Street on past Seventh Street through to First Avenue. Motion seconded by councilman Waldorf and upon vote by council was declared carried.

Street Commissioner Kessel was instructed by council to open up Second Avenue.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

April 19, 1938.

The council of the City of Nitro met in special session on the 19th. day of April, 1938, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and

J. W. Scott, C. E. Smith, J. E. Waldorf, W. H. Putney, A. M. Harmon, members of council of said city.

The meeting was called to order by Mayor Cooper, who stated to council that meeting was called for the purpose of appointing two competent persons to act as registrars for the election of officers to be held on the 7th. day of June, 1938.

The following names were submitted to council:

Mrs. O. H. Hayes, Democrat; Rev. A. F. Shomo, Republican;

Earl F. Snyder, Democrat; and Nellvera Gott, Republican.

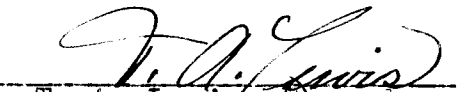
After some deliberation by council Mrs. O. H. Hayes and

Rev. A. F. Shomo were declared appointed.

Councilman Harmon entered motion that each registrar be paid FIVE CENTS (.05¢) for each name registered and be paid TWO DOLLARS and FIFTY CENTS (\$2.50) each, per day, for the TWO DAYS sitting but nothing to be paid for additional names registered during the two days sitting. Motion carried.

There being no further business to come before the council at this time a motion to adjourn carried. Meeting adjourned.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.



May 10, 1938.

The council of the City of Nitro met in regular session on the 10th, day of May, 1938, those present were:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith; W. H. Putney; J. W. Scott; J. E. Waldorf;  
A. M. Harmon, members of council of said city.

The Meeting was called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session of council held on the 12th. day of April, and special session held on the 19th. day of April, 1938.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for reading of Financial Statement of City for month of April, 1938.

The request for an additional street light at 10th. Street, by A. M. Parsons, was referred to the committee on street lights for investigation.

Street Commissioner Kessel reported to council that there had been cinders put on some streets and that grader had been used on streets for two days during month of April.

Mayor read to council the report of the Planning and Zoning Commission and advised council that there would be a public meeting composed of the council and citizens of Nitro held on the 24th. day of May, after consultation with City Attorney Mohler this date was changed to May 31st. so as to give 15 days notice by publication as provided by law.

The Recorder presented to council certificates of candidates for office in the election to be held on the 7th. day of June, 1938.

Councilman Smith entered motion that certificates be accepted, motion seconded by councilman Harmon and upon vote by council was declared carried.

The Recorder read letter to council from Mr. W. B. Vivian, Plant Superintendent of the American Viscose Corporation under date of April 20, 1938, in regard to 4 metal cell doors that had been constructed for the City of Nitro at the Viscose Plant, letter stated that there would be no charge for material or labor on this work.

Recorder also read letter to council under date of April 21, 1938, addressed to Mr. A. M. Bender, City Engineer, from the State Road Commission and signed by Mr. Thomas B. Pringle, Senior Engineer, letter being in regard to a State Wide Highway Planning Survey to provide material for future planning of grade crossing elimination in cities, also read copy of Mr. Benders answer to said letter under date of April 25, 1938.

Afore-mentioned letters have been placed in the city files.

Mayor Cooper stated to council that he had been approached by different citizens of Nitro in regard to play-grounds for the children so as to keep them off of the streets as much as possible and eliminate playing ball and destruction of property such as broken windows, broken down shrubbery and plants, also the danger to the children themselves from motor vehicles.

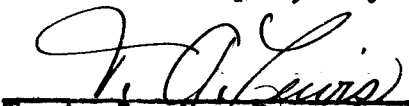
Councilman Putney entered motion that a committee be appointed to investigate the obtaining of suitable property for play-grounds, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Mayor Cooper appointed the following councilmen as a committee on play-grounds: J. E. Waldorf and W. H. Putney.

Mr. Guy H. newcomber, representing the Title Mortgage and Discount Company; Mr. Homer West and Mr. Oscar Wagner, property owners in the Cresent City Addition appeared before council begging that 15th. Street be located and opened into the said Cresent City Addition. After some discussion by council and representatives and examination of map of these properties councilman Harmon entered motion that City Engineer M. A. Bender be instructed to survey and run lines of 15th. Street. The expense of surveying and locating these lines to be paid by the property owners of said Cresent City Addition. Motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

May 31, 1938

As provided by Ordinance No. 29, Section 6, the council of the City Of Nitro held a special session on the 31st. day of May, 1938, for the purpose of hearing any and all matters as to the registration of voters; and as provided by Ordinance No. 30, for the appointment of an election board to act in the City election of June 7, 1938. There were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and  
C. E. Smith; A. M. Harmon; J. E. Waldorf; J. W. Scott;  
W. H. Putney, members of council of said city.

The meeting was called to order by Mayor Cooper.

The Recorder produced the registration books and read to council the following affidavit:

We, the undersigned registrars do hereby certify that the foregoing is a true and correct list of the voters in our Precinct as registered by us.

SIGNED Mrs. O. H. Hayes

A. F. Shomo, Registrars.

Councilman Harmon entered motion that the names of additional voters who had applied to Recorder for registration be entered in the registration books, motion seconded by councilman Smith and upon vote by council was declared carried.

Councilman Smith entered motion that the registration be accepted, motion seconded by councilman Waldorf and upon vote by council was declared carried.

The registration books were then placed in separate envelopes, which were sealed by the Recorder.

Councilman Putney entered motion that a double election board be appointed, motion seconded by councilman Harmon and upon vote by council was declared carried.

The following names were submitted to council to act as the election board:

RECEIVING COMMISSIONERS: P. T. Bricker; W. M. Greer; Mrs.  
O. H. Hayes.

COUNTING " A. F. Shomo; H. K. Miller; L.L. Betz.

RECEIVING CLERKS: R. C. Alexander; G. F. Hayes.

COUNTING " Earl Snyder; Vondel Lyons.

After waiting for some time and no other names being suggested councilman Smith entered motion that nominations close, motion seconded by councilman Waldorf and upon vote by council was declared carried.



Councilman Harmon entered motion that the above mentioned persons stand appointed as the election board, motion seconded by councilman Waldorf and upon vote by council was declared carried.

The question of the Zoning Ordinance was introduced by Mayor Cooper, who proceeded to read said ordinance to council and the following members of the Planning and Zoning Commission:

G. C. Alderson; P. T. Bricker; H. N. Tinsley; O. Z. Wiley; also present M. A. Bender, City Engineer.

Councilman Smith entered motion that the zoning ordinance be accepted and approved as read, motion seconded by councilman Putney, before vote was taken on this motion it was suggested by some members that some alterations be made in Zones 1 & 3 in regard to lots bordering on First Avenue, it was suggested that they be designated as business lots but that no building should extend more than 80 feet from the property line in an easterly direction. Councilman Smith withdrew his motion and after the suggested alterations had been made in ordinance councilman Putney entered motion that ordinance be accepted, motion seconded by councilman Smith and upon vote by council was declared carried.

Councilman Smith made motion that the Recorder should prepare ballots to submit to the voters on June 7, 1938.

Motion seconded by councilman Harmon and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

May 31, 1938.

The council of the City of Nitro held a special session on the 31st. day of May, 1938, this meeting being called by Earle H. Cooper, Mayor, for the purpose of council to consider making application for a PWA project to build and construct a new sewer system.

Those present were: Earle H. Cooper, Mayor, T. A. Lewis, Recorder; C. E. Smith; W. H. Putney; J. E. Waldorf; J. W. Scott; A. M. Harmon, members of council of said city. M. A. Bender, City Engineer, also present.

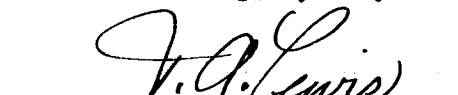
Mayor Cooper called meeting to order and explained object of meeting to council. After some discussion by council on this matter, councilman Harmon entered motion that the City of Nitro accept title to sewers if and when tendered to City by the Nitro Sewer Corporation and proceed to make proper application to the PWA to build a new sewer system to replace the sewers made useless by the raising of the pools of the Kanawha River.

Sponsors portion of cost to be paid by the United States Engineers with no cost to the City of Nitro.

Motion seconded by councilman Smith and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

June 13, 1938.

The common council of the City of Nitro held a special session on the 13th. day of June, 1938, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott; A. M. Harmon; J. E. Waldorf; W. H. Putney; members of council of said city.

Meeting called to order by Mayor Cooper, who stated to council that reason for call for special session was for the purpose of council to act as a board of canvassers and carefully and impartially examine the returns of the election held on the 7th. day of June, 1938.

The Recorder proceeded to unlock the ballot box and lay before the board of canvassers the ballots, poll books, tally sheets and certificated.

The Recorder read to council the results of the election as certified to by the election board after which the council acting as a board of canvassers proceeded to count the ballots.

The count of ballots for city officers showed 722, whereas the certificate of results of election issued by the election board showed 721. The count of ballots on the Zoning Ordinance by the board of canvassers showed 588, whereas the count of the election board showed 582.

After a short discussion on the slight difference in count of ballots it was ruled that the difference would not materially effect the results of the election.

Attention of council was called to the way the ballots had been placed in the ballot box on the day of election, that voters, instead of handing ballots to one of the election commissioners had been allowed to deposit their ballots in the box themselves.

Mayor Cooper read to council Section 19, Article 5, Chapter 3, Code of 1931, which covers the deposit of ballots in ballot box. In the discussion which followed it was brought out that the depositing of ballots in the ballot box by the voters themselves seemed to be a common practise in all elections, therefore the board of canvassers did not deem it fit to take any action on this matter.

Councilman Harmon entered motion that results of election as certified to by the election board be accepted and approved, motion seconded by councilman Waldorf and upon vote by council was declared carried.

The following results are hereby entered of record:

For the office of Mayor, that	Earle H. Cooper	received	251	votes.
" " " " " "	C. F. Showen	"	341	"
" " " " " "	James E. Roark	"	122	"
" " " " " "	Frank Kenworthy	"	1	"
" " " " Recorder "	T. A. Lewis	"	326	"
" " " " " "	O. M. Crow	"	252	"
" " " " " "	W. L. Wintz	"	131	"
" " " " " "	Eugene Fowler	"		"

For the office of councilmen, that	L. H. Kessel	received	569	votes
" " " " "	Herman Jones	"	601	"
" " " " "	C. E. Smith	"	416	"
" " " " "	J. E. Waldorf	"	593	"
" " " " "	J. H. Rimmer	"	612	"
" " " " "	J. W. Stamm	"	453	"
" " " " "	Deck Bruffing	"	1	"

And that C. F. Showen received the majority of votes cast for Mayor  
 " " T. A. Lewis " " " " " " Recorder  
 " " L. H. Kessel; Herman Jones; J. E. Waldorf; J. H. Rimmer;  
 J. W. Stamm; received the majority of votes cast for  
 councilmen.

" " FOR ZONING " " " " " " .

There being no further business to come before the council at  
 this time a motion for adjournment carried.

Earle H. Cooper  
 Earle H. Cooper, Mayor

T. A. Lewis  
 T. A. Lewis, Recorder.

June 14, 1938.

The council of the City of Nitro met in regular session on the 14th. day of June, 1938, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott; J. E. Waldorf; A. M. Harmon; members of council of said city.

Meeting called to order by Mayor Cooper.

Mayor Cooper called for reading of minutes of regular session held on the 10th. day of May, minutes of special session held on the 31st. day of May, and minutes of special session held on the 13th. day of June, 1938.

There being no objections or corrections minutes were declared approved as read.

Mayor Cooper called for the reading of the financial statement of city for the month of May, 1938.

Mayor Cooper reported to council of meeting held in Charleston in regard to the PWA project for building a new sewer system, meeting being held in the Law Offices of Payne, Minor and Ray; those present were: Mayor Earle H. Cooper; City Engineer M. A. Bender; Attorney James A. McWhorter; representing the City of Nitro; G. C. Alderson; Attorneys Payne and Ray representing the Nitro Sewer Corporation; Major F. F. Freck representing the United States Engineers; J. E. Settle, Consulting Engineer for the PWA; E. S. Tisdale, Director Division of Sanitary Engineering, State Health Department.

After discussing ways and means of building a new sewer system for Nitro it was suggested by E. S. Tisdale that an application be filed with the PWA for a project to rebuild the sewer system. All present were in accord with Mr. Tisdale's ideas and it was agreed to push this matter through as rapidly as possible.

It was understood by all present that this project was to be sponsored by the United States Engineers without any cost whatsoever to the City of Nitro.

Mayor Cooper stated that there was nothing further to report at this time on the ~~PWA~~ city wide project.

Stated to council that State Engineers were making a survey in upper end of Nitro in regard to an underpass.

Also read copy of letter which he had written to M. A. Bender, City Engineer, in regard to establishing lines in the Crescent City Addition.

Stated to council that G. C. Alderson had offered to let City have ground in the lower end of town to be used as a play-ground without any cost to the City for rental.

Mayor Cooper read Zoning Ordinance to council.

Councilman Harmon entered motion that Ordinance be adopted as read, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Mayor Cooper appointed the following as Planning and Zoning Commissioners:

G. C. Alderson	for a term of 3 years
J. C. Pickens	" " " " " "
P. T. Bricker	" " " " 2 "
O. Z. Wiley	" " " " " "
H. N. Tinsley	" " " " 1 year

Councilman Harmon entered motion that appointments be approved, motion seconded by councilman Waldorf and upon vote by council was declared carried.

The Recorder was instructed to notify the above mentioned of their appointment.

Recorder read to council statement of the election Commissioners and Clerks for services in election held June 7, 1938. Total amount being \$50.00. Councilman Harmon entered motion that the City Treasurer draw on the City Treasury in payment of this statement, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Recorder read to council statement from the American Insurance Agency to the amount of \$26.25, premium on official bond of T. A. Lewis, Recorder and Treasurer, bond effective July 1, 1938 and ending June 30, 1939. Councilman Waldorf entered motion that the City Treasurer draw on the City Treasury to amount of \$26.25 in payment of premium on official bond for T. A. Lewis, Recorder and Treasurer, made payable to the American Insurance Agency. Motion seconded by councilman Harmon and upon vote by council was declared carried.

Recorder presented statements of Mohler, Peters and Snyder, to amount of \$50.00 for preparation of Zoning and Building Ordinance, and to amount of \$25.00 for conference with Mayor, Government Officials and attorneys representing the Nitro Sewer Corporation. Motion by councilman Waldorf that these bills be paid was seconded by councilman Harmon and upon vote by council was declared carried.

O. Z. Wiley complained of peddlers and the amount assessed for peddlers license by the City, claiming that it should be higher. Mayor Cooper read the Ordinance governing this and showed Mr. Wiley that the City fee on this was the same as charged by the State, which was as far as the City could go.

There being no further business to come before the council at this time a motion for adjournment carried.

*Earle H. Cooper*  
Earle H. Cooper, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

June 17, 1938.

The council of the City of Nitro held a special meeting on the 17th. day of June, 1938, there were present:

Earle H. Cooper, Mayor, T. A. Lewis, Recorder, and J. W. Scott; J. E. Waldorf; C. E. Smith; A. M. Harmon; W. H. Putney; members of council of said city; also present were: C. F. Showen, Mayor-elect; J. H. Rimmer; Herman Jones; L. H. Kessel; J. W. Stamm, the new members of council who take office July 1, 1938, and M. A. Bender, City Engineer.

Mayor Cooper called the meeting to order and explained to those present that meeting was called in order that the new members might be advised as to what had been done in regard to obtaining relief from conditions arising from the raising of the pool stage of the Kanawha River, stating to the new council that plans had already been started to obtain a PWA project for purpose of building a new sewer system, and which project was to be sponsored by the United States Engineers with no cost to the city.

Mayor Cooper read letters in regard to this matter from the following: John F. Conklin, Lieutenant Colonel Corps of Engineers; Louis Johnson, Assistant Secretary of War; F. F. Frech, Major, Corps of Engineers; S. D. Sturgis, Captain, Corps of Engineers; E. S. Tisdale, Director Division of Sanitary Engineering; D. N. Mohler, Attorney; C. L. Vickers, Engineer PWA; copy of letter written to J. E. Settle, Consulting Engineer.

All these letters have been placed in files of the city.

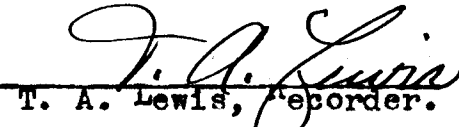
Advised new council of meeting held in Charleston, which has been mentioned in previous minutes of council meeting held on the 14th. day of June, 1938.

M. A. Bender, City Engineer, advised new council as to best way to expedite the obtaining of action in this matter.

Councilman Smith entered motion that the plans which were already under way for obtaining a PWA project be carried through with all possible speed. Motion seconded by councilman Putney and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried.

  
Earle H. Cooper, Mayor

  
T. A. Lewis, Recorder.

July 1, 1938.

The council of the City of Nitro met in special session on the 1st. day of July, 1938, there were present:

C. F. Showen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer; L. H. Kessel; J. W. Stamm; Herman Jones; J. E.  
Waldorf; members of council of said city.

The meeting was called to order by Mayor Showen.

Mayor Showen called for the reading of minutes of the regular session held on the 14th. day of June, minutes of special session held on the 17th. day of June, 1938.

There being no objections or corrections minutes were declared approved as read.

The Recorder read to council copy of audit made by G. P. Smith, Auditor, of the State Compensation Department. Audit being from July 1, 1936, to, June 30, 1937. Audit showed no discrepancies found.

The appointment of city officials and committees was brought to councils aptention.

Councilman Rimmer entered motion that T. A. Lewis be appointed City Treasurer, motion seconded by councilman Stamm and upon vote by council was declared carried.

Mayor Showen appointed the following members of council as a committee on street lights and sanitation:

J. W. Stamm; J. H. Rimmer and Herman Jones.

FINANCE COMMITTEE: J. E. Waldorf; L. H. Kessel and J. H. Rimmer.

The Recorder read to council applications for the position of Chief of Police of the following named persons:  
W. M. Greer; Dowl Steel; O. C. Little; Philip Arthur.

Councilman requested Recorder to read names on petition presented by W. M. Greer.

Councilman Stamm entered motion that Philip Arthur be appointed as Chief of Police, motion seconded by councilman Rimmer and upon vote by council was declared carried.

Councilman Rimmer entered motion that the Mayor be empowered with authority to appoint special police as he deemed necessary and that they should be under call at any time, motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Stamm made motion that the Recorder apply for bond for Philip Arthur as Chief of Police, motion seconded by councilman Jones and upon vote by council was declared carried.

Ruled by council that L. H. Kessel continue as Street Commissioner.



Councilman Stamm entered motion that salary of the Recorder shall be SEVENTY-FIVE DOLLARS(\$75.00) per month, motion seconded by councilman Rimmer and upon vote by council was declared carried.

Motion by councilman Rimmer that the Chief of Police be paid a salary of ONE HUNDRED DOLLARS (\$100.00) per month, seconded by councilman Stamm and upon vote by council was declared carried.

Moved and seconded that the council meet on the 2nd. and 16th. of August, 1938. Motion carried.

There being no further business to come before the council at this time a motion for adjournment carried.

C. F. Showen  
C. F. Showen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

July 19, 1938.

The Council of the City of Nitro met in regular session on the 19th. day of July, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
L. H. Kessel, J. H. Rimmer, J. W. Stamm, J. E. Waldorf, Herman  
Jones, members of Council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of session held by Council on the 1st. day of July, 1938, there being no objections or corrections minutes were declared approved as read.

The Recorder read to Council Financial Statement of city for the month of June, 1938.

Councilman Rimmer entered motion that ONE DOLLAR (\$1.00) be deducted from the THREE DOLLARS AND FIFTY CENTS (\$3.50) in all paid costs and be entered in a fund to help defray expenses of supplies needed for the police department. Motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Mayor Schowen appointed M. A. Bender as City Engineer for a term of TWO (2) years, term to expire June 30, 1940.

Councilman Kessel entered motion that appointment be approved, motion seconded by councilman Stamm and upon vote by Council was declared carried.

It was moved and seconded that the matter of paying fees on building permits over to the City Engineer be tabled until next meeting.  
Motion carried.

Mayor Schowen appointed all members of Council as a committee to see property owners in regard to paving of streets, naming councilman Rimmer as Chairman of the committee.

The Recorder read letter to Council from Attorney D. N. Mohler, in regard to the Zoning Ordinance, with bill attached to amount of FOUR DOLLARS AND FIFTY SIX CENTS (\$4.56), payable to the Charleston Gazette for publication of Legal Notice. Also copy of telegram to Thomas G. Reed, Regional Finance Examiner Public Works Administration, Chicago, this copy along with letters have been placed in files of city.

Ex-Mayor Cooper read to Council letter received by him from the PWA, Chicago, in regard to the Sewer System, said letter requesting that copies of minutes of meetings held on May 31, 1938 and June 17, 1938, in regard to sewers, be forwarded to the Public Works Administration, Chicago.

Councilman Rimmer entered motion that Zoning and Planning Committee be notified to establish building lines in the Crescent City Addition, if and when engineers locate the property lines, motion seconded by councilman Stamm and upon vote by Council was declared carried.

The Recorder read to Council letter from the State Tax Commissioner addressed to all Tax Levying Bodies.

Councilman Stamm entered motion that the City purchase equipment requested by the Chief of Police for use of the Police Department.

Motion seconded by councilman Waldorf and upon vote by Council was declared carried.

( There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Showen  
C. F. Showen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

July 29, 1938.

At a Special meeting of the Council of the City of Nitro, West Virginia, held at the City Hall on the 29th. day of July, 1938, there were present:

C. F. Schowen, Mayor                      T. A. Lewis, Recorder,                      and  
J. H. Rimmer, J. W. Stamm, Herman Jones, L. H. Kessel, members  
of Council of said city; the following preamble, resolution and  
agreement was duly passed and entered of record:

Councilman J. H. Rimmer offered the following preamble and  
resolution, and moved its adoption:

WHEREAS, the United States of America has constructed locks and  
dam in the Kanawha River, near the Town of Winfield, County of  
Putnam, State of West Virginia, at a distance of 31.10 miles above  
the mouth of said river, known as the Winfield Locks and Dam, and,

WHEREAS, the pool formed by the said Winfield Locks and Dam will  
affect the existing sewer system of the City of Nitro, West Virginia,  
to such an extent as to require remedial work, and,

WHEREAS, the City of Nitro, West Virginia, has acquired ownership  
of all the trunk line sewers and mains in the sewer system con-  
structed in and upon the property at Nitro in Putnam and Kanawha  
Counties, West Virginia, formerly owned by the United States of  
America and known as the "Nitro Reservation", with the right to  
enter upon the premises where the same are located at all times to  
construct, relocate, keep, repair and maintain the same, and being  
the same sewer system and interest therein which was conveyed to  
the Nitro Sewer Company by the Nitro Industrial Corporation by deed  
dated July 1, 1937, recorded in the office of the Clerk of the  
County Court of Putnam County, West Virginia, in Deed Book \_\_\_\_\_  
at page \_\_\_\_\_, and recorded in the office of the Clerk of the

County Court of Kanawha County, West Virginia, in Deed Book \_\_\_\_\_  
at page \_\_\_\_\_, and,

WHEREAS, the City of Nitro, West Virginia, has employed J. E. Settle, Consulting Engineer, to make a complete survey and report of its sewer system, streets, avenues and alleys, together with plans and profiles, so as to ascertain definitely the exact amount of replacement, repair and relocation that will be necessary to its sewer system, streets, alleys and public buildings, by reason of the increased pool elevation resulting from said locks and dam, which said survey and report has been completed, and,

WHEREAS, copies of said survey, report, plans and profiles have been filed with, and approved by the West Virginia State Health Commissioner and the Sanitary Engineer for the State of West Virginia, and,

WHEREAS, from said survey, report, plans and profiles it was found necessary for the said City of Nitro, West Virginia, to expend the sum of ONE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$185,000.00) by reason of the construction of the said Winfield Locks and Dam and in order to reconstruct and improve said sewer system, and,

WHEREAS, the City of Nitro, West Virginia, has made application to the Public Works Administration for a grant to reconstruct, improve and extend said sewer system, and,

WHEREAS, the City of Nitro, West Virginia, has proposed to finance the sponsor's share of the project by the sale of a flowage easement over said existing sewer lines, structures, lands, easements, rights, privileges and appurtenances thereunto belonging, under its control and jurisdiction, to the United States of America as may be necessary on account of the construction, maintenance and operation of the said Winfield Locks and Dam.

BE IT RESOLVED, THEREFORE: That the City of Nitro, West Virginia, does hereby execute the following offer to the United States of America, that is to say:

ACQUISITION OF FLOWAGE  
WINFIELD POOL, KANAWHA RIVER

O F F E R

Parcel No. 997E

Owner: City of Nitro, West Virginia

The City of Nitro, a municipal corporation organized and existing under the laws of the State of West Virginia, situate in Kanawha and Putnam Counties, having control and jurisdiction over certain sewer lines, structures, lands, easements, privileges and appurtenances thereunto belonging, as described below,

DOES HEREBY, for the consideration hereinafter mentioned, offer and agree to sell and convey unto the United States of America, or its assigns, the perpetual easement and right to flood, as may be necessary due to the construction, maintenance and operation of the Winfield Locks and Dam across the Kanawha River,

(A) all the sewer lines, structures, easements, rights, privileges and appurtenances thereunto belonging, of the City of Nitro, West Virginia, lying and being below the 569-foot contour above mean sea level, as determined by a survey made by the United States Engineers (being the portion of the sewer system of the said City, extending in a northerly direction from the said City along, and discharging into, Armours Creek, a non-navigable tributary of the Kanawha River, which was conveyed to the said City by the Nitro Sewer Company by deed dated \_\_\_\_\_, and recorded in the office of the Clerk of the County Court of Putnam County, West Virginia, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, and in the office of the Clerk of the County Court of Kanawha County, West Virginia, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_,) and being the interests owned by the said City in and to lands designated as Parcels Nos. 205, Tracts A, B, and C, 205A, Tracts A and B, 207, 208, 209, 211, 212, 213, 214, 215 and 216, Winfield Pool, generally located along said Armours Creek, a non-navigable tributary of the Kanawha River, and

(B) all the sewer lines, structures, easements, rights, privileges and appurtenances thereunto belonging, of the said City of Nitro, West Virginia, lying and being below the 570-foot contour above mean sea level, as determined by a survey made by the United States Engineers (being the portion of the sewer system of the said City, extending in a westerly and northerly direction from the southern limits of said City across an unnamed tributary of the Kanawha River over the Eastview Land Company Addition adjacent to said City, and

to old Lock and Dam No. 7, which was conveyed to the said City by the Nitro Sewer Company by deed dated \_\_\_\_\_, and recorded in the office of the Clerk of the County Court of Kanawha County, West Virginia, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_) and being the interests owned by the said City in and to a tract of land designated as Parcel No. 225N, Winfield Pool, generally located along said unnamed triutary entering the Kanawha River at river mile 44.4, and

(C) in addition thereto, the perpetual easement and right to flood, as may be necessary due to the construction, maintenance and operation of the Winfield Locks and Dam across the Kanawha River, all other sewer lines, structures, lands, easements, rights, privileges and appurtenances thereunto belonging, under the control and jurisdiction of the said City, lying and being within the area affected by the Winfield Pool.

This easement is for flowage resulting from the construction of the Winfield Locks and Dam, approved by Act of Congress dated August 30, 1935, and for which the said City of Nitro, West Virginia, offers and agrees to accept upon acceptance of this offer by the Secretary of War, and approval of title by the United States Attorney General, the sum of  
 \*\*\*\*\*NINETY-THREE THOUSAND DOLLARS\*\*\*\*\*  
 (\$93,000.00), being the sum the City of Nitro, West Virginia, is willing to accept for application upon the sponsor's share of the cost of the aforesaid project.

For and in consideration of the amount as above stated, the said City of Nitro, West Virginia, agrees to furnish the United States of America a sufficient warranty deed of flowage easement, and further agrees that in the event the United States of America is not furnished with said sufficient warranty deed on account of defects in the title or for any other reason, then, and in such case, this offer shall be considered as an agreement that the aforesaid sum is the correct amount to be paid into the registry of the proper court by the United States of America, in full discharge of the amount due for said flowage rights, in a proper condemnation proceeding.

Also in consideration of the premises, it is expressly understood and agreed that the above specified sum liquidates in full all damages whatsoever that have occurred or that may hereafter occur, on account of the aforesaid locks and dam, to said sewer lines, structures, lands, easements, rights, privileges and appurtenances thereunto belonging as hereinbefore described, generally lying and being below the 569- and 570-foot contours, and in addition, to all other sewer lines, structures, lands, easements, rights, privileges and appurtenances thereunto belonging, under the control and jurisdiction of the said City of Nitro, West Virginia, in whatever manner the same may have been acquired, lying within the area affected by the Winfield Pool.

NOTE: Descriptions of the parcels specifically referred to in the foregoing pages will be found filed with the Minute Book, under heading of WINFIELD POOL, KANAWHA RIVER, page 5.

Resolution and Agreement Cont'd.

It is further understood that the United States has a servitude on any portion of the hereinbefore described parcels of land below ordinary high water and the amount of the above offer does not include any consideration for flowage rights over any sewer lines, structures, lands, easements, rights, privileges and appurtenances thereunto belonging, located within such portion.

The United States shall have the rights to take possession of the said sewer lines, structures, lands, easements, rights, privileges and appurtenances thereunto belonging, on or after this date, to the extent of the interest to be acquired, pending final approval of the title and payment of the purchase price.

BE IT FURTHER RESOLVED: That a copy of this preamble and resolution be executed and transmitted to the District Engineer, United States Engineer Office, Huntington, West Virginia, by the Mayor of the said City of Nitro, West Virginia.

Which said motion was seconded by Joseph Stamm and adopted by the Council of the City of Nitro, West Virginia.

I, C. F. Schowen, Mayor, of the City of Nitro, West Virginia, do hereby certify that the foregoing preamble and resolution is a true and accurate copy of said preamble and resolution, as passed and adopted by the Council of the City of Nitro, West Virginia, at its special meeting held at the City Hall on July 29, 1938, as appears from the records of the Council of the City of Nitro, West Virginia.

Given under my hand and corporate seal of the City of Nitro, West Virginia, this 29th. day of July, 1938.

CITY OF NITRO, WEST VIRGINIA

BY C. F. Schowen  
Mayor.

Attest:

J. A. Lewis  
Recorder.



August 5, 1938.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special session of the Council of the City of Nitro,  
Kanawha and Putnam Counties, held in the Council Chambers there-  
of, in the City Building on Friday the 5th. day of August, 1938,  
there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, L. H. Kessel, J. E. Waldorf, members of the Council  
of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933,  
Second Extraordinary Session (House Bill No. 234), the council pro-  
ceeded to make up an estimate of the amounts necessary to be raised  
by a levy of taxes for the current fiscal year, to cover all muni-  
cipal debts and liabilities payable during the said year, includ-  
ing probable expenditures for municipal purposes, and proper allow-  
ances for delinquent taxes, expenses of collections and contingen-  
cies; but deducting therefrom the money in the city treasury appli-  
cable to said purposes during the year and doth determine and esti-  
mate the several amounts to be raised as follows:

#### CURRENT REGULAR MUNICIPAL PURPOSES

#### ESTIMATE

(1) The amount due and the amount that will become due and coll-  
ectible from every source during the fiscal year, except from the  
levy of taxes to be made for the year.

#### ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$ 366.50
Redemption and sale of delinquent lands	50.00
Taxes uncollected	810.00
General licenses	587.50
Building and other permits	70.00
Capitations	650.00
Fees Warrants and Bonds	25.00
Police Court Fines	550.00
Miscellaneous	<u>25.00</u>
Total estimated receipts(except from current levy)	\$3134.00

## ESTIMATED DISBURSEMENTS

(2) All other expenditures to be paid out of receipts of the municipality for the current year with proper allowance for delinquent taxes, exonerations, and contingencies.

## (b) CURRENT EXPENDITURES

Salary of Mayor	\$ 1.00
Salary of Recorder	900.00
Salary of Chief and 1 Police	1800.00
General expenses Police Department	125.00
Expenses keeping and feeding prisoners	10.00
Stationery, office supplies and equipment	15.00
Postage	20.00
Water	16.80
Light for street lighting	1134.84
Light - other purposes	20.00
Fuel	20.00
Telephone and telegraph	50.00
Premiums on official's bonds	75.00
Attorney's fees, court cost and damages	50.00
Salary of Street Commissioner	75.00
New Equipment - Street Department	5.00
Maintenance of streets and alleys	633.36
Maintenance of sewers	150.00
Workmen's compensation premiums	30.00
Audit by Tax Commissioner	25.00
Contingent expenses	30.00
Delinquent taxes and discount	<u>385.00</u>
Total estimated disbursements	<u>\$5571.00</u>
Total estimated receipts brought forward	<u>\$3134.00</u>
Amount to be raised by levy	<u>\$2437.00</u>

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2437.00, and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

Eight & three-fourth cents (8.75 ¢) on Class No. 1 property,  
 Seventeen & one-half cents (17.5 ¢) on Class No. 2 property,  
 Thirty-five cents (35 ¢) on Class No. 4 property,  
 for the purpose aforesaid, based upon the last assessment therein  
 as follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied (Whole Dollars)
NUMBER 1			
Personal Property	\$ 31,825	8.75	\$ 28.00
Public Utility Property	\$ 31,000	8.75	\$ <u>27.00</u>
Total Class No. 1	\$ 62,825		\$ 55.00

## NUMBER 2

Real Estate	\$ 278,400	17.5¢	\$ 487.00
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## NUMBER 4

Real Estate	\$ 295,170	35¢	\$ 1033.00
Personal Property	\$ 88,375	35¢	\$ 309.00
Public Utility Property	\$ 157,900	35¢	\$ 553.00

Total Class No. 4	\$ 541,445		\$ 1895.00
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TOTAL MUNICIPALITY	\$ 882,670		\$ 2437.00
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STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of NITRO, counties of Kanawha and Putnam, and State of West Virginia, do hereby certify that the foregoing are true copies from the records of orders made by the council of said municipality on the 5th. day of August, 1938.

Given under my hand this 5th. day of August, 1938.

*T. A. Lewis*  
T. A. Lewis, Recorder.

August 16, 1938.

The Council of the City of Nitro held its regular session on the 16th. day of August, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, L. H. Kessel, J. E. Waldorf, members of  
council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of council held on the 19th. day of July, special session held on the 29th. day of July, and special session held on the 5th. day of August, 1938. There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement of city for month of July, 1938.

Councilman Rimmer reported to council that cause of delay in getting started with the WPA work on Bank Street was that Mr. J.B. Alderson, Area Engineer, had been ill.

Street Commissioner Kessel reported not much work done on streets during month of July.

Councilman Rimmer entered motion that the fees collected on Building Permits be paid over to M. A. Bender, City Engineer, as salary for engineering services, motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Rimmer entered motion that the regular session of the council shall be held on the Second Wednesday of each month instead of the Second Tuesday of each month, motion seconded by councilman Stamm and upon vote by council was declared carried.

The Recorder read the following approval of proposed levies by the Tax Commissioner to council.

STATE OF WEST VIRGINIA, Ernest K. James, Tax Commissioner

TO THE COMMON COUNCIL OF THE MUNICIPALITY OF NITRO, WEST VIRGINIA.

Under and by virtue of the authority vested in me, as Tax Commissioner of the State of West Virginia, under the provisions of Section 23, Chapter 67, Acts 1933, second extraordinary session (House Bill No. 234), the levies proposed by you for your municipality are hereby approved, subject to the following exceptions:

NONE

The Council proceeded to lay the rates of levy as follows:

## CURRENT REGULAR MUNICIPAL LEVY

## ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of NITRO, in Kanawha and Putnam Counties will be \$2437.00, according to the estimate made up and entered of record on the 5th. day of August, 1938; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exception thereto, and the Tax Commissioner having approved the same in writing, it is therefore ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz:

Eight & three-fourth cents (8.75¢) on Class No. 1 property,  
 Seventeen & one-half cents (17.5¢) on Class No. 2 property,  
 Thirty-five cents (35¢) on Class No. 4 property,  
 for the purposes aforesaid, based upon the last assessment therein,  
 as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied
Number 1			
Personal Property	\$ 31,825	8.75¢	\$ 28.00
Public Utility Property	\$ 31,000	8.75¢	\$ 27.00
Total Class No. 1	\$ 62,825		\$ 55.00
Number 2			
Real Estate	\$278.400	17.5¢	\$ 487.00
Number 4			
Real Estate	\$295,170	35¢	\$1033.00
Personal Property	\$ 88,375	35¢	\$ 309.00
Public Utility Property	\$157,900	35¢	\$ 553.00
Total Class No. 4	\$541,445		\$1895.00
TOTAL MUNICIPALITY	\$882,670		\$2437.00

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro, counties of Kanawha and Putnam, and State of West Virginia, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 16th. day of August, 1938.

Given under my hand this 16th. day of August, 1938.

T. A. Lewis, Recorder.

August 16, 1938, Cont'd.

The Recorder proceeded to read to Council copies of the following:

Letter under date of July 27, 1938, addressed to T. A. Lewis, Recorder, and signed by D. N. Mohler, Attorney. Letter under date of July 29, 1938, addressed to J. D. Arthur, Jr. Lt. Col. Corps of Engineers, Huntington, W. Va; and signed by C. F. Schowen, Mayor, and T. A. Lewis, Recorder. Copy of telegram under date of July 27, 1938, to Thomas G. Reed, Regional Finance Examiner, Public Works Administration, Chicago, Ill; signed City of Nitro, by T.A. Lewis, Recorder. Letter under date of August 5, 1938, addressed to Federal Emergency Administration of Public Works, Chicago, Ill; and signed the City of Nitro, by D. N. Mohler, City Attorney. Copy of telegram under date of August 8, 1938, to C. F. Schowen, Mayor of Nitro, and signed United States Engineer Office, Huntington, W. Va. Letter under date of August 9, 1938, addressed to City of Nitro, and signed by S. D. Sturgis, Jr. Captain, Corps of Engineers, Huntington, W. Va. Letter under date of August 13, 1938, addressed to City of Nitro, and signed by C. T. Tench, 1st. Lt; Corps of Engineers, Huntington, W. Va. Letter addressed to City of Nitro, under date of August 11, 1938, signed by W. C.asley, Director Highway Safety Bureau, Charleston, W. Va; and copy of Highway Safety Week Proclamation by Governor Homer A. Holt. All of the aforementioned have been placed in the City files.

Councilman Rimmer entered motion that W. M. Greer be employed by the City as an extra policeman and act in the capacity of Street Commissioner and to be paid at the rate of 40¢ per hour for each position, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

A petition was presented to the Council by G. F. Hayes, signed by the necessary number of voters, said petition begging that the Council call a special election for the purpose of voting a bond issue in the amount of SIXTEEN THOUSAND DOLLARS (\$16,000.00), for the purpose of sponsoring a Federal Grant for improving the Avenues and Streets of said Town of Nitro, West Virginia.

Councilman Rimmer entered motion that the petition be accepted and that the Recorder get in touch with D. N. Mohler, City Attorney, and request that he work out details of the election on the Bond Issue, and do the necessary advertising according to law, and that the election be held on the 20th. day of September, 1938. Motion seconded by councilman Stamm and upon vote by Council was declared carried.

Moved by councilman Stamm that the City Engineer be instructed to make application to the WPA for additional funds for increase for sponsors share for street improvements, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Motion by councilman Rimmer that the City Attorney be instructed to enter suit against all property owners of North Twenty First Street and property owners on Second Avenue who owed for the re-surfacing of same, motion seconded by councilmen Stamm and upon vote by council was declared carried.

There being no further business to come before the Council at this time a motion to adjourn carried.

C. F. Schowen  
C. F. Schowen, Mayor.

T. A. Lewis  
T. A. Lewis, Recorder.

August 30, 1938.

The council of the City of Nitro met in special session on the 30th. day of August, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. E. Waldorf, L. H. Kessel, J. W. Stamm,  
Herman Jones, members of council of said city.

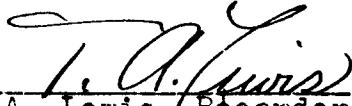
The meeting was called to order by Mayor Schowen, who explained to council that the meeting was called for the purpose of appointing TWO Registrars to amend, correct and complete the registration for the election on a bond issue to be held on the 20th. day of September, 1938, and to make provision for a suitable place to hold such election.

Councilman Stamm entered motion that the same voting place be used as in the election of June 7, 1938, motion seconded by councilman Rimmer and upon vote by council was declared carried.

Councilman Stamm entered motion that the same registrars act as in the election of June 7, 1938, motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to transact at this time a motion to adjourn carried.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

September 9, 1938.

The council of the City of Nitro held a special meeting on the 9th. day of September, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, L. H. Kessel, members of council of  
said city, and M. A. Bender, City Engineer.

Mayor Schowen called the meeting to order and explained that call for meeting was for the purpose of discussing the amounts due on re-surfacing North Twenty-first Street, and re-surfacing Second Avenue, and the proper procedure to obtain these funds, also for council to set a date for the holding of an election on the bond issue.

After some discussion on the matter of amounts due for re-surfacing it was ruled by the council that C. A. Brown, City Attorney, be furnished with a list of property owners on North Twenty-first Street and Second Avenue, who had not paid their proportionate part on the re-surfacing, and enter proceedings against them for the amount due.

*Rimmer*

Councilman <sup>Rimmer</sup> entered motion that the date of the election on the bond issue be set forward from the 20th day of September, 1938, to the 4th. day of October, 1938, motion seconded by councilman Stamm and upon vote by council was declared carried.

Ther being no further business to transact at this meeting a motion for adjournment carried.

*C. F. Schowen*  
C. F. Schowen, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.



September 14, 1938.

The common council of the City of Nitro held its regular session on the 14th. day of September, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, L. H. Kessel, J. E. Waldorf, J. W. Stamm, members of council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session held on the 16th. day of August, reading of minutes of special session held on the 30th. day of August, and minutes of special session held on the 9th. day of September, 1938.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council Financial Statement of city for the month of August, 1938, and the Fiscal Statement of city for year beginning July 1, 1937, and ending June 30, 1938.

Committee on sanitation and street lights reported everything satisfactory.

Recorder presented to council the registration of voters as amended by Mrs. Hazel Hayes and Mrs. Pearl Bucklew on September 12th and 13th 1938.

Councilman Stamm entered motion that registration be approved and ~~accepted~~, motion seconded by councilman Jones, and upon vote by council was declared carried.

The question of appointing commissioners and clerks for the election to be held on a bond issue for improvements of Avenues and Streets of Nitro was brought to councils attention.

Councilman Rimmer entered motion that P. T. Bricker, R. C. Alexander and Mrs. Robert Tormey be appointed as commissioners and that G. F. Hayes and Mrs. Carrie Spence be appointed as clerks to serve as the election board, motion seconded by councilman Kessel and upon vote by council was declared carried.

After some discussion in regard to trucks parking on sidewalk in front of W. H. Putney Filling Station it was agreed that the members of council visit the station to see what could be done to remedy this matter.

There being no further business to come before the council at this time a motion for adjournment carried.

*C. F. Schowen*  
C. F. Schowen, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

September 21, 1938.

SKICC

The council of the City of Nitro held a special meeting on the 21st. day of September, 1938, there were present:

C. F. Schowen, Mayor, and J. E. Waldorf, L. H. Kessel, J. H. Rimmer, J. W. Stamm, Herman Jones, members of council of said city.

The meeting was called to order by Mayor Schowen, who explained to council that reason for call for special meeting was to discuss the matter of holding a Mass Meeting in regard to election on a bond issue, date that election should be held, and date of sitting of registrars if necessary.

Councilman Rimmer entered motion that a call for a Mass Meeting of the citizens of Nitro for the purpose of discussing the election on a bond issue for the improvement of Avenues and Streets in the Town of Nitro be issued, said meeting to be held at 7-30 P. M. in the Nitro High School Auditorium on the 10th day of October, 1938, motion seconded by councilman Jones and upon vote by council was declared carried.

Councilman Rimmer entered motion that the date of election be changed from October 4th to October 15, 1938, motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Stamm entered motion that registrars sit TEN (10) days prior to date of election, if necessary, motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion to adjourn carried.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

September 26, 1938.

The council of the City of Nitro met in special session on the 26th day of September, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, J. E. Waldorf, Herman Jones, J. W. Stamm, members of council of said city, M. A. Bender, City Engineer, and Charles A. Brown, City Attorney.


The meeting was called to order by Mayor Schowen, who stated to council that the special meeting was called for purpose of completing plans for the holding of the election on the bond issue such as:

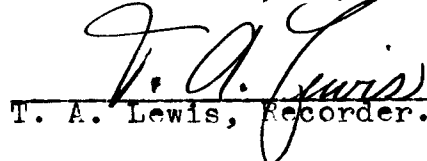
Date of election, publication of advertisement of same and the drawing up of an ordinance for the issuance of bonds of the Town of Nitro in the aggregate principal amount of SIXTEEN THOUSAND DOLLARS (\$16,000.00), to provide funds for purposes as laid down in ORDINANCE NO.45, ORDINANCE BOOK NO. 1, PAGES 84-88.

After some discussion by members of council, M.A.Bender, City Engineer, and Chas. A. Brown, City Attorney, in regard to details covering the election councilman Rimmer entered motion that the election date be changed from October 15, to October 20, 1938, motion seconded by councilman Stamm and upon vote by council was declared carried.

Attorney Brown advised council that the first publication would appear in the Charleston Daily Papers on the 28th day of September, 1938, also advised the Recorder that the proper form of ballot to be printed would be submitted at an early date.

There being no further business to come before the council at this time a motion to adjourn carried.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

October 12, 1938.

The Council of the City of Nitro held its regular session on the 12th day of October, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, Herman Jones, J. E. Waldorf, members  
of Council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of Council held on the 14th day of September, minutes of special session held on the 21st day of September, and minutes of special session held on the 26th day of September, 1938, there being no objections or corrections minutes were declared approved as read.

Recorder read to Council financial statement of city for month of September, 1938.

Reporting for committee on street lights and sanitation councilman Stamm called Councils attention to the matter of business men along First Avenue burning trash along the main highway causing a disagreeable condition and suggested that this method of disposing of trash should be stopped. Mayor Schowen said he would take up this matter with all merchants on First Avenue at once.

Councils attention was called to a complaint by Mrs. Homer West that H. N. Tinsley had a chicken house too close to their residence to be sanitary.

Councilman Stamm reported that it had been called to his attention that the power line for street lights was in poor condition, apparently caused by lack of insulation, and when wires came in contact with each other it caused sparks and flashes of electricity causing a dangerous situation.

Councilman Stamm entered motion that the Appalachian Electric Power company be notified to remedy this condition, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Recorder read to Council letter under date of September 21, 1938, addressed to C. F. Schowen, Mayor, and signed by S. D. Sturgis, Jr; Captain, Corps of Engineers, Assistant;

SUBJECT: Aquisition of Flowage, Parcel No. 997E, Winfield Pool, Kanawha River - City of Nitro Sewers, said letter calling attention to the petition in condemnation filed in the District Court for the Southern District of West Virginia, to be heard October, 31, 1938.

It was ruled by the Council that a special meeting be called for October 19, 1938, to discuss this matter with Chas. A. Brown, Attorney.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

October 19, 1938.

At a special session of the Council of the City of Nitro, held on the 19th day of October, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. E. Waldorf, J. W. Stamm, L. H. Kessel, Herman Jones,  
members of Council of said city. Also present Chas. A. Brown, Attorney.

The meeting was called to order by Mayor Schowen, who stated that meeting was called for the purpose of arranging for legal representation in behalf of the City of Nitro in petition in condemnation filed in the District Court for the Southern District of West Virginia, to be heard October 31, 1938.

Councilman Waldorf entered motion that the City Attorney make proper appearance in the Federal Court, on October 31, 1938, for purpose of presenting the claim of the City of Nitro for any and all damages that may occur by reason of the pool created by the new Winfield Locks and Dam, to the Sewer System of the City of Nitro, and to any and all work necessary and proper to protect the interest of said City of Nitro therein.

Motion seconded by councilman Kessel and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion to adjourn carried. Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

October 24, 1938.

At a special session of the Council of the City of Nitro, held on the 24th day of October, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, J. E. Waldorf, members of Council of  
said city.

Meeting called to order by Mayor Schowen, who stated to Council that call for special session was for the purpose of Council to act as a Board of Canvassers to ascertain, determine and certify results of election held on the 20th day of October, 1938.

Mayor Schowen called for the Recorder to produce ballots, poll books, tally sheets and certificates and lay same before the Council.

Recorder read to Council the following certificate as certified to by the Election Board:

#### CERTIFICATE OF RESULT

We, the undersigned, who acted as commissioners and Poll Clerks of the Bond Election, held at Precinct No. 1, in the District of City of Nitro, Kanawha and Putnam Counties, West Virginia, on the 20th day of October, 1938, do hereby certify that, having been first duly sworn, we have fairly and impartially held said Election according to law, and the result thereof is as follows:

#### PROPOSITION SUBMITTED

Shall the Town of Nitro, West Virginia, incur debt and issue bonds to the amount of SIXTEEN THOUSAND DOLLARS (\$16,000.00), to run not more than TWENTY-FIVE YEARS (25) years from the date thereof, with interest not exceeding the rate of FIVE(5%) per annum, for the purpose of grading, paving and otherwise improving the streets of the Town of Nitro and the aquisition of any necessary rights of way for said purposes, and levy taxes sufficient to pay the interest and the principal of such bonds.

#### VOTES RECEIVED

FOR said Proposition                      FOUR HUNDRED THIRTEEN    (413)

AGAINST said Proposition    ONE HUNDRED THIRTY-TWO    (132)

Given under our hands, this 20th day of October, 1938.

#### RECEIVING BOARD

SIGNED: Geo. F. Hayes  
Carrie E. Spence  
Clerks.

SIGNED: R. C. Alexander  
Paul Bricker  
Mrs. R. M. Tormey  
Commissioners  
of Election.

## COUNTING BOARD

SIGNED: Geo. F. Hayes  
Carrie E. Spence  
Clerks.

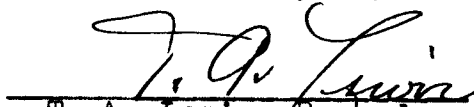
SIGNED: R. C. Alexander  
Paul Bricker  
Mrs. R. M. Tormey  
Commissioners  
of Election.

After which the Board of Canvassers proceeded to check poll books, tally sheets and count the ballots.

Councilman Rimmer entered motion that results of election as certified to by the Election Board be accepted and approved, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

November 9, 1938.

The Council of the City of Nitro met in regular session on the 9th day of November, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, J. E. Waldorf, members of Council of  
said city.

The meeting was called to order by Mayor Schowen who called on the Recorder to read minutes of the regular session of Council held on the 12th day of October, special session held on the 19th day of October, and special session held on the 24th day of October, 1938. There being no objections or corrections minutes were declared approved as read.

Mayor Schowen called for reading of Financial Statement for month of October, 1938.

Councilman Rimmer reported to Council that he had seen several boys throwing rocks at the street lights on 21st Street but could not get close enough to them to identify any of them.

The question of H. N. Tinsley's chicken coop was discussed by Council but no action taken at this time.

Councilman Rimmer reported to Council the action he had taken in regard to obtaining a truck to be used on the WPA work, stating that no definite plan had been settled on.

Councilman Stamm entered motion that Mayor Schowen appoint a committee for the purpose of purchasing a truck, committee to have authority to make purchase on a rental basis, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Mayor Schowen appointed the following members of Council as the purchasing committee: J.H. Rimmer, Herman Jones, & J.W. Stamm.

Street Commissioner Greer reported a bad condition existing at 18th Street, said that 4 or 5 joints of tile pipe had been torn up and broken.

Councilman Rimmer entered motion that the Recorder get in touch with Mr. Holmes of the United Fuel Gas Company, and purchase if possible, 200ft of pipe for street work at 25 or 30¢ per foot.

Motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Waldorf entered motion that the following streets be released for paving by WPA work: 31st; 22nd; 23rd; 24th; and 25th Streets. That work be started on 31st Street first, then 22nd; 23rd; 24th; 25th in the order named. Motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Rimmer entered motion that the City Attorney be instructed to draw up an ordinance requiring the posting of bond for opening of streets, motion seconded by councilman Stamm and upon vote by Council was declared carried.



Councilman Rimmer entered motion that the City Engineer be instructed to work up estimates for additional funds up to a \$90,000.00 grant from the Works Progress Administration. Motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Waldorf entered motion that the City Attorney be instructed to arrange for printing of bonds and to attend to any and all matters pertaining thereto, such as, advertising the sale of said bonds and interest thereon. Motion seconded by councilman Rimmer and upon vote by Council was declared carried.

Councilman Rimmer entered motion that the Fire Chief be advised to make monthly inspections within the city limits as to fire hazards and to report to the Council at their regular session each month, reports to be in writing or in person, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

The Recorder was instructed by Council to write the United Fuel Gas Company and ask if there was any possibility of obtaining a regular collecting office within the city limits for the benefit of its citizens and not have collections made in retail stores as has been the case for the past two years or so.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

December 5, 1938.

The Council of the City of Nitro met in special session on the 5th day of December, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. E. Waldorf, J. W. Stamm, Herman Jones, L.H.Kessel,  
members of Council of said city; M. A. Bender, City Engineer, and  
C. R. Dawson, Manager, Dawson Auto Service.

The meeting was called to order by Mayor Schowen who stated to Council that the meeting had been called for purpose of discussing progress that had been made, if any, in regard to the printing and sale of bonds on WPA City Wide Project No. 3, also to discuss proper procedure in regard to payments on new truck that is been used on said Project.

Mayor Schowen stated to Council that he had talked with Char. A. Brown, Attorney, a day or so before and Mr. Brown advised him that the bonds would be ready for sale in two weeks or less and that the State Sinking Fund Commission had promised to purchase these bonds to the amount of \$10,000.00.

After considerable discussion in regard to the truck and payments to be made on same it was ruled by the Council that C. R. Dawson draw up a contract covering the sale by the Dawson Auto Service to the City of Nitro, contract to state purchase price of truck and amounts of monthly payments to be made by the City of Nitro to the Dawson Auto Service, but no payment to exceed \$102.00 in any one month. Contract to be presented to Council at their next regular session held on the 14th day of December, 1938, said contract to be signed at this time by the purchasing committee appointed by Mayor Schowen at the regular session on the 9th day of November, 1938.

There being no further business to transact at this time a motion to adjourn carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

December 14, 1938.

At the regular session of the Council of the City of Nitro held on the 14th day of December, 1938, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, J. E. Waldorf, members of Council of  
said city.

The meeting was called to order by Mayor Schowen who called for reading of minutes of regular session of Council held on the 9th day of November, and minutes of special session of Council held on the 5th day of December, 1938.

There being no objections or corrections minutes were declared approved as read.

Mayor Schowen called for reading of Financial Statement of City for month of November, 1938.

Councilman Rimmer entered motion that no City employe make any purchases whatever, to be charged to the City before first obtaining an order for merchandise from the City Recorder and signed by him. Motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Stamm reported to Council of talk with Mr. Mollohan of the Appalachian Electric Power Company in regard to bad condition of wiring. It was brought out that bad conditions existed at 28th Street on Second Avenue and also 30th Street next to creek.

I. E. Ellis, Fire Chief, reported to Council of examinations made in regard to fire hazards.

Council requested that the City Recorder get in touch with M. A. Bender, City Engineer, and request him to draw up an ordinance governing the posting of a bond by the Public Utilities for the opening of streets in regard to repairs etc.

The Recorder read to Council the resignation of councilman L. H. Kessel from further duties on the City Council.

Councilman Stamm entered motion that resignation be accepted, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

Recorder read to Council copies of the following letters:

Hon. M. M. Neasey, U. S. Senator, under date of November 10th 1938. S. Grover Smith, Mgr. WPA Branch 6, under dates of Nov. 11, 15, and Dec. 1, 1938, and answers thereto; Charles A. Brown, Attorney, under date of November 16, 1938; United Fuel Gas Company, under date of November 16, 1938, and answer thereto; Appalachian Electric Power Company, under date of November 17, 1938, and answer thereto; J. B. Alderson, WPA Area Engineer. Letter from Hume K. Nowlan, Executive Secretary, West Virginia League of Municipalities, under date of November 28, 1938.

Above mentioned letters have been placed in files of City.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.

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January 11, 1939.

The Council of the City of Nitro met in regular session on the 11th day of January, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, J. E. Waldorf, Herman Jones, members  
of Council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of Council held on the 14th day of December, 1938.

There being no objections or corrections minutes were declared approved as read.

The Recorder read to Council Financial Statement of city for month of December, 1938.

Councilman Stamm reported to Council of conversation with Mr. Mollohan of the Appalachian Electric Power Company in regard to condition of wires of power line, stated that Mr. Mollohan informed him that in future all power lines would be strung with bare wire.

Mayor Schowen reported to Council of calling on merchants on First Avenue in regard to burning of trash along the main highway.

The question of the parking problem was brought before the Council. Councilman Rimmer suggested that Mayor Schowen appoint a committee to investigate the parking situation.

Recorder reported to Council of No. hours worked by truck on WPA work, it was ruled that the City Treasurer pay for total hours worked for month of November but not to exceed 102 hours for any following month.

City Attorney Chas. A. Brown explained to Council procedure of printing of bonds.

Councilman Rimmer entered motion that the City Attorney be empowered with authority to have bonds printed in \$100.00 denomination, or 5, 6, 7, 8, etc; as desired after investigating the possibility of securing the lowest interest rates,

5 212



motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Attorney Brown advised Council that check in payment of paving on Second Avenue, adjacent to the Nitro School property would be received from the School Board in a day or two.

Balances due on paving by various property owners was discussed by Council. Attorney Brown advised that he would get right after these accounts.

Fire Chief Ellis submitted a report on fire alarms for the past year which was read to Council by the Recorder.

Councilman Rimmer entered motion that half of cost of Black Top for 8th Street between First and Second Avenues be accepted from E. E. Higginbotham, motion seconded by councilman Stamm and upon vote by Council was declared carried.

A complaint by H. L. Bryant requesting that an investigation be made in regard to the condition of a sewer directly in the center of driveway on his property was read to Council.

Councilman Rimmer entered motion that premium on bond of J. H. Matthews, Assessor, be paid, motion seconded by councilman Stamm and upon vote by Council was declared carried.

It was suggested by councilman Stamm that the Recorder write the State Tax Commissioner in regard to taxes due the City from Putnam County.

Councilman Stamm entered motion that additional street lights be installed at 16th Street on old county road and between 22nd and 23rd Streets on old county road or Third Avenue. Motion seconded by councilman Waldorf and upon vote by Council was declared carried.

It was ruled by the Council that the Mayor appoint G.F. Hayes as councilman to fill vacancy created by resignation of L. H. Kessel.

There being no further business to come before the Council at this time a motion for adjournment carried.

Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.

February 8, 1939.

The Council of the City of Nitro held its regular session on the 8th. day of February, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members of Council of said city.

The meeting was called to order by Mayor Schowen, who called on the Recorder to read minutes of the last regular session of Council held on the 11th day of January, 1939.

There being no objections or corrections minutes were declared approved as read.

Mayor Schowen called for reading of the Financial Statement of City for month of January, 1939.

In report of committees councilman Stamm reported that Mr. Mollohan of the Electric Company advised him that the additional street light between 22nd and 23rd Streets on Third Ave. would be placed in the best position possible for the benefit of residents living in that vicinity.

The question of burning trash along First Avenue was again brought before the Council. Mayor Schowen advised Council that no drastic steps would be taken in this matter until after clean up week, possibly first week of April.

Councilman Hayes read to Council Ordinance No. 39, said ordinance governing the disposal of trash. Councilman Rimmer entered motion that Ordinance No. 39 be enforced, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Rimmer reported bad condition existing on 21st Street which brought a general discussion of bad conditions existing on other streets.

The Recorder read to Council letter addressed to the SECRETARY OF STATE, said letter offering for purchase bonds known as "THE TOWN OF NITRO STREET IMPROVEMENT BONDS".

Councilman Rimmer entered motion that letter be copied in minutes of this meeting, motion seconded by councilman Stamm and upon vote by Council was declared carried.

The letter reads as follows:

TO THE SECRETARY OF STATE OF THE STATE OF WEST VIRGINIA:

By virtue of the authority vested in me as Mayor of Nitro, West Virginia, and in pursuance of a resolution of the Council of the Town of Nitro passed at a regular meeting thereof held on the 11th day of January, 1939, and in accordance with Section 1, Article 1, of Chapter 13, of the Code of West Virginia, I hereby offer for purchase by any governmental agency of the State of West Virginia authorized by law to purchase such, bonds known as "THE TOWN OF NITRO STREET

IMPROVEMENT BONDS" in the aggregate sum of SIXTEEN THOUSAND DOLLARS, at the annual interest rate of  $2\frac{3}{4}$  per centum per annum. Said bonds are in two series of \$500.00 and \$100.00 each, respectively, and bear the approval of the Attorney-General of the State of West Virginia.

Interest on the said bonds is payable semi-annually at the office of the State Treasurer in Charleston, West Virginia, or, at the option of the holder, at the Chase National Bank of the City of New York.

The maturities and series of said bonds are fixed as follows:

- Bond 1 for \$500.00 due and payable November 1, 1940.
- Bond 2 for \$500.00 due and payable November 1, 1941.
- Bond 3 for \$500.00 due and payable November 1, 1942.
- Bond 4 for \$500.00 due and payable November 1, 1943.
- Bond 5 for \$500.00 due and payable November 1, 1944.
- Bond 6 for \$500.00 due and payable November 1, 1945.
- Bonds 7 and 8 for \$600.00 due and payable November 1, 1946.
- Bonds 9 and 10 for \$600.00 due and payable November 1, 1947.
- Bonds 11 and 12 for \$600.00 due and payable November 1, 1948.
- Bonds 13 and 14 for \$600.00 due and payable November 1, 1949.
- Bonds 15 and 16 for \$600.00 due and payable November 1, 1950.
- Bonds 17 and 18 for \$600.00 due and payable November 1, 1951.
- Bonds 19 to 21, inclusive, for \$700.00 due and payable  
November 1, 1952.
- Bonds 22 to 24, inclusive, for \$700.00 due and payable  
November 1, 1953.
- Bonds 25 to 27, inclusive, for \$700.00 due and payable  
November 1, 1954.
- Bonds 28 to 30, inclusive, for \$700.00 due and payable  
November 1, 1955.
- Bonds 31 to 33, inclusive, for \$700.00 due and payable  
November 1, 1956.
- Bonds 34 to 37, inclusive, for \$800.00 due and payable  
November 1, 1957.
- Bonds 38 to 41, inclusive, for \$800.00 due and payable  
November 1, 1958.



Bonds 42 to 45, inclusive, for \$800.00 due and payable November 1, 1959.

Bonds 46 to 49, inclusive, for \$800.00 due and payable November 1, 1960.

Bonds 50 to 54, inclusive, for \$900.00 due and payable November 1, 1961.

Bonds 55 to 59, inclusive, for \$900.00 due and payable November 1, 1962.

Bonds 60 to 64, inclusive, for \$900.00 due and payable November 1, 1963.

Please inform me promptly if any said governmental agency desires to purchase any or all of the above offered bonds

SIGNED:

*C. F. Schowen*  
C. F. SCHOWEN  
MAYOR OF NITRO.

The Recorder read letter to Council under date of February 3, 1939, addressed to the United States Engineers Office, Huntington, West Virginia, said letter again calling attention to the bad condition of Nitro Sewers, this letter has been placed in files of City.

Councilman Hayes entered motion that the Recorder request Attorney Brown to return any and all correspondence bearing on the Nitro Sewer System, letters to be placed in files of City, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Recorder read to Council letter under date of February 6, 1939, and signed by Joe L. Smith, United States Congressman, in regard to the Nitro Sewer System, this letter has been placed in files of City. Letter under date of February 6, 1939, to Grover D. Smith, Branch Mgr; WPA Branch 6, in regard to the release of 26th-27th-28th- and 29th Streets, copy of which has been placed in City files. Letter from the West Virginia Water Service Company under date of January 20, 1939, signed by E. F. Veader, District Superintendent, and answer by M. A. Bender, City Engineer, letter and copy of answer have been placed in files of City.

Recorder presented statement to Council from C. J. McKinney, for labor done on May 20, 1938, to amount of \$7.90, councilman Rimmer entered motion that this bill be paid, motion seconded by councilman Jones and upon vote by Council was declared carried.

Recorder read to Council letter to the State Tax Commissioner in regard to the overdue revenue on Real and Personal Taxes by the Sheriff of Putnam County and calling attention to the insignificant collection of 1938 Capitation Taxes made by the Assessors Office of Putnam County. Copy of letter placed in City files.

Mayor Schowen reported to Council that Dr. Herchey had requested that an ordinance or resolution be passed by the Council declaring a quarantine on dogs, in view of the fact that the quarantine on dogs declared by Kanawha and Putnam Counties had not been lifted no action was taken in this matter.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

March 8, 1939.

The Council of the City of Nitro held its regular session on 8th day of March, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members  
of Council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for the reading of minutes of the regular session of Council held on the 8th day of February, 1939.

There being no objections or corrections minutes were declared approved as read.

Recorder read to Council Financial Statement of City for month of February, 1939.

Recorder read to Council letters from the following:

Ernest K. James, State Tax Commissioner, under dates of February 16th and March 1, 1939; S. T. Preston, District Manager, Appalachian Electric Power Company, under date of February 20, 1939; Wm. S. O'Brien, Secretary of State, under date of March 4, 1939.

The above letters have been placed in files of City.

The Recorder stated to Council that the total amount of expenditures on WPA work that had been paid out of the General Funds of City since the election on the Bond Issue up to and including the 28th day of February, 1939, amounted to \$911.83.

Also read statement from the Works Progress Administration of expenditures by the Works Progress Administration up to and including February 28, 1939, which shows as follows:

<u>OFFICIAL PROJECT</u>	<u>LABOR</u>	<u>OTHER COSTS</u>	<u>TOTAL</u>
65-41-2102	\$18,482.86	\$1,751.79	\$20,234.65
665-41-1-6	\$21,641.19	\$3,568.68	\$25,209.87
TOTAL	\$40,124.05	\$5,320.47	\$45,444.52

Mayor Schowen advised Council of bill presented by Attorney Chas. A. Brown, for services rendered the City of Nitro in regard to the Bond Issue, drawing up ordinance and collections made on street paving, said bill being to the amount of \$400.00.

Councilman Hayes entered motion that this bill be tabled until next regular session of Council, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Councilman Rimmer entered motion that salaried members of the Fire Department be allowed sick leave benefits without any deduction from salary but sick leave not to exceed 2 weeks in any 1 year, motion seconded by councilman Hayes and upon vote by Council was declared carried.

March 8, 1939, Cont'd.

It was ruled by Council that in case of sickness of any regular fireman the Fire Chief appoint extra firemen to fill the temporary vacancy created by sickness and that the rates of extra firemen should be left to the discretion of the Fire Chief.

The question of grading done by the WPA on 23rd Street was brought to the Councils attention. The residents of 23rd Street present at this meeting claiming that the deep cutting of the street would ruin all the trees. It was pointed out to them that after the rock base, paving and curbing had been completed there would be no danger to the trees whatever.

Councilman Rimmer explained to citizens present what was being done in regard to the PWA Nitro Sewer Project and that this matter was not being neglected or overlooked.

There being no further business to come before the Council at this time a motion to adjourn carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

March 31, 1939.

At a special meeting of the Council of the City of Nitro held on the 31st day of March, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. W. Stamm, J. E. Waldorf, G. F. Hayes, members  
of Council of said city.

The meeting was called to order by Mayor Schowen who explained to Council that call for special session of Council was for the purpose of discussing the transfer of amount due the General Funds for bills paid from the General Funds of the City of Nitro on the City of Nitro Street Improvements up to and including February 28, 1939, said amount being \$911.83, also payment of Black Top purchased from the West Virginia Black Rock Company for the paving of 8th; 22nd; 31st and Bank Streets, and Second Avenue amount being \$2217.38. Also to discuss the purchase of a new car for the Nitro Police Department.

Councilman Hayes entered motion that the bills for Black Top be paid, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

Councilman Rimmer entered motion that the City Treasurer draw an order on the Town of Nitro Street Improvement Fund and payable to the City of Nitro General Funds to amount of \$911.83 all bills paid from the General Funds up to February 28, 1939, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Hayes entered motion that the matter of purchasing a car for the Police Department, be tabled until the next regular session of Council to be held on the 12th day of April, 1939, motion seconded by councilman Stamm and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion to adjourn carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

April 12, 1939.

The Council of the City of Nitro held its regular session on the 12th day of April, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members of Council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of Council held on the 8th day of March, and special session of Council held on the 31st day of March, 1939. There being no objections or corrections minutes were declared approved as read.

The Recorder read to Council Financial Statements of the General Funds of city and of the Nitro Street Improvement Fund, for the month of March, 1939.

Councilman Hayes entered motion that the City Treasurer draw orders on the Nitro Street Improvement Fund for the following accounts: The Charleston Gazette - Publication of Attorney Generals Approval of Bond Issue \$11.58. Mathews Printing and Lithographing Company - Printing 64 Street Improvement Bonds \$190.00. Charleston Foundry Company - Gutter frames and grates \$27.50. Chas. A. Brown, City Attorney - Legal services preparing Bond Issue Election etc. \$300.00. And an order on the General Funds of City for the following account:  
Chas. A. Brown, Attorney - Collections on paving \$100.00  
Motion seconded by councilman Rimmer and upon vote by Council was declared carried.

Motion by councilman Hayes that bills presented to City by The Charleston Mail Association and The Charleston Daily Mail, owing to charges being in excess and not in line with charges made by The Charleston Gazette for same publications, be returned for correction. Motion seconded by councilman Stamm and upon vote by Council was declared carried.

The question of the purchase of car for the Police Department was brought to the Councils Attention. Councilman Rimmer entered motion that the Mayor appoint a committee of three members of Council to investigate the purchase of a car with the various dealers in this vicinity, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Mayor Schowen appointed the following members as the committee:

Councilman Rimmer, Stamm and Jones.

Councilman Hayes entered motion that the Recorder confer with the City Attorney and ascertain whether or not the City is eligible to purchase a car in view of the fact that the purchase of a car for the Police Department was not included in the expenditures when the Levy Estimate was made up for the present year.

Motion seconded by councilman Rimmer and upon vote by Council

was declared carried.

Recorder read letter to Council under date of March 10, 1939, from the Civic Benefits Association in regard to the moving of street light at Forty-second Street Railway Crossing, the Recorder was instructed to write the Civic Benefits Association in regard to this matter. Letter and copy of reply have been placed in files of City.

Councilman Rimmer entered motion that the Recorder write the New York Central Railway Company, asking that they install warning lights at the Forty-second Street Crossing, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Rimmer moved that the petition in regard to curb and gutters on South Twenty-first Street be tabled until such time as the Works Progress Administration street construction moves into Twenty-first Street, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Recorder read letter to Council from the State Treasurer in regard to State of West Virginia check No. A-722-401, for \$16,000.00, and payable to the City of Nitro, also State check No. A-722-402, for \$176.00, payable to the State Sinking Fund Commission, and credited to the City of Nitro.

Councilman Hayes entered motion that the Recorder acknowledge receipt of letter and check for \$16,000.00, motion seconded by councilman Jones and upon vote by Council was declared carried.

Councilman Hayes entered motion that the City Treasurer draw an order on the Nitro Street Improvement Fund and payable to the State Sinking Fund Commission for amount due May 1, 1939, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

Recorder read to Council Ordinance No. 46, said ordinance governing the obtaining of permit and the excuting of proper bond before opening up any street or alley within the corporate limits of the City of Nitro and providing a penalty for violation thereof.

Councilman Rimmer entered motion that Ordinance No. 46 be adopted and that the amount of bond to be posted shall be left to the discretion of the City Engineer, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Councilman Rimmer entered motion that the City purchase enough Black Top to repair Twenty-first Street, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Question of bond for Chief of Police was brought to Councils attention by councilman Hayes, it was ruled by Council that the Chief of Police obtain bond and turn it over to the Recorder.

Councilman Rimmer entered motion that councilman Hayes be appointed as a committee of one to confer with the Civic Benefits Association in regard to the Fire Department going out of the city limits in answer to calls on fires, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Rimmer entered motion that a committee be appointed to confer with the Civic Benefits Association in regard to a new building for the Fire Department, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Mayor Schowen appointed the following members of Council as the committee: J. H. Rimmer, G. F. Hayes and J. W. Stamm.

✓ Motion made and carried that meeting be recessed until April 19, 1939,

April 19, 1939.

After a recess of one week the Council assembled on the 19th day of April, 1939, to complete all business left unfinished on April 12th. All members of Council were present, also M. A. Bender, City Engineer. Meeting called to order by Mayor Schowen.]

The Recorder read letter to Council from the Civic Benefits Association, under date of April 19, 1939, said letter being an answer to councilman Hayes' inquiry in regard to the Fire Department going outside of city limits in answer to calls on fires, this letter has been placed in files of city.

Motion made by councilman Rimmer that I. E. Ellis, Fire Chief, be notified of contents of above mentioned letter, motion seconded by councilman Stamm and upon vote by Council was declared carried.

✓ Councilman Rimmer entered motion that the City Treasurer draw an order on the Nitro Street Improvement Fund and payable to the City of Nitro General Funds to amount of \$125.94, said amount covering Publication of Bond Issue Election, Completing of Registration, Printing of Ballots, Election Supplies, and Services of Clerks and Commissioners that served in the Bond Issue Election, motion seconded by councilman Stamm and upon vote by Council was declared carried.]

Recorder read letter to Council from Chas. A. Brown, Attorney, under date of April 19, 1939, in regard to eligibility of City to purchase a car for the Police Department. This letter in city files.

Councilman Rimmer reporting for committee on purchase of car advised Council of several cars and prices of same that could be had at this time.

Councilman Hayes entered motion that the committee on purchasing a car for the Police Department be empowered with authority to purchase car but that they should not exceed \$400.00, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

The Recorder read to Council contract submitted by the Dawson Auto Service in regard to the 1939 Ford V8 Dump Truck, now being used on the Works Progress Administration work of street improvements. The contract was signed by the following members of Council who were authorized to purchase truck:

J. H. Rimmer, Herman Jones, J. E. Waldorf and J. W. Stamm.



Recorder presented to Council bill for Insurance Premium due on Fire Engine to amount of \$106.00.

Councilman Rimmer entered motion that premium be paid, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Recorder read letter to Council under date of April 18, 1939, and signed by L. S. Emery, Assistant Superintendent of the New York Central System in regard to installing warning lights at Forty-second Street Crossing. This letter has been placed in the city files.

The question of patching or paving Twenty-first Street was brought to the Councils attention. After some discussion on this matter it was decided to pave Twenty-first Street and councilman Rimmer entered motion that a request for release of Twenty-first Street be filed with the proper authorities of the Works Progress Administration for paving, including curbs and gutters, widening of street on both sides to within four feet of property lines, between First Avenue and Second Avenue; and, paving from Second Avenue to Blakes Creek Bridge, street to be widened two feet on each side, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Recorder read to Council bond of Philip Arthur, Police Chief, amount of bond being \$3500.00, said bond signed by C.F. Schowen, H. M. Drake and Fred Cook.

It was moved by councilman Stamm that bond be approved and accepted and that bond be recorded in the County Court of Kanawha County, West Virginia, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

Motion by councilman Rimmer that Chas. Dobbins be allowed to fence across Third Avenue or Old County Road to connect his North and South lines, providing however, that should it become necessary for the City of Nitro to open up Third Avenue or Old County Road at any time, that the City of Nitro shall serve a ten days notice on said Chas. Dobbins to remove fence from across Third Avenue or Old County Road.

Motion seconded by councilman Stamm and upon vote by Council was declared carried.

The question of water furnished by Mr. Bailes to workers on the WPA Project was brought before the Council.

It was ruled by Council that Mr. Bailes present bill for estimated amount of water furnished up to April 30, 1939.

It was ruled by Council that the Mayor appoint a committee to investigate necessary work that needed to be done on streets, Mayor Schowen appointed the following members of Council as the committee: Herman Jones, J. E. Waldorf and G. F. Hayes.

Councilman Hayes entered motion that the City Treasurer be allowed a salary of \$25.00 per month, effective as of April 1, 1939, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Meeting adjourned.

*C. F. Schowen*  
C. F. Schowen, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

May 10, 1939.

The Council of the City of Nitro held its regular session on the 10th day of May, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members of Council of said city, and M.A. Bender, City Engineer.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for Recorder to read minutes of the regular session of Council held on the 12th day of April, 1939.

The Council being unable to finish all business before it at that time a motion to recess until the 19th day of April, 1939, carried, at which time all matters before the Council were completed. There being no objections or corrections minutes were declared approved as read.

Recorder read to Council the Financial Statement of City of the General Funds for the month of April, 1939, and also Financial Statement of the Street Improvement Fund for April, 1939.

Councilman Stamm reported to Council a bad condition existing in sewerage at 31st Street, reported that owner promised to have it repaired in a few days.

M. A. Bender, City Engineer, reported to Council that the estimated cost of repairing sidewalk on First Avenue would be approximately \$75.00.

Ordinance No. 46 came up before Council for its second reading and was adopted by unanimous vote of Council.

Councilman Hayes entered motion that the tabling of April 19th of the appointment of a Street Commissioner be stricken from the records, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

The Recorder read to Council letters and copies of letters as follows: Letter to Paul E. Wehrle, County Clerk Kanawha County, under date of April 20, 1939, and answer thereto under of April 21, 1939. Letter to S. Grover Smith, Mgr; WPA Branch Six. Letter to Chas. Dobbins, under date of April 21, 1939. Letter from the State Sinking Fund Commission under date of April 21, 1939, and signed by John A. Dickson, Assistant Secretary. Letter and copy of audit from the State Compensation Commissioner, and signed by F. L. Rippetoe, Comptroller, under date of April 26, 1939. Letter and copy of contract under date of May 2, 1939, from the West Virginia Company and signed by Clyde W. Beckner, Pres.

The above mentioned letters have been placed in files of city.

Mr. J. E. Roark, a resident of 37th Street, appeared before the Council in his own behalf and in behalf of other residents of 37th Street requesting that Council take action in regard to the repairing of said street. This matter was referred to the Street Comm.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

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May 26, 1939.

The Council of the City of Nitro held a special session on the 26th day of May, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and

J.H.Rimmer, Herman Jones, J.E.Waldorf, J.W.Stamm, G.F.Hayes, members of Council of said city, also M.A.Bender, City Engineer.

The meeting was called to order by Mayor Schowen who advised Council that reason of call for special session was to discuss ways and means of continuing the street improvement work under the Bond Issue and the WPA Project, and also payments on the Ford V 8 Truck now being used on the street improvement work.

Councilman Rimmer suggested to Council that it might be advisable to pay the balance now due on truck, after some discussion on the amount left from the sale of the Street Improvement Bonds it was ruled by Council to let this matter ride.

Charles A. Brown, City Attorney, addressed the Council and explained the different methods that could be used to raise additional funds to continue the street work, after discussing the various methods for some time the following Resolution was offered to Council by councilman Rimmer:

"Resolved: That the City of Nitro will henceforth pay one-third of the cost of Black Top surfacing on all streets now under construction or to be constructed by virtue of any WPA grants to the City of Nitro for street improvement purposes, the assumption of said City's one-third share of the cost of said Black Top surfacing to be done under and by virtue of Article 8, Chapter 8, of the Code of West Virginia, 1932.

Councilman Waldorf entered motion that Resolution be adopted as read, motion seconded by councilman Stamm and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.

June 2, 1939.

The Council of the City of Nitro held a special session on the 2nd day of June, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members  
of Council of said city.

The meeting was called to order by Mayor Schowen who explained that call for special meeting was for the purpose of having a perfect understanding in regard to streets now under construction and the releasing of streets that had presented petitions for paving.

Councilman Hayes entered motion that the WPA continue to grade 24th street but upon completion of grading that further work be stopped until further advised by the City, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Hayes entered motion that releases on 22nd; 24th and 25th Streets be withdrawn, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Rimmer entered motion that the following streets be released for paving in the order as listed:

37th Street	from	First Avenue	to	Second Avenue		
18th	"	"	"	"	"	"
Second Avenue	"	40th Street	"	41st Street		
33rd Street	from	First Avenue	to	Second Avenue		
15th	"	"	"	"	Third	"
19th	"	"	"	"	Second	"
32nd	"	"	"	"	"	"
28th	"	"	"	"	"	"
13th	"	"	"	"	"	"
38th	"	"	"	"	"	"

An amendment was offered to above motion by councilman Rimmer who asked that the following streets be included with above:

27th Street	from	First Avenue	to	Second Avenue
25th	"	"	"	"

Motion and amendment seconded by councilman Stamm and upon vote by Council was declared carried.

The Recorder was instructed by Council to advise M. A. Bender, City Engineer, to investigate the placing of guard rails the full length of rock wall on Second Avenue opposite 24th and 25th Streets.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.

June 9, 1939.

The Council of the City of Nitro met in special session on the 9th day of June, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf, J. H. Rimmer, J. W. Stamm, G. F. Hayes, Herman Jones, members of Council of said city.

The meeting was called to order by Mayor Schowen who explained to Council that object of meeting was that Mr. J. B. Alderson, Area Supervisor, WPA, has requested that the Council reconsider the release of streets as given to the WPA office under date of June 3, 1939, and asks that they rearrange the releases, as moving equipment from one end of the town to the other for one street at a time incurs too much expense to the WPA.

After a great deal of discussion on this matter and members of the Council being unable to agree it was suggested by councilman Rimmer to get in touch by phone with Mr. Alderson and ask that he meet with the Council on Monday, June 12th at 7-30 P. M. to further discuss this this question, Mayor Schowen called Mr. Alderson and he agreed to meet Council at time above stated, upon which the Council ruled that meeting be recessed until Monday evening at 7-30 P. M.

June 12, 1939.

The Council met on June 12, 1939, for purpose of completing unfinished business of meeting held June 9, which meeting was recessed to allow J. B. Alderson, Area Supervisor, WPA, to be present at the meeting to discuss with Council the re-arrangement of releases on streets as submitted to the WPA office under date of June 3, 1939.

All members were present except councilman Waldorf; also present were M. A. Bender, City Engineer, and J. B. Alderson, WPA Area Supervisor.

Meeting called to order by Mayor Schowen.

Mr. Alderson was called on to state to Council why he asked that streets be re-arranged in the order given. Mr. Alderson pointed out to Council that the shifting of workers from one end of town to the other for just one street at a time was a costly procedure and a great waste of time, and that he was trying to get as much work done as possible for the money expended, that he wanted at least two streets at a time in either end of town to be worked on before having to shift the workers. After considerable discussion between Mr. Alderson and members of Council the following motion was entered by councilman Stamm:

Moved that the following streets be paved in the order named:

37th	Street	from	First	Avenue	to	Second	Avenue
33rd	"	"	"	"	"	"	"
18th	"	"	"	"	"	"	"
15th	"	"	"	"	"	"	"
15th	"	"	Second	"	"	Third	"
19th	"	"	First	"	"	Second	"
32nd	"	"	"	"	"	"	"
28th	"	"	"	"	"	"	"

Motion seconded by councilman Hayes and upon vote by Council those voting in favor of motion were councilmen Hayes, Stamm and Jones; opposed to motion councilman Rimmer.

Motion declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

June 14, 1939.

The Council of the City of Nitro held its regular session on the 14th day of June, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm, members of Council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of Council held on the 12th day of May; minutes of special sessions held on the 26th day of May; 2nd day of June; 9th day of June; and 12th day of June, 1939. There being no objections or corrections minutes were declared approved as read.

The Mayor called for reading of financial statements of General Funds of City and of Street Improvement Fund for month of May, 1939.

In report of committees councilman Stamm reported of verbal complaint by Mrs. Willard, 5th Street, old county road, of hog pens being too close to her residence.

Councilman Rimmer entered motion that the Recorder write Chas. A. Brown, City Attorney, to draw up an ordinance making it prohibitive of keeping any hogs within the city limits and providing a penalty for the violation thereof, motion seconded by councilman Stamm and upon vote by Council was declared carried.

Councilman Stamm reported of complaint in regard to broken sewer on 39th Street which was creating an offensive odor.

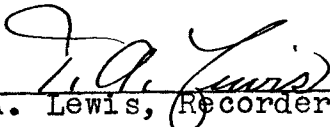
Councilman Waldorf reported that Mr. Quinn requested that city put a drain pipe between his house and the street, this matter was referred to the street committee.

The complaint by Mr. Wm. Bird and report by Fire Chief Ellis in regard to the burning of trash by Mr. Bird and Mr. Harris was referred to the street committee.

Councilman Waldorf entered motion that the salary of Philip Arthur, Chief of Police, be increased \$10.00 per month, effective June 16, 1939, motion seconded by councilman Jones and upon vote by Council was declared carried.

After some discussion in regard to General License Fees, councilman Waldorf entered motion that license fees be increased 20% (Twenty per cent), motion seconded by councilman Jones and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

  
T. A. Lewis, Recorder.

  
C. F. Schowen, Mayor,

July 5, 1939.

The Council of the City of Nitro held a special session on the 5th day of July, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm,  
G. F. Hayes, members of Council of said city, and M. A. Bender,  
City Engineer.

The meeting was called to order by Mayor Schowen, who informed Council that purpose of meeting was to discuss the passage of an ordinance providing for the improvement of streets, public ways, alleys, sidewalks and construction of sewers.

Councilman G. F. Hayes read to Council Chapter 92, Sections 1 to 12 inclusive, as set forth in House Bill No. 324, said House Bill No. 324 being passed at the Regular Session of the Forty-fourth Legislature of West Virginia of 1939.

M. A. Bender, City Engineer, explained each Section of Chap. 92 to Council as councilman Hayes read them, after which an ordinance was read to Council by Recorder. (See Page No. 91, Ordinance Book No. 1).

Councilman Rimmer entered motion that ordinance be accepted as read, motion seconded by councilman Stamm and upon vote by Council was declared carried by a unanimous vote, said ordinance to come up before Council in 30 days for its second reading and adoption.

The Recorder was instructed by Council to post a copy of ordinance on Bulletin Board in Lobby of City Hall.

There being no further business to come before the Council at this time a motion for adjournment carried.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.)



July 12, 1939.

The Council of the City of Nitro held its regular session on the 12th day of July, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. W. Stamm, J. E. Waldorf, G. F. Hayes, members of Council of said city, and M. A. Bender, City Engineer.

The Meeting was called to order by Mayor Schowen.

Recorder read minutes of regular session of Council held on the 14th day of June, and minutes of special session of Council held on the 5th day of July, 1939. There being no objections or corrections minutes were declared approved as read.

The Recorder read to Council the Financial Statement of General Funds of City, and the Financial Statement of the Street Improvement Fund for the month of June, 1939.

Reporting for committees councilman Waldorf stated to Council that the Street Committee planned to have some work done on sidewalks and on the Third Avenue Bridge across Blakes Creek, also stated that he had granted Walter Coffey permission to make an entrance from the street into ~~his~~ garage.

The Recorder read to Council Ordinance No. 48, said ordinance prohibiting the keeping of Hogs and the Maintenance of Hog Pens within the corporate limits of the City of Nitro.

Councilman Waldorf entered motion that Ordinance No. 48 be tabled until the next regular session of Council, at which time the ordinance should come up for its second reading, motion seconded by councilman Stamm and upon vote by Council was declared carried.

The Recorder read to Council Statement from the State Sinking Fund Commission of account with the Town of Nitro from January 1st., 1939 to June 30th 1939; also included were the following:

24 Coupons @	\$6.87	\$164.88
40 " "	1.37	54.80
TOTAL		\$219.68

Recorder read statement showing amount of money needed for interest and sinking fund purposes on the Town of Nitro Bonds and payable to the State Sinking Fund Commission for the fiscal year beginning July 1, 1939, which shows as follows:

DATE OF VOTE AUTHORIZING ISSUE	ORIGINAL AMOUNT OF ISSUE	AMOUNT OF BONDS OUTSTANDING	SINKING FUND	INTEREST	TOTAL
10/20/38	\$16,000	\$16,000	\$500.00	\$440.00	\$940.00

Delinquent Taxes and Exonerations estimated at 10% 94.00

Total amount to be raised for Sinking Fund and Interest \$1,034.00

M. A. Bender, City Engineer, reported to Council of bad condition of sewer line existing on 18th Street.

Councilman Hayes entered motion that the Street Committee have the 18th Street sewer line opened up and repaired, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Motion made and carried that the Recorder contact the State Road Maintenance Engineer and arrange for meeting between him and Mayor Schowen and City Engineer M. A. Bender, in regard to the drainage of First Avenue.

The question of a sewer line on 15th Street was brought to Councils attention by the City Engineer, the Council requested that Mr. Bender investigate this matter and report to Council as soon as possible.

The question of recompensing M. A. Bender, City Engineer, for his services on the Street Paving Project was brought to Councils attention. Councilman Hayes entered motion that the City Engineer be granted 2¢ (Two cents) per front foot on all paving done under Ordinance No. 47, said allowance to be charged to the abutting property owners of each section paved, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.

July 20, 1939.

At a special session of the Council of the City of Nitro held on the 20th day of July, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members  
of Council of said city.

The meeting was called to order by Mayor Schowen who advised Council that object of meeting was for the purpose of discussing an advertising campaign in one of the leading newspapers of the State for the purpose of boosting the Town of Nitro and bringing it to the notice of the various sections of the country.

After discussing this question for a considerable time it was agreed by the members of Council that if the Industrial Plants and the business men of Nitro join in with this plan and come through with a reasonable amount of advertising on their part then the Council would agree to a fair sized add on behalf of the City. The Council ruled that Mayor Schowen and councilman Stamm contact the business ~~men~~ of the town in regard to this matter and it was understood that the representative of the newspaper was to contact the local industries.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor,

T. A. Lewis  
T. A. Lewis, Recorder.

August 4, 1939.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special session of the council of the City of Nitro, Kanawha and Putnam Counties, held in the council chambers thereof, in the City Building on Friday, the 4th day of August, 1939, there were present:

C. F. Schowen, Mayor,      T. A. Lewis, Recorder,      and  
Herman Jones, J. E. Waldorf, G. F. Hayes, members of council of  
said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933, Second Extraordinary Session, as amended by Chapter 132 Regular Session, 1939, the council proceeded to make up an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

CURRENT REGULAR MUNICIPAL PURPOSES

ESTIMATE

(1) The amount due and the amount that will become due and collectible from every source during the fiscal year.

ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$1,819.20
Redemption and sale of delinquent lands	50.00
Taxes uncollected	500.00
General licenses	650.80
Building and other permits	50.00
Capitations	350.00
Fees	5.00
Miscellaneous	75.00
Total estimated receipts (except from current levy)	\$3,500.00

## ESTIMATED DISBURSEMENTS:

Salary of Mayor	\$ 1.00
Salary of City Recorder	900.00
Salary of Treasurer	300.00
Salaries of Chief and 1 Police	1,920.00
General expenses Police Department	250.00
Expenses keeping and feeding prisoners	10.00
Repairs to City Building and Jail	15.00
Stationery, office supplies and equipment	25.00
Postage	15.00
Water	16.80
Light for street lighting	1,167.72
Light - other purposes	23.00
Fuel	20.00
Telephone and telegraph	75.00
Advertising and legal publications	50.00
Premiums on official's bonds	26.25
Election expenses	210.00
Attorneys' fees, court costs and damages	75.00
New Equipment - Street Department	10.00
Salaries - Engineering Department	75.00
Maintenance of streets and alleys	485.00
Maintenance of sewers	268.23
Workmen's compensation premiums	25.00
Audit by Tax Commissioner	50.00
Contingent expenses	50.00
Delinquent taxes and discount	300.00
Total estimated disbursements	\$6,363.00
Total estimated receipts brought forward	\$3,500.00
Amount to be raised by levy	\$2,863.00

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2,863.00 and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

Nine & five tenths cents ( 9.5¢ ) on Class No. 1 property,  
 Nineteen cents ( 19 ¢ ) on Class No. 2 property,  
 Thirty eight cents ( 38 ¢ ) on Class No. 4 property,  
 for the purposes aforesaid, based upon the last assessment there-  
 in as follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied
NUMBER 1			
Personal Property	\$ 67,560	9.5¢	\$ 64.
Public Utility Property	\$ 35,600	9.5¢	\$ 34.
Total Class No. 1	\$103,160		\$ 98.
NUMBER 2			
Real Estate	\$289,410	19 ¢	\$ 550.
NUMBER 4			
Real Estate	\$327,620	38 ¢	\$ 1,245.
Personal Property	\$116,990	38 ¢	\$ 444.

Public Utility Property	\$138,300	38¢	\$ 526.
Total Class No. 4	<u>\$582,910</u>		<u>\$2,215.</u>
TOTAL MUNICIPALITY	\$975,480		\$2,863.

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## MUNICIPAL BOND PURPOSES - INTEREST AND SINKING FUND

## ESTIMATE

BOND ISSUE AUTHORIZED SINCE NOVEMBER 8, 1932.

Date of Vote	Original Authorizing Amount of Issue	Amount of Bonds Outstanding	Amount Required for Sinking Fund	Interest	Total
10/20/38	<u>\$16,000.00</u>	<u>\$16,000.00</u>	<u>\$ 500.00</u>	<u>\$440.00</u>	<u>\$ 940.00</u>

TOTALS	<u>\$16,000.00</u>	<u>\$16,000.00</u>	<u>\$ 500.00</u>	<u>\$440.00</u>	<u>\$ 940.00</u>
Delinquent Taxes and Exonerations Estimated at 10%					<u>\$ 94.00</u>

Total Amount to be Raised by a Levy of Taxes \$1,034.00  
 and to provide for said amount the following levies are proposed  
 to be laid on each one hundred dollars' valuation of each class  
 of property, viz:

## AUTHORIZED RATES

Three cents ( 3¢ ) on Class No. 1 property,  
 Six cents ( 6¢ ) on Class No. 2 property,  
 Twelve cents (12¢) on Class No. 4 property,  
 for the purposes aforesaid, based upon the last assessment there-  
 in as follows:

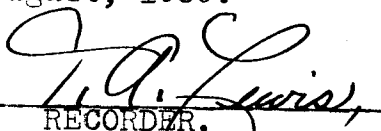
CLASS	Assessed Valuation	Proposed Rates	Taxes Levied
NUMBER 1			
Personal Property	\$ 67,560	4.5¢	\$ 30.
Public Utility Property	\$ 35,600	4.5¢	\$ 16.
Total Class No. 1	<u>\$103,160</u>		<u>\$ 46.</u>
NUMBER 2			
Real Estate	\$289,410	7.5¢	\$ 217.
NUMBER 4			
Real Estate	\$327,620	13.5¢	\$ 442.
Personal Property	\$116,990	13.5¢	\$ 158.
Public Utility Property	\$138,300	13.5¢	\$ 186.
Total Class No. 4	<u>\$582,910</u>		<u>\$ 786.</u>
TOTAL MUNICIPALITY	\$975,480		\$ 1,049.

STATE OF WEST VIRGINIA,  
 COUNTIES OF KANAWHA AND PUTNAM,  
 CITY OF NITRO, to-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro,  
 Counties of Kanawha and Putnam, and State of West Virginia, do  
 hereby certify that the foregoing are true copies from the records  
 of orders made by the council of said municipality on the

4th day of August, 1939.

Given under my hand this 4th day of August, 1939.

  
RECORDER.

\*\*\*\*\*

The foregoing Levy Estimate was returned under date of August 14, 1939, for revision of levy rates, by Ernest K. James, State Tax Commissioner. Revised levy rates will be found under date of August 15, 1939.

August 9, 1939.

The Council of the City of Nitro held its regular session on the 9th day of August, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. E. Waldorf, G. F. Hayes, members of Council of said city; also M. A. Bender, City Engineer.]

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of previous meetings beginning July 12, 1939.

The Recorder read to Council minutes of regular session held on the 12th day of July, minutes of special session held on the 20th day of July, and minutes of special session held on the 4th day of August, 1939. There being no objections or corrections minutes were declared approved as read.

Mayor Schowen called for reading of financial statements of City for the month of July 1939, of the General Funds and the Street Improvement Funds.

The matter of needed repairs to sidewalks was brought up by councilman Hayes who called attention of Council to the short space of time left before cold weather and asked that this work get under way as soon as possible; after considerable discussion it was ruled that the Street Committee put men to work repairing the sidewalks immediately.

[ The Recorder read Ordinance No. 47 to Council, said ordinance governing the improvement of streets, public ways, alleys, sidewalks, and the construction of sewers. This being the second reading of said ordinance councilman Rimmer entered motion that ordinance be adopted as read, motion seconded by councilman Jones and upon vote by Council was declared carried.]

Ordinance No. 48 came before Council for its second reading, said ordinance governing the Keeping of Hogs and the maintenance of Hog Pens within the City limits. Councilman Waldorf entered motion that ordinance be adopted, but not to be effective until January 1, 1940, motion seconded by councilman Hayes and upon vote by Council was declared carried.

Mayor Schowen read to Council an ordinance governing the parking of motor vehicles in street intersections within the city limits. After quite a discussion on this matter it was ruled that this ordinance be tabled until some future date.

The question of a sewer line to take care of drainage on 15th Street was brought before Council. City Engineer M. A. Bender advised Council that this matter had been taken care of.

[ There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

*C. F. Schowen*  
C. F. Schowen, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.]



August 15, 1939.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO, To-wit:

At a special session of the Council of the City of Nitro,  
Kanawha and Putnam Counties, held in the council chambers there-  
of, in the City Building on Tuesday, the 15th day of August, 1939,  
there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
Herman Jones, J. E. Waldorf, Geo. F. Hayes, members of the council  
of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933,  
Second Extraordinary Session, as amended by Chapter 132 Regular  
Session, 1939, the council proceeded to make up an estimate of the  
amounts necessary to be raised by a levy of taxes for the current  
fiscal year, to cover all municipal debts and liabilities payable  
during the said year, including probable expenditures for municip-  
al purposes, and proper allowance for delinquent taxes, expenses  
of collections and contingencies; but deducting therefrom the mon-  
ey in the city treasury applicable to said purposes during the  
year and doth determine and estimate the several amounts to be  
raised as follows:

#### CURRENT REGULAR MUNICIPAL PURPOSES

##### ESTIMATE

(1) The amount due and the amount that will become due and col-  
lectible from every source during the fiscal year, except from  
the levy of taxes to be made for the year.

##### ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$1,819.20
Redemption and sale of delinquent lands	50.00
Taxes uncollected	500.00
General licenses	650.80
Building and other permits	50.00
Capitations	350.00
Fees	5.00
Miscellaneous	<u>75.00</u>
Total estimated receipts(except from current levy)	\$3,500.00

## ESTIMATED DISBURSEMENTS

## CURRENT EXPENDITURES

Salary of Mayor	\$ 1.00
Salary of City Recorder	900.00
Salary of Treasurer	300.00
Salaries of Chief and 1 Police	1,920.00
General expenses Police Department	250.00
Expenses keeping and feeding prisoners	10.00
Repairs to City Building and Jail	15.00
Stationery, office supplies and equipment	25.00
Postage	15.00
Water	16.80
Light for street lighting	1,167.72
Light-other purposes	23.00
Fuel	20.00
Telephone and telegraph	75.00
Advertising and legal publications	50.00
Premiums on official's bonds	26.25
Election Expenses	210.00
Attorneys' fees, court cost and damages	75.00
New Equipment - Street Department	10.00
Salaries - Engineering Department	75.00
Maintenance of streets and alleys	364.00
Maintenance of sewers	268.23
Workmen's compensation premiums	25.00
Audit by Tax Commissioner	50.00
Contingent expenses	50.00
Delinquent taxes and discount	300.00
Total estimated disbursements	\$6,242.00
Total estimated receipts brought forward	\$3,500.00
Amount to be raised by levy	\$2,742.00

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$2,742.00 and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

Nine and one-tenth cents ( 9.1¢) on Class No. 1 property,  
 Eighteen & two-tenths cents 18.2¢) on Class No. 2 property,  
 Thirty six & four-tenths cents (36.4¢) on Class No. 4 property,  
 for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levied
NUMBER 1				
Personal Property	\$ 67,560	9.5¢	9.1¢	\$ 61.
Public Utility Property	35,600	9.5¢	9.1¢	32.
Total Class No. 1	103,160			\$ 93.
NUMBER 2				
Real Estate	\$289,410	19¢	18.2¢	\$ 527.

## NUMBER 4

Real Estate	\$327,620	38¢	36.4¢	\$ 1,193.
Personal Property	\$116,990	38¢	36.4¢	\$ 426.
Public Utility Property	\$138,300	38¢	36.4¢	\$ 503.
Total Class No. 4	\$582,910			\$ 2,122.
TOTAL MUNICIPALITY	\$975,480			\$ 2,742.

\*\*\*\*\*

## MUNICIPAL BOND PURPOSES \_ INTEREST AND SINKING FUND

## ESTIMATE

BOND ISSUE AUTHORIZED SINCE NOVEMBER 8, 1932.

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
10/20/38	\$16,000.00	\$16,000.00	\$500.00	\$440.00	\$940.00
TOTALS	\$16,000.00	\$16,000.00	\$500.00	\$440.00	\$940.00
Delinquent Taxes and Exonerations Estimated at 10%					\$ 94.00

Total amount to be Raised by a Levy of Taxes \$1,034.00  
and to provide for said amount the following levies are proposed  
to be laid on each one hundred dollars' valuation of each class  
of property, viz:

## AUTHORIZED RATES

Three cents ( 3¢ ) on Class No. 1 property,  
Six cents ( 6¢ ) on Class No. 2 property,  
Twelve cents (12¢) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment there-  
in as follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied
NUMBER 1			
Personal Property	\$ 67,560	3.4¢	\$ 23.00
Public Utility Property	\$ 35.600	3.4¢	\$ 12.00
Total Class No. 1	\$103.160		\$ 35.00
NUMBER 2			
Real Estate	\$289,410	6.8¢	\$ 197.00
NUMBER 4			
Real Estate	\$327,620	13.6¢	\$ 446.00
Personal Property	\$116,990	13.6¢	\$ 159.00
Public utility Prop.	\$138,300		\$ 188.00
Total Class No. 4	\$582,910		\$ 793.00
TOTAL MUNICIPALITY	\$975,480		\$ 1,025.00

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,                      To-wit:

I,    , Recorder, in and for the municipality  
of Nitro, counties of Kanawha and Putnam, and State of West  
Virginia, do hereby certify that the foregoing are true copies  
from the records of orders made by the council of said munic-  
ipality on the 15th day of August, 1939.

Given under my hand this 15th day of August, 1939.

*T. A. Lewis*  
RECORDER.

August 22, 1939.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special session of the council of the City of Nitro, in Kanawha and putnam counties, held in the council chamber thereof on Tuesday, the 22nd day of August, 1939; Present: C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. W. Stamm, Herman Jones, J. E. Waldorf, members of council of said municipality.

# CURRENT REGULAR MUNICIPAL LEVY ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of Nitro, in Kanawha and Putnam Counties will be \$2,742.00, according to the estimate made up and entered of record on the 15th day of August, 1939; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exceptions thereto, and the Tax Commissioner having approved the same in writing, it is therefor ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz :

Nine and one-tenth cents ( 9.1¢) on Class No. 1 property,  
Eighteen and two-tenths cents (18.2¢) on Class No. 2 property,  
Thirty-six and four-tenths cents (36.4¢) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment therein,  
as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied
NUMBER 1			
Personal Property	\$ 67,560	9.1¢	\$ 61.00
Public Utility Property	\$ 35,600	9.1¢	\$ 32.00
Total Class No. 1	\$103,160		\$ 93.00
NUMBER 2			
Real Estate	\$289,410	18.2¢	\$ 527.00
NUMBER 4			
Real Estate	\$327,620	36.4¢	\$ 1,193.00
Personal Property	\$116,990	36.4¢	\$ 426.00
Public Utility Property	\$138,300	36.4¢	\$ 503.00
Total Class No. 4	\$582,910		\$ 2,122.00
TOTAL MUNICIPALITY	\$975,480		\$ 2,742.00

August 15, 1939.

MUNICIPAL BOND PURPOSES-INTEREST AND SINKING ORDER

BOND ISSUE AUTHORIZED SINCE NOVEMBER 8, 1932

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year to pay the interest on and provide a sinking fund for the discharge of the principal of a bond issue of \$16,000.00, for Nitro Street Improvements in the municipality of Nitro, Kanawha and Putnam Counties, authorized by a vote on the 20th day of October, 1938, will be \$1,025.00, according to the estimate made up and entered of record on the 15th day of August, 1939, and said estimate having been published as required by law and no one appearing to oppose the same or take exceptions thereto and the Tax Commissioner having approved the same in writing, it is, therefore ordered that said estimate and the rates of levies proposed therein be approved and that the following levies be laid on each one hundred dollars' valuation of each class of property, viz:

AUTHORIZED RATES

Three cents ( 3¢ ) on Class No. 1 property,  
Six cents ( 6¢ ) on Class No. 2 property, and,  
Twelve cents ( 12¢ ) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy	Taxes Laid Levied
NUMBER 1			
Personal Property	\$ 67,560	3.4¢	\$ 23.
Public Utility Property	\$ 35,600	3.4¢	\$ 12.
Total Class No. 1	\$103,160		\$ 35.
NUMBER 2			
Real Estate	\$289,410	6.8¢	\$ 197.
NUMBER 4			
Real Estate	\$327,620	13.6¢	\$ 446.
Personal Property	\$116,990	13.6¢	\$ 159.
Public Utility Property	\$138,300	13.6¢	\$ 188.
Total Class No. 4	\$582,910		\$ 793.
TOTAL MUNICIPALITY	\$975,480		\$ 1,025.

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

to-wit:

I, RECORDER, in and for the municipality of Nitro, counties of Kanawha and Putnam, and State of West Virginia, do hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 22nd day of August, 1939.

Given under my hand this 22nd day of August, 1939.

*T. A. Lewis,* RECORDER.


August 30, 1939.

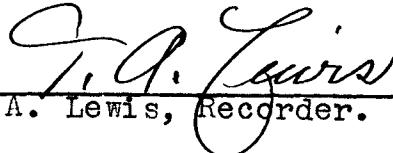
The council of the City of Nitro held a special session on the 30th day of August, 1939, present were:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and Herman Jones, J. E. Waldorf, G. F. Hayes, members of said council, also present were Dale G. Casto and C. H. Hetzel, representatives of the Sleepy Hollow Estate.

The meeting was called to order by Mayor Schowen, who stated to council that meeting had been called for the purpose of discussing with Mr. Casto and Mr. Hetzel the addition to the City of Nitro of properties of which Mr. Casto and Mr. Hetzel were representatives, said property known as the Nitro Golf Course and adjoining property. Mr. Casto and Mr. Hetzel called attention to the housing problem which confronts Nitro at present, and increase in employment in the Plant Area, the loss to the business men of Nitro by reason of men employed at the plants having to live in adjoining towns.

After considerable discussion between the members of council present and Mr. Casto and Mr. Hetzel the members of council agreed to cooperate to any reasonable extent in regard to this matter and as no definite action could be taken at this time a motion for adjournment carried.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

September 13, 1939.

The council of the City of Nitro held its regular session on the 13th day of September, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members of council of said city; also present M. A. Bender, City Engineer; and Dale G. Casto and C. H. Hetzel, representing the Sleepy Hollow Estate.)

The Meeting was called to order by Mayor Schowen.

The Mayor called for reading of minutes of regular session of council held on the 9th day of August, and special sessions of council held on the 15th; 22nd; and 30th days of August, 1939. There being no objections or corrections minutes were declared approved as read.

The Recorder read to council financial statements of City for month of August, 1939, of the General Funds and the Street Improvement Fund.

In reporting for committees councilman Jones reported that the sidewalks at school building had been repaired. Councilman Waldorf reported that the work that was being done on Third Avenue was almost completed.

In deferred business Mr. Dale G. Casto addressed the council in regard to the matter of adding the Sleepy Hollow Estate to the City of Nitro and requested council to take into the corporate limits all property West of a line 120 ft East of Forrest Road and Blakes Road as shown on map presented to council by Mr. Casto.

Councilman Hayes entered motion that Mr. Casto leave map of the Sleepy Hollow Estate with M. A. Bender, City Engineer, that he might examine said map after which he was to report back to the council at a later date of his findings, and at which time the council would give this matter further consideration and decide on the feasibility of taking into the corporate limits the above mentioned property. Motion seconded by councilman Jones and upon vote by council was declared carried.

The Recorder read letter to council under date of September 6, 1939, letter being from the Public Works Administration, Washington, D. C., and signed by E. W. Clark, Acting Commissioner of Public Works, said letter being in RE to PWA Project No. 1166, Nitro Sewers, West Virginia; this letter has been placed in files of City.

The Recorder presented to council the following petitions:

18th Street from First Avenue to Second Avenue, Curb & gutter,  
33rd Street from First Avenue to Second Avenue, Curb & gutter,  
21st Street from Second Avenue to Blakes Creek Bridge,  
Curb & gutter,



21st Street from First Avenue to Blakes Creek Bridge, Paving.

The Recorder presented to council application of Project No. 620-1175, application providing for improvement of streets by excavation, grading, draining, placing curb and gutter, stone base and surface materials and performing any other incidental and appurtenant work in connection therewith, also provides operation of quarries in or near Nitro to produce materials for use on the project.

Councilman Hayes entered motion that application be accepted and Mayor Schowen be authorized to sign same, motion seconded by councilman Rimmer and upon vote by council was declared carried.

Councilman Hayes entered motion that the following improved streets be accepted:

24th Street from First Avenue to Second Avenue,	Paving,
37th Street from First Avenue to Second Avenue,	Paving,
33rd Street from First Avenue to Second Avenue,	Paving,
18th Street from First Avenue to Second Avenue,	Paving; also
Second Avenue From 40th Street to 41st Street,	Paving.

Motion seconded by councilman Rimmer and upon vote by council was declared carried.

Councilman Hayes entered motion that property owners on 24th Street and 37th Street, also property owners on Second Avenue from 40th Street to 41st Street, be granted Thirty days (30); and that property owners on 33rd Street and 18th Street, be granted Sixty (60) days, for the payment of paving assessments, dating from date of acceptance, September 13, 1939.

Motion seconded by councilman Rimmer and upon vote by council was declared carried.

Councilman Hayes entered motion that property owners abutting on Second Avenue, from 40th Street to 41st Street, be assessed 42¢ per front lineal foot; and that property owners abutting on 37th Street from First Avenue to Second Avenue, be assessed 46¢ per front lineal foot; and that property owners abutting on 24th Street, from First Avenue to Second Avenue, 33rd Street from First Avenue to Second Avenue, 18th Street from First Avenue to Second Avenue, be assessed 50¢ per front lineal foot, as evidenced by the City Engineers report, filed and accepted, this, the 13th day of September, 1939. Motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Rimmer entered motion that petitions for installing curb and gutter on 18th Street, 33rd Street, and 21st Street, also petition for the completion of paving of 21st Street be accepted, motion seconded by councilman Waldorf and upon vote by council was declared carried.

It was suggested by the City Engineer that Mayor Schowen write the WPA office at Charleston asking that they release this work as soon as convenient.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

B. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder

October 11, 1939.

The council of the City of Nitro held its regular session on the 11th day of October, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members of council of said city, and M. A. Bender, City Engineer.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of council held on the 13th day of September, 1939. Councilman Hayes asked that correction be made in the reading of motion in regard to acceptance of improved streets, by error of the Recorder motion read that petitions be accepted, the word petitions was stricken out and improved streets substituted, after which correction minutes were declared approved by council.]

The Mayor called for reading of Financial Statements of city for month of September 1939, of the General Fund and the Street Improvement Fund.

Reporting for Street Committee, councilman Hayes stated to council that it was his understanding that the maintenance of 40th Street bridge was up to Putnam County, City Engineer M. A. Bender said that he would investigate this matter and possibly report back to council at their next regular meeting.

The Recorder read to council a petition for Curb and Gutter on 24th Street. Councilman Rimmer entered motion that petition be accepted, motion seconded by councilman Stamm and upon vote by council was declared carried.

Recorder read letter to council under <sup>date</sup> of September 15, 1939, in regard to needed repairs to 21st Street bridge, also estimates of cost submitted in making repairs to said bridge from the following: The West Virginia Pipe Company and John P. Pettyjohn Company. Councilman Hayes entered motion that the City Engineer be authorized to secure one or more additional estimates for the forming and placing of reinforcing steel. Motion seconded by councilman Stamm and upon vote by council was declared carried.

The Recorder read letter to council under date of October 9, 1939, signed by John A. Dickson, Assistant Secretary of The West Virginia State Sinking Fund Commission, letter advising that the Sinking Fund Commission would need \$219.68 to take care of November 1, 1939, obligation on Town of Nitro Sinking Fund. Councilman Rimmer entered motion that the Treasurer draw an order on the City Treasury in payment of this obligation, motion seconded by councilman Stamm and upon vote by council was declared carried.

An ordinance governing vagrancy, making the act unlawful and prescribing punishment for violation thereof was presented to the council by the Recorder. Councilman Rimmer entered motion that ordinance be tabled until the next regular session of the council, at which time it was to be presented for its second reading, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Councilman Rimmer entered motion that the meeting be declared in recess, motion seconded by councilman Stamm and upon vote by council was declared carried.

November 1, 1939.

After being in recess from October 11th the council met on November 1, 1939, to take up the unfinished business left over from October 11th; present were:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. E. Waldorf, J. W. Stamm, G. F. Hayes, members of council, M. A. Bender, City Engineer, and Dale G. Casto representing the Sleepy Hollow Estate.

Mayor Schowen called the meeting to order and suggested that the matter of the Sleepy Hollow Estate be the first question considered so that Mr. Casto might return to Charleston.

Mr. Casto was called on to explain to council what the Land Company intended doing in regard to general construction, such as bridges, width of streets, drainage etc. After a discussion of this matter between the City Engineer, members of the council and Mr. Casto, it was agreed that Mr. Casto submit plans to the City Engineer in the next few days.

The Recorder again read estimates on repairing 21st Street bridge submitted by The West Virginia Pipe Company and John P. Pettyjohn, also estimate submitted by R. L. Stover, these estimates have been placed in files of City.

Mayor Schowen offered plan to council to repair bridge by putting in a 3 inch wood floor, the City Engineer suggested placing strips of sheetiron on same for the tread of vehicles to run on, sheetiron to be bolted securely to the wood floor of bridge to eliminate any unnecessary noise or rattle.

Action in this matter was deferred until prices were obtained on sheetiron.

The question of work being done on First Avenue sidewalk in lower end of town was discussed by council and it was agreed to continue this work until finished.

Bond of John Rush, Patrolman, was presented to council. Councilman Rimmer entered motion that bond be accepted, motion seconded by councilman Stamm and upon vote by council was declared carried. Bond to be mailed to the County Clerk of Kanawha County to be recorded.

The Recorder read letter to council addressed to M. A. Bender, City Engineer, in RE to the Nitro Sewer System and the unsanitary condition that prevails in Nitro, letters being signed by the following: C. B. Marshall, M. D; J. W. Skaggs, M. D; A. W. Milhoan, M. D; L. I. Hoke, M. D; also copy of letter written by M. A. Bender, City Engineer, to the Hon. Geo. W. McClintic, Judge of the United States Court, Charleston, West Virginia, and answer by Judge McClintic to said letter. The aforementioned letters have been placed in files of City.

Mr. Bender advised council of his attendance at meeting of the Board of Condemnation Commissioners at Charleston in regard to the above mentioned, this meeting was still in progress at time of this meeting.

Recorder presented statement to council of membership dues for fiscal year 1939-1940 from the West Virginia League of Municipalities, amount of dues being \$28.00. Councilman Waldorf entered motion that the Recorder draw an order on the City Treasury in payment of the above amount, motion seconded by councilman Jones and upon vote by council was declared carried.

Councilman Rimmer entered motion that the following streets be released for paving:

19th	Street from 1st Ave to 2nd Ave.
32nd	" " " " " "
28th	" " " " " "
13th	" " " " " "
38th	" " " " " "
27th	" " " " " "
25th	" " " " " "
41st	" " " " " "
13th	" " 2nd " 3rd "
29th	" " 1st " 2nd "
26th	" " " " " "
40th	" " " " " "
39th	" " " " " "
18th	" " 2nd " 3rd "
17th	" " 1st " 2nd "
35th	" " " " " "
34th	" " " " " "
29th	" " 2nd " Blakes Creek
16th	" " 1st " 2nd Ave
14th	" " " " " "
22nd	" " " " " "
30th	" " " " " "

Motion seconded by councilman Stamm and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Adjourned.

*C. F. Schowen*  
C. F. Schowen, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

November 8, 1939.

At the regular session of the council of the City of Nitro, held on the 8th day of November, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, J. W. Stamm, G. F. Hayes, Herman Jones, members of council of said city and M. A. Bender, City Engineer.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of council held on the 11th day of October, and recessed till November 1, 1939, there being no objections or corrections the minutes were declared approved as read.

The Recorder read the financial statements of city to council for month of October, 1939, of the General Fund and Street Improvement Fund.

In reporting for committees councilman Stamm reported stoppage in the sewer line between 37th and 38th Streets, reported that it looked as tho the manhole cover had been removed and someone had dumped garbage in sewer, the sewer was opened up by using the fire hose. Councilman Rimmer called councils attention to bridge being built by the Nitro Land Company, stating that bridge was not very substantial, after discussing the matter of bridges, streets, sewers, drainage etc. in that area councilman Hayes entered motion that a letter be written to Dale G. Casto, asking that he submit plans and specifications, as previously promised on November 1st relative to the development of subdivision at the head of 21st Street, not later than November 15th at which time council will meet at 7-30 P. M. at Nitro City Hall; if plans and specifications are not received by said date the City of Nitro will be forced to take legal steps to have work suspended untill such time as these conditions are complied with. Motion seconded by councilman Stamm and upon vote by council was declared carried.

M. A. Bender, City Engineer, reported that the Condemnation Commission had awarded to the Nitro Sewer Company the sum of \$174,000.00.

An ordinance governing vagrancy was read to council by the Recorder for the second reading. Councilman Stamm entered motion that ordinance be adopted as read, motion seconded by councilman Rimmer and upon vote by council was declared carried.

Application to the State Farm Mutual Automobile Insurance Company for insurance on the patrol car was presented to council. Councilman Rimmer entered motion that application for insurance be approved, motion seconded by councilman Stamm and upon vote by council was declared carried.

November 8, 1939. Cont'd.

An agreement between the City of Nitro, purchaser, and Criss and Shaver, seller, was presented to council by the Recorder; said agreement has been placed in files of city.

The Recorder presented statement of Black Top from the West Virginia Black Rock Company of Black Top delivered on 15th Street. Councilman Hayes entered motion that statement be referred to the City Engineer for verification and the West Virginia Black Rock Company be advised that the City be furnished with the original or duplicate tickets on all future deliveries, motion seconded by councilman Rimmer and upon vote by council was declared carried.

The matter of appointment of a member on the Zoning Commission to fill vacancy created by the expiration of H. N. Tinsleys term; the appointment of a Planning Board; and the installation of signal lights at 21st Street and 2nd Avenue was discussed by council but no definite action taken in either matter.

✓ Councilman Rimmer entered motion that meeting be declared in recess for 1 week, motion seconded by councilman Stamm and upon vote by council was declared carried.

November 15, 1939.

After being in recess for 1 week the council of the City of Nitro assembled together on the 15th day of November, to complete business left unfinished at the regular session of November 8, 1939, those present were:

C. F. Schowen, Mayor,            T. A. Lewis, Recorder,            and  
J. H. Rimmer, G. F. Hayes, J. W. Stamm, members of council of  
said city and M. A. Bender, City Engineer.

Meeting called to order by Mayor Schowen.]

Mayor Schowen submitted the name of M. A. Harmon as member of Zoning Commission to fill vacancy created by expiration of term of H. N. Tinsley. In the discussion which followed it was brought out that the proper procedure would be to appoint a Planning Board to take the place of the Zoning Commission. Mr. Bender, City Engineer, read to council Section 11, Article 5, Chapter 8, Code of West Virginia, 1931. It was ruled by council to lay the appointment of a Planning Board over until the next regular meeting of the council.

✓ The City Engineer presented blue prints and specifications of the Nitro Land Company to council; specifications on construction of streets as to width, rock base and top was deemed to be O. K. by council, after some discussion concerning construction of bridges the council ruled that this matter be left up to Mr. Bender for his approval.

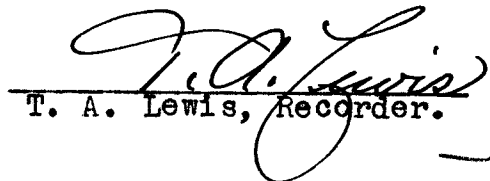
Councilman Stamm entered motion that application for insurance on the Ford V8 Truck for public liability, property damage, loss by fire or theft, on the \$10,000.00 and \$20,000.00 basis, according to figures submitted by L. D. Smith, Agent for the State Farm Mutual Automobile Insurance Company be approved, motion seconded by councilman Rimmer and upon vote by council was declared carried.

The Recorder presented to council prices submitted by the Valley Motor Service on wheels, tires and tubes for the Ford V8 truck. It was ruled by council to table purchase of these articles until further investigation had been made regarding prices.

Councilman Rimmer entered motion that paving of 15th Street by the Works Progress Administration be accepted and that the property owners of said street be assessed 50¢ per front lineal foot and be granted 60 days (dating from November 15, 1939) in which to pay amount of assessment, motion seconded by councilman Stamm and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

December 13, 1939.

The council of the City of Nitro met in regular session on the 13th day of December, 1939, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer, Herman Jones, J. W. Stamm, G. F. Hayes, members of council of said city, and M. A. Bender, City Engineer. —

Meeting called to order by Mayor Schowen who called for the Recorder to read minutes of regular session of council held on the 8th day of November, and which was declared in recess until the 15th day of November, 1939.

There being no objections or corrections minutes were declared approved as read.

Recorder read financial statements of city for month of November, 1939, of the General Fund and the Street Improvement Fund.

After a discussion in regard to the use of the patrol car the council ruled that the car be left at the City Building at end of each shift and be used for police service only.

Councilman Rimmer entered motion that Recorder advise all Service Stations to allow no purchases to be charged to City unless they received a written order and signed by the Recorder, motion seconded by councilman Jones and upon vote by council was declared carried.

Councilman Jones reported to council of complaint by Henry Pauley of 29th Street that dirt taken from a basement was piled up so that he could not use his driveway.

Councilman Hayes reported of bad condition existing at Mr Poffs property, 37th Street, old county road. The City Engineer advised that there was ample room for repairing of road and opening of drainage.

The question of repairing 21st Street bridge was brought to councils attention by Mayor Schowen, who submitted a statement for oak flooring from the Southern Supply Company.

Councilman Rimmer entered motion that the bridge be floored, motion seconded by councilman Hayes and upon vote by council was declared carried.

The Recorder advised council of complaint of Mrs John McCallister, 2812 - 28th Street, claiming that the WPA men had dug up the Shrubbery in her front yard and asked that it be replaced and that the driveway be opened up as it was before the paving of street.

Councilman Rimmer complained of storm sewer in his driveway being too low, stating that it should be raised.



M. A. Bender, City Engineer, advised council of bad condition of sewers at 13th and 14th Streets, and recommended that they be repaired as soon as possible.

Councilman Hayes entered motion that sewers be repaired, motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Hayes entered motion that the paving improvements of 19th; 21st; and 28th Streets be accepted, and that the property owners of said streets be assessed 50¢ per front lineal foot and be granted 30 days for payment of assessment dating from date of acceptance, (December 13, 1939), motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Stamm called attention of council to the fact that the United Fuel Gas Company did not have curb cut-off valves on 21st Street and when necessary to cut gas off it had to be done by entering basements of owners houses.

Councilman Stamm entered motion that the United Fuel Gas Company be requested to install curb cut-off valves at each residence on 21st Street; also to install curb cut-off valves on all other streets where cut-off valves were inside of buildings, motion seconded by councilman Hayes and upon vote by council was declared carried.

The City Engineer reported to council of method now being used by the Nitro Land Company in regard to construction of bridges above 21st Street, stating that the Nitro Land Company had agreed to construct all bridges in that locality in the manner requested by the City Engineer.

Councilman Hayes entered motion that the Appalachian Electric Power Company be requested to install additional street lights at intersection of 31st Street and 2nd Avenue, motion seconded by councilman Rimmer and upon vote by council was declared carried.

The Recorder read the following letters to council:

Copy of letter under date of November 20, to the State Auditor and signed by the Recorder, answer to same under date of November 21, 1939.

Letter from the Sheriff's Office, Kanawha County, under date of November 21, 1939, also copy of letter under same date from the Kanawha County Sheriff to the State Sinking Fund Commission.

Copy of letter under date of November 22, 1939, to C.R. Conner, and signed by the Recorder.

The above mentioned letters and copies of letters have been placed in files of City.

There being no further business to come before the council at this time a motion for adjournment carried. Adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

January 10, 1940.

The Council of the City of Nitro held its regular session on the 10th day of January, 1940, there were present:

T. A. Lewis, Recorder; and J. H. Rimmer; J. W. Stamm; J. E. Waldorf; members of council of said city; also M. A. Bender, City Engineer.

Owing to absence of Mayor Schowen the Recorder filled in as Acting Mayor and called the meeting to order.

Recorder read to Council minutes of the regular session of Council held on the 13th day of December, 1939.

There being no objections or corrections minutes were declared approved as read.

Recorder read financial statements of city to Council for month of December, 1939 of the General Funds and of the Street Improvement Fund.

Councilman Stamm reported that J. E. Gibson, located between 34th and 35th Streets, on First Avenue, was dumping garbage by the side of building he occupied, creating an unsanitary condition and also a fire hazard.

The Recorder read to Council the following letters:

Letter under date of December 18, 1939, from the United Fuel Gas Company and signed by B. T. Dudding, Agent.

Copy of letter under date of December 21, to Ernest K. James, State Tax Commissioner and signed by the Recorder, and answer to same under date of December 22, 1939, signed by the Tax Commissioner.

Letter under date of December 27, 1939, from the State Compensation Commissioner, and signed by F. L. Rippetoe, Comptroller.

Councilman Rimmer entered motion that the Charleston Transit Company be requested to extend their present Dunbar service through to Nitro, motion seconded by councilman Stamm and upon vote by council was declared carried.

Council ruled that the Recorder take up with the New York Central Railway System the matter of installing warning lights at the 42nd Street crossing.

There being no further business to come before the council at this time a motion for adjournment carried. Adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

January 29, 1940.

The Council of the City of Nitro held a special meeting on the 29th day of January, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf; Herman Jones; J. W. Stamm; G. F. Hayes; members of council of said city and M. A. Bender, Engineer.

The meeting was called to order by Mayor Schowen who advised council that call for special meeting was for the purpose of appointing an attorney to represent the City of Nitro in the forthcoming condemnation proceedings in the United States District Court at Charleston, West Virginia, on the 6th day of February, 1940, in regard to Nitro Sewers.

Mr. Bender addressed the Council in regard to this matter and called attention to notices to property owners but not to City of Nitro put out by the Government, and stated that he deemed it advisable that the City should appoint an attorney to represent the City at large at such time as these proceedings were held.

After some discussion by the City Engineer and Council the following motion was made and duly entered of record:

"Councilman Hayes entered motion that C. E. Copen, Attorney, Winfield, West Virginia, be appointed to represent the City of Nitro, Nitro, West Virginia, in the proceedings pertaining to Nitro Sewers, which hearing comes up on February 6, 1940, in the United States District Court, at Charleston, West Virginia, and that a sum not to exceed \$100.00, be set aside to defray expenses of this service, motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

February 21, 1940.

The Council of the City of Nitro met in regular session on the 21st day of February, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer; Herman Jones; J. W. Stamm; G. F. Hayes; members of council of said city.

The meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of council held on the 10th day of January, and minutes of special session held on the 29th day of January, 1940.

There being no objections or corrections minutes were declared approved as read.

Recorder read to council financial statement of the General Fund and statement of the Street Improvement Fund for month of January, 1940.

Mayor Schowen advised council that work on repairing streets had been held up more or less by reason of being unable to obtain truck.

The matter of annexing a certain tract of land to the City of Nitro, owned by the Nitro Company, was brought before the council; Mr. Dale G. Casto proceeded to read the following Resolution to Council:

"On the 21st day of February, 1940, again came The Nitro Company, a corporation, the owner of a tract of land adjoining the corporate limits of the City of Nitro and filed before the Council a map showing said tract of land, and made proper showing before the Council that there was no dwelling houses on said tract of land, and no persons residing thereon, and moved the Council that said tract of land be taken into and made a part of the City of Nitro, in accordance with and pursuant to the provisions of Chapter 56, Acts of West Virginia Legislature Regular Session, 1937, being Section 591 (127) Michies' Code of West Virginia, 1937.

And it appearing to the Council of the City of Nitro, adjoining said premises sought to be taken in the corporate limits is as follows:

Beginning at a point in a northern boundary line of The Nitro Company property, located at Blakes Creek Valley, the said point is located S. 83 24 E. 275 feet from a wild cherry corner in the original boundary line, wild cherry being the N.E. corner of the cemetery lot that fronts on the Blake Road, said point is also at the intersection of the eastern corporation line of the City of Nitro, with the northern boundary line of the Nitro Company property; thence with the eastern boundary line of the corporation of the City of Nitro S. 23 45 W. 430 feet, more or less to the angle point in said corporation line; thence with the southern boundary line of said

City of Nitro N. 66 15 W. 1,500 feet more or less, to a point where said corporation line intersects the northern boundary line of the said Nitro Company property, the said point being N. 81 38 W. 225 feet to a set stone, said stone being a monument in the Nitro Company property line.

And it further appearing to the Council of the City of Nitro that the boundary of land sought to be taken in the corporate limits is as follows:

Beginning at a point in the northern boundary line of the Nitro Company property where the eastern corporation line of the City of Nitro intersects said boundary line, said point is located S. 83 24 E. 275 feet, more or less from a wild cherry corner at the N.E. corner of the Dudding Cemetary; thence leaving said corporation line of the City of Nitro and with the northern boundary line of the Nitro Company property, S. 83 24 E. 1,167.8 feet to a stone corner in said boundary line; thence leaving said northern boundary line of said property due S. 1,314.56 feet to a point in the southern boundary line of said property, where the southern side line of Langley Place intersects said boundary line; thence with said southern boundary line N. 83 33 W. 2,461.8 feet crossing Blake Creek to a walnut tree on the northern hill-side, being a corner of said Nitro Company property; thence leaving said southern boundary line N. 3 56 W. 1,372.8 feet to a point in the northern boundary line of said Nitro Company property, where the southern corporation line of the City of Nitro intersects said line.

And it further appearing that if said tract of land is taken in and made a part of the City of Nitro, that the corporate limits of the City of Nitro would be as shown in the paragraph last above.

And it further appearing to the Council of the City of Nitro that the courses, distances and areas, as above set forth have all been verified and approved by M. A. Bender, City Engineer, of the City of Nitro, as evidenced by his letter filed herewith and which letter is in the following words and to the following effect:

February 14, 1940.

The City of Nitro  
Nitro, West Virginia

Gentlemen:

I have made examination of the map submitted by the Nitro Company of the tract of land adjoining the present corporate boundary line of the City of Nitro, and I verify and approve the calls and distances on said map, and recommend to the Council of the City of Nitro that the same be taken into and made a part of the said City of Nitro.

Yours very truly,

M. A. Bender, Engineer, City of Nitro

February 21, 1940, Cont'd.

and that the Nitro Company, a corporation, will, at its own expense, take all such necessary and proper steps to properly present the matter of annexation of said territory to the Circuit Court of Kanawha County, West Virginia, it is ordered that said proposed annexation be approved by the Council of the City of Nitro, and that Kay, Casto & Amos, Attorneys for The Nitro Company, a corporation, be authorized and directed to proceed in the name of the City of Nitro, a municipal corporation, to annex such territory to the City of Nitro, in accordance with the provisions of the law as made and provided, but at the expense of the Nitro Company. And that shall be done by virtue hereof the Engineer of the said City of Nitro shall make report to the Council.

It is further ordered that Kay, Casto & Amos, Attorneys for said Company, make report to this Council what they shall do by reason of this resolution. /

Councilman Rimmer raised the question of fire hydrants and other utilities; after some discussion councilman Hayes suggested that this matter be turned over to the Planning Commission and it was ruled by council to take no further action at this time but that a special meeting be called at a later date and that The Nitro Company be advised of date of said meeting.

Mayor Schowen named the following as members of the Planning Commission:

J. C. Pickens; W. A. B. Vivian; H. L. Bryant;

H. C. Gallaway; J. C. Jordan.

Councilman Rimmer entered motion that the aforementioned be appointed as the Planning Commission, motion seconded by councilman Hayes and upon vote by council was declared carried.

Councilman Hayes entered motion that the annexing of the properties owned by The Nitro Company be referred to the Planning Commission and that they be requested to give their ruling in this matter to Mayor Schowen as soon as possible, motion seconded by councilman Rimmer and upon vote by council was declared carried.

The question of a Plumbing Ordinance was brought before the council by Mayor Schowen; councilman Rimmer entered motion that a committee of 3 be appointed to draw up the ordinance, motion seconded by councilman Stamm and upon vote by council was declared carried.

The following were named by Mayor Schowen as the committee:

J. C. McKinney; Emil Kinder and J. H. Rimmer.

Councilman Rimmer entered motion that petition for paving 40th Street from Second Avenue to Armour Creek Bridge be accepted, motion seconded by councilman Hayes and upon vote by council was declared carried.

February 21, 1940, Cont'd.

Mr. John Higginbotham, accompanied by other property owners appeared before council complaining of bad condition existing on Third Avenue.

Councilman Stamm entered motion that the State Road Commission be requested to take steps to eliminate bad conditions existing at street intersections along First Avenue within the city limits, motion seconded by councilman Rimmer and upon vote by council was declared carried.

└ Councilman Rimmer entered motion that meeting be recessed until some future date, motion seconded by councilman Stamm and upon vote by council was declared carried.

Meeting adjourned.

On March 6, 1940, the council met to take up the matter of unfinished business left over from regular session of February 21, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer; J. W. Stamm; G. F. Hayes; J. E. Waldorf;  
members of council of said city. ┘

Meeting called to order by Mayor Schowen.

An ordinance amending the Building Code and governing Electrical Installations, also ordinance amending the Building Code and governing the system of plumbing and drainage within the corporate limits of the City of Nitro was presented to council. Councilman Rimmer entered motion that ordinance be tabled until the next regular meeting of council, motion seconded by councilman Stamm and upon vote by council was declared carried.

The report of the Planning Commission in reference to annexation of certain properties owned by The Nitro Company was read to council by the Recorder. Councilman Rimmer entered motion that report be accepted as read and that the Nitro Company be notified of ruling of the Planning Commission, motion seconded by councilman Stamm and upon vote by council was declared carried.

└ Councilman Hayes entered motion that petition for the paving of 14th Street from Second Avenue to Third Avenue; and that the petition for paving of 30th Street from Second Avenue to Blakes Creek be accepted, motion seconded by councilman Rimmer and upon vote by council was declared carried. ┘

March 6, 1940, Cont'd.

Councilman Hayes entered motion that the motion entered of record March 8, 1939, pertaining to sick leave of salaried members of the Fire Department be amended to read:

"Two weeks sick leave with pay shall be granted in any one Calender Year, and check for the first half of March, 1940, be drawn on the City Treasury to order of C. H. Oldenburg.

Motion seconded by councilman Stamm and upon vote by council was declared carried.

A. Q. Wiley raised question as to whether responsibility for upkeep of old county road belongs to city or county.

Councilman Hayes entered motion that an effort be made to ascertain whether city or county are responsible for upkeep, motion seconded by councilman Rimmer and upon vote by council was declared carried.

[ There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder. ]



March 13, 1940.

The Council of the City of Nitro held its regular session on the 13th day of March, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer; J. W. Stamm; G. F. Hayes; members of council of said city and M. A. Bender, City Engineer.

The Meeting was called to order by Mayor Schowen.

Mayor Schowen called for reading of minutes of regular session of council held on the 21st day of February, and special session of council held on the 6th day of March, 1940. There being no objections or corrections minutes were declared approved as read.

Mayor Schowen called for reading of financial statement of City for month of February, 1940, of the General Fund and statement of the Street Improvement Fund for same period.

Councilman Hayes reported to council of bad condition of sidewalks that existed from the Kroger Store at corner of 23rd Street down to Wallaces Restaurant at corner of 24th Street on First Avenue.

After considerable discussion on this matter councilman Rimmer entered motion that Dr J. W. Skaggs and H. O. Wallace be notified to repair sidewalks according to the City Engineers specifications, motion seconded by councilman Stamm and upon vote by council was declared carried.

Mr. A. L. Bailey complained to council of bad drainage condition existing at 1332 - 13th Street. This matter referred to Street Committee.

Councilman Hayes entered motion that the following petitions be accepted:

14th Street from 1st Ave to 3rd Ave; Curb and Gutter  
Bank Street From 20th Street to 21st Street; Curb and Gutter  
and Paving.

Motion seconded by councilman Rimmer and upon vote by council was declared carried.

Ordinances amending the Building Code governing electric installations, plumbing and drainage was read to council by the Recorder. These ordinances were referred back to committee for alterations and corrections.

Insurance Policy on Police Car tabled until some future date.

There being no further business to come before the council at this time a motion for adjournment carried.

*T. A. Lewis*  
T. A. Lewis, Recorder

*C. F. Schowen*  
C. F. Schowen, Mayor

April 10, 1940.

The Council of the City of Nitro held its regular session on the 10th day of April, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and Herman Jones; J. E. Waldorf; J. W. Stamm; G. F. Hayes, members of Council of said city, and M. A. Bender, City Engineer.

The meeting was called to order by Mayor Schowen who called on the Recorder to read minutes of last regular session of council held on the 13th day of March, 1940.

There being no objections or corrections minutes were declared approved as read.

The Recorder read to council financial statements of city of the General Fund and of the Street Improvement Fund for month of March, 1940.

Recorder read to council a schedule of meetings to be held by council prior to June, 30, 1940.

The Standing Committees had nothing to report at this time.

Mr. W. G. Bird reported to council the bad condition existing at 32nd Street caused by the piling up of dirt on street from excavating done by Reuben Harrison taken from under his building; Mr. Bird asked for definite action by council at once.

Councilman Hayes entered motion that the City Engineer look the situation over and that the Engineer be authorized to see about the dirt being removed, motion seconded by councilman Jones and upon vote by council was declared carried.

"Councilman Waldorf offered the following Resolution:

I, J. E. Waldorf, move that the following Resolution be adopted":

"Whereas, The City of Nitro shall hold an election of officers on the 4th day of June, 1940, as provided by Section 4, Article 3, Chapter 8, Code of 1931, State of West Virginia; therefor be it:

"Resolved; That all nominations be made by certificate, and signed by the required number of voters, and filed with the City Recorder not later than the 4th day of May, 1940, as provided by Section 16, Article 3, Chapter 8, Code of 1931, State of West Virginia".

"Be it further Resolved: That each candidate shall pay the sum of FIVE (\$5.00), at time of filing certificate with the Recorder, said sum to be entered in the General Receipts of the City of Nitro".

"Be it further Resolved: That the Registrars, after having completed the registration, shall for the purpose of amending,

April 10, 1940, Cont'd.

correcting and completing such registration, sit to-gether at the City Office for Two days, commencing on the Second Monday in May next".

"Be it further Resolved: That the election shall be held in the building known as West Virginia Water Service Company building in section occupied by the Boy Scouts of America".

Councilman Stamm seconded motion and upon vote by council was declared carried.

✓ Councilman Stamm entered motion that petitions for paving, curb and gutter, be accepted and released for work as follows:

8th Street from 2nd Ave to 3rd Ave	(PAVING)
26th " " 1st " " 2nd "	(CURB AND GUTTER)
3rd Ave from lower side of 11th Street to lower side of 15th Street	(PAVING)
12th Street from 2nd Ave to 3rd Ave	(PAVING)
40th Street " 1st " " 2nd "	(CURB AND GUTTER)


Motion seconded by councilman Hayes and upon vote by council was declared carried. }

Councilman Hayes entered motion that premium on insurance policy for fire engine be paid, motion seconded by councilman Stamm and upon vote by council was declared carried.

✓ There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

April 16, 1940.

The council of the City of Nitro held a special meeting on the 16th day of April, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and  
J. H. Rimmer; J. E. Waldorf; J. W. Stamm, members of council  
of said city.

The meeting was called to order by Mayor Schowen who advised council that meeting was for the purpose of appointing registrars to make registration of all qualified voters within the corporate limits of Nitro, West Virginia.

Nominations being declared open councilman Stamm nominated Mrs. Joe Gary, Republican; councilman Waldorf nominated Mrs. Ida Montague, Republican; councilman Rimmer nominated Mrs. Bessie Boggess, Democrat.

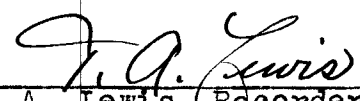
There being no other nominations made councilman Rimmer entered motion that the above mentioned nominees be declared as registrars to make the registration for the City election of June 4, 1940, motion seconded by councilman Stamm and upon vote by council was declared carried.

Councilman Rimmer entered motion that the registrars obtain the registration books of this District from the County Clerks of Kanawha and Putnam Counties and make a copy of all qualified voters residing within the corporate limits of the City, and that each registrar shall receive  $2\frac{1}{2}\phi$  for each name copied and that they shall be paid \$2.50 each per day for the two days sitting but no recompense for additional names added during the two days sitting, motion seconded by councilman Waldorf and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

April 18, 1940.

The council of the City of Nitro held a special session on the 18th day of April, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf; J. W. Stamm; G. F. Hayes, members of council of said city.

The meeting was called to order by Mayor Schowen.

The Recorder advised council of visit to the Kanawha County Courthouse and failure to procure the Kanawha County registration books for Union District.

Councilman Hayes entered motion that the appointment of registrars made by council at meeting held on the 16th day of April, 1940, be recinded, motion seconded by councilman Stamm and upon vote by council was declared carried.


It was agreed to by all members of council that the registration be made in accordance with Ordinance No. 29, and that two people of oppisite parties be appointed as registrars and that they make a house to house canvass within the corporate limits of Nitro.

Councilman Hayes entered motion that Mrs. Bessie Boggess, Democrat, and, Mrs. Joe Gary, Republican, be appointed as registrars to make the registration for the election to be held on the 4th day of June, 1940, motion seconded by councilman Waldorf and upon vote by council was declared carried.

Councilman Waldorf entered motion that the registrars be paid 3¢ each for each name of qualified voters registered and shall be paid \$2.50 per day each for the TWO days sitting but no recompense for additional names registered during the two days sitting, motion seconded by councilman Stamm and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried.  
Meeting adjourned.

  
C. F. Schowen, Mayor

  
T. A. Lewis, Recorder.

April 30, 1940.

The council of the City of Nitro held a special meeting on the 30th day of April, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer; J. E. Waldorf; J. W. Stamm, members of council of said city, and J. C. Jordan; H. O. Wallace; C. L. Mollohan, representatives of the Lyons Club, and Mrs. E. L. Hendricks; Mrs. Christopher L. Reno, representatives of the Womans Club.

Meeting called to order by Mayor Schowen who stated that reason for calling meeting was for the purpose of having a general discussion on a clean up of the City, also discuss other needed improvements.

Mrs. Hendricks advised of receiving a pamphlet from the Chamber of Commerce, Pittsburg, Pa; which outlined the method used in Pittsburg for keeping streets and alleys clean of garbage, paper etc; Mrs. Reno spoke on the same subject and it was suggested by them that the citizens, especially the business men, might donate a small amount to defray the expense of a clean up week.

Mayor Schowen was called upon to set a date for clean up week and set the week beginning Monday, May 20th; it was also ruled that hand bills be printed notifying the residents of Nitro of this ruling and date of clean up week.

Mr. J. C. Jordan raised the question of possibility of securing curb and gutter along First Avenue. It was pointed out that the only way that this could be done would be to float a Bond Issue to defray the expense of doing this.

It was deemed advisable not to undertake to do this at this time.

Mr. H. O. Wallace suggested that the City take over the garbage hauling, after discussing this matter it was thought best to let the garbage hauling be done as it had been.

It was ruled that there be another meeting held on the 13th day of May to discuss these matters, arrange for trucks to haul garbage during clean up week. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

C. F. Schowen, Mayor,      T. A. Lewis, Recorder,      and

The meeting was called to order by Mayor Schowen.

There being no objections or corrections minutes were declared approved as read.

The Recorder read to Council the financial statements of City for month of April, 1940.

In reporting for committee on sanitation councilman Stamm reported of being notified of piles of manure at 5th Street, he found this to be true and also found some hog-pens on the same location, the Police Chief was instructed to investigate this matter.

Mr. W. G. Bird complained to Council of Black Top on 32nd Street being spread too thin, said it was his understanding that the layer of Black Top was to be 2in thick and that it did not come up to the standard. The City Engineer spoke on the method and specifications used in paving and advised that the method that was being used in the paving of Nitro streets was the same as used by the State Road Commission, he advised the property owners of 32nd Street that this matter would be taken care of at once.

The Recorder presented the bill for the insurance premium on the Ford V8 Truck to Council. Councilman Stamm entered motion that the premium be paid, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

The Recorder presented the following petitions to Council:

3rd Avenue from 21st Street to 31st Street, Paving  
15th Street from 1st Avenue to 2nd Avenue, Curb and Gutter  
35th       "       "       "       "       "       "       "       "       "

Councilman Waldorf entered motion that petitions be accepted, motion seconded by councilman Stamm and upon vote by Council was declared carried.

The acceptance of paving 13th; 32nd and 40th Streets was tabled until the next meeting night.

May 8, 1940, Cont'd.

The Recorder presented to Council the following certificates of nomination for municipal office in election to be held on the 4th day of June, 1940:

FOR MAYOR: Earle H. Cooper; Lloyd M. Chapman; C. F. Schowen;  
E. L. Howes.

FOR RECORDER: T. A. Lewis.

FOR COUNCIL: Harry Cochran; F. H. Briggs; Henry Pauley;  
L. O. Grass; Ray W. Ellis; Paul Reynolds;  
Frank Keener; Hugh Draper.

Councilman Rimmer entered motion that certificates be accepted, motion seconded by councilman Stamm and upon vote by Council was declared carried.

M. A. Bender, City Engineer reported on controversey between W. G. Bird and Rueben Harris about dirt being piled up on street, stating that he had made suggestions to them for correcting the bad condition. Mr. Bender stated that he had contacted Dr. Skaggs in regard to bad condition of sidewalk at the Kroger and Temple Stores, said that Dr. Skaggs had promised to raise the sidewalks after some other improvements had been made.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

NOTE: Minutes of May, 13, 1940, will be found on Page 272.



May 28, 1940.

The Common Council of the City of Nitro met in special session on the 28th day of May, 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. E. Waldorf; J. W. Stamm, members of Council of said city, and M. A. Bender, City Engineer.

The meeting was called to order by Mayor Schowen, who stated that the meeting was for the purpose of correcting, amending and approving the registration, appointment of election board and for approval and acceptance of paving completed on the following streets:

13th Street from 1st Avenue to 3rd Avenue,	
25th " " " " " 2nd "	
26th " " " " " "	
27th " " " " " "	
29th " " " " " "	
32nd " " " " " "	
38th " " " " " "	
40th " " " " " Armours Creek Bridge.	

The Recorder presented to Council the name of Pete Mariush, to be entered in the registration books, the Council ruled that Mariush was a legal citizen of Nitro and ordered the Recorder to enter his name in books.

Registration books presented to Council by the Recorder for their approval; registration approved and accepted by the Council.

Councilman Stamm entered motion that the following named citizens of Nitro act as the Election Board in municipal election to be held on the 4th day of June, 1940:

RECEIVING BOARD

Mrs. R. M. Tormey  
Roy Stover (Commissioners)  
A. F. Shomo

\*\*\*\*\*

R. M. Tormey  
Frank Grover (Clerks)

COUNTING BOARD

Mrs. R. M. Tormey  
Roy Stover (Commissioners)  
A. F. Shomo

\*\*\*\*\*

P. T. Bricker  
L. L. Betz (Clerks)

Motion seconded by councilman Waldorf and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried.

Meeting adjourned.

*T. A. Lewis*  
T. A. Lewis, Recorder

*C. F. Schowen*  
C. F. Schowen, Mayor

June 14, 1940.

The Council of the City of Nitro met in session on the 14th day of June, 1940, after being in recess from June 10th 1940, there were present:

C. F. Schowen, Mayor, T. A. Lewis, Recorder, and J. H. Rimmer; G. F. Hayes, members of Council of said city.

The meeting was called to Order by Mayor Schowen who stated to Council that purpose of meeting was for Council to act as a Board of Canvassers to certify to the results of the election officers held on the 4th day of June, 1940, there duty being to carefully and impartially examine the returns of the election held in said city.

Mayor Schowen called for the Recorder to unlock the ballot boxes and lay before the Council the ballots, poll books, tally sheets and certificate as certified to by the election board.

The count of the ballots disclosed one less than count by the election board; Election Board's count being 656 to 655 by Council. The Council being satisfied with the count they proceeded to sign the certificate of election which reads as follows:

We, the Common Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, sitting as the Board of Canvassers of the City of Nitro, having carefully and impartially examined the returns of the election held in the said City, on the 4th day of June, 1940, do hereby certify that in the said City for the office of MAYOR, Earle H. Cooper received one hundred and ninety votes; and that Lloyd M. Chapman received three hundred and eleven votes; and that C. F. Schowen received ninty one votes; and that E. L. Howes received sixty one votes.

And we further certify that in said election held in said City, that for the office of RECORDER, T. A. Lewis received four hundred and ninty two votes.

And we further certify that in said election held in said City, for the office of COUNCILMEN, that Harry Cochran received two hundred and fifty seven votes; and that F. H. Briggs received three hundred and twenty seven votes; and that Henry Pauley received four hundred and ten votes; and that L. O. Grass received three hundred and three votes; and that Ray W. Ellis received four hundred and forty eight votes; and that Paul J. Reynolds received three hundred and thirty two votes; and that Frank Keener received four hundred and ten votes; and that Hugh Draper received four hundred and sixty eight votes.

We, the Common Council of the City of Nitro, Nitro, West Virginia, do hereby order that the above findings shall be

recorded among the records of the City of Nitro, Kanawha  
and Putnam Counties, STATE OF WEST VIRGINIA.

Given under our hands this 14th day of June, 1940.

SIGNED C. F. SCHOWEN, MAYOR

" T. A. LEWIS, RECORDER

" J. H. RIMMER, MEMBERS OF

" GEO. F. HAYES COUNCIL.

There being no further business to come before the  
Council at this time a motion for adjournment carried.  
Meeting adjourned.

C. F. Schowen  
C. F. Schowen, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

June 27, 1940, Cont'd.

Councilman Rimmer entered motion that bill for engineering services be paid, motion seconded by councilman Waldorf and upon vote by Council was declared carried.

Recorder presented to Council bill for material used on Second Avenue from 24th Street to 25th Street for guard rail.

Councilman Waldorf entered motion that bill be paid, motion seconded by councilman Rimmer and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried.

Meeting adjourned.

C. F. Schowen

C. F. Schowen, Mayor,

T. A. Lewis

T. A. Lewis, Recorder.

July 1, 1940.

The Council of the City of Nitro held a special session on the 1st day of July, 1940, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Hugh Draper; Henry Pauley; Ray W. Ellis; Frank Keener; Paul J. Reynolds, members of council of said city.

The meeting was called to order by Mayor Chapman who advised Council that purpose of meeting was for approval by Council of appointment of a Chief of Police and to attend to any other matters that might come before the Council at this time.

After some discussion on the matter of appointment of a Police Chief Mayor Chapman placed before Council the name of Walter Coffey for approval by Council.

Councilman Draper entered motion that appointment of Walter Coffey be approved, motion seconded by councilman Keener and upon vote by Council was declared carried.

Mayor Chapman advised Council that he had talked with C. R. Connor, Engineer, in regard to acting as City Engineer for the time being, councilman Draper mentioned William Vivian, but stated that at this time he was not a certified engineer.

Councilman Keener entered motion that in case that C. R. Connor be needed in the immediate future that Mayor Chapman be authorized to secure him for engineering services, motion seconded by councilman Pauley and upon vote by Council was declared carried.

Councilman Ellis entered motion that the regular session of Council be held on the third Tuesday of each month, motion seconded by councilman Draper and upon vote by Council was declared carried.

The Recorder presented to Council the following resolution, said resolution to be filed with The Kanawha Valley Bank, Charleston, West Virginia:

RESOLVED: That the Kanawha Valley Bank of Charleston, West Virginia, be and hereby authorized and directed to pay checks, drafts or other orders for the payment of money, drawn on this Corporation, including those drawn to the individual order of a signer, when signed in the following manner:

(Number of signatures required on each instrument.) Three

(Manner of signing)

Lloyd M. Chapman,	Mayor,
T. A. Lewis,	Recorder,
T. A. Lewis,	Treasurer.

July 1, 1940, Cont'd.

I further certify that the following are officers of this Corporation, having being elected to hold office until their successors are elected:

Mayor: Lloyd M. Chapman,  
Recorder: T. A. Lewis,  
Treasurer: T. A. Lewis, (Appointive).

Witness by hand and the official seal of this corporation this 1st day of July, 1940.

(SEAL)

T. A. Lewis, Recorder.

Taken, subscribed and sworn to before me by T. A. Lewis, this 2nd day of July, 1940.

(SEAL)

W. P. Wilson  
NOTARY PUBLIC  
KANAWHA COUNTY  
STATE OF WEST VIRGINIA.

My commission expires January 12, 1949.

Councilman Reynolds entered motion that Resolution be adopted, motion seconded by councilman Draper and upon vote by Council was declared carried.

Councilman Keener entered motion that danger signs be placed at 31st Street Bridge for the safety of traffic by vehicles over this bridge, motion seconded by councilman Pauley and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried.

Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

July 16, 1940.

The Council of the City of Nitro held its regular session on the 16th day of July, 1940, there were present:

L. M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Ray W. Ellis; Paul J. Reynolds; members of Council of said city.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of regular session of Council held on the 19th day of June, special session held on the 27th day of June, and special session held on the 1st day of July, 1940.

There being no objections or corrections minutes were declared approved as read.

Recorder read the Financial Statements of City to Council for month of June, 1940, of the General Funds and of the Street Improvement Fund. Mayor Chapman asked for approval of statements by Council. Councilman Keener objected to approval of the Treasures report and moved that report be not accepted, there was no second to councilman Keener's motion.

The Recorder-Treasurer stated to Council that it was immaterial to him whether the Council approved his financial reports or not as his books were open for inspection at any time, and wishes to state further that asking the Councils approval of the financial reports is an unnecessary procedure in his estimation, but it is proper to ask if there are any questions on same.

Recorder read to Council report from the State Sinking Fund which report has been placed in files of City.

Mayor Chapman reported bad condition existing at 31st Street bridge but stated that he wanted the question of repairing bridge held over until the next regular meeting.

Mayor Chapman called attention of Council to equipment belonging to the Police Department, but held by Philip Arthur, former Chief of Police, said equipment being purchased from funds obtained by holding Firemen and Policemen Balls.

Mayor Chapman called on Philip Arthur and Fire Chief Ellis to explain to Council the procedure of how funds were obtained.

Councilman Keener entered motion that the matter of City securing radio, siren, pistol, mace, 2 sets of handcuffs, 1 belt and 2 uniforms be turned over to the City Attorney and that he take legal steps to obtain same for City, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

July 16, 1940, Cont'd.

Recorder read to Council recommendation by M. A. Bender, former City Engineer, in regard to acceptance by Council of curbing and guttering on 40th Street.

Councilman Ellis entered motion that 40th Street curbing and guttering be accepted, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

Recorder read to Council the following petitions that had been filed for street improvements:

29th Street	from 1st Avenue to 2nd Avenue,	Curbing & guttering
17th	" " 2nd " " 3rd "	Paving
20th	" " 1st " " 2nd "	"
36th	" " 1st " " 2nd "	"
36th	" " " " " "	curbing & guttering
31st	" " " " " "	" " "
13th	" " " " " "	" " "
13th	" " 2nd " " 3rd "	" " "
39th	" " 1st " " 2nd "	" " "
18th	" " 2nd " " 3rd "	" " "
20th	" " 1st " " 2nd "	" " "
11th	" " 2nd " " 3rd "	" " "
11th	" " " " " "	paving
7th	" " " " " "	"
5th	" " 1st " " old county road,	paving
6th	" " " " " "	" "
27th	" " " " " 2nd Avenue,	curbing & guttering
38th	" " " " " "	" " "
15th	" " 2nd " " 3rd "	" " "

Councilman Keener entered motion that petitions be accepted, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

Mayor Chapman appointed the following councilmen as a committee to investigate an ordinance in regard to closing hours of barber and beautician parlors which was brought before the Council at this meeting:

COMMITTEE: Ellis; Keener and Pauley.

Mayor Chapman presented the name of Charles Caldwell, Attny; for City Attorney, asking Councils approval of his appointment.

Councilman Reynolds entered motion that the appointment of Charles Caldwell as City Attorney be approved, motion seconded by councilman Ellis and upon vote by Council was declared carried.

Mayor Chapman declared meeting to be in recess until some future date.



August 6, 1940.

The Council of the City of Nitro met to continue session recessed on July 16, 1940, those present were:

L. M. Chapman, Mayor, T. A. Lewis, Recorder, and Henry Pauley; Paul J. Reynolds; Frank Keener, members of Council of said city, Charles Caldwell, City Attorney, and Dale G. Casto, Attorney, representing the Land Company.

A general discussion by the Mayor, Council and City Attorney in regard to Nitro Street Improvements and ways and means of obtaining payment of said improvements was discussed at length, it was finally decided that Attorney Caldwell draw up an ordinance governing this matter and present same to the Council at the next regular meeting.

The question of the equipment in possession of Philip Arthur was again brought to Councils attention.

Councilman Keener entered motion that City accept items as listed in former meeting from Philip Arthur providing however that Arthur pay all costs of court action, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

Attorney Casto, representing the Land Company, addressed City Council on question of the City of Nitro taking into the corporate limits the new addition at head of 21st Street and located on Blakes Creek.

Attorney Casto proceeded to read to Council a Resolution which he had prepared.

Councilman Keener requested that he be given a few days in which to study this matter over before definite action was taken, this request was granted upon which Mayor Chapman declared the meeting to be in recess until August 13, 1940.

The Recorder read to Council letter from M. A. Bender, former City Engineer, stating that he had inspected paving on streets as follows: 35th Street from 1st Ave to 2nd Ave; 39th Street from 1st Ave to 2nd Ave; 18th Street from 2nd Ave to 3rd Ave; and recommended the acceptance of same by Council. Upon motion, duly seconded and carried the Council accepted and approved Mr. Bender's recommendation.

August 8, 1940.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO,

To-wit:

At a special of the Council of the City of Nitro, Kanawha and Putnam Counties, held in the council chambers thereof, in the City Building on Tuesday, the 8th day of August, 1940, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Hugh A. Draper; Paul J. Reynolds, members of council of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1935, Second Extraordinary Session, as amended by Chapter 132 Regular Session, 1939, the council proceeded to make an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

CURRENT REGULAR MUNICIPAL PURPOSES

ESTIMATE

(1) The amount due and the amount that will become due and collectable from every source during the fiscal year, except from the levy of taxes to be made for the year.

ESTIMATED RECEIPTS

Balance in hands of city treasurer	\$ 425.00
Redemption and sale of delinquent lands	50.00
Taxes uncollected	760.00
General licenses	775.00
Building and other permits	125.00
Capitations	300.00
Fees	25.00
Miscellaneous	<u>215.00</u>
Total estimated receipts (except from current levy)	\$2,673.00

## ESTIMATED DISBURSEMENTS

## CURRENT EXPENDITURES

Salary of Mayor	\$ 1.00	
Salary of City Recorder	900.00	
Salary of Treasurer	300.00	
Salary of Chief and 1 Police	1920.00	
General expenses Police Department	150.00	
Expenses keeping and feeding prisoners	10.00	
Repairs to City Buildings and Jail	15.00	
Stationery, office supplies and equipment	25.00	
Postage	20.00	
Water	16.80	
Light for street lighting	1200.72	
Light-other purposes	20.00	
Fuel	25.00	
Telephone and telegraph	85.00	
Advertising and legal publications	50.00	
Premiums on official's bonds	26.25	
Attorneys' fees, court costs and damages	100.00	
New Equipment-Street Department	10.00	
Salaries-Engineering Department	100.00	
Maintenance of streets and alleys	350.00	
Maintenance of sewers	70.23	
Workmen's compensation premiums	25.00	
Audit by Tax Commissioner	75.00	
Dues, W. Va. League of Municipalities	25.00	
Contingent expenses	50.00	
Delinquent taxes and discount	300.00	
Total estimated disbursements		\$5,870.
Total estimated receipts brought forward		\$2,673.
Amount to be raised by levy		\$3,197.

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$3,197. and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

Nine & one half cents ( 9.5¢ ) on Class No. 1 property,  
 Nineteen " ( 19¢ ) on Class No. 2 property,  
 Thirty-eight " ( 38¢ ) on Class No. 4 property.

for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levied
NUMBER 1				
Personal Property	\$ 52,295	9.5¢	9.5¢	\$ 50.
Public Utility Property	\$ 43,800	9.5¢	9.5¢	\$ 41.
Total Class No. 1	\$ 96,095			\$ 91.

August 8, 1940, Cont'd.

NUMBER 2

Real Estate	\$	333,450	19¢	19¢	\$	633.
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NUMBER 4

Real Estate	\$	405,820	38¢	38¢	\$	1,542.
Personal Property	\$	104,290	38¢	38¢	\$	396.
Public Utility Property	\$	140,900	38¢	38¢	\$	535.
Total Class No. 4	\$	<u>651,010</u>			\$	<u>2,473.</u>

TOTAL MUNICIPALITY	\$	1,080,555			\$	3,197.
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### MUNICIPAL BOND PURPOSES - INTEREST AND SINKING FUND

#### ESTIMATE

The council proceeded to make an estimate of the amount necessary to be raised by a levy of taxes for the current fiscal year for interest, sinking fund and amortization requirements of bonded indebtedness, legally incurred by a vote of the people as provided by law, since the adoption of the tax limitation amendment, owing by said municipality, as follows:

#### BOND ISSUES AUTHORIZED SINCE NOVEMBER 8, 1932

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
10/20/38	\$16,000.	\$15,500.	\$ 500.	\$ 426.	\$926.

Delinquent Taxes and Exonerations Estimated at 10%	93.
Total Amount to be raised by a levy of taxes	\$1,019.

and to provide for said amount the following levies are proposed to be laid on each one hundred dollars' valuation of each class of property, viz:

#### AUTHORIZED RATES

Three cents ( 3¢ ) on Class No. 1 property,  
Six cents ( 6¢ ) on Class No. 2 property,  
Twelve cents (12¢) on Class No. 4 property,  
for the purposes aforesaid, based upon the last assessment therein  
as follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied
NUMBER 1			
Personal Property	\$ 52,295.	3¢	\$ 16.
Public Utility Property	\$ 43,800.	3¢	\$ 13.
Total Class No. 1	\$ <u>96,095.</u>		\$ <u>29.</u>

## NUMBER 2

Real Estate	\$ 333,450.	6¢	\$ 200.
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## NUMBER 4

Real Estate	\$ 405,820.	12¢	\$ 487.
Personal Property	\$ 104,290.	12¢	\$ 125.
Public Utility Property	\$ 140,900.	12¢	\$ 169.
Total Class No. 4	\$ 651,010.		\$ 781.
TOTAL MUNICIPALITY	\$ 1,080,555.		\$ 1,010.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO, To-wit:

I, T. A. Lewis, Recorder, in and for the municipality of  
NITRO, counties of Kanawha and Putnam, and State of West

Virginia, do hereby certify that the foregoing are true copies  
from the records of orders made by the council of said munici-  
pality on the 8th day of August, 1940.

Given under my hand this 8th day of August, 1940.

T. A. Lewis  
Recorder.

August 13, 1940.

The Council of the city of Nitro met on the 13th day of August, 1940, to finish up any business that might come before it, meeting being recessed August 6, 1940, there were present:

L. M. Chapman, Mayor, and Ray W. Ellis; Hugh Draper; Frank Keener; Paul J. Reynolds, members of council of said city; Charles Caldwell, City Attorney, and Dale G. Casto, Attorney for the Land Company.

The meeting was called to order by Mayor Chapman who appointed councilman Reynolds as acting Recorder to fill place of T. A. Lewis, who was absent owing to illness.

Councilman Draper requested Attorney Casto to state to council the size of sewers in the proposed new addition. Mr. Casto stated that the sanitary sewer was 8 inches and that the storm sewerage was being taken care of by a storm sewer.

Attorney Casto again read the Resolution prepared by him in regard to the new addition to be added to the City, also read report to council of the Planning Commission which had been filed with City since the 6th day of March, 1940.

Councilman Reynolds entered motion that the Land Company property be taken into the City and Resolution be accepted, motion seconded by councilman Ellis and upon vote by council was declared carried.

Mrs P. Witry reported of robbery of her store and requested that she be accorded better police protection.

The Street Committee was instructed to investigate the possibility of saving the City some expense by the purchase of curbing and gutter forms and also City to mix concrete for curbing and use WFA labor.

There being no further business to come before the council at this time a motion for adjournment carried,  
Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

August 20, 1940.

The Council of the City of Nitro held its regular session on the 20th day of August, 1940, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Hugh Draper; Henry Pauley; Paul J. Reynolds; Ray W. Ellis, members of council of said city.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of regular session of council held on the 16th day of July, meeting recessed and continued on the following dates: August 6th; 8th and 13th; 1940. There being no objections or corrections minutes were declared approved as read.

Recorder read the financial statements of City for month of July, 1940, of the General Fund and the Street Improvement Fund.

Mayor Chapman called for report of Committee on the Barbers and Beauticians Ordinance. The committee recommended that the registration or license fee of \$ per year be stricken from the ordinance. The petitions for and against the ordinance and the ordinance were read to Council and those present representing the barbers and beauticians.

After considerable discussion by members of Council and barbers and beauticians councilman Ellis entered motion that the ordinance be tabled until the 29th day of August, 1940, and an effort be made to establish whether or no the vote laid to owners of shops only or to the entire personell of shops, motion seconded by councilman Keener and upon vote by Council was declared carried.

Councilman Reynolds reported to Council as to terms that City may be able to obtain concrete mixer.

Mayor Chapman advised Council of contacting the Federal Housing Commission, explained to Council about the Governmental assistance and terms.

The Recorder read to Council the approval by the Tax Commissioner of levy rates for year 1940-41 which reads as follows:

STATE OF WEST VIRGINIA

ERNEST K. JAMES, TAX COMMISSIONER

TO THE COMMON COUNCIL OF THE MUNICIPALITY OF NITRO

WEST VIRGINIA

Under and by virtue of the authority vested in me, as

250

August 20, 1940, Cont'd.

5KICG

TAX COMMISSIONER of the STATE of WEST VIRGINIA, under the provisions of Section 23, Chapter 67, Acts 1933, second extraordinary session (House Bill No. 234), the levies proposed by you for your municipality are hereby approved, subject to the following exceptions;

NONE

The undersigned, as Tax Commissioner of the State of West Virginia, makes the following findings with respect to the levies proposed to be laid in excess of the rates prescribed by constitutional limitations:

The levies for current expenses imposed by your common council are no more than are indispensable to the ordinary discharge of the governmental functions of the municipality, and the obligations for the payment of which such levies are proposed are contractual and regularly authorized by vote of the people and represented by outstanding bonds, the obligations of which were created prior to the adoption of the tax limitation amendment; and, except for the levies proposed to be laid for such indebtedness, the respective obligations thereof will be impaired.

Given under my hand this the 13th day of August, 1940.

Ernest K. James  
Tax Commissioner

After which reading of the foregoing approval the council proceeded to lay the levies as Follows:

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO,

To-wit:

At a regular session of the council of Nitro, West Virginia, in Kanawha and Putnam Counties, held in the council chamber thereof on Tuesday, the 20th day of August, 1940; Present

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Henry Pauley; Hugh A. Draper; Paul J. Reynolds; Ray W. Ellis, members of council of said municipality.



## CURRENT REGULAR MUNICIPAL LEVY

## ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of Nitro, in Kanawha and Putnam counties will be \$3,197.00, according to the estimate made and entered of record on the 8th day of August, 1940; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exceptions thereto, and the Tax Commissioner having approved the same in writing, it is therefor ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars, valuation of each class of property, viz:

Nine and one half cents ( 9.5¢) on Class No. 1 property,  
 Nineteen cents (19 ¢) on Class No. 2 property,  
 Thirty eight cents (38 ¢) on Class No. 4 property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied
NUMBER 1			
Personal Property	\$ 52,295.	9.5¢	\$ 50.
Public Utility Property	\$ 43,800.	9.5¢	\$ 41.
Total Class No. 1	\$ 96,095.		\$ 91.
NUMBER 2			
Real Estate	\$ 333,450.	19¢	\$ 633.
NUMBER 4			
Real Estate	\$ 405,820.	38¢	\$ 1,542.
Personal Property	\$ 104,290.	38¢	\$ 396.
Public Utility Property	\$ 140,900.	38¢	\$ 535.
Total Class No. 4	\$ 651,010.		\$ 2,473.
TOTAL MUNICIPALITY	\$1,080,555.		\$ 3,197.

# MUNICIPAL BOND PURPOSES - INTEREST AND SINKING

## ORDER

BOND ISSUE AUTHORIZED SINCE NOVEMBER 8, 1932

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year to pay the interest on and provide a sinking fund for the discharge of the principal of a bond issue of \$16,000.00 for Street Improvements in the municipality of Nitro, Kanawha and Putnam Counties, authorized by a vote on the 20th day of October, 1938, will be \$1,019.00, according to the estimate made and entered of record on the 8th day of August, 1940, and said estimate having been published as required by law and no one appearing to oppose the same or take exceptions thereto and the Tax Commissioner having approved the same in writing, it is, therefore ordered that said estimate and the rates of levies proposed therein be approved and that the following levies be laid on each one hundred dollars' valuation of each class of property, viz:

### AUTHORIZED RATES

Three cents ( 3¢) on Class No. 1 property,  
Six cents ( 6¢) on Class No. 2 property,  
Twelve cents (12¢) on Class No. 4 property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied
NUMBER 1			
Personal Property	\$ 52,295.	3¢	\$ 16.
Public Utility Property	\$ 43,800.	3¢	\$ 13.
Total Class No. 1	<u>\$ 96,095.</u>		<u>\$ 29.</u>
NUMBER 2			
Real Estate	\$ <u>333,450.</u>	6¢	\$ <u>200.</u>
NUMBER 4			
Real Estate	\$ 405,820.	12¢	\$ 487.
Personal Property	\$ 104,290.	12¢	\$ 125.
Public Utility Property	\$ 140,900.	12¢	\$ 169.
Total Class No. 4	<u>\$ 651,010.</u>		<u>\$ 781.</u>
TOTAL MUNICIPALITY	\$1,080,555.		\$ 1,010.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO, to-wit:

I, T. A. Lewis, Recorder, in and for the municipality of Nitro, counties of Kanawha and Putnam, and State of West Virginia, do

hereby certify that the foregoing are true copies from the record of orders made up by the council of said municipality on the 20th day of August, 1940.

Given under my hand this 20th day of August, 1940.

*T. A. Lewis*  
RECORDER.

Recorder read to council recommendation from C. R. Connor, City Engineer, in regard to acceptance of Curbing and Guttering of 18th Street, and the Paving of 17th Street from 1st Avenue to 2nd Avenue.

Councilman Keener entered motion that recommendation be accepted, motion seconded by councilman Ellis and upon vote by council was declared carried.

Councilman Ellis entered motion that Mrs. W. M. Greer be reimbursed for money paid by Mr. Greer on his policemen's uniform, motion seconded by councilman Keener and upon vote by council was declared carried.

At this time Mayor Chapman declared the meeting in recess until August 29, 1940.

The council met on the 29th day of August, to continue meeting recessed on August 20th; all members being present the meeting was called to order by Mayor Chapman.

The question of ordinance governing barbers and beauticians was again brought before council.

Councilman Ellis entered motion that ordinance be taken from table and opened for further discussion. After discussing ordinance for a considerable time during which V. T. Baker and Miss Bernice Parkins had their names cancelled on petition in favor of ordinance and placed on petition against ordinance.

Councilman Keener entered motion that petitions be ruled out and suggested that barbers and beauticians get together and try and come to a satisfactory understanding as to closing hours, motion seconded by councilman Pauley and upon vote by council was declared carried.

Recorder read to council petition signed by 98 citizens of Nitro, petitioning the Common Council of the City of Nitro to investigate the water rates now charged in Nitro and vicinity by the West Virginia Water Service Company, there was no immediate action taken by council in regard to this matter.

A statement to the City of Nitro from M. A. Bender, former City Engineer, to amount of \$40.00, for the making of maps for the Land Company, was presented to council for approval of payment. Councilman Keener objected to payment of this account, after some discussion by members of council and in which discussion it was brought out that the City would be reimbursed

for the aforesaid amount by the Land Company, councilman Ellis entered motion that the City Treasurer be authorized to draw an order on the City Treasury in payment of this account whenever there were available funds to do so, motion seconded by councilman Reynolds, upon vote by the council the following voted for payment: Ellis; Reynolds; Pauley and Draper, against payment: Keener, motion declared carried.

Meeting again declared in recess by Mayor Chapman until September 3, 1940.

The council met on the 3rd day of September, 1940, to continue unfinished business left over from recessed meeting of August 29th.

All members were present except T. A. Lewis, Recorder, and councilman <sup>Reynolds</sup> proceeded to act as Recorder.

Meeting called to order by Mayor Chapman who stated to council that the first matter to come up before the council was an ordinance governing the improvement of streets and avenues within the City as follows:

✓ 16th Street	from 1st Avenue to 2nd Avenue,	grading and paving
30th "	" " " " Blakes Creek,	" " "
3rd Avenue	" lower or north side of 11th Street to lower	
3rd "	or north side of 15th Street, grading and paving	
✓ 34th Street	from 21st Street to 31st Street, grading and "	
	1st Avenue to 2nd Avenue, grading, paving,	
✓ 22nd "	" " 1st " " 2nd Avenue, grading, paving,	curbing and guttering
✓ 36th "	" " 1st " " 2nd Avenue, grading, paving,	curbing and guttering
✓ 30th "	" " 1st " " 2nd Avenue, grading, paving,	curbing and guttering
✓ 20th "	" " 1st " " 2nd Avenue, grading, paving,	curbing and guttering
✓ 13th "	" " 2nd " " 3rd Avenue, curbing and	guttering only
✓ 15th "	" " 2nd " " 3rd Avenue, curbing and	guttering only
✓ 17th "	" " 1st " " 2nd " curbing and	guttering only
✓ 31st "	" " 1st " " 2nd " curbing and	guttering only.

The ordinance was introduced and read to council and will be presented for second reading at the regular session of council to held September 17, 1940.

Councilman Reynolds entered motion that City take a Census of Nitro, there being no second motion died.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor.

*T. A. Lewis*  
T. A. Lewis, Recorder.

September 17, 1940.

The Council of the City of Nitro met in regular session on the 17th day of September, 1940, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Henry Pauley; Frank Keener, members of Council of said city.

The meeting was called to order by Mayor Chapman who called for the reading of minutes of regular session of council held on the 20th day of August, 1940.

There being no objections or corrections minutes were declared approved as read.

The Treasurers report of Receipts and Disbursements for month of August, 1940, of the General Fund and of the Street Improvement Fund was read to council.

Reporting for committees councilman Keener stated that request had been made for a street light at 18th Street, Third Avenue.

Mayor Chapman advised council that an architect from Washington, D. C. had visited Nitro in regard to the Housing Project that had been mentioned previously, reported to council of his findings and read letter received from him recently in regard to this matter.

C. L. Craddock presented a new petition to council in regard to the passing of an ordinance governing the closing hours of barber shops and beautician parlors.

Councilman Keener entered motion that this matter be tabled and petition be returned to Mr. Craddock to try to secure more signers, motion seconded by councilman Pauley and upon vote by council was declared carried.

The Recorder read to council an ordinance providing for the permanent improving of certain streets and avenues by grading, curbing and paving and providing for the assessment of abutting property and the owners thereof for the cost of such improvements. Councilman Keener entered motion that ordinance be adopted, motion seconded by councilman Pauley and upon vote by council was declared carried *unanimously*. <sup>710.50</sup>

Councilman Keener entered motion that the City Engineer be paid 2¢ per lineal foot for engineering services on streets and avenues, motion seconded by councilman Pauley and upon vote by council was declared carried.

Recorder read to council petition for curb and gutter on 31st Street from 1st Avenue to 2nd Avenue.

Councilman Keener entered motion that petition be accepted and to include it in Ordinance No. 50, motion seconded by councilman Pauley and upon vote by council was declared carried.

September 17, 1940, Cont'd.

Mayor Chapman read letter to council from Kay, Casto and Amos, Attorneys for the Land Company, said letter asking permission to lay a sewer line in the Blakes Creek Addition and also tap into the Nitro sewer line. This matter has since been taken care of by Mayor Chapman.

Some citizens residing on Third Avenue between 21st Street and 31st Street, who attended this meeting called councils attention to the bad condition of Third Avenue, and asked that they be shown some consideration when work was resumed by the W. P. A. The council agreed to do everything possible to remedy this matter.

There being no further business to come before the council at this time a motion for adjournment carried. Adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

October 7, 1940.

The council of the City of Nitro met in special session on the 7th day of October, 1940, there were present:

Lloyd H. Chapman, Mayor, T. A. Lewis, Recorder, and Ray W. Ellis; Frank Keener; Paul Reynolds, members of council of said city.

The meeting was called to order by Mayor Chapman who advised council that call for meeting was for the purpose of council discussing ways and means and the proper procedure to take in regard to the collection of unpaid bills on street improvements. Councilman Keener entered motion that all unpaid accounts for paving, curbing and guttering be put in the hands of the City Attorney and that he enter legal action against the property owners for the collection of assessments thereof not later than November 1, 1940, motion seconded by councilman Ellis and upon vote by council was declared carried.

Mayor Chapman called councils attention to the Building Code, stating that it needed revising and suggested that a committee be appointed to work with the City Attorney in revising same, the suggestion was approved by the council and the following members of council were named by Mayor Chapman as the committee: Ellis; Draper and Keener.

Councilman Reynolds suggested that something should be done about the bad condition of First Avenue sidewalk from 19th Street towards the upper end of town, stating that there were some crossings where the sidewalk was from two to four feet above the street paving and no steps, thereby creating a hazard. Mayor Chapman suggested that the street committee check on all these hazards and report back at the next regular session of council.

There being no further business to come before the council at this time a motion for adjournment carried. Adjourned.

  
Lloyd H. Chapman, Mayor

  
T. A. Lewis, Recorder.

October 15, 1940.

The common council of the City of Nitro met in regular session on the 15th day of October, 1940, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Henry Pauley; Ray W. Ellis; members of council of said City and Chas. W. Caldwell, City Attorney.

The Meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of regular session of council held on the 17th day of September, and minutes of special session held on the 7th day of October, 1940.

There being no objections or corrections minutes were declared approved as read.

The Recorder read the financial report of City for month of September, 1940, of the General Fund and the Street Improvement Fund.

Reporting on the Federal Housing Project councilman Ellis advised of leaving questionnaires at the following Industrial Plants: American Viscose; Monsanto Chemical Company; and the Southern Supply Company, and said that forms would be distributed at the remaining plants in the next few days.

Reporting for the Street Committee councilman Keener presented a list of needed repairs to the following streets:

Repair hard top and lower manhole cover at intersection of 21st Street, First Avenue; repair hard top and ditch Second Avenue at 22nd Street curve; repair street approach on Second Avenue and First Avenue south end; ditch Second Avenue from 19th Street to 15th Street and remove berm; build catch basin and cover with boards at storm sewer running under 21st Street at Third Avenue; 3 or 4 loads of cinders needed on 16th and 17th Streets between Second and Third Avenues; sidewalk along Second Avenue from 19th Street to 8th Street need repairing; drain tile needs replacing at 16th Street crossing on Second Avenue; request by citizens that street lights be installed at 11th Street and 18th Street on Third Avenue.

The Council and City Attorney discussed changes to be made in the Building Code.

Councilman Ellis introduced an ordinance to amend and reenact Sections 2 and 22 of the Building Code.

Councilman Pauley reported of bad condition existing at 2901-03 29th Street. Mayor Chapman said he would see the owner, Otmer Harrison, in regard to this matter and have him to correct it.

The Recorder read petition filed by residents on South 21st Street in regard to water running down the sidewalks, the water coming from the Blakes Creek Addition and which should be diverted into Blakes Creek.



Councilman Ellis recommended that copies of this petition should be sent the Land Company and the State Road Commission and that they be requested to correct this situation.

There being no further business to come before the council at this time a motion for adjournment carried.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

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November 19, 1940.

The Council of the City of Nitro held its regular session on the 19th day of November, 1940, there were present:

T. A. Lewis, Recorder, and Henry Pauley; Ray W. Ellis; Hugh Draper; Frank Keener, members of Council of said city, and Chas. W. Caldwell, City Attorney.

Lloyd M. Chapman, Mayor, being absent, T. A. Lewis called the meeting to order and proceeded to read the minutes of the regular session of Council held on the 15th day of October, 1940, there being no objections or corrections minutes were declared approved as read.

The Recorder read to council financial statements of City for month of October, 1940, of the General and Street Improvement Funds.

Reporting for committee on streets councilman Keener advised that work had been done as follows: Berm removed from 19th Street to 8th Street, Second Avenue; 17th Street from 2nd Ave to 3rd Ave repaired with bulldozer; 16th Street repaired with bulldozer and cindered from 2nd Ave to 3rd Ave; 14th Street same; part of 6th Street from 2nd Ave to 3rd Ave repaired with bulldozer and repairing on 5th Street about finished.

The question of installing a street light at 18th Street on 3rd Ave was again discussed by council. Councilman Ellis entered motion that the Appalachian Electric Power Company be requested to install the light, motion seconded by councilman Draper and upon vote by council was declared carried.

The Recorder read to council an amendment to Sections 2 and 22 of the Building Code as prepared by Attorney Caldwell; after a slight alteration had been made in Section 2, Paragraph (C), councilman Ellis entered motion that amendment be accepted, motion seconded by councilman Keener and upon vote by council was declared carried.

November 19, 1940, Cont'd.

Recorder read to council petitions as follows:

3rd Ave from 15th Street to 21st Street; Paving  
16th Street from 1st Ave to 2nd Ave; Curb & Gutter

Councilman Ellis entered motion that petitions be accepted and filed, motion seconded by councilman Draper and upon vote by council was declared carried.

Recorder read to council application for Franchise submitted by the United Fuel Gas Company, praying that they may be granted the right, privilege and franchise to maintain and operate a telegraph and telephone line from the upper end of Nitro at First Avenue, down to intersection of First and Second Avenues and down to the office of the United Fuel Gas Company at corner of Second Avenue and 21st Street.

Councilman Keener entered motion that application be filed, motion seconded by councilman Pauley and upon vote by council was declared carried.

Recorder read to council bid from the West Virginia Black Rock Company for material to be used in street improvements.

Councilman Ellis entered motion that meeting be recessed until November 25, 1940, at which time council would consider the bid submitted by the above named company, motion seconded by councilman Pauley and upon vote by council was declared carried, meeting declared in recess until November 25, 1940.

November 25, 1940.

The Council of the City of Nitro met on the 25th day of November, 1940, to finish up business left over from meeting of November 19th 1940, there were present:

Lloyd H. Chapman, Mayor, T. A. Lewis, Recorder, and  
Frank Keener; Henry Pauley; Paul Reynolds; Hugh Draper;  
Ray Ellis, members of council of said city, Chas W. Caldwell,  
City Attorney, and C. R. Connor, City Engineer.

The meeting was called to order by Mayor Chapman.

The Recorder read to council an alternative bid from the West Virginia Black Rock Company in regard to material for streets, the figures of which had been revised from the bid submitted at the meeting of November 19, 1940. Councilman Reynolds entered motion that the revised bid be accepted, motion seconded by councilman Keener and upon vote by council was declared carried.

The application of Karl C. Sharp, for position as Police Chief of Nitro was read to council by the Recorder. Councilman Reynolds entered motion that application be filed, motion seconded by councilman Draper and upon vote by council was declared carried.

Councilman Ellis called councils attention to the insufficient number of signers on petition filed for 30th Street from 2nd Ave to Elakes Creek or end of street at fence. This matter to be investigated before street improvement starts.

The question of water rates as charged by the West Virginia Water Service Company in Nitro and vicinity was brought before council. Mayor Chapman recommended to council that council authorize the Mayor and City Attorney to take the matter of water rates up with the proper parties.

Councilman Draper entered motion that the Public Service Commission be contacted to see if lower water rates may be secured for Nitro and vicinity, motion seconded by councilman Ellis and upon vote by council was declared carried.

Councilman Pauley again called attention of council to condition of 29th Street at 2901-03, owned by Otmer Harrison.

Councilman Reynolds entered motion that owner of 2901-03 be made to comply with the City regulations in regard to this matter and obtaining a permit, motion seconded by councilman Pauley and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

December 19, 1940.

The Council of the City of Nitro held its regular session on the 19th day of December, 1940, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Ray W. Ellis; Hugh Draper; Paul J. Reynolds; members of council of said city, and Chas. W. Caldwell, City Attorney.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of regular session of council held on the 19th day of November, said meeting declared in recess and finished on November 25, 1940.

After a slight alteration had been made in minutes of November 25th in regard to the number of signers on petition of 30th Street from 2nd Avenue to Blakes Creek or fence, the minutes were declared approved as read.

Recorder read to council financial statements of City for the month of November, 1940, of the General funds and the Street Improvement Funds.

Councilman Reynolds reporting for the street committee advised that H. H. Tinsley had made complaint to him of the curbing on 15th Street extending too far onto Third Avenue.

Recorder read to council an ordinance governing a franchise to the United Fuel Gas Company in RE to a telephone line.

The following amendment was offered to council and recommended that it be included in the ordinance:

"It is understood that the grant of this franchise is upon the condition that in the event of the relocation or abandonment of any of the streets or avenues on which said poles and lines shall be built, there shall be no obligation upon the City of Nitro to provide a new location therefor."

Councilman Reynolds entered motion that the foregoing amendment be included in franchise, motion seconded by councilman Ellis and upon vote by council was declared carried.

Mayor Chapman recommended that meeting be recessed until December 23rd and a committee be appointed to meet with representatives of the engineering staff of the United Fuel Gas Company on December 20th for the purpose of mapping out a definite course for the proposed telephone line.

Mayor Chapman appointed the following members of council as the committee: Draper; Reynolds and Ellis.

The question of appointment of a Building Inspector was brought before council by Mayor Chapman, after some discussion councilman Reynolds agreed to consider the appointment as Building Inspector.

Question of traffic laws was raised by Councilman Ellis who recommended that a committee be appointed to make a survey of this situation and study out ways and means to govern same.

Mayor Chapman named the same members of council as appointed on the franchise committee.

Mayor Chapman read to council application of Homer Asbury for position as city policeman.

The Recorder read application of Fred Ogburn for part time job on the police force.

Councilman Ellis recommended that applications be filed until such time as council learned definitely whether or not Walter Coffey would be able to continue on police force.

Recorder read letter to council from the Appalachian Electric Power Company, in regard to a reduction in rates on street lights. Letter and Resolution accepting terms are as follows:

Nitro, W. Va.  
December 20, 1940.

To the Appalachian Electric Power Company  
301 Virginia Street  
Charleston West Virginia.

Gentlemen:

At a regular session of the council of the City of Nitro, Nitro, West Virginia, held on the 19th day of December, 1940, the following Resolution was adopted by said Council and duly entered of record:

"Whereas, the City of Nitro has received an offer to modify the present contract between the Appalachian Electric Power Company and the City of Nitro, by making certain reductions in the price schedule, which said offer is as follows:

Charleston, W. Va.  
December 16, 1940.

To the Municipality of Nitro,  
§ Honorable L. M. Chapman, Mayor,  
Nitro, West Virginia.

Gentlemen:

The street lighting contract between the City of Nitro and the Appalachian Electric Power Company expires March 5, 1945, however, the Appalachian Electric Power Company has filed a reduced schedule of street lighting prices with the Public Service Commission of West Virginia, effective with service rendered in January, 1941, and we are willing to modify the contract with the City of Nitro and substitute the following street lighting prices for those listed in the contract between the Appalachian Electric Power Company and the City of Nitro, dated March 5, 1935.

The reduced prices apply only to existing facilities that have been installed since the execution of your contract.

December 19, 1940, Cont'd.

71 80 C.P. Lamps @ \$1.20 each per month

The same quantity and prompt payment discounts will apply as under the present contract.

If all discounts are taken these new prices would have affected a savings, based on your November street lighting bill, of \$6.96 per month.

If this offer is acceptable to you and your Council, we will be pleased if you will have the Council pass a short resolution indicating its acceptance of this modification of the contract.

Yours very truly,

Appalachian Electric Power Company  
SIGNED W. F. Dicklin, Manager.

"And whereas, it is the opinion of the Council that said offer should be accepted.

"Now Therefore, Be it Resolved: That the offer of the Appalachian Electric Power Company be accepted and that a copy of this Resolution be sent to the Appalachian Electric Power Company."

The foregoing is a true copy of the minutes of Council meeting held on the 19th day of December, 1940, governing contract between the Appalachian Electric Power Company and the City of Nitro in RE STREET LIGHTS.

Very truly yours,

CITY OF NITRO

BY T. A. Lewis,  
RECORDER.

Councilman Ellis entered motion that street light on 15th Street between Second and Third Avenues be moved to intersection of 15th Street and Third Avenue, and the Appalachian Electric Power Company be requested to make this change as early as possible, motion seconded by councilman Draper and upon vote by Council was declared carried.

Recorder read letter from the West Virginia Black Rock Company in regard to the use of anti-freeze in freezing weather and asking that a letter be written said company authorizing the use of same. Council recommended that request be granted but stating that anti-freeze should only be used when absolutely necessary.

Recorder read petition for the paving of 29th Street from 2nd Avenue to Blakes Creek. Councilman Ellis entered motion that petition be filed untill some future date, motion seconded by councilman Draper and upon vote by council was declared carried.

Meeting declared in recess untill December 23, 1940.]

*Continued from page 298*

The council of the City of Nitro assembled on December 23, 1940, to take up business unfinished at regular session held on the 19th day of December, 1940, there were present:

Lloyd M. Chapman, Mayor, E. A. Lewis, Recorder, and Paul J. Reynolds; Henry Pauley; Hugh Draper; Ray W. Ellis, members of council of said city.]

The committee that met with engineers of the United Fuel Gas Company on December 20, in regard to the course the telephone line was to run reported that the line would run on west side of First Avenue down to intersection of 21st Street, then east on existing Bell Telephone poles on 21st Street to Gas Office; and it was further provided that at any time the City rules that the fire alarm system wiring may be installed on same poles.

Councilman Ellis entered motion that the ordinance granting franchise to install telephone line be adopted, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of appointment of a Building Inspector was again brought to councils attention by Mayor Chapman, who placed the name of James E. Roark for the Appointment.

Councilman Pauley entered motion that the appointment of James E. Roark for position as Building Inspector be approved, motion seconded by councilman Draper and upon vote by council was declared carried.

Bill from Chas. W. Caldwell, City Attorney, for legal services dating from July 1, to December 31, 1940, amount of bill being \$50.00, was presented to council by the Recorder.

Councilman Ellis made motion that bill be paid, motion seconded by councilman Draper and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*E. A. Lewis*  
E. A. Lewis, Recorder.]

January 21, 1941.

The Common Council of the City of Nitro held its regular session on the 21st day of January, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Henry Pauley; Hugh Draper; members of council of said city, and Charles W. Caldwell, City Attorney.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for the reading of minutes of the regular session of council held on the 19th day of December, and recessed until December 23, 1940. There being no objections or corrections minutes were declared approved as read.

The Treasurer read to council the financial report of City of the General Fund and of the Street Improvement Fund for month of December 1940.

The report of I. E. Ellis, Fire Chief, of fires, visits to all business places during the year beginning January 1, and ending December 31, 1940, was read to council by the Recorder.

Councilman Draper reported to council that property owners on 16th Street were complaining of street being out of commission.

Councilman Keener advised council that he had heard several criticisms in regard to the police department, in the discussion which followed it was brought out that the money allocated for the current fiscal year for salaries, wages and general upkeep of the police department was insufficient to continue the personnel of the department for balance of fiscal year as of former months of year.

Councilman Keener entered motion that owing to insufficient funds that the services of the extra patrolman be discontinued for the present, motion seconded by councilman Pauley and upon vote by council was declared carried.

Councilman Keener entered motion that Karl C. Sharp, whose application had been presented and filed previously, be appointed as Police Chief, effective as of February 1, 1941, motion seconded by councilman Draper and upon vote by council was declared carried.

After some discussion by Mayor Chapman, members of council, and the City Attorney in regard to the State Highway between Nitro and Charleston the following resolution was offered:

"Whereas the present state highway between the City of Nitro and the City of Charleston is wholly inadequate to carry the heavy traffic which use this highway, and

Whereas, said highway is not only inadequate from a traffic standpoint but also is highly dangerous from the standpoint of safety in view of the numerous railroad crossings, maneuvers



of the right-of-way, curves and bottlenecks, and

Whereas, the area between the City of Nitro and the City of Charleston is rapidly growing in population, demanding a better highway to serve said area, and

Whereas, other cities, farther down the Kanawha Valley and Communities served by said highway are likewise interested in and know of the very urgent need of a better highway for said area, and

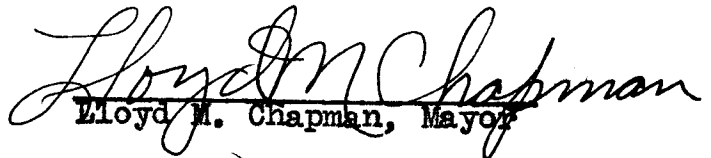
Now, therefore, be it resolved by the Common Council of the City of Nitro, that it is the opinion of said Council that the State Road Commission take immediate steps to build and construct a better highway between said cities of Nitro and Charleston.

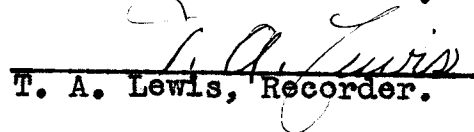
And, it is further resolved that a copy of this resolution be sent to the State Road Commission and to Governor M. M. Neely.

Councilman Draper entered motion that Resolution be adopted, motion seconded by councilman Keener and upon vote by Council was declared carried by a unanimous vote.

There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

  
Lloyd M. Chapman, Mayor

  
T. A. Lewis, Recorder.

February 25, 1941.

The Council of the City of Nitro held its regular session on the 25th day of February, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Hugh Draper; Paul Reynolds, members of council of said city and Charles W. Caldwell, City Attorney.

Meeting called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of the regular session of council held on the 21st day of January, 1941, there being no objections or corrections minutes were declared approved as read.

Treasurer read to council financial report of City of the General Fund and of the Street Improvement Fund for month of January, 1941.

The Recorder read the following petitions to council for street improvements:

41st Street from 1st Ave to 2nd Ave; Grading & Paving.  
 8th " " 2nd " " 3rd " Paving, curbing & guttering  
 Bank Street " 20th Street to 21st Street; Grading & Paving  
 West side of Bank Street from 21st to 22nd Streets;  
 Curb & Gutter  
 14th Street from 1st Ave to 2nd Ave; grade, pave, curb &  
 gutter;  
 13th " " 1st " " 2nd " curb & gutter;  
 38th " " 1st " " 2nd " " " " ;

Petitions approved by council and further ruled that an ordinance be presented at the meeting of February 28, 1941.

Letter was read to council from the State Road Commission which has been placed in files of City.

Contract between the City of Nitro vs Noah Adkins in RE to purchase of rock for rock basing of streets was read to council.

Councilman Keener entered motion that contract be approved, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Keener entered motion that the bill presented by the Charleston Daily Mail relative to Bond Issue advertising to amount of \$39.60, payment of which was assumed by Chas. A. Brown, by reason of his error in drawing up the instrument and who at the time of publication was City Attorney for the City of Nitro, be paid at such time as funds are available, and that suit be instituted against said Chas. A. Brown for recovery of above amount, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of closing hours for pool-rooms was referred to the City Attorney.

After some discussion by council about dogs running loose Mayor Chapman read to council the ordinance known as the dog ordinance.

Councilman Draper called attention of council to complaints of holes on 21st Street and 40th Street, parking at church on 15th Street, also about boys entering the Presbyterian Church at night.

Mayor Chapman declared the meeting in recess until February 28, 1941.

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The council met on February 28, 1941, to take up further business left unfinished at the regular session held on the 25th day of February, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Hugh Draper; Frank Keener; Paul Reynolds; Ray Ellis, members of council.

Meeting called to order by the Mayor.

Recorder presented petition to council for the grading, paving, curbing and guttering of 11th Street from 1st Ave to 2nd Ave; Petition accepted by council.

Councilman Ellis presented an ordinance governing traffic which he read to council, there were some provisions objected to by councilman Keener, Councilman Ellis entered motion that ordinance be tabled, motion seconded by councilman Draper and upon vote by council was declared carried.

Bond of Karl C. Sharp, Police Chief, read to council, after some discussion it was ruled to table bond until some investigation had been made of bondsmen.

It was suggested by Mayor Chapman that he have a parking sign placed below the Valley Motor Service Station at the west corner of the Nitro Theatre, this was approved by council.

Councilman Keener presented an ordinance for the correction of Ordinance No. 47, adopted by council on the 9th day of August, 1939, providing for the permanent improvement of certain streets and avenues in the City of Nitro, West Virginia, and providing for the assessment of abutting property and owners thereof.

February 28, 1941, Cont'd.

Councilman Keener entered motion that the ordinance be tabled and brought up at the next regular session of council for its second reading and to be voted on for adoption or rejection.

Motion seconded by councilman Ellis and upon vote by council was declared carried.

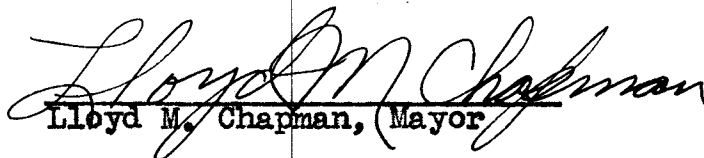
Councilman Ellis presented an ordinance providing for the permanent improvement of certain streets and avenues in the City of Nitro, West Virginia, by grading, paving, curbing and guttering the same with rock base, amictite or black top surface and concrete curbing and guttering, as set forth in said ordinance and providing for the assessment of abutting property and the owners thereof for the costs of such improvements of said streets and avenues.

Councilman Reynolds entered motion that ordinance be tabled and brought before the council for its second reading at the next regular session of council for adoption or rejection by vote of council, motion seconded by councilman Keener and upon vote by council was declared carried.

Councilman Draper presented an ordinance providing for an amusement and privilege tax in the City of Nitro, West Virginia, and providing for the enforcement of same.

Councilman Reynolds entered motion that the ordinance be tabled until the next regular session of council at which time it would be brought up for its second reading and vote by council for adoption or rejection, motion seconded by councilman Keener and upon vote by council was declared carried.

Mayor Chapman declared meeting in recess until further notice.

  
Lloyd M. Chapman, Mayor

  
T. A. Lewis, Recorder.

March 18, 1941.

The Common Council of the City of Nitro met in regular session on the 18th day of March, 1941, all members present except T. A. Lewis, Recorder, councilman Reynolds acted as Recorder.)

Meeting called to order by Mayor Chapman.

An ordinance for amusement and privilege tax came up for its second reading; councilman Draper entered motion that ordinance be adopted, motion seconded by councilman Ellis and upon vote by council was declared carried.

An ordinance providing for assessments and the collection thereof on street improvements came up for its second reading.

Councilman Keener entered motion, seconded by councilman Pauley that ordinance be adopted and that legal action be started immediately, upon vote by council was declared carried.

An ordinance providing for the improvement of certain streets came up for its second reading. Councilman Ellis entered motion that ordinance be adopted, motion seconded by councilman Keener and upon vote by council was declared carried.)

The City Attorney stated to council that Chas. A. Brown, former City Attorney claims that the City of Nitro owes him (Mr Brown) a fee for \$40.00 for services rendered.

The Firemen ask the council for a raise increasing their salary to \$126.70 per month, letter filed while Mayor Chapman and councilman Ellis investigate the possible increase.

The Council ruled that a limit of \$20.00 per month be allowed for the expense of operating the police car.

Motion made by councilman Ellis, seconded by councilman Pauley to this effect, upon vote by council was declared carried.

Mayor Chapman declared meeting in recess until March 25, 1941.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

May 9, 1941.

The Council of the City of Nitro met to continue unfinished business of meeting recessed on April 29, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Paul Reynolds; Henry Pauley, members of council of said city.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called councils attention to the bills made by K. C. Sharp, former Police Chief. Councilman Pauley entered motion that gas and oil to amount of \$10.77, patching \$2.00, cement 50¢, oil 50¢, flashlight \$2.47, bulbs 30¢; Total \$16.54 be deducted from the last paycheck of K. C. Sharp, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of increasing salary of I. E. Ellis, Fire Chief, was discussed by councilman Reynolds with the Mayor and members of council. No action taken at this time.

Mayor Chapman declared meeting in recess until May 13, 1941.

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At a meeting of the council on May 13th meeting being in recess since May 9th; 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Hugh Draper; Ray W. Ellis; Frank Keener; Paul Reynolds, members of council of said city, and Chas. W. Caldwell, City Attorney.

The meeting was called to order by Mayor Chapman.

City Attorney Caldwell presented the following Resolution to Council:

A RESOLUTION PROVIDING FOR THE ASSESSING AGAINST ABUTTING PROPERTY AND THE OWNERS THEREOF PART OF THE COSTS OF PAVING AND OTHERWISE PERMANENTLY IMPROVING PARTS OF 22ND STREET, 20TH STREET, 16TH STREET, 17TH STREET, 15TH STREET AND 13TH STREET IN THE CITY OF NITRO, WEST VIRGINIA.

WHEREAS, for the paving and otherwise permanently improving of streets in the City of Nitro all funds available to the City for the paving and such other permanent improvements from the proceeds of any bond issues had been exhausted by the use of said funds for the purposes for which said bond issues were authorized and made, and

WHEREAS, Petitions in writing of persons owning the greater frontage abutting on both sides of the streets hereinafter mentioned between the respective intersections hereinafter mentioned had been received, filed, accepted and approved by this Council for the grading, paving, curbing, guttering and otherwise improving said streets as shown on the Engineer's report hereinafter set forth, and

WHEREAS, At a regular meeting of this Council on September 17, 1940, the said Council by a lawful majority of all elected members and by unanimous action of all those present at said meeting, adopted Ordinance No. 50 of this City, entitled "An Ordinance Providing for the Permanent Improvement of Certain Streets and Avenues in the City of Nitro, West Virginia by Grading, Curbing and Paving the Same with Rock Base and Amiesite or Black Top Surface as Set Forth in Said Ordinance, and Providing for the Assessment of Abutting Property and the Owners thereof for the Costs of such improvements of said Streets and Avenues", and

WHEREAS, Plans, specifications and estimates of said improvements were made by the City Engineer and approved by the Works Projects Administration, an agency of the Government of the United States of America, the particular section number of the Works Projects Administration being listed and set forth with the streets hereinafter listed and set forth, and

WHEREAS, Subsequent to the passage of said Ordinance No. 50 and prior to any work being done on or under any of said improvements, and before any expense was incurred or any contract for materials entered into to be used in the improvements, there was entered into between the City of Nitro and Nathan S. Poffenbarger, a bona fide and binding agreement between the City of Nitro and said individual for the purchase by said individual of assessment lien certificates to be issued in respect to said projects as provided in Section 8 of Chapter 92 of the Acts of the Legislature of West Virginia of 1939 as amended by the Acts of the Legislature of 1941, for the purpose of enabling the City of Nitro to effect the desired improvements and to prevent the City from incurring debts for that part of the expense to be borne by it unless and until it has been assured that the certificates for the particular project could be sold, and

WHEREAS, Advertisement was made according to law and said Ordinance for the bids for the furnishing of all necessary incidental materials and supplies, and such materials and supplies purchased from the lowest bidder after the approval of this Council, and

WHEREAS, Such paving and other improvements have been made and completed on the streets hereinafter listed in accordance with said petitions, said projects or section numbers, said Ordinance and according to law, and under the supervision and direction of the Works Projects Administration and of the Mayor and City Engineer of the City of Nitro, and

WHEREAS, the said improvements have been completed as hereinafter mentioned and provided for in said Ordinance No. 50 and according to law, and the said Engineer has prepared and certified to the Common Council of this City his report as hereinafter appears, and

WHEREAS, it appears to the Council independently of the aforesaid mentioned Engineer's report as hereinafter listed and set forth, that the permanent improvements have been completed in accordance with the ordinance heretofore adopted on the 17th day of September, 1940, and have specifically benefitted all of the property abutting on said streets improved, and the report, therefore, should be accepted and the property and the owners thereof specially assessed as shown in said Engineer's report.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

1. The grading, paving, curbing, guttering and other-wise permanent improvement of the following named streets between the following intersections respectively on said streets are hereby declared to be completed in accordance with said petitions, projects or sections, Ordinance No. 50, and according to law, and are hereby accepted:



(a) On 22nd Street, between the intersections of First and Second Avenues, being Works Projects Administration Section No. 21;

(b) On 20th Street between the intersection of First and Second Avenues, being Works Projects Administration Section No. 33;

(c) On 16th Street between the intersection of First and Second Avenues, being Works Projects Administration Section No. 19;

(d) On 17th Street between the intersection of First and Second Avenues, being Works Projects Administration Section No. 16;

(e) On 15th Street between the intersection of Second and Third Avenue, being Works Projects Administration Section No. 35;

(f) On 13th Street between the intersection of Second and Third Avenues, and being Works Projects Administration Section No. 34.

2. It is now hereby declared that such assessments shall be due and payable in five equal installments, the first due and payable six months after the date of this ordinance, and the other four installments payable respectively in one year and six months, two years and six months, three years and six months, and four years and six months after the date of this ordinance, such assessments and each installment thereof to bear interest at the rate of 5% per annum until the due date of the respective installments, and thereafter at the rate of 6% per annum; provided that in case any property owner shall pay the entire assessment against his property within thirty days from the date of the assessment he shall not be charged interest thereon from the time subsequent to this date. The owner of any property against which any assessment is made who has not paid such assessment in full within thirty days from this date may pay at any time thereafter the whole of such assessments, or the whole of any installment thereof, with interest to the time of payment. The sum or sums of money assessed, together with the interest thereon, are hereby constituted and declared to be liens upon the several lots or fractional parts of lots abutting upon the street or streets, or alley or alleys, improved, which liens shall be effective from this date, and shall have priority over all other liens except those for taxes.

3. The report of the City Engineer, as follows, after examination by this Council, is hereby approved and adopted and the amounts therein set forth to be assessed against

the respective property and the owners thereof shown in said report, being the proper and correct amounts to be assessed after having made due and proper allowance and deduction for all money, work, labor or material furnished by the Works Projects Administration, are hereby assessed against the respective property and the owners thereof, subject only to such supervision, review and correction as may be made by this Council prior to said assessments becoming final as hereinafter set forth in this ordinance:

### ENGINEER'S REPORT

TO THE HONORABLE MAYOR AND THE COMMON COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

I hereby certify and report that the total cost for the permanent improvements on the following named streets; (a) 22nd Street between the intersections of First and Second Avenues, grading, paving, curbing and guttering; (b) 20th Street between the intersections of First and Second Avenues, grading, paving, curbing and guttering; (c) 16th Street between the intersections of First and Second Avenues, grading and paving; (d) 17th Street between the intersections of First and Second Avenues, curbing and guttering; (e) 15th Street between the intersections of Second and Third Avenues, curbing and guttering; (f) 13th Street between the intersections of Second and Third Avenues, curbing and guttering; was \$4,784.09 for 22nd Street, and of this amount the W. P. A. contributed the sum of \$3,536.05, and the net cost to be apportioned to and be assessed against the owners and property abutting upon said Street, is ~~\$1,408.04~~ **\$1,248.04**; was \$5,741.20 for 20th Street, and of this amount the W. P. A. contributed the sum of \$4,020.26, and that the net cost to be apportioned to, and be assessed against the owners and the property abutting upon said Street, is ~~\$1,721.44~~ **\$1,721.44**; was \$3,211.20 for 16th Street, and of this amount the W. P. A. contributed the sum of \$2,388.63, and that the net cost to be apportioned to and be assessed against the owners and the property abutting upon said Street is ~~\$822.57~~ **\$822.57**; was \$1,228.91 for 17th Street, and of this amount the W. P. A. contributed the amount of \$586.85, and that the net cost to be apportioned to and be assessed against the owners and the property abutting upon said Street is \$642.06; was \$2,372.22 for 15th Street, and of this amount the W. P. A. contributed the sum of \$732.22, and that the net cost to be apportioned to and be assessed against the owners and property abutting upon said Street is ~~\$1,877.36~~ **\$1,877.36**; and was \$1,558.21 for 13th Street, and of this amount the W. P. A. contributed the sum of \$731.81, and that the net cost to be apportioned to and be assessed against the owners and property abutting upon said Street is ~~\$826.40~~ **\$826.40**; that the descriptions of the lots or fractional parts of lots, or tracts of land, as to location, frontage, and the owners thereof, liable for the respective net costs of such permanent improvements are hereafter correctly set forth, and that the proportionate share of the net costs that should be assessed against each of the respective owners and the

respective properties abutting upon the said streets is hereinafter correctly shown, and that the amounts have been apportioned in proportion to the distance for which any particular lot abuts upon the respective street bears to the total length of said street improvement, including intersections, and have been calculated and charged accordingly; and that the number of feet embraced in street or alley intersection is hereinafter correctly shown; that said streets were permanently improved in accordance with the provisions of the Ordinance relative thereto adopted by the Council on the 17th day of September, 1940, and in accordance with the plans and specifications therefor, and as approved by the Works Projects Administration; and that said permanent improvements have been completed and are ready for acceptance and assessment by the Council as follows:

All lots are located in the City of Nitro and shown on the map thereof filed in the office of the Clerk of the County Court of Kanawha County, West Virginia

<u>22nd STREET</u>					
<u>North Side of Street</u>					
Name of Owner	Lot No.	Frontage and feet assessed	Depth	Rate per Foot	Total Assessment
J. W. Skaggs and Reba S. Skaggs	Pt. 13 Area R	170.02	128.75	\$2.00	\$340.04 340.04
Charles H. Kittle	Pt. 13 Area R	50.00	128.75	2.00	100.00
J. R. Peck, J. F. Santrock, and P. B. Jones, Trustees of the First Baptist Church of Nitro	Pt. 13 Area R	130.00	128.75	2.00	260.00 260.00
<u>South Side of Street</u>					
G. C. Alderson, W. L. Wintz and Luigi Lemma	Lt. Area R	47.00	97.15	2.00	94.00
G. C. Alderson, W. L. Wintz and Luigi Lemma	Lt. Area R	127.00	97.15	2.00	254.00
W. Va. Water Service Company	Lt. Area R	130.00	130.00	2.00	260.00
Number of feet embraced in street and alley intersections					30.00
Number of feet of assessable property					684.02 684.02
Total number of feet improved					684.02 684.02

		<u>20th STREET</u>			Rate per Foot	Total Assessment
		<u>North Side of Street</u>				
<u>Name of Owner</u>	<u>Lot No.</u>	<u>Frontage and feet assessed</u>	<u>Depth</u>			
Nitro Industrial Corp.	Lot Area R	219.16	124.20	\$2.00		\$438.32
Nitro Industrial Corp.	Lot Area R	127.00	124.20	2.00		254.00
George W. Surbaugh & Jennie Surbaugh 2005		63.82	124.20	2.00		127.64 127.64

South Side of Street

Edson E. Parsons, Chalmer R. Oldham, Okey W. Wiley, Joseph H. Wallace, and F. M. Litzmeyer, Trustees of Nitro Lot Methodist Church	Area R.	90.00	168.45	2.00		180.00
Nitro Industrial Corp.	Lot Area R.	55.00	168.45	2.00		110.00
Nitro Industrial Corp.	Lot Area R.	105.49	168.45	2.00		210.98 210.98
Fred Cooke and Nitro Industrial Corp.	Lot Area R.	120.00	40.00	2.00		240.00
Karl L. Jarvis	Lot Area R.	80.00	40.00	2.00		160.00

Number of feet embraced in street and alley intersections NONE  
 Number of feet of assessable property 800.47

16th STREET  
North Side of Street

W. F. Gunnoe	1603	78.37	65	\$1.20		\$94.86
Nitro Industrial Corp. and R. M. Dent	1605	50.00	65	1.20		60.00
Berry & Caroline Hudnall	1607	50.00	65	1.20		60.00

16th STREET CONT'D.  
North Side of Street

<u>Name of Owner</u>	<u>Lot No.</u>	<u>Frontage and feet assessed</u>	<u>Depth</u>	<u>Rate per Foot</u>	<u>Total Assessment</u>
Nitro Industrial Corp. & Harry Barrickman	1609	50.00	65	\$1.20	\$60.00
Nitro Industrial Corp. & J. J. Whittington	1611	50.00	65	1.20	60.00
Nitro Industrial Corp. & J. L. McGill	1613	50.00	65	1.20	60.00
Elsie C. Alderson	1615	50.00	65	1.20	60.00

South Side of Street

Herndon Edwards	1602	70.06	65	1.20	84.07
Frank Murock	1604	50.00	65	1.20	60.00
Denver and Wilma Carte	1606	50.00	65	1.20	60.00
Nitro Industrial Corp. & R. B. Hill	1608	50.00	65	1.20	60.00
Belva Jividen	1610	50.00	65	1.20	60.00
Nitro Industrial Corp.	1612	50.00	65	1.20	60.00
Nitro Industrial Corp. & G. A. Dorman	1614	50.00	65	1.20	60.00

Number of feet embraced in street and alley intersections NONE  
 Number of feet of assessable property frontage 748.43

17th STREET  
North Side of Street

Foy A. Silman	1701	55.00	65	.80	44.00
Nitro Industrial Corp.	1703	50.00	65	.80	40.00

<u>Name of Owner</u>	<u>Lot No.</u>	<u>Frontage and feet assessed</u>	<u>Depth</u>	<u>Rate per Foot</u>	<u>Total Assessment</u>
L. K. Hilgore	1705	50.00	65.00	.80	40.00
Willie D. Demoss	1707	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Mirele Robbins	1709	50.00	65.00	.80	40.00
P. J. and Henri Reynolds	1711	50.00	65.00	.80	40.00
Nitro Industrial Corp. and John Hopper	1713	50.00	65.00	.80	40.00
Nitro Industrial Corp. and E. C. Kinder	1715	50.00	65.00	.80	40.00

South Side of Street

C. E. Hammond	1702	47.57	65.00	.80	38.06
Clara Martin	1704	50.00	65.00	.80	40.00
Nitro Industrial Corp. and R. H. Dent	1706	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1708	50.00	65.00	.80	40.00
Nitro Industrial Corp. & Harry Barrickman	1710	50.00	65.00	.80	40.00
Nitro Industrial Corp. & J. J. Whittington	1712	50.00	65.00	.80	40.00
Nitro Industrial Corp. and J. Y. McGill	1714	50.00	65.00	.80	40.00
Elsie C. Alderson	1716	50.00	65.00	.80	40.00

Number of feet embraced in street and alley intersections NONE  
 Number of feet of assessable property frontage 802.58

15th STREET  
North Side of Street

<u>Name of Owner</u>	<u>Lot No.</u>	<u>Frontage and feet assessed</u>	<u>Depth</u>	<u>Rate per Foot</u>	<u>Total Assessment</u>
C. P. Mattox, Joe Leshon, Opha Higginbotham, J. H. Kessel and York Ragle, Trustees of The Church of God	1517	50.00	65.00	.80	\$40.00
Nitro Industrial Corp.	1521	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1523	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Ray W. Ellis	1525	50.00	65.00	.80	40.00
Ray W. Ellis	1527	50.00	65.00	.80	40.00
Nitro Industrial Corp. and I. E. Ellis	1529	50.00	65.00	.80	40.00
Nitro Industrial Corp. and I. E. Ellis	1531	50.00	65.00	.80	40.00
J. E. & Betty Hartigan	1533	50.00	65.00	.80	40.00
J. E. & Betty Hartigan	1535	<sup>79.00</sup> 79.00	65.00	.80	<del>43.20</del> 63.20

South Side of Street

J. F. & Gertrude Thacker	1518	50.00	65.00	.80	40.00
Nitro Industrial Corp. & Howard Hudnell	1520	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Howard Hudnell	1522	50.00	65.00	.80	40.00
M. F. Williams	1524	50.00	65.00	.80	40.00

South Side of 15th Street Cont'd.

<u>Name of Owner</u>	<u>Lot No.</u>	<u>Frontage and feet assessed</u>	<u>Depth</u>	<u>Rate per Foot</u>	<u>Total Assessment</u>
M. F. Williams	1526	50.00	65.00	.80	40.00
Nitro Industrial Corp. and H. A. Draper	1528	50.00	65.00	.80	40.00
Nitro Industrial Corp. and H. A. Draper	1530	50.00	65.00	.80	40.00
Nitro Industrial Corp. and H. A. Draper	1532	50.00	65.00	.80	40.00
L. K. and Hilda Kilgore	1534	50.00	65.00	.80	40.00
L. K. and Hilda Kilgore	1536	50.00	65.00	.80	40.00
L. K. and Hilda Kilgore	1538	<sup>67.70</sup> <del>67.70</del>	65.00	.80	<del>54.00</del> 54.16

Number of feet embraced in street and alley intersections NONE

Number of feet of assessable property 1096.70 1096.70

13th STREET  
North Side of Street

V. H. Comstock	1317	50.00	65.00	.80	40.00
E. Herold and Pauline Alderson	1319	50.00	65.00	.80	40.00
H. N. Tinsley	1321	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1323	50.00	65.00	.80	40.00
Nitro Industrial Corp. and John Priddy	1325	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1327	50.00	65.00	.80	40.00
Roy C. and Edith M. Alexander	1329	50.00	65.00	.80	40.00



North Side of 13th Street Cont'd.

<u>Name of Owner</u>	<u>Lot No.</u>	<u>Frontage and feet assessed</u>	<u>Depth</u>	<u>Rate per Foot</u>	<u>Total Assessment</u>
Ray C. and Edith M. Alexander	1331	50.00	65.00	.80	\$40.00
Ray C. Alexander	1333	50.00	65.00	.80	40.00
Ray C. Alexander	1335	<sup>90.95</sup> <del>90.25</del>	65.00	.80	<del>72.76</del> 72.76

13th Street - South Side

Frances Ranson	1316	45.00	65.00	.80	36.00
Bessie M. Boggess	1318	40.00	65.00	.80	32.00
Nitro Industrial Corp.	1320	40.00	65.00	.80	32.00
H. M. Drake	1322	40.00	65.00	.80	32.00
H. M. Drake	1324	40.00	65.00	.80	32.00
Nitro Industrial Corp.	1326	40.00	65.00	.80	32.00
H. M. Drake	1328	40.00	65.00	.80	32.00
H. M. Drake	1330	40.00	65.00	.80	32.00
A. L. Bailey	1332	40.00	65.00	.80	32.00
H. N. Tinsley	1334	40.00	65.00	.80	32.00
R. A. Bingham & Dora A. Bingham	1336 & 1338	128.03	65.00	.80	102.43 102.43

Number of feet embraced in street and alley intersections NONE  
 Number of feet of assessable property **1079.98**

*[Signature]*  
 City Engineer

4. The sums so assessed as in said reports set forth as a part of the foregoing section, and all interest on said sums, are hereby declared to be liens upon the abutting lots or fractional parts thereof and other lots abutting thereon, such liens to be effective from this date and to have priority over all other liens except those for taxes.

5. The Recorder shall cause to be prepared a notice showing the name and location of the streets improved, the name of the owner of each lot or fractional part abutting or

abounding thereon, the number of feet of each lot or part abutting thereon, the number of feet embraced in the intersection, the amount to be assessed against each lot or part, and shall cite all owners to appear before this Council at a regular meeting within not less than ten days nor more than twenty days from the publication or personal service of said notices to show cause if any they can why assessments should not be made and become final.

6. Said notice shall be published once in one or more newspapers of general circulation published in said city and the affidavits of publishers showing the publication as provided shall be recorded in the minutes of the next regular meeting of this Council, or proof of personal service recorded in the same manner.

7. Upon the request of any owner, this Council shall appoint a day for the hearing of any grievances of such owner and may correct or amend any assessment made against them or any of them for good cause shown.

8. The Recorder shall give notice to all persons claiming to be aggrieved of the time and place of such hearing, which shall be begun within ten days after the regular meeting held as hereinabove provided for the purpose of determining why said assessment should not become final. This hearing may be adjourned from time to time.

9. In case any owner or owners of abutting property fail to complain of any damage or injury by reason of the assessments aforesaid, or shall fail to appear for the purpose of having the same corrected, the assessments as to such owner or owners as laid by the Council in the amount and in all respects as hereinabove shall be final.

10. Such assessments shall be recorded in the proper record book of the municipality and notice and statement as required in Section 6 of Chapter 92 of the Acts of the Legislature of West Virginia of 1939, as amended by the Acts of the Legislature of West Virginia of 1941, shall be recorded in the office of the County Clerk of Kanawha County, and in the office of the County Clerk of Putnam County, if any of the property so assessed shall be in Putnam County.

11. All of the permanent improvements have specially benefited all of the property abutting on both sides of the streets aforesaid and assessed.

12. Each assessment shall be evidenced by an assessment lien certificate with coupon in the following form hereby adopted, and the Mayor and Recorder are hereby authorized to execute assessment certificates for assessments when they become final, and to deliver the same to the purchaser thereof

upon payment and as provided in the contract for the purchase of said certificates hereinabove mentioned:

STATE OF WEST VIRGINIA  
CITY OF NITRO  
CERTIFICATE OF ASSESSMENT  
FOR PUBLIC IMPROVEMENTS

No. \_\_\_\_\_

This is to certify that the holder hereof is entitled to have and collect the sum of \$ \_\_\_\_\_ with interest as hereinafter mentioned, from

\_\_\_\_\_  
(Description of property)  
as shown on the map of the City of Nitro, recorded in the office of the Clerk of Kanawha County, in Map Book \_\_\_\_\_, page \_\_\_\_\_, and in the office of the Clerk of the County Court of Putnam County in Map Book \_\_\_\_\_, page \_\_\_\_\_, and from the owners of said property, to-wit, \_\_\_\_\_, said property abutting on \_\_\_\_\_ (Name of Street), for special assessment duly laid against the said property and owners thereof for street improvements on said street, completed and accepted on the \_\_\_\_\_ (date), and the costs thereof heretofore apportioned according to law and said sum above mentioned assessed against the above mentioned property and owners thereof in accordance with resolutions of the Council of the City of Nitro of \_\_\_\_\_ (Date mentioned last above).

This is further to certify that this assessment is payable in five installments, the first payable on \_\_\_\_\_, and each remaining installment due and payable on the \_\_\_\_\_ (Same day and month as last above.) of each calendar year thereafter for four years. Each of said installments shall bear interest at 5% per annum until the due date of the installment and thereafter at 6% per annum, but provided any property owner may pay the entire assessment within thirty days from said date of \_\_\_\_\_ (Date of resolution of completion and acceptance) without interest; and provided, further, if default be made in the payment of any installment and such default continue for a period of six months that the remaining unpaid installments shall immediately become due and payable. The owner of the property assessed not paying in full in said thirty days may thereafter pay the whole of said assessment, or any installment thereof, with interest to the time of the payment. All sums assessed and interest thereon are liens

upon the abutting lots or fractional parts thereof, which liens have priority over all other liens except those for taxes. This assessment is collectible by and in the name of the City of Nitro, or the legal owner of the assessment lien certificate in any proper court, and the lien thereof may be enforced by suit in equity in the Circuit Court of the County in which the municipality is situated.

This is further to certify that as a part of this certificate there are five coupon certificates each representing one of the five installments and interest thereon until paid, each coupon bearing the same serial number and date of assessment as set out hereinabove, each coupon being authenticated by the actual or facsimile signature of the Mayor and Recorder of the City of Nitro.

This is further to certify that the improvements for which said assessment was made were made in accordance with and pursuant to City of Nitro Ordinance No. 50 adopted on the 17th day of September, 1940, the Federal Works Progress Administration Project No. \_\_\_\_\_, and the assessment represented by this certificate made by resolutions of the City of Nitro of \_\_\_\_\_, the authority of the City of Nitro generally, the authority of Chapter 92 of the 1939 Acts of the Legislature of West Virginia, amended in 1941, and the general law of the State of West Virginia; that the statements for liens have been filed for record in the office of the Clerk of the County Court of Kanawha County on \_\_\_\_\_, 1941, and in the office of the Clerk of the County Court of Putnam County on \_\_\_\_\_, 1941; and that if this certificate is sold by the municipality it is done without guarantee by or recourse upon the municipality, but carrying to the legal owner thereof all rights of the municipality arising against the owner of the property described and against said property itself.

In witness whereof this certificate dated the \_\_\_\_\_, and each coupon certificate hereto attached, is executed by the Mayor and Recorder of the City of Nitro by authority duly given.

CITY OF NITRO

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Recorder.

.....

# COUPON NO. 1.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies

that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$\_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due six months after \_\_\_\_\_, the first of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Recorder.

.....

COUPON NO. 2.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$\_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due one year and six months after \_\_\_\_\_, the second of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Recorder.

.....

COUPON NO. 3.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof,

certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$\_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due two years and six months after \_\_\_\_\_, the third of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: \_\_\_\_\_

Mayor

\_\_\_\_\_  
Recorder.

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COUPON NO. 4.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$\_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due three years and six months after \_\_\_\_\_, the fourth of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: \_\_\_\_\_

Mayor

\_\_\_\_\_  
Recorder.

.....

COUPON NO. 5.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against

the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$\_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due four years and six months after \_\_\_\_\_, the fifth of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: \_\_\_\_\_

Mayor

\_\_\_\_\_  
Recorder.

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13. The Recorder is hereby authorized to execute releases for any assessments and the lien thereof, when any respective assessment and all of its installments are paid in full, with interest, if interest is chargeable hereunder.

After some discussion on the Resolution by the Council councilman Reynolds entered motion that the Resolution be adopted, motion seconded by councilman Keener and upon vote by Council was declared unanimously passed.

Councilman Draper entered motion, motion seconded by councilman Keener that a hearing on the foregoing Resolution be held at a regular session of the Council to be held on the 27th day of May, 1941, at 7-30 P. M. Upon vote by Council this motion was declared unanimously passed.

Councilman Reynolds entered motion that the salary of the Fire Chief be increased \$8.00 per month, effective as of April 1, 1941, motion seconded by councilman Keener and upon vote by council was declared carried.

Councilman Reynolds entered motion that councilman Ellis be granted \$10.00 for repairs to streets, motion seconded by councilman Draper and upon vote by council was declared carried.

After some discussion by councilman Ellis concerning possibility of getting governmental assistance in building or improving the fire station councilman Ellis was appointed to act with Mayor Chapman to investigate this matter.

Contract between City vs West Virginia Tractor and Equipment Company read to Council.

Mayor Chapman read to Council application of Harold L. Huffman for the position of Police Chief. This matter was tabled until some future date.

Councilman Ellis entered motion that Mayor Chapman and one member of Council be authorized to investigate the purchase of a new police cruiser car, motion seconded by Councilman Draper and upon vote by Council was declared carried.

Mayor Chapman appointed Councilman Draper to act in conjunction with him in above matter.

There being no further business to come before the Council at this time a motion for adjournment carried.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

\*\*\*\*\*

May 20, 1941.

Council of the City of Nitro met in regular session on the 20th day of May, 1941.

Meeting called to order by the Mayor.

There being no regular business at this time Mayor Chapman declared the meeting in recess until May 27, 1941.

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The Council met on the 27th day of May to continue meeting recessed on May 20, 1941, for the transaction of any business that might come before it, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Hugh Draper, members of Council of said city, and Charles W. Caldwell, City Attorney.

Meeting called to order by Mayor Chapman who called on the Recorder to read to Council minutes of the regular session of Council held on the 15th day of April, and recessed meetings held on the 29th day of April, the 9th and 13th days of May, 1941.



There being no objections or corrections minutes were declared approved as read.

The Treasurer read to Council financial report of City for April, 1941, of the General Fund and of the Street Improvement Fund.

City Attorney Caldwell presented to Council publication by The Times Advance in issue of May 16, 1941; Affidavit signed by H. E. Kleiner, Publisher of The Times Advance; also Resolution, all of which are as follows:

## NOTICE

Notice of paving assessment for paving and improving street, 20th street, 16th street, 17th street, 15th street, and 14th street, against the property abutting on said streets, and the portion thereof in the City of Nitro according to the ordinance heretofore referred to.

By virtue of an Ordinance adopted by the Council of the City of Nitro, West Virginia, at a regular meeting on the 15th day of May, 1940, entitled "AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF CERTAIN STREETS AND AVENUES IN THE CITY OF NITRO, WEST VIRGINIA, BY GRADING, CURBING AND PAVING THE SAME WITH ROCK BASE AND ASPHALT OR BLACK TOP SURFACE AS SET FORTH IN SAID ORDINANCE, AND PROVIDING FOR THE ASSESSMENT OF SUCH IMPROVEMENTS AND THE PAYMENT THEREOF FROM THE COSTS OF SUCH IMPROVEMENTS OF SAID STREETS AND AVENUES", and pursuant to a resolution adopted and passed on the 15th day of May, 1941, notice is hereby given that said streets, 20th street, 16th street, 17th street, 15th street, and 14th street, have been permanently improved; that the names of the owners of each lot or fractional part of lot abutting upon each of said streets; that the number of feet each lot or fractional part of lot abuts upon each of said streets; that the number of feet embraced in street or alley frontage of each of said streets, and the amount assessed against each lot or fractional part of lot and the portion thereof, are as follows:

All lots are located in the City of Nitro and shown on the map thereof filed in the office of the Clerk of the County Court of Hancock County, West Virginia.

### 20th STREET

#### North Side of Street

Name of Owner	Lot No.	Frontage Feet	Depth Feet	Area Sqr. Feet	Assessment
J. W. Shaffer and Reta E. Shaffer	PL 18—Area R	128.00	128.00	16384	100.00
Charles H. Kubic	PL 18—Area R	50.00	128.00	6400	100.00
J. B. Beck, J. P. Davis, and P. B. Jones, Members of the First Baptist Church of Nitro	PL 18—Area R	128.00	128.75	16480	100.00

#### South Side of Street

G. C. Alderson, W. J. Wintz and Luigi Lemmon	Lt. Area R	127.00	97.35	12363	100.00
G. C. Alderson, W. J. Wintz and Luigi Lemmon	Lt. Area R	127.00	97.35	12363	100.00
W. Va. Water Service Company	Lt. Area R	128.00	128.00	16384	100.00

Number of feet embraced in street and alley frontage

Number of feet of abutting property

Total number of feet embraced in street

100



	1705	50.00	65.00	.80	40.00
	1706	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1708	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Harry Barrickman	1710	50.00	65.00	.80	40.00
Nitro Industrial Corp. and J. J. Whittington	1712	50.00	65.00	.80	40.00
Nitro Industrial Corp. and J. L. McGill	1714	50.00	65.00	.80	40.00
Nitro Industrial Corp. and C. Alderson	1716	50.00	65.00	.80	40.00
Number of feet embraced in street and alley intersections					None
Number of feet of assessable property frontage					

## 15th STREET

## North Side of Street

Name of Owner	Lot No.	Assessed And Feet	Depth	Rate Per Foot	Total Assessment
C. P. Mattox, Joe Leshon, Coles Kessel and York Ragle	1517	50.00	65.00	.80	40.00
Trustees of The Church of God	1519	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1521	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1523	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Ray W. Ellis	1525	50.00	65.00	.80	40.00
Ray W. Ellis	1527	50.00	65.00	.80	40.00
Nitro Industrial Corp. and I. E. Ellis	1529	50.00	65.00	.80	40.00
Nitro Industrial Corp. and I. E. Ellis	1531	50.00	65.00	.80	40.00
E. and Betty Hartigan	1533	60.00	65.00	.80	50.00
E. and Betty Hartigan	1535	70.00	65.00	.80	60.00

J. F. and Gertrude	1537	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Howard Hudnell	1539	50.00	65.00	.80	40.00
Nitro Industrial Corp. and Howard Hudnell	1540	50.00	65.00	.80	40.00
M. F. Williams	1541	50.00	65.00	.80	40.00
M. F. Williams	1542	50.00	65.00	.80	40.00
Nitro Industrial Corp. and H. A. Draper	1543	50.00	65.00	.80	40.00
Nitro Industrial Corp. and H. A. Draper	1544	50.00	65.00	.80	40.00
Nitro Industrial Corp. and H. A. Draper	1545	50.00	65.00	.80	40.00
L. K. and Hilda Kilgore	1546	50.00	65.00	.80	40.00
L. K. and Hilda Kilgore	1547	50.00	65.00	.80	40.00
L. K. and Hilda Kilgore	1548	50.00	65.00	.80	40.00

Number of feet embraced in street and alley intersections

Number of feet of assessable property

## 15th STREET

## North Side of Street

Name of Owner	Lot No.	Assessed And Feet	Depth	Rate Per Foot	Total Assessment
V. H. Constock	1547	50.00	65.00	.80	40.00
E. Harold and Pauline Alderson	1548	50.00	65.00	.80	40.00
E. Harold	1549	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1550	50.00	65.00	.80	40.00
Nitro Industrial Corp. and John Friday	1551	50.00	65.00	.80	40.00
Nitro Industrial Corp.	1552	50.00	65.00	.80	40.00
Ray C. and Alice Alderson	1553	50.00	65.00	.80	40.00
Ray C. and Alice Alderson	1554	50.00	65.00	.80	40.00
Ray C. Alderson	1555	50.00	65.00	.80	40.00
Ray C. Alderson	1556	50.00	65.00	.80	40.00

Statement of Accounts					
H. M. Drake	1270	40.00	65.00	25	12.00
H. M. Drake	1270	40.00	65.00	25	12.00
Nitro Industrial Corp.	1270	40.00	65.00	25	12.00
H. M. Drake	1270	40.00	65.00	25	12.00
H. M. Drake	1270	40.00	65.00	25	12.00
A. L. Bailey	1270	40.00	65.00	25	12.00
H. N. Tinsley	1270	40.00	65.00	25	12.00
<b>Total</b>	<b>1270</b>	<b>40.00</b>	<b>65.00</b>	<b>25</b>	<b>12.00</b>
Total of all accounts in order and after intermissions					
Total of all accounts in order and after intermissions					

All persons or parties interested or affected thereby are hereby given notice that the permanent improvement of said street from First Avenue to Second Avenue; said street from First Avenue to Second Avenue; said street from First Avenue to Second Avenue; said street from First Avenue to Second Avenue; said street from Second Avenue to Third Avenue; said street from Second Avenue to Third Avenue, have been completed and accepted by the Council of the City of Nitro, and all of you and each of you are to appear before the said Council at a regular meeting thereof to be held on the 15th day of May, 1911, at 7:30 o'clock P. M., at the Council Chambers of the City Building, to show cause, if any you can, why the assessments assessed should not become final.

T. A. LEWIS,  
Recorder, City of Nitro.

WHEREAS, The Common Council of the City of Nitro did on the 13th day of May, 1941, adopt a resolution declaring the permanent improvement of 22nd Street, 20th Street, 16th Street, 17th Street, 15th Street, and 13th Street, for the distances and in the manner as set forth in said resolution, to have been completed and accepted, and among other things directed the Recorder of said City to prepare a notice as prescribed by Statute to be published notifying all owners of the lots and tracts and parcels of lots abutting on said Streets to appear before this Council at a regular meeting thereof to be held on the 27th day of May, 1941, and

WHEREAS, the Recorder prepared and published the said notice in "The Times Advance", a newspaper of general circulation in said City of Nitro, as prescribed by the aforesaid resolution and as evidenced by the affidavit of the publisher thereof, and

WHEREAS, no one or more of the owners of lots, tracts, or fractional parts of lots, affected by such permanent improvements have protested any of the assessments as shown and set forth in the notice so published, and have not appeared and requested a hearing of any grievance, and have made no complaints of any damages or injuries by reason of the assessments aforesaid, and

WHEREAS, there are no corrections or amendments to be made to any of said assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

FIRST. That all of the assessments as shown and set forth in the resolution adopted by this Council on the 13th day of May, 1941, hereinabove referred to, be, and the same are hereby declared final.

SECOND. In the publication of the notice of the assessment against Nitro Industrial Corporation and Howard Hudnall for improvements on 15th Street between Second and Third Avenues there are listed two lots Nos. 1520, whereas the second one should have been properly described as "Lot No. 1522", and it appearing that this description as to the second lot was only a typographical mistake, and that the resolution of May 13th 1941, correctly described both of said lots, and there being no objections or exceptions, and it further appearing that the property owners are fully advised in the premises, it is ordered that the notice of publication hereinbefore and hereinafter referred to be, and the same is hereby corrected in accordance with the resolution of May 13, 1941.

THIRD. That the affidavit of H. E. Kleiner, Publisher of "The Times Advance", showing the publication of the aforesaid notice, to be recorded in the minutes of this Council as a part of the Council Records of this meeting.

May 27, 1941, Cont'd.

Councilman Keener entered motion that Publication, Affidavit and Resolution be accepted and adopted, motion seconded by councilman Draper and upon vote by council motion declared carried by unanimous vote.

Recorder presented bill to council of R. S. Wood, Jr; for repair work done to City Building to amount of \$4.50.

Councilman Keener entered motion that bill be paid, motion seconded by councilman Draper and upon vote by council was declared carried.

Councilman Draper entered motion that the City of Nitro cooperate with the City of Charleston, along with other municipalities in the Kanawha Valley, and the N. Y. A. in a housing rental clearance, and that Mayor Chapman write Mayor Dawson of Charleston to this effect; it is understood that the City of Nitro is not obligating itself to any financial responsibility.

Motion seconded by councilman Keener and upon vote by council was declared carried by unanimous vote.

Mayor Chapman reported to council of contacting several agencies in regard to purchase of patrol car, bids submitted by any agency to be filed with the City Recorder.

Councilman Draper entered motion that the City sponsor a W. P. A. playground project with the financial obligation on City not to exceed \$25.00 for entire season, motion seconded by councilman Keener and upon vote by council was declared carried by unanimous vote.

It was ruled by council that bill submitted by F. M. Rairden, J. P; costs in the case of City of Nitro vs Wm. Harrison be paid. The bill being to amount of \$5.25.

There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

June 17, 1941.

The Common Council of the City of Nitro met in regular session on the 17th day of June, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Hugh Draper; Frank Keener; Ray Ellis; Paul Reynolds, members of council of said city.

Meeting called to order by Mayor Chapman who called on the Recorder to read to Council minutes of regular session of Council held on the 20th day of May, said meeting being recessed until the 27th day of May, 1941.

There being no objections or corrections minutes were declared approved as read.

Mayor Chapman called for reading of financial report of City for the month of May, 1941, of the General Fund and of the Street Improvement Fund.

Mayor Chapman read letter to Council from the Selective Board.

In reporting for committees councilman Ellis reported of contacting Mr. Williams and Mr. Jones, and stated that he did not see any reason for the City not getting assistance for fire station and fire truck from the West Virginia Inspection Bureau, and suggested that Congressman Joe L. Smith be contacted to find out who to apply to.

Mayor Chapman reported to Council of himself and a committee of Nitro Business men calling on the State Road Commissioner concerning a better road through Nitro and including a road into the Plant Area at Forty-second Street.

Councilman Ellis read to Council for its second reading an ordinance governing traffic and parking, this after suggested corrections had been made.

Councilman Reynolds entered motion that ordinance be approved and adopted, and shall be effective from date of passage, motion seconded by councilman Draper and upon vote by Council was declared carried by a unanimous vote.

A bid by the Childers Chevrolet Company on Police Patrol car was read by Mayor Chapman to Council.

Applications for the position as Chief of Police was read to Council as follows:

Under date of May 2, 1941:

" " " " 9, "  
" " " June 16, "  
" " " " 16, "

Roscoe Jividen  
Harold L. Huffman  
E. S. Thompson  
J. M. Carpenter.



June 17, 1941, Cont'd.

Petition for the curbing and guttering of 32nd Street from 1st Avenue to 2nd Avenue was presented to Council by the Recorder. Petition accepted by Council.

Councilman Ellis entered motion that no further petitions be accepted that called for paving only, that all future petitions must state for grading, paving, curbing and guttering, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

An ordinance governing the widening, parking etc; of 1st. Avenue was read to Council.

Mayor Chapman declared meeting in recess until June 24, 1941.

June 24, 1941.

The Council met on June 24, 1941, to continue regular session recessed on June 17, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and

Ray Ellis; Hugh Draper; Frank Keener; Paul Reynolds, Henry Pauley, members of council of said city.

The meeting was called to order by Mayor Chapman.

Recorder read to Council application of O. C. Little, for the position as Chief of Police.

Mayor Chapman called for the reading of application and recommendations of E. S. Thompson as Chief of Police.

It was requested that petition by a number of Nitro citizens that John Rush be retained on the police force be read again; following this Mayor Chapman presented the name of E. S. Thompson for position as Chief of Police at a salary of \$125.00 per month, asking Council to approve appointment and salary. Councilman Reynolds entered motion that appointment and salary be approved, motion seconded by councilman Draper and upon vote by council was declared carried.

Letter from the Civic Benefits Association with enclosed check to amount of \$85.00 was brought to Council's attention, letter being in regard to vacation for the members of the Fire Department, and the check to help pay salary for a substitute fireman during vacation period. Mayor Chapman recommended to Council that city add \$15.00 to the \$85.00 and make it an even \$100.00, which amount was to be paid to the substitute fireman at a \$25.00 per week rate.

Councilman Draper entered motion that city pay the additional \$15.00, motion seconded by councilman Keener and upon vote by Council was declared carried.

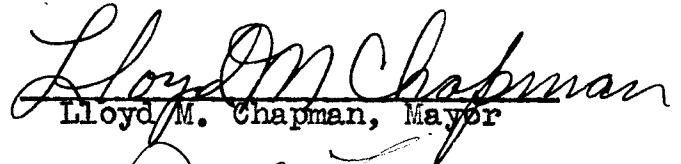



Mayor Chapman recommended to Council that salary of each member of the Fire Department be increased \$2.00 per month.

Councilman Draper entered motion that salary of the Fire Chief be rated at \$150.00 per month, and salaries of the regular firemen be rated at \$120.00 per month, effective as of July 1, 1941, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

Councilman Reynolds entered motion that committee make arrangements to have patrol car repaired, motion seconded by councilman Draper and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

  
Lloyd M. Chapman, Mayor

  
T. A. Lewis, Recorder.

July 22, 1941.

The Council of the City of Nitro met in regular session on the 22nd day of July, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Ray W. Ellis; Frank Keener; Paul J. Reynolds; Henry Pauley, members of Council of said city; also City Attorney Chas. W. Caldwell.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of regular session of council held on the 17th day of June and recessed until the 24th day of June, 1941. There being no objections or corrections minutes were declared approved as read.

Mayor Chapman called for reading of financial report by Treasurer for month of June, 1941, of the General Fund and of the Street Improvement Fund.

Councilman Reynolds reported to council of heavy trucks belonging to Jones' Greater Shows were being driven over the street curbing on 20th Street, Mayor Chapman said he would attend to this matter at once; councilman Reynolds also objected to location of the Carnival and suggested other grounds where shows could be held.

The condition of the paving on 21st Street was brought to councils attention. Mayor Chapman recommended to council that City purchase sufficient Black Top to make the necessary repairs.

Councilman Reynolds entered motion that the Mayor be authorized to proceed and have 21st Street and any other streets repaired that needed repairing, motion seconded by councilman Pauley and upon vote by council was declared carried.

The condition of 40th Street Bridge discussed by council.

An ordinance governing the closing hours of stores was read to council by Mayor Chapman for its first reading; the Mayor also read to council the names of business men sponsoring this ordinance.

Councilman Ellis entered motion that ordinance be brought up at the next regular session for its 2nd reading, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of the sale of milk was discussed by council.

Ordinance governing the blowing of horns, sirens, or making any other unnecessary noises by motor vehicles was brought before council.

Councilman Reynolds entered motion that ordinance be tabled for further discussion, motion seconded by councilman Keener and upon vote by council was declared carried.

The question of whether to have old patrol car repaired or purchase a new car was brought to councils attention by Mayor Chapman.

After some discussion by council councilman Pauley entered motion that the City purchase a new patrol car, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Reynolds entered motion that the salary of the Treasurer be increased \$10.00 per month, effective as of July 1st, 1941, motion seconded by councilman Pauley and upon vote by council was declared carried.

Councilman Ellis entered motion that an additional street light be installed at 15th Street and Second Avenue, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Reynolds entered motion that an additional street light be installed at 11th Street on Third Avenue, motion seconded by councilman Keener and upon vote by council the following councilmen voted for the installation of the street light: Reynolds; Keener and Pauley; against the installation of street light councilman Ellis, motion declared carried.

Mayor Chapman suggested that councilman Ellis with the other members of the street committee investigate the complaint of Dayton Witt, resident on Third Avenue.

The question of the controversy between J. M. Carpenter vs the City of Nitro to regard of property line of J. M. Carpenter was brought to councils attention and discussed by the Mayor and Council. Mayor Chapman read letter to Council written by J. M. Carpenter concerning the deeding of a strip of the Carpenter property to the City of Nitro.

Mayor Chapman declared meeting in recess until July 31, 1941.

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The council of the City of Nitro met on the 31st day of July to continue business of regular session recessed on July 22nd. 1941; there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Ray W. Ellis; Hugh Draper; Frank Keener; Paul J. Reynolds; Henry Pauley, members of council of said city.

Meeting called to order by Mayor Chapman.

The question of the Carpenter property and right-of-way was again brought before council and discussed. It was ruled that Mayor Chapman and councilman Ellis and Pauley contact Carpenter in regard to this matter and report back at a special meeting to be held on the 6th day of August, 1941.

The question of sidewalks and manner of installing same was brought to councils attention by councilman Ellis.

At this time Mayor Chapman appointed councilman Pauley as a member of the street committee.

The following resolution was offered to council for adoption or rejection:

"Resolved: That permanent sidewalks are to be built on the property line with a standard width of four feet; the grade of the sidewalk shall be the same grade as the top of the curb or the crown of the road wherever possible.

All sidewalks shall be built under the supervision of the City Engineer, and any costs for such service shall be paid by the property owner."

Councilman Draper entered motion that Resolution be adopted, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Mayor Chapman recommended to council that City purchase a fan, and screens for windows of the City Building. Recommendation approved ~~and~~ by council.

The Recorder presented bill to council of Legal Services to amount of \$50.00, services rendered by City Attorney Charles W. Caldwell, during the last half of fiscal year, beginning January 1, and ending June 30, 1941.

Councilman Ellis entered motion that bill be paid, motion seconded by councilman Keener and upon vote by council was declared carried.

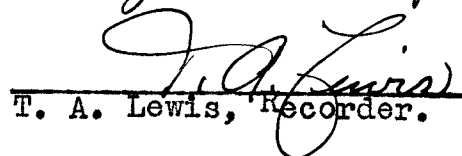
Councilman Draper read letter to council signed by H. K. Eckert in regard to erecting flagpole in front of the City Building. It was agreed by council that this request would be attended to in the next few days.

Building Inspector J. E. Roark advised council that there should be some amendments made to the Building Code, especially to the building of garages on property lines. It was recommended that Mr. Roark bring before the council at their next regular meeting his suggested amendments to the Building Code.

There being no further business to come before the council at this time a motion for adjournment carried.

Meeting adjourned.

  
Lloyd M. Chapman, Mayor

  
T. A. Lewis, Recorder.

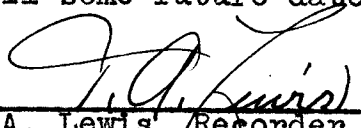
August 5, 1941.

The Council of the City of Nitro met in regular session on the 5th day of August, 1941, for the purpose of making up the Levy Estimate for the Fiscal Year 1941-42. There were Present:

T. A. Lewis, Recorder; Ray W. Ellis; Frank Keener; Henry Pauley; Paul J. Reynolds, members of council of said city.

The meeting was called to order by Recorder Lewis owing to absense of Mayor Chapman.

Acting Mayor Lewis stated to council that purpose of meeting was <sup>for</sup> council to make up the Levy Estimate for the current year but that the valuation lists had not been received as yet from the assessors office, in view of this the Acting Mayor declared the meeting in recess until some future date.

  
\_\_\_\_\_  
T. A. Lewis, Recorder  
and Acting Mayor.

August 19, 1941.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO, To-wit:

At a session recessed from August 5, 1941, the council met on the 19th day of August, 1941, in the council chambers thereof in the City building, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Paul Reynolds; Henry Pauley, members of council of said city.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933, Second Extraordinary Session, the council proceeded to make an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year, to cover all municipal debts and liabilities payable during the said year, including probable expenditures for municipal purposes, and proper allowances for delinquent taxes, expenses of collections and contingencies; but deducting therefrom the money in the city treasury applicable to said purposes during the year and doth determine and estimate the several amounts to be raised as follows:

#### CURRENT REGULAR MUNICIPAL PURPOSES

#### ESTIMATE

The amount due and the amount that will become due and collectible from every source during the fiscal year, except from the levy of taxes to be made for the year.

#### ESTIMATED RECEIPTS

Balance in hands of city treasurer,	\$ 475.24
Redemption and sale of delinquent lands,	50.00
Taxes uncollected,	1,265.00
General licenses,	700.00
Building and other permits,	75.00
Capitations,	300.00
Amusement Taxes,	500.00
Police Court Fines and Costs,	700.00
Oct. Jan. & Apr. liquor payments @ .87¢ p. c.	1,946.00
Miscellaneous,	150.76
Total estimated receipts,	\$ 6,162.00

## ESTIMATED CURRENT EXPENDITURES

All expenditures to be paid out of receipts of the municipality for the current year with proper allowances for delinquent taxes, exonerations, and contingencies.

Salary of Mayor, Full Term,	\$ 2.00
Salary of City Recorder,	900.00
Salary of Treasurer,	420.00
Salary of City Attorney,	100.00
Salaries of Chief and 1 Police,	2,400.00
General expenses Police Department,	1,000.00
Janitor's compensation and supplies,	20.00
Expenses keeping and feeding prisoners,	10.00
Repairs to City Building and Jail,	25.00
Furniture and fixtures,	25.00
Stationery, office supplies and equipment,	10.00
Postage and box rent,	20.00
Water,	16.80
Light for street lighting,	1,167.00
Light - other purposes,	25.00
Fuel,	25.00
Telephones,	100.00
Advertising and Legal Publications,	75.00
Premiums on officials bonds,	61.25
Election expenses,	200.00
New equipment - Street Department,	25.00
Maintenance of streets and alleys,	1,700.12
Maintenance of sewers,	57.00
Workman's compensation premiums,	20.00
Audit by Tax Commissioner,	120.00
Municipal League Dues,	29.83
Police Court Trial Fees,	150.00
Contingent expenses,	100.00
Delinquent taxes and discount,	500.00
Total estimated disbursements,	<u>\$9,304.00</u>
Less estimated receipts brought forward,	<u>\$6,162.00</u>
Amount to be raised by a levy of taxes,	<u>\$3,142.00</u>

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$3,142. and to provide for said amount the following levies are proposed to be laid on each one hundred dollars valuation of each class of property, viz:

Nine and a half cents ( 9.5¢ ) on Class No 1 property,  
 Nineteen cents (19. ¢) on Class No 2 property, and,  
 Thirty-eight cents (38. ¢) on Class No 4 property.

for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levied
NUMBER 1				
Personal Property	\$ 39,050.	9.5¢	9.5¢	\$ 37.
Public Utility Property	<u>81,500.</u>	9.5¢	9.5¢	<u>\$ 77.</u>
Total Class No. 1	\$ 120,550.			\$ 114.
NUMBER 11				
Real Estate	\$ 346,450.	19¢	19¢	\$ 658.
NUMBER 1V				
Real Estate	\$ 326,620.	38¢	38¢	\$ 1241.
Personal Property	\$ 139,475.	38¢	38¢	\$ 530.
Public Utility Property	<u>\$ 157,800.</u>	38¢	38¢	<u>\$ 599.</u>
Total Class No. 1V	<u>\$ 623,895.</u>			<u>\$ 2,370.</u>
TOTAL MUNICIPALITY	\$1090,895.			

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## MUNICIPAL BOND PURPOSES INTEREST AND SINKING FUND

## ESTIMATE

The council proceeded to make an estimate of the amount necessary to be raised by a levy of taxes for the current fiscal year for interest, sinking fund and amortization requirements of bonded indebtedness, legally incurred by a vote of the people as provided by law, since the adoption of the tax limitation amendment, owing by said municipality, as follows:

BOND ISSURE AUTHORIZED SINCE NOVEMBER 8, 1932.

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
10/20/38	\$16,000.	\$15,000.	\$ 500.	\$ 413.	\$ 913.
Totals	\$16,000.	\$15,000.	\$ 500.	\$ 413.	\$ 913.
Delinquent Taxes and Exonerations Estimated at 10%					\$ 91.

Total Amount to be raised by a Levy of Taxes \$1,004. and to provide for said amount the following levies are proposed to be laid on each one hundred dollars valuation of each class of property, viz:

## AUTHORIZED RATES

Three cents ( 3¢ ) on Class No. 1 property,  
Six cents ( 6¢ ) on Class No. 11 property, and  
Twelve cents (12¢) on Class No. 1V property,

for the purposes aforesaid, based upon the last assessment therein as follows:



CLASS	Assessed Valuation	Proposed Rates	Taxes Levied (Whole Dollars)
NUMBER 1			
Personal Property	\$ 39,050.	3¢	\$ 12.
Public Utility Property	81,500.	3¢	24.
Total Class No. 1	\$ 120,550.		\$ 36.
NUMBER 11			
Real Estate	\$ 346,450.	6¢	\$ 208.
NUMBER 1V			
Real Estate	\$ 326,620.	12¢	\$ 392.
Personal Property	\$ 139,475.	12¢	\$ 167.
Public Utility Property	\$ 157,800.	12¢	\$ 189.
Total Class No. 1V	\$ 623,895.		\$ 748.
TOTAL MUNICIPALITY	\$1090,895.		\$ 992.

STATE OF WEST VIRGINIA,  
COUNTIES OF KANAWHA AND PUTNAM,  
CITY OF NITRO, To-wit:

I, T. A. Lewis, Recorder, in and for the municipality afore-  
said, do hereby certify that the foregoing are true copies from  
the record of orders made and entered by the council of said  
municipality on the 19th day of August, 1941.

Given under my hand this 19th day of August, 1941.

  
RECORDER

After concluding the Business of making up the Levy Estimate  
the following business was transacted:

The Recorder read the minutes of the regular session of council  
held on the 22nd day of July, and recessed until the 31st day of  
July, 1941, and recessed meeting of August 5, 1941.

There being no objections or corrections minutes were declared  
approved as read.

The Treasurer read the financial report of City for month of  
July, 1941, of the general fund and of the Street Improvement Fund.

The Recorder read to council a petition for curb and gutter on  
35th Street, from 1st Avenue to 2nd Avenue.

Councilman Reynolds entered motion that petition be accepted, motion seconded by councilman Keener and upon vote by council was declared carried.

Councilman Reynolds entered motion that the ordinance governing closing hours for business places be called from table and action taken by council for either adoption or rejection, motion seconded by councilman Pauley and upon vote by council was declared carried.

Councilman Reynolds entered motion that ordinance be adopted, motion seconded by councilman Pauley and upon vote by council was declared carried.

Recorder read letter from C. W. Fulkner Hardware concerning bill for merchandise that had been standing for some time, Mayor Chapman recommended that bill be paid. Councilman Keener entered motion that this bill be paid, motion seconded by councilman Reynolds and upon vote by council was declared carried.

A bill by H. N. Tinsley Furn. & Hdw. Co. was brought to council's attention, it was ruled by council that this bill be held up for investigation.

It was recommended by Mayor Chapman that John Rush be employed as a full time patrolman at a salary of \$75.00 per month.

Councilman Pauley entered motion that John Rush be employed as per above recommendation and to become effective as of August 16, 1941, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Mayor Chapman recommended to council that councilman Reynolds investigate the purchase of a cruiser radio for patrol car.

It was ruled that the purchase price was not to exceed \$60.00.

Councilman Keener entered motion that radio be purchased, motion seconded by councilman Pauley and upon vote by council was declared carried.

Councilman Pauley entered motion that action taken by council on the 17th day of June, 1941, in regard to motion made that no further petitions be accepted that called for paving only be recalled, motion seconded by councilman Keener and upon vote by council was declared carried.

Mayor Chapman declared meeting in recess until some future date.

August 26, 1941.

STATE OF WEST VIRGINIA,

OFFICE OF TAX COMMISSIONER.

TO THE COMMON COUNCIL OF THE MUNICIPALITY OF NITRO.

Under and by virtue of the authority vested in me, as Tax Commissioner of the State of West Virginia, under the provisions of Section 23, Chapter 67, Acts 1933, second extraordinary session (House Bill No. 234), the levies proposed by you for your municipality are hereby approved, subject to the following exceptions:

NONE

Given under my hand this the 22nd day of August, 1941.

SIGNED Geo. P. Alderson  
Tax Commissioner.

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO, To-wit:

At a special session of the council of the City of Nitro,

Kanawha and Putnam Counties, held in the council chambers thereof on Tuesday the 26th day of August, 1941; Present T. A. Lewis, Acting Mayor, and T. A. Lewis, Recorder, and Hugh A Draper; Frank Keener; Henry Pauley, members of the council of said Municipality.

#### CURRENT REGULAR MUNICIPAL LEVY ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes in the municipality of Nitro, in Kanawha and Putnam Counties will be \$3,142.00, according to the estimate made and entered of record on the 19th day of August, 1941; and said estimate having been published as required by law, and no one appearing to oppose the same or to take exceptions thereto, and the Tax Commissioner having approved the same in writing, it is therefor ordered that the said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars valuation of each class of property, viz:

	Nine and one-half cents ( 9.5¢ ) on Class No. 1 property,
	Nineteen cents (19 ¢) on Class No. 11 property,
and,	Thirty-eight cents (38 ¢) on Class No. 1V property,

for the purposes aforesaid, based upon the last assessment there-

in, as follows:

CLASS	Assessed Valuation	Total Rate of Levy Laid	Taxes Levied (Whole Dollars)
NUMBER 1			
Personal Property	\$ 39,050.	9.5¢	\$ 37.
Public Utility Property	\$ 81,500.	9.5¢	\$ 77.
Total Class No. 1	\$ 120,550.		\$ 114.
NUMBER 11			
Real Estate	\$ 346,450.	19¢	\$ 658.
NUMBER 1V			
Real Estate	\$ 326,620.	38¢	\$ 1,241.
Personal Property	\$ 139,475.	38¢	\$ 530.
Public Utility Property	\$ 157,800.	38¢	\$ 599.
Total Class No. 1V	\$ 623,895.		\$ 2,370.
TOTAL MUNICIPALITY	\$ 1,090,895.		\$ 3,142.

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#### MUNICIPAL BOND PURPOSES-INTEREST AND SINKING FUND ORDER

BOND ISSUE AUTHORIZED SINCE NOVEMBER 8, 1932

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year to pay the interest on and provide a sinking fund for the discharge of the principal of a bond issue of \$16,000.00, for Street Improvements in the municipality of the City of Nitro, Kanawha and Putnam Counties, authorized by a vote on the 20th day of October, 1938, will be \$1,004.00, according to the estimate made and entered of record on the 19th day of August, 1941, and said estimate having been published as required by law and no one appearing to oppose the same or take exceptions thereto and the Tax Commissioner having approved the same in writing, it is, therefor ordered that said estimates and the rates of levies proposed therein be approved and that the following levies be laid on each one hundred dollars valuation of each class of property, viz:

#### AUTHORIZED RATES

Three cents ( 3¢ ) on Class No. 1 property,  
Six cents ( 6¢ ) on Class No. 11 property, and,  
Twelve cents (12¢) on Class No. 1V property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Taxes Levied Levy Laid (Whole Dollars)
NUMBER 1	\$ 39,050.	\$ 12.
Personal Property	\$ 39,050.	\$ 12.
Public Utility Property	\$ 81,500.	\$ 24.
Total Class No. 1	\$ 120,550.	\$ 36.
NUMBER 11		
Real Estate	\$ 346,450.	\$ 208.
NUMBER 1V	\$ 326,620.	\$ 392.
Real Estate	\$ 326,620.	\$ 392.
Personal Property	\$ 139,475.	\$ 167.
Public Utility Property	\$ 157,800.	\$ 189.
Total Class No. 1V	\$ 623,895.	\$ 748.
TOTAL MUNICIPALITY	\$1,090,895.	\$ 992.

STATE OF WEST VIRGINIA,

COUNTIES OF KANAWHA AND PUTNAM,

CITY OF NITRO, TO-WIT:

I, T. A. LEWIS, RECORDER, in and for the municipality afore-said, do hereby certify that the foregoing are true copies from the record of orders made and entered by the council of said municipality on the 26th day of August, 1941.

Given under my hand this 26th day of August, 1941.

  
RECORDER

September 3, 1941.

After being in recess since the 19th day of August, the council met in session on the 3rd day of September, 1941, to continue unfinished business, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Ray W. Ellis; Hugh Draper; Frank Keener; Henry Pauley, members of council of said city.

The meeting was called to order by Mayor Chapman who brought the question of the J. M. Carpenter property before council, after some discussion councilman Ellis entered motion that Mayor Chapman be authorized to offer J. M. Carpenter the sum of \$100.00 in payment for the strip of property in question, motion seconded by councilman Draper and upon vote by council was declared carried.


Recorder read to council a petition for the grading, paving, curbing and guttering of 5th Street, from 1st Avenue to the old county road.

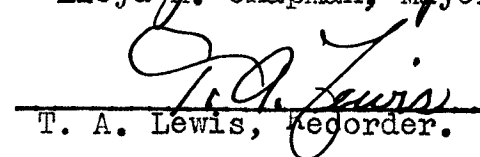
Petition approved and accepted by council.

Recorder read a petition to council which was signed by several citizens in regard to the unsanitary condition created by a hen-house owned by Mrs. Susie E. Padden.

It was suggested by Mayor Chapman that Mr G. C. Alderson, of the Nitro Industrial Corporation be contacted in regard to this matter to see if the above mentioned hen-house could be removed from Lot #1825 as this is the property of the Nitro Industrial Corporation. Action in this matter to be suspended for a few days.

Meeting declared in recess by Mayor Chapman until the following Monday night, September 8, 1941.

  
Lloyd M. Chapman, Mayor

  
T. A. Lewis, Recorder.

September 8, 1941.

The council of the City of Nitro met in session on the 8th day of September, 1941, to continue unfinished business left over from meeting of September 3, 1941, there were present:

Lloyd M. Chapman, Mayor, T.A. Lewis, Recorder, and Frank Keener; Paul Reynolds, members of council of said city.

The question of the controversy between the City of Nitro and J. M. Carpenter in regard to a certain strip of land on Third Avenue was again brought before council and discussed.

Mayor Chapman recommended to council that he be authorized to start condemnation proceedings against J. M. Carpenter.

Councilman Keener entered motion that this matter be tabled until some future date, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of obtaining bond for E. S. Thompson, Chief of Police, was brought to council's attention, councilman Keener entered motion that bond be transferred to the Fidelity and Casualty Company, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of obtaining insurance on the patrol car was discussed by council. Councilman Keener entered motion that Mayor Chapman be authorized to take out insurance on car, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Reynolds entered motion that bond for John Rush, patrolman, be applied for, motion seconded by councilman Keener and upon vote by council was declared carried.

Councilman Reynolds entered motion that the City contact the Public Service Commission and ascertain the water rates for City, motion seconded by councilman Keener and upon vote by council was declared carried.

The Recorder requested that the council approve the payment of bill for cartridges and oil rendered by H. N. Tinsley Furniture and Hardware Company which had been pending for some time. Councilman Keener entered motion that this account be paid, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Keener entered motion that Mayor Chapman be authorized to contact Mr. G. C. Alderson, of the Nitro Industrial Corporation in regard to deed to property owned by the heirs of the late A. J. Lyons, and located on 30th Street, between Second Avenue and Third Avenue, also in regard to fence built across the street, motion seconded by councilman

September 8, 1941, Cont'd.

Reynolds and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Mayor*

*T. A. Lewis, Recorder.*

September 10, 1941.

The council of the City of Nitro met in special session on the 10th day of September, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Henry Pauley; Paul Reynolds, members of council of said city.

The meeting was called to order by Mayor Chapman.

There was some discussion in regard to the J. M. Carpenter property on 3rd Avenue; also Mr. and Mrs. T. F. Baumgartner appeared before council and reported of a destitute family.

There was no definite action taken by council at this meeting.

Mayor Chapman declared meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.



September 16, 1941.

The council of the City of Nitro met in regular session on the 16th day of September, 1941, There were present:

Lloyd M. Chapman, Mayor; Frank Keener; Hugh Draper; Paul Reynolds; Ray W. Ellis, members of council of said city.

Councilman Ellis entered motion for City to settle for damages done to the Witt property on Third Avenue caused by surface water running off of Third Avenue and under the Witt house; the damage settlement is not to be \$50.00 cash, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Ellis entered motion for City to accept deed for streets in the Crescent City Addition and have deed recorded in the office of the County Clerk of Kanawha County, West Virginia, motion seconded by councilman Draper and upon vote by council was declared carried.

Councilman Keener entered motion to investigate the cost of water used by City for fire protection and determine the number of fire plugs in contract and the number of fire plugs in use at the present time, motion seconded by councilman Draper and upon vote by council was declared carried.

City Attorney Charles W. Caldwell presented to council an ordinance governing the sale of milk and milk products.

No definite action taken by council at this time in regard to the milk ordinance.

Mayor Chapman declared meeting in recess until some future date.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor  
*T. A. Lewis*  
T. A. Lewis, Recorder.

October 23, 1941.

The council of the City of Nitro met in regular session on the 28th day of September, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and

Ray W. Ellis; Hugh Draper; Frank Keener; Paul Reynolds; Henry Pauley, members of council of said city, and Charles W. Caldwell, City Attorney.

Meeting called to order by Mayor Chapman who called for reading of minutes of regular session held on the 19th day of August, extra session held on the 26th day of August; also meetings of September 3rd; 8th; 10th and 16th, 1941.

There being no objections or corrections minutes were declared approved as read.

The Treasurer read to council financial statements of the General Funds and of the Street Improvement Fund for months of August and September, 1941.

Councilman Draper entered motion that the cost and payment of bill for radio for patrol car be approved, motion seconded by councilman Reynolds and upon vote by council was declared carried.

The question of the J. M. Carpenter property was again brought before the council and the offer submitted to City in settlement offered by J. M. Carpenter was read to council.

Councilman Ellis entered motion that action be suspended on this matter until is acquired by The Pinegrove Land Company, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Reynolds entered motion that the City Engineer be authorized to draw up a plaque on the Pinegrove Land Company property bordering on Third Avenue, motion seconded by councilman Pauley and upon vote by council was declared carried.

An ordinance governing the sale of milk was read to council; councilman Reynolds entered motion that the license fee on pasturized milk be placed at \$15.00 per year, motion seconded by councilman Draper, upon vote by council those voting for approval of this fee were councilmen Reynolds; Draper and Keener, those voting against the fee were councilmen Pauley; Ellis and Mayor Chapman, motion declared not carried.

Councilman Reynolds entered motion that milk ordinance in the original form be approved and accepted, motion seconded by councilman Pauley and upon vote by council was declared carried.

Councilman Ellis entered motion that L. D. Steele be permitted to complete his back porch and that a committee be appointed to study proposed changes and amendments to the Building Code, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Mayor Chapman appointed the following as members of committee:

Councilmen Ellis; Keener; Pauley, and James E. Roark, Building Inspector.

Councilman Ellis entered motion that bill presented by C. B. Marshall, Dr. in payment of medical services rendered Fred Riffe be paid, motion seconded by councilman Keener and upon vote by council was declared carried.

The question of the Bosworth property above Third Avenue was brought to councils attention.

Councilman Reynolds entered motion that Mayor Chapman give the owner 15 days to remove building, motion seconded by councilman Draper and upon vote by council was declared carried.

Recorder read to council petition for the improvement of 17th Street from Second Avenue to Third Avenue by grading, paving, curbing and guttering.

Councilman Ellis entered motion that petition be accepted, motion seconded by councilman Pauley and upon vote by council was declared carried.

A petition was read to council submitted by the members of the Fire Department, asking for an increase in salary of \$5.00 per mo.

Councilman Ellis entered motion that the increase be granted and to be made effective as of November 1, 1941, motion seconded by councilman Pauley and upon vote by council was declared carried.

Councilman Keener entered motion that Claude H. Casto, Justice of the Peace, be paid costs in the suits placed in his hands against unpaid street improvement bills against property owners of Nitro, motion seconded by councilman Ellis and upon vote by council was declared carried.

Councilman Draper entered motion that Mrs. Catherine Oldenburg be paid the sum of \$25.00 for unpaid services rendered the City by her late husband C. H. Oldenburg, motion seconded by councilman Ellis and upon vote by council was declared carried.

A petition was presented to council for an additional street to be placed somewhere below 31st Street Bridge on Third Avenue.

Councilman Pauley entered motion that the light be installed, motion seconded by councilman Draper and upon vote by council was declared carried. Location of light to be determined later by the street committee.

Meeting declared in recess by Mayor Chapman.

Lloyd M. Chapman, Mayor

T. A. Lewis, Recorder.

November 22, 1941.

The council of the City of Nitro met in session on the 22nd day of November, 1941, to take up unfinished business left over from the regular session held on the 28th day of October, 1941, said meeting declared in recess until some future date, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Henry Pauley; Frank Keener; Hugh Draper; Paul Reynolds, members of council of said city.

The meeting was called to order by Mayor Chapman.

Councilman Keener entered motion that the City sponsor the Firemen and Policemen dance to be held on the 12th day of December, 1941, and that the Treasurer of the proceeds of dance make a report to council as to amount of proceeds and expenditures, and that all articles purchased become the property of the City, motion seconded by councilman Pauley and upon vote by council the following members voting in favor of motion were Pauley; Keener and Reynolds; councilman Draper voted against the motion, motion declared carried.

Mayer Chapman tendered the blueprint of the Pinegrove Land Company to council for inspection, also blueprint of the J. M. Carpenter property abutting on Third Avenue.

The offer by J. M. Carpenter to City as to amount he demands in payment of the strip of land desired by the City for the improvements on Third Avenue was again read to council.

Councilman Pauley entered motion that the proposed amount made by J. M. Carpenter for above mentioned strip of land, amount \$150.00, be accepted and approved, motion seconded by councilman Reynolds and upon vote by council was declared unanimously carried.

Mayer Chapman recommended to council that the salary of the Police Chief be increased \$25.00 per month, making a total of \$150.00 per month.

Councilman Reynolds entered motion that the increase be allowed and made effective as of November 1, 1941, motion seconded by councilman Draper and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

November 24, 1941.

The council of the City of Nitro held its regular session on the 24th day of November, 1941, there were present:

Lloyd M. Chapman, Mayor, F. A. Lewis, Recorder, and Frank Keener; Henry Pauley; Paul Reynolds; Hugh Draper, members of council of said city, and James E. Roark, Building Inspector.

The meeting was called to order by Mayor Chapman who called on Recorder to read the minutes of regular session of council held on the 28th day of October, and special session held on the 22nd day of November, 1941, there being no objections or corrections minutes were declared approved as read.

The Treasurer read to council financial statements of City for month of October, 1941, of the General Fund and of the Street Improvement Fund; councilman Keener questioned the amount of revenue paid to City by the Lyric Theatre for amusement tax; councilman Reynolds entered motion that this matter be investigated, motion seconded by councilman Draper and upon vote by council was declared carried.

The Recorder read to council a petition for an additional street light at the intersection of 29th Street and 2nd Ave.

Councilman Pauley entered motion that this light be installed, motion seconded by councilman Draper and upon vote by council was declared carried.

A letter was read to council from Dennis R. Knapp, Attorney, in regard to legal services rendered the City on collections for street improvements, letter stating that Mr. Knapp would be satisfied with any amount the council ruled to pay him.

This matter was laid over for investigation and a more definite understanding.

Mr. James E. Roark, Building Inspector, addressed the council in regard to action taken by council at a former meeting in ruling that L. D. Steele be allowed to complete his back porch, Mr Roark contended that the rules as laid down by the Building Code in regard to property lines and distances that buildings should be from the property line had been ignored and that he felt the council by taken this action did not need his services as Building Inspector so therefore tendered his resignation.

Councilman Keener entered motion that resignation of Mr. Roark be not accepted, there being no second to this motion the motion was declared dead.

Mayor Chapman made the following recommendation to council:

I recommend that L. D. Steele be notified to move his house back to distance specified in the Building Code, due to a misrepresentation of facts to the council.

Mayor Chapman declared meeting in recess until 6 P.M. November 26, 1941.

*Lloyd M. Chapman*  
Mayor

*F. A. Lewis*  
Recorder

November 26, 1941.

The council met on November 26, to take up unfinished business of regular meeting held on November 24, 1941, which meeting was declared in recess. Present were Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Ray Ellis; Hugh Draper; Paul Reynolds; Henry Pauley, members of council of said city, also James E. Roark, Building Inspector.

Meeting called to order by Mayor Chapman.

The question of addition to residence of L. D. Steele in violation of specifications of Building Code was again introduced to council. The Recorder was requested to read to council motion entered by councilman Ellis permitting L. D. Steele to complete the back porch to his residence, this motion entered of record October 22, 1941. Councilman Reynolds entered motion that in case L. D. Steele be compelled to make alterations in the work done on his residence that all previous building permits be investigated and all violations of the Building Code by property owners be asked to make the necessary changes in regard to the property line. There was no second to above motion. Motion failed.

Councilman Reynolds entered motion that L. D. Steele be instructed to cease further work on residence until such time as a committee has met and that committee make a report not later than one week from this date, motion seconded by councilman Draper and upon vote by council was declared carried by a vote of 3 to 2, those voting for : Reynolds; Draper; Keener. Against: Ellis and Pauley.

Councilman Keener entered motion that the foregoing motion be resinded, motion seconded by councilman Ellis and upon vote by was declared carried.

Councilman Pauley entered motion that L. D. Steele be instructed to conform with the Building Code and make an open porch or build a fireproof wall, motion seconded by councilman Draper and upon vote by council was declared carried.

Mayor Chapman reported to council of making a trip to Winfield to investigate as to the care and upkeep of 40th Street Bridge, whether it is the State, County or City of Nitro that are responsible for same.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

December 22, 1941.

At a regular session of the council of the City of Nitro held on the 22nd day of December, 1941, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Henry Pauley; Paul Reynolds; members of council of said city.

This meeting was called to order by Mayor Chapman.

Owing to absence of members of council it was ruled that the reading of minutes for November meetings and also financial statements for November, 1941, be carried over until some future meeting.

Mayor Chapman introduced bills for furnishing office of the Police Chief and also the painting of same.

Councilman Reynolds entered motion that all bills presented be paid, motion seconded by councilman Pauley and upon vote by council was declared carried.

There being no further business to transact at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

January 20, 1942.

At a regular session of the council of the City of Nitro, held on the 20th day of January, 1942, there were present:

Lloyd M. Chapman, Mayor; Frank Keener; Ray W. Ellis; Hugh Draper; Paul Reynolds, members of council of said city, councilman Reynolds acted as Recorder owing to absence of T. A. Lewis.

Meeting called to order by Mayor Chapman.

The question of a request by J. H. Wysong to build a business place at corner of 14th Street, Second Avenue, was discussed by the council. According to the Zoning Ordinance the above mentioned is a residential area. Councilman Ellis entered motion that Mayor Chapman appoint a zoning committee to study the above question, motion seconded by councilman Draper and upon vote by council was declared carried.

- Councilman Ellis entered motion that Mayor Chapman notify citizens who are not connected with the fire department to stay away from all fires and also stay away from the fire department equipment and that the plant officials be requested to have notices posted on their respective bulletin boards to this effect, motion seconded by councilman Draper and upon vote by council was declared carried.
- \* The following sentence was overlooked. "And at no time follow the fire department equipment."

Mayor Chapman declared meeting in recess until January, 27, 1942.

February 3, 1942.

The council of the City of Nitro assembled on the 3rd day of February, 1942, to continue unfinished business of recessed session held on the 20th day of January, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Paul Reynolds; Hugh Draper, members of council of said city.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of meetings held on the 24th day of November, the 26th day of November, and the 22nd day of December, 1941, there being no objections or corrections minutes were declared approved as read.

The Treasurer read to council statements of financial standing of City for months of November and December, 1941, of the General Fund and the Street Improvement Fund.



Councilman Pauley made complaint in writing, read to council by the Recorder, of leak in sewer line on the property of Otner Harrison. Councilman Reynolds entered motion that Otner Harrison be notified to remedy this condition, motion seconded by councilman Draper and upon vote by council was declared carried.

Recorder read to council a Resolution offered by the Appalachian Electric Power Company, in regard to black-outs and in the interest of National Defense. Councilman Reynolds entered motion that the following named be authorized to direct the Appalachian Electric Power Company to throw the switch and "black-out" all of the street lighting services provided by the contract between the City of Nitro and the Appalachian Electric Power Company.

The persons named are as follows: Lloyd M. Chapman, Mayor; E. S. Thompson, Police Chief; I. E. Ellis, Fire Chief; P. T. Bricker, Civilian Defense Co-ordinator, motion seconded by councilman Draper and upon vote by council was declared carried.

Mayor Chapman recommended to council that Dennis R. Knapp, Attorney, be paid the sum of \$5.00 for legal services rendered in regard to the J. M. Carpenter property. Councilman Draper entered motion that this amount be paid to Attorney Knapp, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Mayor Chapman recommended to council that the report rendered by the street and alley committee be accepted.

Councilman Draper entered motion that report be accepted and entered of record, motion seconded by councilman Reynolds and upon vote by council was declared carried.

There being no further business to come before the council a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
 Lloyd M. Chapman, Mayor

*T. A. Lewis*  
 T. A. Lewis, Recorder.

February 17, 1942.

The council of the City of Nitro met in regular session on the 17th day of February, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Ray W. Ellis; Frank Keener; Henry Pauley; Hugh Draper, members of council of said city; also present Chas. W. Caldwell, City Attorney.

Mayor Chapman called for reading of minutes of regular session of council held on the 20th day of January and recessed until the 3rd day of February, 1942, there being no objections or corrections minutes were declared approved as read.

The Treasurer reported to council the financial standing of City as of February 1st, 1942, in the General Fund and in the Street Improvement Fund.

It was ruled by the council that the Finance Committee meet with the Treasurer to examine bills of December 1941 and bills of January 1942.

In reporting for committees councilman Ellis reported that progress had been made in regard to obtaining street signs. Mayor Chapman reported to council on the fire truck.

Recorder read to council petitions for street improvements on the following streets:

11th Street from 2nd Ave to 3rd Ave      Grade, pave, curb and gutter.

Barlette Road " 3rd " "      Corporation line, grading and paving.

3rd Ave from 11th Street to Barlette Road, grade & pave.

Councilman Ellis entered motion that petitions be accepted and filed in order as presented, motion seconded by councilman Draper and upon vote by council was declared carried.

Recorder read to council a petition signed by several citizens asking that City have a fire plug installed on Third Avenue below 11th Street.

Mayor Chapman appointed the following committee to investigate the installing of fire plug: Mayor Chapman; Councilmen Draper and Keener, also this committee to investigate fire protection for Crescent City, Third Avenue or any other section of the City of Nitro.

Mayor Chapman recommended that the Recorder be authorized to ask the permission of the State Tax Commissioner to transfer THREE HUNDRED DOLLARS (\$300.00) from the General Fund to the Street Improvement Fund to partially meet outstanding bills against the Street Improvement Fund. Councilman Draper entered motion that the Recorder be authorized to take this matter up with the State Tax Commissioner, motion seconded by councilman Keener and upon vote by council was declared carried.

Councilman Ellis entered motion that former by council in regard to purchases be strictly enforced, motion seconded by councilman Panley and upon vote by council was declared carried.

Councilman Ellis entered motion that bill presented by C. R. Connor, Engineer, for services rendered on 40th Street bridge be paid, motion seconded by councilman Panley and upon vote by council was declared carried.

Council Keener entered motion that bill presented by Kellers Photoprint Service, be paid, motion seconded by councilman Draper and upon vote by council was declared carried.

Mayor Chapman declared meeting in recess until February 23, 1942.

February 23, 1942.

The council assembled on the 23rd day of February, 1942, to take up unfinished business left over from regular session of February 17, those present were:

Lloyd H. Chapman, Mayor; E. A. Lewis, Recorder; Frank Keener; Paul Reynolds; Hugh Draper, members of council of said city.

Reporting for committees councilman Draper brought up question of bills by service stations for gasoline, oil, repairs and labor.

Councilman Reynolds entered motion that bills for gasoline, oil, grease, repairs and labor be paid to service stations, but that the \$11.00 billed to City by the Dawson Auto Service since July 1, 1941, be investigated, motion seconded by councilman Draper and upon vote by council was declared carried.

Mayor Chapman raised of salary for the Mayors services, this matter was tabled until some future date.

Councilman Keener entered motion that Patrolman Rush be authorized to place signs in school area and other streets or avenues wherever it was deemed necessary to place them, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Draper entered motion that the City Office be painted and roof repaired, motion seconded by councilman Keener and upon vote by council was declared carried.

Mayor Chapman recommended that the amount of \$125.00, suggested by the American Legion to be paid by City to reimburse American Legion for funds spent on Joe Ramella by them be paid.

Councilman Draper entered motion that this amount be paid, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Reynolds entered motion that the bill presented by Chas. W. Caldwell, Attorney, for legal services rendered City to amount of \$50.00, be paid, motion seconded by councilman Draper and upon vote by council was declared carried.

February 23, 1942, Cont'd.

Councilman Keener entered motion that Police Chief Thompson be authorized to rent a garage for the patrol car at \$3.00 per month, motion seconded by councilman Reynolds and upon vote by council was declared carried.

There being no further business to come before the council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor

*T. A. Lewis*  
T. A. Lewis, Recorder.

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March 17, 1942.

The council of the City of Nitro met in regular session on the 17th day of March, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and

Frank Keener; Henry Pauley; Paul Reynolds; Ray Ellis, members of council of said city.

The meeting was called to order by Mayor Chapman who called on the Recorder to read the minutes of regular session of council held on the 17th day of February and finished on the 23rd day of February, 1942. There being no objections or corrections minutes were declared approved as read.

The Treasurer reported to council that the financial report of City for the month of February, 1942, of the General Fund and the Street Improvement Fund was not ready and would be read at the next regular session of council.

Mayor Chapman and the members of council discussed the matter of the \$125.00, which was supposed to be paid by the City of Nitro to the American Legion to reimburse the Legion for that amount spent by them in the case of Joe Ramella. Mayor Chapman reported to council that he had made a trip recently to the State Tax Commissioners Office for advise on this matter and was informed that this expenditure of City funds was not legal and could not be approved by the State Tax Commission's Office.

The Recorder presented to council a petition for street improvements on 10th Street, petition being signed by the necessary number of property owners owning property on 10th Street between Second and Third Avenues.

Councilman Pauley entered motion that petition be approved and filed, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Mayor Chapman and the members of council held a discussion as to the prospects of continuation by the WPA on street improvements.

Mayor Chapman and council held a discussion concerning a salary for the Mayor of Nitro, beginning July 1, 1942. There was no definite action taken in this matter.

Mayor Chapman stated to council that the matter of an ordinance governing the improvement of certain streets, alleys and avenues be introduced at this meeting.

Councilman Keener entered motion, motion seconded by councilman Ellis that ordinance governing the improvement of certain streets, alleys and avenues, be introduced as follows:

AN ORDINANCE PROVIDING FOR THE PERMANENT IMPROVEMENT OF CERTAIN STREETS AND AVENUES IN THE CITY OF NITRO, WEST VIRGINIA, BY GRADING, CURBING, GUTTERING AND PAVING THE SAME WITH ROCK BASE AND AMIESITE, OR BLACK TOP, SURFACE, AS SET FORTH IN SAID ORDINANCE, AND PROVIDING FOR THE ASSESSMENT OF ABUTTING PROPERTY AND THE OWNERS THEREOF FOR THE COSTS OF SUCH IMPROVEMENTS OF SAID STREETS AND AVENUES.

11th Street from 1st Ave to 2nd Ave.	Grading, paving, curbing and guttering.
19th " " " " " "	Curbing and guttering only.
32nd " " " " " "	" " " "
35th " " " " " "	" " " "
5th " " 1st " " old county road,	Grading, paving, curbing & guttering.
17th " " 2nd " " 3rd Ave.	Grading, paving, curbing & guttering.
10th " " " " " "	Grading, paving, curbing & guttering.
11th " " " " " "	Grading, paving, curbing & guttering.
Burdette Road to Corporate line,	Grading and paving.
Third Avenue from 31st Street to Burdette Road,	Grading & paving.

Upon vote by council the foregoing motion was declared carried.

The question of hiring or removing any police officer from duty was discussed by councilman Ellis, who contended that this matter is up to the Chief of Police to suspend any police officer for not carrying out his duties in efficient and proper manner.

The question of painting curbs was brought to councils attention by councilman Ellis and was discussed by council.

Mayor Chapman recommended that councilman Ellis be allowed to use his own judgement in this matter.

Councilman Reynolds entered motion that some of the skilled labor be paid at the rate of .52¢ per hour, motion seconded by councilman Ellis and upon vote by council was declared carried.

\* Councilman Keener entered a protest against paying any one certain man .52¢ per hour for work on streets. ?

*Note: See next page for correction of protest by Councilman Keener.*

made motion that this account be paid, motion seconded by councilman Pauley and upon vote by council was declared carried.

Mayor Chapman recommended to council that the salary of S. A. Willard, fireman, be raised to the same amount paid to the other members of the fire department and be made effective as of April 16, 1942. Councilman Reynolds entered motion that recommendation by Mayor Chapman in regard of S. A. Willard be approved, motion seconded by councilman Keener and upon vote by council was declared carried.

Councilman Draper entered motion that Ordinance No. 58, said ordinance providing for the permanent improvement of avenues, streets and alleys be approved and adopted, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Draper entered motion that a more qualified man be employed as patrolman to replace John Rush, and that the services of John Rush be terminated as of May 1, 1942, motion seconded by councilman Reynolds and upon vote by council was declared carried.

Councilman Draper offered the following Resolution:

"I, Hugh Draper, move that the following Resolution be adopted":

"Whereas, The City of Nitro shall hold an election of officers on the Second day of June, 1942, as provided by Section 4, Article 3, Chapter 8, code of 1931, State of West Virginia; therefore be it:

"Resolved; That all nominations be made by certificate, and signed by the required number of voters, and filed with the City Recorder not later than the Second day of May, 1942, as provided by Section 16, Article 3, Chapter 8, Code of 1931, State of West Virginia".

"Be it further Resolved: That each candidate shall pay the sum of FIVE DOLLARS, (\$5.00), at time of filing certificate with the Recorder, said sum to be entered in the General Receipts of the City of Nitro".

"Be it further Resolved: That the Registrars, after having completed the registration, shall for the purpose of amending, correcting and completing such registration, sit together at the City Office for TWO days, commencing on the Second Monday in May next".

"Be it further Resolved: That the election shall be held in the building known as the West Virginia Water Service Company building in the section occupied by the Boy Scouts of America".

Councilman Reynolds seconded motion and upon vote by council motion was declared carried.

The council made the following appointments for the registration of voters in the City election to be held June 2, 1942.

Mrs. Marie Blake, R.

Alternate: Mrs. Harry Cochran, R.

Mrs. Hazel Hayes, D.

"

Eugene Fowler, D.

Mayor Chapman declared meeting in recess until 7-30 P.M. Apr. 28.

T  
April 30, 1942.

The Council assembled on the 30th day of April, 1942, to continue business of recessed meeting of April 23rd; present were:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Henry Pauley; Ray W. Ellis; Frank Keener; Hugh Draper, members of Council of said city, and Chas. W. Caldwell, City Attorney.

The meeting was called to order by Mayor Chapman.

Attorney Caldwell explained to Council the method of publication of street improvements and when and how the certificates can be taken up and paid for.

Attorney Caldwell presented Resolution to Council governing street improvements on Third Avenue; 31st Street and 34th Street.

Councilman Ellis entered motion that resolution be adopted, motion seconded by councilman Pauley and upon vote by Council was declared carried by a unanimous vote.

The Resolution is as follows:

A RESOLUTION PROVIDING FOR THE ASSESSING AGAINST  
ABUTTING PROPERTY AND THE OWNERS THEREOF PART OF THE COSTS  
OF PAVING AND OTHERWISE PERMANENTLY IMPROVING PARTS OF  
THIRD AVENUE, 34TH STREET, AND 31ST STREET, IN THE CITY OF  
NITRO, WEST VIRGINIA.

WHEREAS, for the paving and otherwise permanently improving of streets in the City of Nitro all funds available to the City for the paving and such other permanent improvements from the proceeds of any bond issues had been exhausted by the use of said funds for the purposes for which said bond issues were authorized and made, and

WHEREAS, Petitions in writing of persons owning the greater frontage abutting on both sides of the streets hereinafter mentioned between the respective intersections hereinafter mentioned had been received, filed, accepted and approved by this Council for the grading, paving, curbing, guttering and otherwise improving said streets as shown on the Engineer's report hereinafter set forth, and

WHEREAS, At a regular meeting of this Council on September 17, 1940, the said Council by a lawful majority of all elected members and by unanimous action of all those present at said meeting, adopted Ordinance No. 50 of this City, entitled "An Ordinance Providing for the Permanent Improvement of Certain Streets and Avenues in the City of Nitro, West Virginia by Grading, Curbing and Paving the Same with Rock Base and Amiesite

or Black Top Surface as Set Forth in Said Ordinance, and Providing for the Assessment of Abutting Property and the Owners thereof for the Costs of such improvements of said Streets and Avenues," and

WHEREAS, Plans, specifications and estimates of said improvements were made by the City Engineer and approved by the Works Projects Administration, an agency of the Government of the United States of America, the particular section number of the Works Projects Administration being listed and set forth with the streets hereinafter listed and set forth, and

WHEREAS, Subsequent to the passage of said Ordinance No. 50 and prior to any work being done on or under any of said improvements, and before any expense was incurred or any contract for materials entered into to be used in the improvements, there was entered into between the City of Nitro and Nathan S. Poffenbarger, a bona fide and binding agreement between the City of Nitro and said individual for the purchase by said individual of assessment lien certificates to be issued in respect to said projects as provided in Section 8 of Chapter 92 of the Acts of the Legislature of West Virginia of 1939 as amended by the Acts of the Legislature of 1941, for the purpose of enabling the City of Nitro to effect the desired improvements and to prevent the City from incurring debts for that part of the expense to be borne by it unless and until it has been assured that the certificates for the particular project could be sold, and

WHEREAS, Advertisement was made according to law and said Ordinance for the bids for the furnishing of all necessary incidental materials and supplies, and such materials and supplies purchased from the lowest bidder after the approval of this Council, and

WHEREAS, Such paving and other improvements have been made and completed on the streets hereinafter listed in accordance with said petitions, said projects or section numbers, said Ordinance and according to law, and under the supervision and direction of the Works Projects Administration and of the Mayor and City Engineer of the City of Nitro, and

WHEREAS, the said improvements have been completed as hereinafter mentioned and provided for in said Ordinance No. 50 and according to law, and the said Engineer has prepared and certified to the Common Council of this City his report as hereinafter appears, and

WHEREAS, it appears to the Council independently of the aforesaid mentioned Engineer's report as hereinafter listed and set forth, that the permanent improvements have been completed in accordance with the ordinance heretofore adopted on the 17th day of September, 1940, and have specifically benefited all of the property abutting on said streets improved, and the report, therefore, should be accepted and the property and the owners thereof specially assessed as shown in said Engineer's report.



NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

1. The grading, paving, curbing, guttering and otherwise permanent improvement of the following named streets between the following intersections respectively on said streets are hereby declared to be completed in accordance with said petitions, projects or sections, Ordinance No. 50, and according to law, and are hereby accepted:

(a) On Third Avenue, between the intersections of 21st Street and 31st Street, being Works Projects Administration Section Nos. 2 and 31;

(b) On 31st Street, between the intersections of First Avenue and Second Avenue, being Works Projects Administration Section No. 8;

(c) On 34th Street, between the intersections of First Avenue and Second Avenue, being Works Projects Administration Section No. 18.

2. It is now hereby declared that such assessments shall be due and payable in five equal installments, the first due and payable six months after the date of this Resolution, and the other four installments payable respectively in one year and six months, two years and six months, three years and six months, and four years and six months after the date of this Resolution, such assessments and each installment thereof to bear interest at the rate of 5% per annum until the due date of the respective installments, and thereafter at the rate of 6% per annum; provided that in case any property owner shall pay the entire assessment against his property within thirty days from the date of the assessment he shall not be charged interest thereon from the time subsequent to this date. The owner of any property against which any assessment is made who has not paid such assessment in full within thirty days from this date may pay at any time thereafter the whole of such assessments, or the whole of any installment thereof, with interest to the time of payment. The sum or sums of money assessed, together with the interest thereon, are hereby constituted and declared to be liens upon the several lots or fractional parts of lots abutting upon the street or streets, or alley or alleys, improved, which liens shall be effective from this date, and shall have priority over all other liens except those for taxes.

3. The report of the City Engineer, as follows, after examination by this Council, is hereby approved and adopted and the amounts therein set forth to be assessed against the respective property and the owners thereof shown in said report, being the proper and correct amounts to be assessed after having made due and proper allowance and deduction for all money, work, labor or material furnished by the Works Projects Administration, are hereby assessed against the respective property and the owners

thereof, subject only to such supervision, review and correction as may be made by this Council prior to said assessments becoming final as hereinafter set forth in this ordinance:

ENGINEER'S REPORT

TO THE HONORABLE MAYOR AND THE COMMON COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

I hereby certify and report that the total cost for the permanent improvements on the following named streets: (a) Third Avenue between the intersections of 21st Street and 31st Street, grading and paving; (b) 31st Street between the intersections of First Avenue and Second Avenue, curbing and guttering; (c) 34th Street between the intersections of First Avenue and Second Avenue, grading, paving, curbing and guttering; was \$22,193.12 for Third Avenue, and of this amount the W. P. A. contributed the sum of \$16,932.11, and the net cost to be apportioned to and be assessed against the owners and the property abutting upon said Avenue is \$5,261.01; was \$1,291.93 for 31st Street, and of this amount the W. P. A. contributed the sum of \$690.69, and that the net cost to be apportioned to and be assessed against the owners and the property abutting upon said Street is \$601.24; was \$3,947.87 for 34th Street, and of this amount the W. P. A. contributed the sum of \$2,390.51, and that the net cost to be apportioned to and assessed against the owners and the property abutting upon said Street is \$1,557.36; that the descriptions of the lots or fractional parts of lots, or tracts of land, as to location, frontage, and the owners thereof, liable for the respective net costs of such permanent improvements are hereafter correctly set forth, and that the proportionate share of the net costs that should be assessed against each of the respective owners and the respective properties abutting upon the said streets is hereinafter correctly shown, and that the amounts have been apportioned in proportion to the distance for which any particular lot abuts upon the respective street bears to the total length of said street improvement, including intersections, and have been calculated and charged accordingly; and that the number of feet embraced in street or alley intersection is hereinafter correctly shown; that said streets were permanently improved in accordance with the provisions of the Ordinance relative thereto adopted by the Council on the 17th day of September, 1940, and in accordance with the plans and specifications therefor, and as approved by the Works Projects Administration; and that said permanent improvements have been completed and are ready for acceptance and assessment by the Council as follows:

All of said lots, tracts, parcels of real estate for 31st Street and 34th Street are located in the City of Nitro and are shown upon the map of said City duly filed and recorded in the office of the Clerk of the County Court of Kanawha County, West Virginia, and also in the office of the Clerk of the County

Court of Putnam County, West Virginia; and all of said lots, tracts or parcels of real estate for Third Avenue are shown upon a map entitled "Map showing property assessed for permanent improvement of Third Avenue between 21st Street and 31st Street in the City of Nitro, West Virginia, made by C. R. Conner, City Engineer, under date April 23, 1942", which map is filed in the Council Records of said City of Nitro and is to be filed and recorded in the offices of the Clerk of the County Courts of Kanawha and Putnam Counties.

<u>Name of Owner</u>	<u>Lot No.</u>	<u>THIRD AVENUE</u> <u>East Side of Street</u>		<u>Rate per Foot</u>	<u>Total Assessment</u>
		<u>Frontage and feet assessed</u>	<u>Depth</u>		
O. B. and Lillian Chamberlain	A	250	60	\$1.30	\$325.00
Dr. J. W. Skaggs	B	50	180	1.30	65.00
Dr. L. I. Hoke	C	148.75	239.85	1.30	193.38
E. L. & Sallie Harris	D	137	249	1.30	178.10
M. A. Lawless	E	204.92	175.59	1.30	266.40
Nitro Industrial Corp.	F	100	160	1.30	130.00
Nitro Industrial Corp. & Wilma F. Burdette	G	100	160	1.30	130.00
Nitro Industrial Corp.	H	100	160	1.30	130.00
Nitro Industrial Corp.	I	100	160	1.30	130.00
Nitro Industrial Corp.	J	100	160	1.30	130.00
Nitro Industrial Corp.	K	100	160	1.30	130.00
Nitro Industrial Corp.	L	100	160	1.30	130.00
Nitro Industrial Corp.	M	100	160	1.30	130.00
Nitro Industrial Corp.	N	100	160	1.30	130.00

Nitro Industrial Corp.	O	25 feet	160 ft.	\$1.30	\$32.50
Tina L. Carpenter	P	201.70	315.83	1.30	262.21
Pine Grove Land Co., a corp.	Q	143.30	320	1.30	186.29

West Side of Street

Gladys Casto, Ethel Tamplin, Harry Lyons, and Earl Lyons GUY LYONS	R	136.10	115	1.30	176.93
Gladys Casto, Ethel Tamplin, Harry Lyons, and Earl Lyons GUY LYONS	S	65.20	129.41	1.30	84.76
O. J. Shanblin	T	195.42	88	1.30	254.04
S. L. Burdette	U	170.83	236.66	1.30	222.08
A. Q. Wiley	V	186.47	285.34	1.30	242.41
J. E. Waldrof	W	91.15	302.37	1.30	118.50
C. F. McCallister	X	91.30	313.49	1.30	118.69
Delbert Burdette	Y	92.53	334.51	1.30	120.29
George Witt	Z	91.16	147.26	1.30	118.50
Dayton S. Witt	AA	90.60	358.23	1.30	117.78
Lillian Trout	BB	90.50	367.62	1.30	117.65
J. W. Higginbotham	CC	65	367.62	1.30	84.50
Nitro Industrial Corp.	DD	620	367.62	1.30	806.00

Number of feet embraced in street and alley intersections	75
Number of feet of assessable property	4046.96
Total number of feet improved	4121.96

31ST STREET  
North Side of Street

J. E. Gibson	3101	50.83	60 feet	.75	\$38.12
J. W. Scott Estate, J. W. Scott, Jr. Administrator	3103 & 3105	100 feet	60	.75	75.00

Ray Butler	3107	50 ft.	60 ft.	.75	\$37.50
Marshall T. Ramstad	3109	50 "	60 "	.75	37.50
D. E. Grover	3111	50 "	60 "	.75	37.50
Howard Childres	3113	50 "	60 "	.75	37.50
Ella Bush	3115	50 "	60 "	.75	37.50

South Side of Street

O. R. Raynes	3102 &3104	100.83	60 "	.75	75.62
Charley Richiusa	3106	50 ft.	60 "	.75	37.50
Nitro Industrial Corp. & B. W. and Locie Campbell	3108 &3110	100 ft.	60 "	.75	75.00
Robert J. Muck	3112	50 "	60 "	.75	37.50
Nitro Industrial Corp. & C. M. Tormey	3114	50 "	60 "	.75	37.50
Robert Saunders, Dallas Osborne, & C. L. Craddock, Trustees, Church of Christ	3116	50 "	60 "	.75	37.50

Number of feet embraced in street and alley intersections None  
 Number of feet of assessable property 801.66 ft.

34TH STREET

North Side of Street

E. J. McCallister	3401	50.83	60 ft.	\$1.90	\$96.58
Dr. J. L. Dunlap, Sr.	3403	50 ft.	60 "	1.90	95.00
C. A. Leadmon	3405	50 "	60 "	1.90	95.00
Dr. J. L. Dunlap, Jr.	3407 &3409	100 "	60 "	1.90	190.00
Nitro Industrial Corp. & C. M. Trevillian	3411 &3413	100 "	60 "	1.90	190.00
Carrie Spence	3415	68. "	60 "	1.90	129.20

		<u>South Side of Street</u>			
Lorena Hendricks	3402	50.83 ft.	60 ft.	\$1.90	\$96.58
Frank Dunlap	3404	50 ft.	60. "	1.90	95.00
Nitro Industrial Corp. & Romie Hedrick	3406	50 "	60 "	1.90	95.00
Ira W. Miller	3408	50 "	60 "	1.90	95.00
Nitro Industrial Corp. & Ira Anderson	3410 & 3412	100 ft.	60 "	1.90	190.00
Nitro Industrial Corp. & C. W. Grant	3414	50 "	60 "	1.90	95.00
D. W. & Sally A. Grant	3416	50 "	60 "	1.90	95.00
Number of feet embraced in street and alley intersections					None
Number of feet of assessable property					819.66 ft.

4. The sums so assessed as in said reports set forth as a part of the foregoing section, and all interest on said sums, are hereby declared to be liens upon the abutting lots or fractional parts thereof and other lots abutting thereon, such liens to be effective from this date and to have priority over all other liens except those for taxes.

5. The Recorder shall cause to be prepared a notice showing the name and location of the streets improved, the name of the owner of each lot or fractional part abutting or abounding thereon, the number of feet of each lot or part abutting thereon, the number of feet embraced in the intersection, the amount to be assessed against each lot or part, and shall cite all owners to appear before this Council at a regular meeting within not less than ten days nor more than twenty days from the publication or personal service of said notices to show cause if any they can why assessments should not be made and become final.

6. Said notice shall be published once in one or more newspapers of general circulation published in said city and the affidavits of publishers showing the publication as provided shall be recorded in the minutes of the next regular meeting of this Council, or proof of personal service recorded in the same manner.

7. Upon the request of any owner, this Council shall appoint a day for the hearing of any grievances of such owner and may correct or amend any assessment made against them or any of them for good cause shown.

8. The Recorder shall give notice to all persons claiming to be aggrieved of the time and place of such hearing, which shall be begun within ten days after the regular meeting held as hereinabove provided for the purpose of determining why said assessment should not become final. This hearing may be adjourned from time to time.

9. In case any owner or owners of abutting property fail to complain of any damage or injury by reason of the assessments aforesaid, or shall fail to appear for the purpose of having the same corrected, the assessments as to such owner or owners as laid by the Council in the amount and in all respects as hereinabove shall be final.

10. Such assessments shall be recorded in the proper record book of the municipality and notice and statement as required in Section 6 of Chapter 92 of the Acts of the Legislature of West Virginia of 1939, as amended by the Acts of the Legislature of West Virginia of 1941, shall be recorded in the office of the County Clerk of Kanawha County, and in the office of the County Clerk of Putnam County, if any of the property so assessed shall be in Putnam County.

11. All of the permanent improvements have specially benefited all of the property abutting on both sides of the streets aforesaid and assessed.

12. Each assessment shall be evidenced by an assessment lien certificate with coupon in the following form hereby adopted, and the Mayor and Recorder are hereby authorized to execute assessment certificates for assessments when they become final, and to deliver the same to the purchaser thereof upon payment and as provided in the contract for the purchase of said certificates hereinabove mentioned:

STATE OF WEST VIRGINIA

CITY OF NITRO

CERTIFICATE OF ASSESSMENT

FOR PUBLIC IMPROVEMENTS

No. \_\_\_\_\_

This is to certify that the holder hereof is entitled to have and collect the sum of \$ \_\_\_\_\_ with interest as hereinafter mentioned, from \_\_\_\_\_ (Description of property)

as shown on the map of the City of Nitro, recorded in the office of the Clerk of Kanawha County, in Map Book \_\_\_\_\_, page \_\_\_\_\_, and in the office of the Clerk of the County Court of Putnam County in Map Book \_\_\_\_\_, page \_\_\_\_\_, and from the owners of said property, to-wit, \_\_\_\_\_, said property abutting on \_\_\_\_\_ (Name of Street), for special assessment duly laid against the said property and owners thereof for street improvements on said street, completed and accepted on the \_\_\_\_\_ (date), and the costs thereof heretofore apportioned according to law and said sum above mentioned assessed against the above mentioned property and owners thereof in accordance with resolutions of the Council of the City of Nitro of \_\_\_\_\_ (Date mentioned last above).

This is further to certify that this assessment is payable in five installments, the first payable on \_\_\_\_\_, and each remaining installment due and payable on the \_\_\_\_\_ (Same day and month as last above.) of each calendar year thereafter for four years. Each of said installments shall bear interest at 5% per annum until the due date of the installment and thereafter at 6% per annum, but provided any property owner may pay the entire assessment within thirty days from said date of \_\_\_\_\_ (Date of resolution of completion and acceptance) without interest; and provided, further, if default be made in the payment of any installment and such default continue for a period of six months that the remaining unpaid installments shall immediately become due and payable. The owner of the property assessed not paying in full in said thirty days may thereafter pay the whole of said assessment, or any installment thereof, with interest to the time of the payment. All sums assessed and interest thereon are liens upon the abutting lots or fractional parts thereof, which liens have priority over all other liens except those for taxes. This assessment is collectible by and in the name of the City of Nitro, or the legal owner of the assessment lien certificate in any proper court, and the lien thereof may be enforced by suit in equity in the Circuit Court of the County in which the municipality is situated.

This is further to certify that as a part of this certificate there are five coupon certificates each representing one of the five installments and interest thereon until paid, each coupon bearing the same serial number and date of assessment as set out hereinabove, each coupon being authenticated by the actual or facsimile signature of the Mayor and Recorder of the City of Nitro.

This is further to certify that the improvements for which said assessment was made were made in accordance with and pursuant to City of Nitro Ordinance No. 50 adopted on the 17th day of September, 1940, the Federal Works Projects Administration Project No. \_\_\_\_\_, and the assessment represented by this certificate made by resolutions of the City of Nitro of \_\_\_\_\_, the authority of the City of



Nitro generally, the authority of Chapter 92 of the 1939 Acts of the Legislature of West Virginia, amended in 1941, and the general law of the State of West Virginia; that the statements for liens have been filed for record in the office of the Clerk of the County Court of Kanawha County on \_\_\_\_\_, 1941, and in the office of the Clerk of the County Court of Putnam County on \_\_\_\_\_, 1941; and that if this certificate is sold by the municipality it is done without guarantee by or recourse upon the municipality, but carrying to the legal owner thereof all rights of the municipality arising against the owner of the property described and against said property itself.

In witness whereof this certificate dated the \_\_\_\_\_, and each coupon certificate hereto attached, is executed by the Mayor and Recorder of the City of Nitro by authority duly given.

CITY OF NITRO

By: \_\_\_\_\_

*Lloyd M Chapman*  
Mayor

\_\_\_\_\_  
Recorder.

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#### COUPON NO. 1.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$ \_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due six months after \_\_\_\_\_, the first of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: \_\_\_\_\_

*Lloyd M Chapman*  
Mayor

\_\_\_\_\_  
Recorder.

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#### COUPON NO. 2.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and

subject to the terms of said certificate to receive \$ \_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due one year and six months after \_\_\_\_\_, the second of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: Lloyd M Chapman  
Mayor

Recorder.

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COUPON NO. 3.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$ \_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due two years and six months after \_\_\_\_\_, the third of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By: Lloyd M Chapman  
Mayor

Recorder.

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COUPON NO. 4.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$ \_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due three years

and six months after \_\_\_\_\_, the fourth of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By:

*Lloyd M Chapman*  
Mayor

Recorder.

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COUPON NO. 5.

This coupon attached to Assessment Certificate No. \_\_\_\_\_, issued by the City of Nitro, West Virginia, against the property described therein and the owner thereof, certifies that the legal holder of said certificate is entitled under and subject to the terms of said certificate to receive \$ \_\_\_\_\_ from the owner of said property, being an installment one-fifth of the principal amount of the special assessment against the property and owner thereof due four years and six months after \_\_\_\_\_, the fifth of five equal installments of the total principal amount in said certificate shown to have been assessed, and to receive interest thereon at the rate of 5% per annum from said date last above mentioned to the due date hereof, and at 6% per annum thereafter until paid.

CITY OF NITRO

By:

*Lloyd M Chapman*  
Mayor

Recorder.

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13. The Recorder is hereby authorized to execute releases for any assessments and the lien thereof, when any respective assessment and all of its installments are paid in full, with interest, if interest is chargeable hereunder.

14. All of the property abutting on both sides of the streets and avenues is hereby found and declared to be permanently specifically benefited by said improvements to the extent and depth and in the respective amounts of at least the costs hereinbefore assessed respectively against respective lots, tracts and parts of lots abutting thereon as shown by the descriptions, lot numbers, frontages and depths referred to heretofore respectively.

15. All owners of such lots, tracts, or fractional parts of lots are hereby cited to appear before the ~~at~~ 7:30 P.M. Council at its regular meeting on the 14th day of May, ~~to~~ show cause if any they can or wish why the assessments aforesaid should not become final.

Mayor Chapman read to Council a notice to contractors governing bids on material for the street improvements, said notice to be published in the Charleston Gazette.

Councilman Pauley entered motion that the appointment of Edith Wright as registrar be approved, motion seconded by councilman Ellis and upon vote by Council was declared carried.

Councilman Ellis entered motion that the City pay FIVE cents to each registrar for each voter registered, motion seconded by councilman Pauley and upon vote by Council was declared carried.

Councilman Draper entered motion that Richard McClanahan be paid at the rate of 52¢ per hour for a period of 7 days of nine hours each as patrolman, motion seconded by councilman Ellis and upon vote by Council was declared carried.

Mayor Chapman recommended to Council that Richard McClanahan be appointed as patrolman at a salary of \$125.00 per month, effective as of May 1, 1942.

Motion by councilman Draper, seconded by councilman Keener that Mayor Chapman's recommendation be approved and upon vote by Council was declared carried.

Councilman Draper entered motion that a salary of \$25.00 per month be allowed the Mayor in addition to the court costs, there being no second to this motion, motion was declared dead.

The Recorder read letter to Council from the Appalachian Electric Power Company under date of April 28, 1942, and signed by S. T. Preston, District Manager. This letter being in regard black-outs.

Councilman Pauley entered motion that F. M. Lintzmeyer be notified to tear down wall that was recently built and abutting on Lot No. 2815 - 28th Street, said wall being built on City property, motion seconded by councilman Draper and upon vote by Council the vote stood as follows: Those voting for the removal of wall from the City property were Henry Pauley; Hugh Draper; Frank Keener; Ray W. Ellis, councilmen; voting against removal of wall, Lloyd M. Chapman, Mayor; not voting T. A. Lewis, Recorder; motion declared carried.

Mayor Chapman declared meeting in recess until May 14, 1942.

May 4, 1942.

By order of Mayor Chapman a meeting of the Council was called for the 4th day of May, 1942, at 7-30 P. M. to discuss the dismissal of I. E. Ellis, as fire chief, on May 2, 1942.

As there were an insufficient number of Council members present to make a quorum the meeting was declared in recess by Mayor Chapman, the Council to meet in session again on the 7th day of May, 1942.

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The Council of the City of Nitro met in special session on the 7th day of May, 1942, to continue unfinished business of meeting recessed on the 4th day of May, 1942, meeting being called by Mayor Chapman for the purpose of ascertaining whether or not the members of Council approved or disapproved the Mayors action of May, 2nd 1942, in the dismissal of I. E. Ellis as Chief of the Nitro Fire Department, effective as of May 2, 1942.

Those present were : Lloyd M. Chapman, Mayor; T. A. Lewis, Recorder; Henry Pauley; Frank Keener; Paul Reynolds; Hugh Draper, members of council of said city; also Dennis R. Knapp, Attorney.

Meeting called to order by Mayor Chapman.

The Recorder read to Council copies of the following notices mailed to the parties named as follows:

A notice addressed to W. A. B. Vivian, President of the Civic Benefits Association, advising him of the dismissal of I. E. Ellis, from further duty as Chief of the Nitro Fire Department.

Notice addressed to I. E. Ellis, advising him of his dismissal from further duty as Chief of the Nitro Fire Department, effective as of midnight May 2, 1942.

Notice addressed to E. E. Hedrick, advising him of his appointment as acting Fire Chief.

The aforementioned notices were signed by Lloyd M. Chapman, Mayor, under date of May 2, 1942.

Mayor Chapman read to Council an instrument or order addressed to him and signed by B. T. Clayton, Attorney, in regard to the dismissal of I. E. Ellis as Fire Chief; also a letter addressed to him and the Common Council and signed by the members of the fire department, said letter or petition begging that Council approve the action of Mayor Chapman in the dismissal of I. E. Ellis as Fire Chief on the 2nd day of May, 1942.

The Council ordered that the Mayor investigate the cost and use of amesite for the street improvement of 30th Street.

Mayor Chapman declared meeting in recess until 7-30 P. M. May 9, 1942.

May 9, 1942.

The Council of the City of Nitro again met in special session on the 9th day of May, 1942, in regard to the dismissal of I. E. Ellis as fire chief on the 2nd day of May, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder; and Frank Keener; Paul Reynolds; members of Council of said city.

Meeting called to order by Mayor Chapman.

B. T. Clayton, Attorney, appeared in behalf of I. E. Ellis, and requested that the charges against I. E. Ellis be dismissed, this request was overruled by Mayor Chapman.

Meeting declared in recess until May 14, 1942, by Mayor Chapman.

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The Council of the City of Nitro met in session on the 14th day of May, 1942, to take up unfinished business of regular session of Council of April 23, 1942, said meeting being recessed from time to time and also special meetings held in regard to the dismissal as Fire Chief of I. E. Ellis on May 2, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; Paul Reynolds; Hugh Draper; Ray W. Ellis, members of Council of said city, and also Chas. W. Caldwell, Attorney.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called the Councils attention to his action of May 2, 1942, in the dismissal of I. E. Ellis as Fire Chief and proceeded to read to Council copies of notices mailed to the following: Notice to Wm. A. B. Vivian, President of the Civic Benefits Association, advising him of the change in the personnel of the Nitro Fire Department.

Notice to I. E. Ellis, advising him of his dismissal as Fire Chief, effective Midnight May 2, 1942.

Notice to E. E. Hedrick advising him of his appointment as acting fire chief, beginning midnight May 2, 1942.

Mayor Chapman also read copy of letter addressed to I. E. Ellis, stating the charges he had placed against him in behalf of the City of Nitro; the aforementioned letters or notices were signed by Lloyd M. Chapman, Mayor, the copies have been placed in the files of the City; Mayor Chapman also read to Council copy of letter addressed to I. E. Ellis, at that time Fire Chief, from the Civic Benefits Association and signed by J. E. Hulshizer, Secretary. This copy also in files of City.

Mayor Chapman at this time requested that the Council either approve or disapprove his action of May 2, 1942, in the dismissal of I. E. Ellis as Fire Chief and also rule that I. E. Ellis be declared permantly dismissed from the Nitro Fire Department;

Mayor Chapman read letter to the Council signed by the following named members of the Nitro Fire Department.:

Harry Black; E. E. Hedrick; S. A. Willard; also affidavits signed by E. E. Hedrick and S. A. Willard.

Councilman Keener entered motion that action taken by Mayor Chapman in dismissal of I. E. Ellis as Fire Chief on May 2, 1942, be approved, motion seconded by councilman Reynolds and upon vote by Council those voting for the approval of Mayor Chapman's action were, Frank Keener; Paul Reynolds, councilmen; T. A. Lewis, Recorder; voting against the action the action of Mayor Chapman Hugh Draper, councilman, motion declared carried.

The question of the appointment of E. E. Hedrick as acting Fire Chief and appointment of Harry Black as temporary fireman was brought before the Council by Mayor Chapman; councilman Reynolds entered motion that appointments be approved, motion seconded by councilman Keener and upon vote by Council was declared carried.

Councilman Keener entered motion that the City pay the Coal River Insurance Company \$17.50 on bond of Richard McClanahan, patrolman, motion seconded by councilman Draper and upon vote by Council was declared carried.

The question of wall built by F. M. Lintzmeyer on 28th Street and Second Avenue was again brought up before the Council, after some discussion councilman Reynolds offered to take this matter up with Mr. Lintzmeyer and see if a plan to eliminate the hazard of someone getting hurt by walking off the sidewalk either on to 28th Street or on to Second Avenue.

Mayor Chapman read to Council for its first reading an Ordinance governing "Black-outs".

Councilman Reynolds requested that ordinance be introduced and filed for its second reading on the 19th day of May, 1942.

The matter of acceptance of bids on materials for improvements on certain streets was continued until the next meeting of Council.

The following affidavits, same being published in the Charleston Gazette for paving assessments on Third Avenue; 31st Street and 34th Street; also affidavit of publication of notice to contractors in regard to bids on materials was brought before the Council, also Mayor Chapman read to Council a Resolution governing the permanent improvement of Third Avenue; 31st Street and 34th Street.

Mr. O. B. Chamberlain appeared before the Council in regard to the footage he was charged with and cost of same on the Blakes Creek bridge. Attorney Caldwell explained to Mr. Chamberlain that all costs were added into a lump sum and each property owner assessed there proportionate part of the total cost according to the footage owned by them.

Councilman Keener entered motion that the aforementioned resolution in regard to the permanent improvement of Third Avenue; 31st Street and 34th Street be accepted and adopted, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

RESOLUTION

WHEREAS, The Common Council of the City of Nitro did on the 30th day of April, 1942, adopt a resolution declaring the permanent improvement of Third Avenue, 31st Street and 34th Street for the distances and in the manner as set forth in said resolution, to have been completed and accepted, and among other things directed the Recorder of said City to prepare a notice as prescribed by Statute, to be published notifying all owners of the lots and tracts and parcels of land abutting on said streets and avenue to appear before this Council at a regular meeting thereof to be held on the 14th day of May, 1942 at 7:30 o'clock P. M., and

WHEREAS, the Recorder prepared and published the said notice in the "Charleston Gazette", a newspaper of general circulation in said City of Nitro, as prescribed by the aforesaid resolution and as evidenced by the affidavit of the Publisher thereof, and

WHEREAS, no one or more of the owners of lots, tracts or fractional parts of lots or tracts affected by such permanent improvements have protested any of the assessments as shown and set forth in the notice so published, and have not appeared and requested a hearing of any grievance, and have made no complaints of any damages or injuries by reason of the assessments aforesaid, and

WHEREAS, there are no corrections or amendments to be made to any of said assessments.



NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL  
OF THE CITY OF NITRO:

FIRST. That all of the assessments as shown and set forth in the resolution adopted by this Council on the 30th day of April, 1942, hereinabove referred to be, and the same are hereby declared final.

SECOND. In the publication of the notice of the assessment against Carrie Spence for improvements on 34th Street, for Lot 3415, the Printer inadvertently described said lot as fronting .68 feet, whereas the true frontage is 68 feet, as shown and set forth in said resolution adopted on April 30, 1942, and it appearing that this description as to the frontage of said lot was only a typographical mistake, and that the frontage was correctly described in the aforesaid resolution, and there being no objections or exceptions, and it further appearing that the property owner is fully advised in the premises, it is ordered that the notice of publication hereinbefore and hereinafter referred to be, and the same is hereby corrected in accordance with the said resolution of April 30, 1942.

THIRD. That the affidavit of L. J. Bentz, Classified Advertising Manager of the "Charleston Gazette", showing the publication of the aforesaid notice be recorded in the minutes of this Council as a part of the Council Records of this meeting.

# AFFIDAVIT OF PUBLICATION

No.

STATE OF WEST VIRGINIA,  
Kanawha County, to-wit:

I, L. J. BENTZ, Classified Advertising Manager  
of THE CHARLESTON GAZETTE, a Daily Democratic Newspaper, pub-  
lished in the City of Charleston, Kanawha County, West Virginia, do  
solemnly swear that the annexed notice of PAVING ASSESSMENT

was duly published in said paper ##### for one  
~~successive~~ issue commencing with the issue of the 3rd  
day of May, 19 42, and ending with the issue of the  
3rd day of May, 19 42, and was posted  
at the front door of the Court House of said Kanawha County, West Vir-  
ginia, on the 4th day of May, 19 42

Dates Published: May 3rd, 1942

Subscribed and sworn to before me this 4th day of May, 19 42

L. J. Bentz  
W. A. Pruitt  
Notary Public of Kanawha County, West Virginia.

My Commission expires MY COMMISSION EXPIRES FEBRUARY 23, 1947

Printer's Fee \$

THIRD FLOOR  
East Side of Street

[illegible]



# AFFIDAVIT OF PUBLICATION

No.

STATE OF WEST VIRGINIA,  
Kanawha County, to-wit:

I, L. J. BENTZ, Classified Advertising Manager  
of THE CHARLESTON GAZETTE, a Daily Democratic Newspaper, pub-  
lished in the City of Charleston, Kanawha County, West Virginia, do  
solemnly swear that the annexed notice ~~is~~ to contractors

was duly published in said paper ~~####~~ for one

ISSUE commencing with the issue of the 3rd

day of May, 19 42, and ending with the issue of the

3rd day of May, 1942, and was posted at the front door of the Court House of said Kanawha County, West Vir-

ginia, on the 4th day of May, 1942

Dates Published: May 3rd, 1942

Subscribed and sworn to before me this 4th day of May, 1942

*Notary Public of Kanawha County, West Virginia.*

My Commission expires\_\_\_\_\_ MY COMMISSION EXPIRES FEBRUARY 23, 1947

Printer's Fee \$\_\_\_\_\_

Councilman Reynolds entered motion that in the future no licenses or permits for carnivals or shows be issued unless approved by the City Council, motion seconded by councilman Draper and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

Lloyd M Chapman  
Lloyd M. Chapman, Mayor

T. A. Lewis  
T. A. Lewis, Recorder.

May 21, 1942.

The Council of the City of Nitro met in regular session on the 21st day of May, 1942, meeting being in recess since May 19th; there were present:

Lloyd M. Chapman, Mayor; T. A. Lewis, Recorder; Frank Keener; Paul Reynolds; members of council of said city.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called for reading of minutes of regular session of Council held on the 23rd day of April, recessed until April 30, recessed until May 14, 1942; the following meetings were held in regard to the dismissal of I. E. Ellis as Fire Chief: May 4th; 7th; 9th; 1942 also meeting of May 14, 1942, to take up unfinished business of meeting beginning April 23, 1942. There being no objections or corrections minutes were declared approved as read.

The Treasurer read to Council Financial Statements for month of April, 1942, of the General Fund and of the Street Improvement Fund.

An ordinance governing black-outs came up before Council for its second reading. Councilman Reynolds entered motion that the black-out ordinance be adopted, motion seconded by councilman Keener and upon vote by Council was declared carried.

The Recorder presented to Council certificates of candidates for nomination to office in the municipal election to be held on the 2nd day of June, 1942. Councilman Keener entered motion that certificates of nomination be accepted, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

Recorder presented a bill to Council from Harry Sutphin for one Mystery Nozzle purchased by the Fire Department. Councilman Reynolds entered motion that this bill be paid, motion seconded by councilman Keener and upon vote by Council was declared carried.

Councilman Reynolds entered motion that the extra fireman filling in for regular firemen on vacation be paid the regular rate paid to other firemen, motion seconded by councilman Keener and upon vote by council was declared carried.

Mayor Chapman declared meeting in recess until May 26, 1942.

The Council of the City of Nitro met in session on the 26th day of May, 1942, to take up unfinished business of regular meeting of Council recessed on May 21, 1942, there were present:

Lloyd M. Chapman, Mayor; T. A. Lewis, Recorder; and Henry Pauley; Paul Reynolds; Frank Keener, members of council of said city.

May 26, 1942, Cont'd.

Meeting called to order by Mayor Chapman who stated to Council that the meeting was called for the purpose of approving the registration and appointment of Commissioners and Clerks to act on the election board and serve in the election of officers in the municipal election to be held on the 2nd day of June, 1942.

The Recorder reported to Council of registering sixteen additional citizens after the registrars were through with their two days sitting, councilman Keener entered motion that the entire registration be approved and accepted, motion seconded by councilman Reynolds and upon vote by Council was declared carried.

The following persons were named and appointed to serve on the election board:

Mrs. Hazel Hayes, Receiving and Counting Commissioner.

Mr. L. F. Hartranft, " " " " .

Mr. S. F. Montague, " " " " .

Mrs. T. F. Baumgartner, Receiving and Counting Clerk.

Mr. Douglas Walker, " " " " .

Mr. Roy Stover, " " " " .

Mr. L. L. Betz, " " " " .

There being no further business to transact at this time a motion for adjournment carried, Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor,

*T. A. Lewis*  
T. A. Lewis, Recorder.

June 8, 1942.

OFFICE

The Council of the City of Nitro met in session on the 8th day of June, 1942, there were present:

Lloyd M. Chapman, Mayor; T. A. Lewis, Recorder, and Frank Keener; Paul Reynolds; Henry Pauley, members of Council of said city.

The meeting was called to order by Mayor Chapman.

This meeting being held for the purpose of Council to act as a Board of Canvassers and certify the results of election of officers held on the 2nd day of June, 1942, there duty being to carefully and impartially examine the returns of the election. The Recorder proceeded to unlock the ballot boxes and lay before the Council the ballots, poll books, tally sheets and certificate as certified to by the election board. The count of ballots by the Council checked with count made by the election board. Councilman Keener entered motion that results of election as given by the election board be approved and accepted, motion seconded by councilman Pauley and upon vote by Council was declared carried.

R. L. Stone, candidate for the City Council, who was defeated by two votes, requested a recount which was granted by Council.

After making a carefull canvass of ballots the result was found to be exactly as found by the election board. Mr. Stone said he was perfectly satisfied as to results.

Certificate of Results show as follows:

For the office of Mayor, Lloyd M. Chapman received Three hundred sixteen votes, (316); For the office of Mayor, J. L. McGill received One hundred thirty six votes, (136); For the office of Recorder, T. A. Lewis received Two hundred forty eight votes, (248); For the office of Recorder, Mrs. H. C. Milton received Two hundred three, ~~votes~~ (203); For the office of councilman, Ray W. Ellis received One hundred sixty nine votes, (169); For the office of councilman, Frank Keener received Two hundred twenty one votes, (221); For the office of councilman, L. F. Erwin received Two hundred thirty three votes, (233); For the office of councilman, W. G. Bird received One hundred fifty two votes, (152); For the office of councilman, Hugh Draper received Two hundred ninty nine votes, (299); For the office of councilman, L. O. "Pop" Grass received Two hundred six votes, (206); For the office of councilman, C. J. Simpson received One hundred fifty seven votes, (157); For the office of councilman, Henry Pauley received Two hundred eighty four votes, (284); For the office of councilman, R. L. Stone received Two hundred four votes, (204); For the office of councilman, John P. "Bizzy" Raynes received One hundred seventy two votes, (172).

Certificate signed by: Blanche Baumgartner, Maude Cochran, Receiving Board Clerks.

Hazel Hayes, L. F. Hartranft, Sam F. Montague, Receiving Board Commissioners of Election.



June 8, 1942, Cont'd.

Douglas Walker, H. F. Morgan, Counting Board Clerks.

There being no further business to come before the Council at this time a motion for adjournment carried.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor,

*T. A. Lewis*  
T. A. Lewis, Recorder.

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July 8, 1942.

Upon request of members of the Nitro City Council Mayor Chapman called a meeting to be held on the 8th day of July, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; L. F. Erwin; L. O. Grass, members of the council of said city.

The meeting was called to order by Mayor Chapman.

Councilman Keener entered motion that Henry Pauley be appointed as a member of the Nitro City Council, motion seconded by councilman Grass and upon vote by Council was declared carried.

Mayor Chapman proceeded to give the Oath of Office to Henry Pauley as councilman of the City of Nitro, who then assumed his duties on the City Council.

Mayor Chapman recommended that E. S. Thompson be reappointed as Police Chief.

Councilman Grass entered motion that a new Police Chief be appointed, there was no second offered to this motion, motion declared dead.

Councilman Keener entered motion that E. S. Thompson be reappointed as Police Chief, motion seconded by councilman Pauley and upon vote by Council was declared carried.

Mayor Chapman recommended to Council the appointment of Hecray Ramsey as patrolman.

An application filed with Mayor Chapman by L. A. Youell for a position on the Nitro Police force as patrolman was read to Council by Mayor Chapman, it was ruled that this application be filed for future reference.

July 8, 1942, Cont'd.

Councilman Pauley entered motion that effective July 16, 1942, Hearcy Ramsey assume his duties as patrolman, motion seconded by councilman Keener and upon vote by Council was declared carried.

Councilman Keener entered motion that the United Fuel Gas Co; be notified to repair hole in front of Lot "D" located on Third Avenue, property of E. L. and Sallie Harris, as this hole constitutes a menace to life and limb, motion seconded by councilman Erwin and upon vote by Council was declared carried.

Councilman Grass entered motion that the name of City be printed on each side of the city patrol car, printing to show Nitro Police Dept; motion seconded by councilman Erwin, upon ~~motion~~ motion failed to carry.

Councilman Grass withdrew the foregoing motion and entered motion that letters two inches high be printed on each side of patrol car, printing to read Nitro P. D. Motion seconded by councilman Erwin and upon vote by Council was declared carried.

Councilman Keener entered motion that C. R. Connor be retained as City Engineer, motion seconded by councilman Grass and upon vote by Council was declared carried.

Councilman Grass entered motion that Charles W. Caldwell be retained as City Attorney, motion seconded by councilman Pauley and upon vote by Council was declared carried.

Councilman Grass entered motion that Mayor Chapman be authorized to proceed with what he had already done in getting prices in the purchase of new tubes and having the tires retreaded on the Ford V8 Truck and have truck repaired, motion seconded by councilman Keener and upon vote by Council was declared carried.

Councilman Pauley entered motion that the regular session of the Council be held on the Third Tuesday of each month, motion seconded by councilman Erwin and upon vote by Council was declared carried.

There being no further business to come before the Council at this time a motion for adjournment carried. Meeting adjourned.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor,

*T. A. Lewis*  
T. A. Lewis, Recorder.

July 23, 1942.

At a regular session of the Council of the City of Nitro, held on the 23rd day of July, 1942, there were present:

Lloyd M. Chapman, Mayor, T. A. Lewis, Recorder, and Frank Keener; L. F. Erwin; L. O. Grass, members of council of said city.

The meeting was called to order by Mayor Chapman.

Mayor Chapman called on the Recorder to read minutes of the regular session of Council held on the 21st day of May, meeting being recessed until May 26th 1942. Meeting of June 8, 1942, and special session of Council held on the 8th day of July, 1942; there being no objections or corrections minutes were declared approved as read.

The Treasurer proceeded to read to Council the Financial Statements of City for months of May and June, 1942, of the General Fund and of the Street Improvement Fund.

Recorder read to Council copy of audit submitted by the Compensation Department for the Fiscal Year beginning July 1, 1940, and ending June 30, 1941. Report showed no discrepancies found.

Recorder read to Council correspondence between the City and the United Fuel Gas Company in RE to hole in road on 3rd Ave.

Mayor Chapman advised Council of the different contacts and progress that had been made to date in RE to the 40th Street bridge, stating that a further report would be made at the next Council meeting.

Mayor Chapman appointed the following members of Council as the Finance Committee: Hugh Draper and ~~Henry Pauley~~ *Henry Pauley*. Committee on streets, alleys and sanitation: L. O. Grass; L. F. Erwin and Frank Keener.

Recorder read to Council statement submitted to City by D. R. Knapp, Attorney, to amount of \$22.50, for legal services, also statement from the Nu-Tread Tire Company, Inc; to amount of \$88.76, for tubes, retreading tires; also statement from the Coal River Insurance Company, for balance due on bond of Richard McClanahan, patrolman, to amount of \$7.50.

Councilman Keener entered motion that the bill of D. R. Knapp, and bill of the Nu-Tread Tire Company be paid, and that Richard McClanahan be allowed time for patrol duties to amount of \$7.50, motion seconded by councilman Erwin and upon vote by Council was declared carried.

Recorder read to Council petitions by Nitro citizens for additional street lights as follows: By Dr. J. L. Dunlap, Second Avenue opposite residence; residents of 40th Street asking for installation of 3 lights beyond Blakes Creek Bridge;

July 23, 1942, Cont'd.

5KICC

residents of 5th Street asking for light to be installed on light pole as it was 2 years ago; these matters were referred to committee on streets for investigation.

Recorder read to Council petition signed by members of the Nitro Fire Department, asking for an increase in salary.

Councilman Grass entered motion that this petition be filed and taken up by the Council after the Levy Estimate is made up for the Fiscal Year 1942-43, motion seconded by councilman Keener and upon vote by Council was declared carried.

Mayor Chapman offered recommendation to Council that the amount for purchase of gasoline for patrol car be increased from \$20.00 per month to \$30.00 per month.

Councilman Keener entered motion that the foregoing recommendation be approved, motion seconded by councilman Erwin and upon vote by Council was declared carried.

Councilman Erwin entered motion that James E. Roark be reappointed as Building Inspector, motion seconded by councilman Keener and upon vote by Council was declared carried.

Mayor Chapman recommended to Council that 1 pair of handcuffs and a spot-light be purchased for the police department.

Councilman Grass entered motion that these items be purchased, motion seconded by councilman Keener and upon vote by Council was declared carried.

Mayor Chapman declared meeting in recess until 7-30 o'clock P. M. August 4, 1942.

*Lloyd M. Chapman*  
Lloyd M. Chapman, Mayor,

*T. A. Lewis*  
T. A. Lewis, Recorder.