

with reference to said sewage system required by the Constitution and laws of the State of West Virginia, including the making and collecting of reasonable and sufficient rates for services rendered by said system, and will segregate the revenue therefrom and make application thereof consistent with and as provided by this ordinance; and said city hereby irrevocably covenants, binds and obligates itself not to sell, lease, mortgage or in any manner dispose of any integral part of said system, including any and all appurtenances thereto and extensions and additions that may be made thereto, until all the bonds herein authorized to be issued and any additional bonds ranking on a parity therewith shall have been paid in full, both principal and interest, or legal and sufficient provision for such payment shall have been made; provided, however, said city may dispose of any real or personal property which is no longer needed or useful in connection with the operation of said system provided said city had first obtained the written determination of an independent consulting engineer of recognized reputation for skill and experience in sewage system matters and not in the regular employ of said city that such property is no longer needed or useful in such operation and provided further that all proceeds received by the city in the disposal of such property shall be placed in the sinking fund and used to the extent permissible to purchase or retire bonds payable from said fund in advance of maturity. Said city further covenants and agrees with the holders of said bonds to maintain in good condition and continuously operate said system and appurtenances and to charge and collect such rates or charges for services rendered thereby so that the gross revenues will be sufficient at all times to provide for the payments of the operation, repaid and maintenance of said system and leave net amounts to be paid into the sinking fund and Depreciation Fund as provided herein.

Section 8. That any holder of said bonds or of any of the coupons may either at law or in equity, by suit, action, mandamus or other proceedings protect and compel performance of all duties imposed or required by this ordinance or the law pursuant to which said bonds are to be issued, including the making and collecting of sufficient rates and segregation of the income and revenues and the application thereof. That upon the filing of suit by any holder of said bonds or of any of the coupons, any court having jurisdiction of the action may appoint a receiver to administer said system on behalf of the city with power to charge and collect rates sufficient to provide for the payment of any bonds or obligations outstanding against said system and for the payment of the operating expenses, and to apply the income and revenues in conformity with this ordinance and the provisions of said statute laws of West Virginia aforesaid.

Section 9. The bonds authorized to be issued hereunder and from time to time outstanding shall not be entitled to priority one over the other in the application of the income and revenues of said system or with respect to the security for their payment, regardless of the time or times of their issuance, it being the intention that there shall be no priority among the bonds authorized or permitted to be issued under the provisions of this ordinance, regardless of the fact that they may be actually issued and delivered at different times.

Said city hereby reserves the right and privilege of issuing additional bonds payable from the "Sewer Revenue Bond Interest and Sinking Fund", hereinbefore created and ranking on a parity with the bonds hereby authorized for the purpose of paying the cost of further extensions and improvements to the municipal sewage system; provided that

before any such additional parity bonds are issued there shall have been procured and filed with the City Recorder a statement by an independent certified public accountant not in the regular employ of the city on a monthly salary basis reciting the opinion based upon the necessary investigation that the net operating income and revenues of said sewage system for twelve consecutive months out of the fourteen months immediately preceding the date of issuance of the bonds then proposed to be issued were equal to at least 1.40 times the maximum amount of principal and interest that will become due in any calendar year on account of the bonds then outstanding and the bonds then proposed to be issued. The words "net operating income and revenues" as herein used are defined as gross income and revenues less operating expenses which shall include salaries, wages, cost of maintenance and operation, materials and supplies, administration and insurance, as well as all other items that are normally and regularly so included under recognized accounting practices, exclusive, of allowances for depreciation.

The interest payment dates for all such additional parity bonds shall be semi-annually on March 1 and September 1 and the principal maturities thereof shall be on September 1 of the year in which any such principal is scheduled to become due, and provided that no such additional parity bonds shall be scheduled to mature in the years 1960 and 1961 and the maturities of any such additional parity bonds shall be so scheduled that the combined annual principal and interest requirements throughout the life of the bonds then outstanding and the bonds then proposed to be issued shall be substantially equal with a variation of no more than \$5,000 between the highest and lowest amount of such combined annual principal and interest requirements and provided, further, that no such additional parity bonds shall be issued unless all payments required to be

made into the various special funds, as hereinbefore provided, are current.

The additional parity bonds (sometimes herein referred to as "permitted" to be issued), the issuance of which is restricted and conditioned by this section, shall be understood to mean bonds payable from the income and revenues of said system on a parity with the bonds herein authorized, and shall not be deemed to include nor prohibit the issuance of other obligations, the security and source of payment of which is subordinate and subject to the priority of the payments into the sinking fund for account of the bonds authorized or permitted to be issued hereunder. So long as any of the bonds authorized by this ordinance or any additional parity bonds remain outstanding no other bonds or other obligations may be issued or incurred having any priority or preference and except as permitted and provided by this section no other bonds or obligations may be incurred ranking on a parity therewith.

Section 10. That the bonds hereby authorized be executed as herein provided as soon after the adoption of this ordinance as may be and shall thereupon be sold and delivered to Seasongood & Mayer, Young, Moore & Co., Inc. and Associates, at such time or times and in such amount or amounts and upon such terms as may be provided by supplemental ordinance or ordinances and in accordance with the agreement approved and accepted by the Council on June 16, 1959, and the terms and conditions of said agreement are in all respects hereby ratified and confirmed and found to be for the best interests of said city. The proceeds derived from the issuance of said bonds, exclusive of accrued interest, shall be used only for the purpose of defraying the cost, not otherwise provided, of acquiring and constructing the extensions and improvements to the sewage system of said city all as generally described and referred

to in the preamble hereof; provided that interest on said bonds for two years but in no event to exceed an amount equal to one and one-half times the average annual debt service on the bonds hereby authorized shall be deemed interest during acquisition and construction of said extensions and improvements, and shall constitute an item of acquisition and construction cost and shall be paid from the proceeds of such bonds. Simultaneously with the issuance of any of the bonds hereby authorized all sums received as accrued interest, together with a portion of the bond proceeds equal in the aggregate to the amount of such interest during acquisition and construction shall be set aside into the sinking fund and a sufficient portion of the bond proceeds shall be applied in paying the cost of acquiring the existing sewers owned by the Nitro Sewer Company. The remaining bond proceeds available for construction work pending expenditure thereof shall be deposited in a bank or banks which are members of the Federal Deposit Insurance Corporation, as a special account and to the extent any such deposit in any one bank exceeds \$10,000 such excess shall be secured by a surety bond or bonds furnished by a surety company or companies qualified or authorized to do business in West Virginia or the excess of such deposit shall be collaterally secured by direct obligations or guaranteed bonds or securities of the United States of America having a market value equal to 110% of such excess. If it be determined at any time that the amount of bond proceeds being held in the construction fund is in excess of the amount necessary to be disbursed therefrom for the authorized purpose, during the ensuing six months such excess may be invested in interest bearing bonds or other direct and general obligations of the United States of America having a maturity date or being subject to retirement at the option of the holder not more than eighteen months subsequent to the date of such investment, and all such investments as well as all

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income therefrom shall be carried to the credit of such construction fund. Any surplus remaining after completion of such construction shall be paid into the sinking fund aforesaid.

Section 11. The provisions of this ordinance shall constitute a contract between the City of Nitro and the holders of the bonds authorized to be issued hereunder, and after the issuance of any of the bonds no change, variation, or alteration of any kind of the provisions of this ordinance shall be made in any manner except as herein provided, until such time as all of said bonds issued hereunder and the interest thereon have been paid in full.

Section 12. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 13. All ordinances, resolutions and orders, or parts thereof in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 14. That inasmuch as there is only one newspaper published in the City of Nitro, namely, the Kanawha Valley Leader, this ordinance shall be published once each week for two successive weeks in said newspaper, together with an appropriate notice that this ordinance has been adopted; that the City of Nitro contemplates the issuance of the bonds herein authorized, and that any person interested in the matter may appear before this Council at a public hearing to be held at City Building in said city, on July 28, 1959, at 8:00 o'clock P.M., and then and there be heard as to the matters herein provided.

Councilman J. L. Dunlap moved that all rules be suspended and said ordinance be adopted, seconded by Councilman Geo. W. Hogshead and after due consideration thereof by the Council the Mayor put the question and, upon the roll being called, the following voted:

AYE: Marion L. Bush, J. L. Dunlap, Grenfall L. Estep, Borden
E. Gewin, Frank E. Grover, George W. Hogshead, Grace
Lewis, W. W. Alexander

NAY: None


Whereupon the Mayor declared the motion duly carried and said ordinance duly adopted.

On motion and vote the meeting adjourned.



Mayor

Attest:



City Recorder

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July 21, 1959

City Council met in regular session Tuesday, July 21, 1959.

There were present W. W. Alexander, Mayor, Grace Lewis, City Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr. Grenfall L. Estep, B. E. Gewin and George W. Hogshead, M.D. members of the City Council.

Councilman Dunlap moved seconded by Councilman Estep, that the minutes for meeting held June 16 and July 7 be approved. Motion Carried.

Councilman Bush moved, seconded by Councilman Estep the financial statement for the month of June be accepted . Motion carried.

Mayor and Council discussed the drainage problem on property owned by Builders Lumber & Supply Co. It was the opinion of some of the Council that the problem had not been completely eliminated on said property, however, the Mayor informed Council that he felt the drainage problem in question was being aggravated by the fill being made on property South of the Builders Lumber & Supply Co. property.

Councilman Bush informed Council that the Longevity and Vacation Ordinance would be presented at the Budget meeting.

The Mayor and Council discussed the improvement being made on Bank Street sidewalk and the question arose that in the event the Nitro Industrial Corporation should demolish and rebuild the N.I.C. building that they might use their property line, which would be to edge of sidewalk for their building line. However, in checking the zoning code it was determined that building line in said area is line

as now established.

There being no further business to come before the Council,
Councilman Bush moved, seconded by Councilman Estep, that meeting
be recessed until July 28th.

UW Anderson
Mayor

Attest:

James Davis

July 28, 1959

The Council of the City of Nitro, West Virginia, met in regular session at the City Building in said city at 8:00 o'clock P.M. The meeting was called to order and there were present W. W. Alexander, Mayor, presiding, and the following named Councilmen: M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall Estep, H. M. Gandee, B. E. Gewin, Geo. W. Hogshead, M.D.; also present Grace Lewis, City Recorder.

Absent: F. E. Grover

This being the date fixed by prior action of the Council for the hearing of protests concerning the adoption of a proposed ordinance which was introduced at a meeting of the Council on July 7, 1959, Entitled:

"AN ORDINANCE establishing just and equitable rates or charges for the use of and service rendered by the municipal sewage system of the City of Nitro, West Virginia, and providing for the collection of such rates or charges."

the Council heard all protests, objections and suggestions from all persons concerned, whereupon said proposed ordinance was read for information.

Councilman Grenfall Estep moved that the ordinance be finally adopted. Councilman B. E. Gewin seconded the motion, and after due consideration thereof by the Council the Mayor put the question, and upon the roll being called the following voted:

Aye: M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall Estep, H. M. Gandee, B. E. Gewin, George W. Hogshead, M.D., Councilmen, Grace Lewis, Recorder, W. W. Alexander, Mayor.

Nay: None.

Whereupon the Mayor declared the motion duly carried and said

ordinance duly adopted.

Thereupon by motion of Councilman Dunlap, seconded by Councilman Bush, meeting adjourned.

W. W. Dunlap
Mayor

Attest:

Grace Davis
City Recorder

July 28, 1959

The Council of the City of Nitro, West Virginia, met in regular session at the City Building in said city at 8:00 o'clock P.M. The meeting was called to order and there were present W. W. Alexander, Mayor, presiding, and the following named Councilmen: M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, Geo. W. Hogshead, M.D. also present Grace Lewis, City Recorder.

Absent: Frank Grover

This being the date fixed by prior action of the Council for the hearing of protests concerning the issuance of Sewer Revenue Bonds as contemplated and provided for in an ordinance adopted July 7, 1959, the Council heard all protests, objections and suggestions from all persons concerned, and further discussed the question of issuing the aforesaid bonds, whereupon Councilman B. E. Gewin introduced and caused to be read in full the resolution next set out, and moved that all rules be suspended and said resolution be adopted.

RESOLUTION

WHEREAS this Council, as the governing authority of the City of Nitro, West Virginia, did heretofore by ordinance duly adopted on July 7, 1959, authorize Sewer Revenue Bonds of said city in the principal amount of \$750,000 and in and by said ordinance provided that any persons or persons interested in the matters referred to in said ordinance might appear before this Council at this meeting; and

WHEREAS notice of such ordinance and of said hearing was duly given in the manner provided and required by Article 13 of Chapter 16 of the West Virginia Code and any person or persons interested in the matters referred to in said ordinance have been afforded an opportunity

of offering objections and suggestions, but no written protest has been filed by the requisite number of owners of real estate situated in said city, and this Council has given due consideration to all matters for which such hearing was afforded;

NOW BE IT RESOLVED AND ORDERED by the Council of the City of Nitro, West Virginia, as follows:

Section 1. That the provisions of the ordinance heretofore adopted and as referred to in the preamble hereof, and all matters in connection therewith, are hereby ratified and confirmed, and all action contemplated by said ordinance is hereby ordered carried out in accordance therewith.

Section 2. That all resolutions and orders in so far as same may be in conflict herewith are hereby repealed and that this resolution be effective forthwith upon its passage and approval.

Passed and approved July 28, 1959.

Mayor

Attest:

City Recorder

Councilman H. M. Gandee seconded the motion and after due consideration thereof by the Council the Mayor put the question and upon the roll being called, the following voted:

Aye: M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall Estep, H. M.

Gandee, B. E. Gewin, Geo. W. Hogshead, M.D., Councilmen;

Grace Lewis Recorder, W. W. Alexander, Mayor.

Nay: None

Whereupon the Mayor declared the motion duly carried and said resolution duly adopted.

Thereupon by motion of Councilman Dunlap, seconded by Councilman Bush, meeting adjourned.



Mayor

Attest:



City Recorder

August 4, 1959

The City Council met in regular session Tuesday, August 4, 1959.

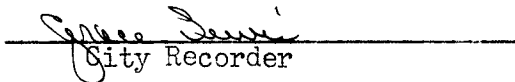
There being present W. W. Alexander, Mayor, Grace Lewis, City Recorder, M. L. Bush, J. L. Dunlap, Jr. Grenfall L. Estep, H. M. Gandee, B. E. Gewin, members of the Council.

The Mayor asked for a recess motion for recess of this meeting until such time as the budget can be prepared for presentation to Council, inasmuch as assessment figures from Assessors office were late being received in the office.

Thereupon Councilman Estep, seconded by Councilman Bush, moved the meeting recessed.


Mayor

Attest:


City Recorder

August 12, 1959

The City Council met in recess session Wednesday, August 12, 1959.

There were present W. W. Alexander, Mayor, Grace Lewis, City Recorder, M. L. Bush, Grenfall L. Estep, H. M. Gandee, F. E. Grover, Geo. W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order and explained that the meeting had been called for the purpose of studying and passing the Levy Estimate for current year, and to discuss and consider any other business that may come before Council.

Councilman Estep seconded by Councilman Bush made a motion the proposed levy be adopted. Motion carried and all members of Council proceeded to sign levy estimate as follows:

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA & PUTNAM,

MUNICIPALITY OF NITRO, To-wit:

At a regular session of the council of the municipality of Nitro held in the council chambers thereof, in the City building on Wednesday, the 12th day of August, 1959, there were present: W. W. Alexander, Mayor, Grace Lewis, Recording Officer and M. L. Bush, Grenfall L. Estep, H. M. Gandee, F. E. Grover and George W. Hogshead, M.D. members of the council of said municipality.

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 levy of taxes for the current fiscal year, and doth determine and estimate the several amounts to be as follows:

Estimate Form No. 1 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.

Balance in hands of city treasurer	\$ 3,821.06
Balance in hands of sheriff	388.77
Police fines and costs	10,000.00
Permits - building, street, sewer and other	1,000.00
Parking meters	1.00
Paving and sewer assessments (advanced from general fund)	100.00
Rents, Building and Concessions	400.00
Civic Benefits Association	24,000.00
Taxes: Gross Sales	29,000.17
Capitation and Dog	2,250.00
Franchise	100.00
Consumers' Sales (Liquor)	12,589.00
Amusement	300.00
Fees: Crematory and garbage	40,000.00
Licenses:	
Electricians and plumbers	300.00
General	1,680.00
Miscellaneous	2,200.00
Total estimated receipts to Page 6	128,130.00

ESTIMATED CURRENT EXPENDITURES:

1. Salary of Mayor	3,600.00
2. Salary of Recorder	4,200.00
3. Salary of Treasurer	1.00
4. Trial Fees	2,000.00
5. Salary of City Attorney	500.00
7. Salaries of Councilmen	840.00
8. Salaries of Assistants and Clerks	2,000.00

9. Salaries of Chief and 4 Police	21,000.00
10. New Equipment Police Department	1.00
11. General Expenses Police Department	2,800.00
12. Policemen's Pension Fund	1.00
13. Salaries Jailor and expenses feeding prisoners	5,100.00
14. Salaries Chief and 5 Firemen	26,350.00
15. New Equipment Fire Department	1.00
16. General Expense Fire Department	4,418.00
17. Firemen's Pension Fund	1.00
18. Salaries Health Commissioner and Employees	1,050.00
20. General expense Health Department	750.00
21. Salaries Crematory and Garbage Employees	20,000.00
22. New equipment Crematory and Garbage Department	2,500.00
23. General expense Crematory and Garbage Department	5,000.00
24. Janitors' Salaries and Supplies	350.00
25. Repairs to Jail and City Buildings	100.00
26. Furniture, Fixture and Office machines	1.00
27. Stationery, office supplies and equipment	550.00
28. Postage	125.00
29. Water - fire protection, streets and sewers	7,500.00
30. Water, City Building and other purposes	100.00
31. Light for street lighting	6,500.00
32. Light - City Building, traffic lights, etc.	600.00
33. Repairs street and traffic lights	10.00
34. Fuel, heating City Building	700.00
35. Telephone and Telegraph (all Departments)	750.00
36. Rent - City Hall and other buildings	-----
37. Legal Publications	700.00

38. Insurance on City Buildings and other property	1,000.00
39. Premiums, Policemen's and official bonds	175.00
40. Election expenses	1,500.00
41. Attorneys' fees, court costs and damages	1,500.00
42. Salaries, Engineering Department	1,000.00
43. General expenses, Engineering Department	1,000.00
44. Salaries and wages all street employees	9,690.00
45. New Equipment, Street Department	1.00
46. Materials, supplies and expenses, Street Department	3,500.00
47. Maintenance of Sewers, salaries and supplies	100.00
48. Construction of new streets, sidewalks and sewers	1.00
49. Workmen's Compensation premiums	2,500.00
50. Audit by Tax Commissioner	250.00
51. Refunding erroneous payments	25.00
52. Municipal Dues	35.00
53. Parks and playgrounds salaries, supplies and expenses	4,000.00
54. Cemetery - salaries, supplies and expenses	-----
55. Traveling and car expenses of city officials	100.00
59. Treasurers Fees	125.00
60. Social Security	2,500.00
61. Contingent expenses (Mandatory Only)	800.00
62. Dog Pound Expenses	1,000.00
A - Total Current Expenses	150,901.00
Total estimated disbursements (A+B)	150,901.00
Less estimated receipts brought forward from page 4	<u>128,130.00</u>
Net amount to be raised by levy	\$ 22,771.00

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.	3,500.	800.	96.	896.
7- 1-53	50,000.	38,500.	2,000.	1,155.	3,155.
5- 5-55	95,000.	85,000.	3,000.	2,338.	5,338.
12-16-58	168,000.	168,000.	2,000.	6,300.	8,300.
Totals	329,000.	295,000.	7,800.	9,889.	17,689.
Delinquent Taxes and Exonerations Estimated				10%	1,769.

Total Amount to be Raised by Levy of Taxes 19,458.

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

Nine & one quarter cents (9.25¢) on Class No. I property,
Eighteen & one half cents (18.5¢) on Class No. II property, and
Thirty-seven cents (37 ¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment therein as follows:

Class	Assessed Valuation	Proposed Rates	Taxes Levied (Whole Dollars)
Number I			
Personal Property	193,220.00	9.25¢	179.00
Public Utility Property	<u>613,900.00</u>	9.25	<u>568.00</u>
Total Class No. I	807,120.00		747.00
Number II			
Real Estate	2,578,430.00	18.5	4,770.00

Number IV			
Real Estate	1,267,200.00	37¢	4,689.00
Personal Property	1,099,070.00	37	4,067.00
Public Utility Property	<u>1,319,600.00</u>	37	<u>4,883.00</u>
Total Class No. IV	3,685,870.00		13,639.00
TOTAL IEVY	7,071,420.00		19,156.00

LONGIVITY ORDINANCE: was presented and read as follows:

LONGIVITY ORDINANCE BASED ON LENGTH OF CONTINUOUS SERVICE OF SALARY
EMPLOYEES OF THE CITY OF NITRO, NITRO, WEST VIRGINIA.

WHEREAS, in order to entice and retain competent, skilled and efficient city employees, it is desirable and important to provide a systematic and periodic salary increase based upon length of service.
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA.

Section 1: For each year after five years of continuous service that all salaried employees receive a salary increase of \$2.50 per month. That the maximum salary increase to any person by virtue of this ordinance shall be \$20.00. The pay increase to become effective on the first of the fiscal year after the employees 5th anniversary date.

Section 2: A break in continuous service will automatically end longevity credit, unless the break is occasioned by leave of absence with the approval of the Mayor. Sick leave of absence shall be deducted from continuous service for the purpose of longevity credits. No leaves approved by the Mayor may be for more than 6 months duration.

Section 3: The salary increase provided for herein shall be in addition to other salary increases, either general or individually the City Council may provide from time to time.

Section 4: This ordinance shall be effective as of July 1, 1959.

Thereupon Councilman Bush moved seconded by Councilman Estep that Longivity Ordinance be adopted and enacted. Upon motion of Council all Councilmen present voted in favor of said motion.

The Mayor and Council discussed equalizing the salaries of regular firemen and patrolmen. No action was taken on this matter.

Councilman Gandee moved seconded by Councilman Grover that Mechanic of the Fire Department be changed to Lieutenant rating and the Lieutenant pay to be \$350.00 per month, effective as of July 1, 1959. Upon vote by Council motion carried.

The Mayor and Council discussed possibility of a lease rental agreement on an additional garbage truck, with the idea in mind that lease rental payment be applied to purchase price of garbage truck in the event the City desired to purchase same.

Thereupon Councilman Estep seconded by Councilman Hogshead moved the Mayor negotiate on lease rental agreement on a garbage truck (a duplicate of the one owned by City) as soon as the balance on present truck is paid. Upon vote by Council, motion carried.

There being no further business, motion for adjournment by Councilman Estep carried.

L. W. Alexander
Mayor

Attest:

John Lewis
City Recorder

August 18, 1959

The City Council met in a regular session Tuesday, August 18, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Granfall L. Estep, H. M. Gandee, and F. E. Grover members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dunlap mover, seconded by Councilman Grover, the minutes for meetings held July 21, July 28th, August 4th, and August 12th be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Gandee, the financial statement for the month of July be accepted. Motion carried.

The Mayor and Council entered into a discussion of opening of Ivy Street, pointing out that the street should be opened from stand point of safety and also pointing out that the street could not be paved this year, due to length of time for advertisement. Thereupon, Councilman Estep moved, seconded by Councilman Bush, that obstacles be removed from Ivy Street, from Dupont Avenue to Kanawha Avenut, in order to open the said Ivy Street and that the City Engineer survey the said Ivy Street. Motion carried.

Councilman Estep moved that T. O. Townsend be reappointed as member of the Board of Part Commissioners for a term of six years. Motion seconded by Councilman Bush. Upon a vote being taken the motion carried.

Residents of Valentine and Sattes Circles were present, requesting the Council's opinion of a Beauty Parlor being opened on the corner of Valentine Circle and Main Avenue. It was pointed out that up to date the Planning Commission had not made a recommendation to council to zone the said area, that Main Avenue to Kapoc Street was zoned as business area, that there is a restrictive clause in the deeds for the said area and it was

suggested that interested residents and property owners file petition with Circuit Court for an injunction, using the deed as a basis for the request and that the City Attorney be at their disposal to give them assistance in this procedure.

Recommendation from the Planning Commission was presented to the Council and after some discussion, Councilman Estep, moved, seconded by Councilman Grover, that the recommendation be returned to the Planning Commission for clarification. Motion carried.

Councilman Dunlap moved that the City request the Prosecuting attorney of Kanawha County to padlock the Desert Inn, located on Main Avenue at Dogwood Street, and the Idle Hour Billiards, located on Bank Street and the Beer Commissioner be requested to revoke the beer license of the aforementioned business places and any succeeding businesses at these locations. Councilman Gandee seconded the motion. The Mayor and members of the Council entered into a discussion, the Mayor informed the Council that he and the police department were working with the Prosecuting Attorney's office on the problem of gambling and the sale of whiskey and out of state beer, Councilmen Gandee and Grover said that they had been told that since the last raid poker games were being carried on in homes, Councilman Gandee informed Council that people from other communities were talking about the gambling being done here in Nitro, terming Nitro as Little Las Vegas. Thereupon the Mayor called for a vote on the motion and all the members of Council, including the Mayor and Recorder voted in the affirmative in favor of motion. The Mayor declared the motion carried.

Councilman Grover pointed out to council that the parking situation around Childer's Garage and Holman Motor Sales was bad, that the garage owners were permitting their cars to be parked on the streets, which some time created a hazard. This problem was referred to the Traffic Committee for study.

Mayor Alexander informed the Council that he had met with members of the Civic Benefits Association in an effort to secure funds for an increase in pay for the city employees and the Mayor informed the Council further that the

Association had granted the city \$2,400.00 for pay increase for the employees, Ten (\$10.00) Dollars per month for salaried employees and Five (5¢) cents per hour for hourly employees.

Thereupon Councilman Estep, moved seconded by Councilman Bush that the salaried employees be granted a Ten (\$10.00) Dollar a month increase, retroactive to July 1, 1959, that the hourly employees be granted a five (5¢) cent per hour increase, retroactive to July 1, 1959. Upon a vote by council the motion carried.

Councilman Grover asked about a five dollar additional increase for the regular firemen. It was suggested that this be given to the finance committee for their consideration.

The Mayor informed the Council that the United Fuel Gas Company has a bad line on 8th Street and it would be necessary for the company to dig up the pavement and asked the Council if they thought it advisable to request the company to post bond to cover the excavation of the said street.

Thereupon Councilman Dunlap moved, seconded by Councilman Estep, that the United Fuel Gas Company be required to post bond for excavation of 8th Street. Motion carried.

There being no further business, a motion to recess the meeting until August 26th by Councilman Dunlap, seconded by Councilman Estep carried.

W. W. Albrecht
Mayor

John J. Quinn
City Recorder

August 26, 1959

The City Council met in a receded session Wednesday, August 26, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall Estep, H. M. Gandee, B. E. Gewin, and F. E. Grover members of Council.

Mayor Alexander called the meeting to order.

The Recorder presented a letter to council from the State Tax Commissioner, approving and recommending "In View of increased receipts City must not permit total expenditures and obligations to exceed total receipts", the Levy Estimate as submitted and the Recorder then presented the Levy Order forms, thereupon Councilman Dunlap, moved, seconded by Councilman Gewin, the Levy Order be approved as follows: Motion carried.

State of West Virginia,
County of Kanawha & Putnam

Municipality of Nitro, To-wit:

At a Recessed session of the council of the Municipality of Nitro, West Virginia, held in the council chamber thereof on Wednesday, the 26th day of August, 1959 Present W. W. Alexander, Mayor, Recording Officer Grade Lewis and M. L. Bush, Grenfall L. Estep, F. E. Grover, Howard M. Gandee, Dr. J. L. Dunlap, Jr. B. E. Gewin, 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 will be \$25,301.00, according to the estimate made and entered of record on the 12th day of August, 1959, 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 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 & on-half cents (9.5¢) on Class No. I property

Nineteen cents (19¢) on Class No. II property, and,

Thirty Eight cents (38¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

Class	Assessed Valuation	Total Rate of Levy	Taxes Levied (Whole Dollars)
Number I			
Personal Property	\$ 203,720.00	9.5¢	\$ 194.00
Public Utility Property	613.900.00	9.5¢	583.00
Total Class No. I	817,620.00		777.00
Number II			
Real Estate	3,865,130.00	19¢	7,344.00
Number IV			
Real Estate	1,828,400.00	38¢	6,947.00
Personal Property	1,361,020.00	38¢	5,172.00
Public Utility Property	1,331,900.00	38¢	5,061.00
Total Class No. IV	4,521,320.00		17,180.00
TOTAL LEVY	9,204,070.00		25,301.00

MUNICIPAL BOND PURPOSES-INTEREST AND SINKING FUND
ORDER

BOND ISSUES 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 \$329,000.00 will be \$19,156.00 according to the estimate made and entered of record on the 12th day of August, 1959, and said estimate having been published

as required by law and no one appearing to oppose the same or take exception 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

Nine & one-quarter cents (9.25¢) on Class No. I property

Eighteen & one-half cents (18.5¢) on Class No. II property, and

Thirty-Seven cents (37¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

Class	Assessed Valuation	Total Rate of Levy	Taxes Levied (Whole Dollars)
Number I.			
Personal Property	193,220.00	9.25¢	179.00
Public Utility Property	613,900.00	9.25¢	568.00
Total Class No. I	807,120.00		747.00
Number II			
Real Estate	2,578,430.00	18.5¢	4,770.00
Number IV			
Real Estate	1,267,200.00	37¢	4,689.00
Personal Property	1,099,070.00	37¢	4,067.00
Public Utility Property	1,319,600.00	37¢	4,883.00
Total Class No. IV	3,685,870.00		13,639.00
TOTAL LEVY	7,071,420.00		19,156.00

Mayor Alexander informed the Council that he and a group of residents had been working on the matter of Kanawha County School Board's recent ruling of not allowing the children in the Putnam Area of the City to continue to attend the Nitro Schools, that he and the committee had held several meetings, that they had met with the members of Kanawha and Putnam County Boards of

Education and that the only concrete solution to this problem would be moving the county line to include all of the Nitro residential city limits in Kanawha County. The Mayor then asked for the Council's support of the action of the committee.

Thereupon Councilman Gewin moved that the City Council go on record endorsing resolution of the committee and stand behind the committee in their efforts to change that portion of Putnam County lying within the city limits of Nitro, from 27th Street, North, and east of the New York Central Railroad, the same being the entire residential area, located presently in the City of Nitro, Putnam County, West Virginia. Councilman Dunlap seconded the motion and upon a vote being taken, the motion carried.

The Mayor and council discussed the recent order of Putnam County Health Officer, requesting the city to cease using the dump on Poca River. The Mayor informed the council that the said dump site had been approved by the State Health Department and would be necessary for the Putnam County authorities to carry their case to court.

There being no further business to come before the Council at this time a motion for adjournment by Councilman Estep seconded by Councilman Dunlap carried.

Mayor

Recorder

September 1, 1959

The City Council met in a special session, Tuesday, September 1, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall Estep, H. M. Gandee, Be E. Gewin and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Bush reported that he made a study of the traffic situation at Holman Motor Sales and Childer's Chevrolet and had found that this situation seemed to be in good shape.

The Council discussed the complaint of traffic going across Wilson Street and cutting in ahead of traffic on Route 25 and also traffic violations of making U-turns. The police are to check these situations.

Mr. Stewart of the Stewart Equipment Company informed the Council that he had found it impossible to duplicate a new garbage truck for the city on a lease rental agreement as per the Council's request, that the Chevrolet companies could not deliver a chassis for at least thirty days and possibly sixty and that he could not give any assurance of the price of chevrolet upon such delivery. He further informed the council that he could secure a Ford chassis and that the garbage truck complete would amount to \$7,158.00, however, this price did not include 900-20 tires.

The Mayor and Council entered into a discussion with Mr. Stewart with regard to the cost of 900-20 tires, mud grip tires and delivery date.

Councilman Dunlap moved, seconded by Councilman Gewin, the City enter into a lease rental agreement with Stewart Equipment Company for a Hyrdo-EZ-Pack, purchase price of \$7,158.00, plus 900-20 tires if available or mud grip tires. Motion carried.

Property owners, with property abutting Ivy Street, presented a petition to the Mayor and Council, requesting that any plans for paving Ivy

Street either present or future, be terminated. The property owners were informed that Ivy Street had been opened for safety reasons and that council did not have plans for paving the street this year.

Mr. Null, property owner on 31st Street Road, asked the Mayor and Council's opinion of paving 31st Street Road. The Mayor informed Mr. Null that this road had been included in a paving program several years ago and that the bonding company had turned down certificates on said road and that the only means of paving 31st Street Road would be for the property owners to place the cost of paving in escrow.

There being no further business fo come before the council a motion for adjournment by Councilman Bush carried.

WW Alper
Mayor

James J. J. J.
Recorder

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO:

W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER, M. L. BUSH,
DR. J. L. DUNLAP, JR., H. M. GANDEE, B. E. GEWIN, F. E.
GROVER, DR. GEORGE W. HOGSHEAD M. D. AND G. L. ESTEP,
members thereof.

You, and each of you will please take notice that a Special meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on the 30th day of September, 1959, at 8:00 P. M. for the purposes following.

1. To consider and act upon the Report of the Engineer in regard to the paving of streets and sidewalks in the city of Nitro.
2. To consider the appointment of a member to the Sanitary Board of the City of Nitro.
3. To consider any and all other matters that may properly come before the Council.

Respectfully yours

W. W. Alexander
W. W. Alexander, Mayor

B. E. Gevin

Gregory L. City

Dr. J. L. Dunlap, Jr.

M. L. Bush

Howard W. Grover

George W. Hogshead, M.D.

Meeting of September 30, 1959.

At a special meeting of the Council of the City of Nitro, regularly and duly called, on the 30th day of September, 1959, There were present: W. W.

Alexander, Mayor, Grace Lewis Recorder, and

M. L. Bush

Dr. J. L. Dunlap, Jr.

Grenfall Estep

H. M. Gandee

B. E. Gewin

George W. Hogshead, M.D,

members of the Council.

Mayor Alexander called the meeting to order and announced that the meeting was now open for business.

Thereupon J. A. Spence, City Engineer, presented to Council his reports that the improvements authorized by Ordinances of Council adopted on the 20th day of May, 1959, and as hereinafter set out in full, had been completed in accordance with the plans, specifications, paving Ordinances and Contracts with T. R. Pauley and D. C. Pauley, dba, Charleston Concrete Floor Company and Anderson's Inc., which said reports are in form and figures as follows, to-wit:

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11th AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11th AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34th STREET, FROM ITS INTERSECTION WITH 1st AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; GRAVELY COURT, FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK; ALL IN THE CITY OF NITRO KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

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

I hereby certify that the cost of the permanent improvement of Walker Street, from its intersection with Main Avenue (Old West Virginia Route No. 25),

to its intersection with Lee Avenue; Lee Avenue, from its intersection with Walker Street, South to the West Sattes School; Reeves Drive (Formerly Reeves Court), from its intersection with Lee Avenue to dead end near the Kanawha River Bank; Kapoc Street (Formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25), to dead end near Kanawha Avenue; Lee Avenue, from its intersection with Walker Street, North to end of Lee Avenue; Benamati Avenue, (Formerly Benamati Street), from its intersection with Kapoc Street (Formerly 11th Avenue), South to its intersection with Walker Street; 34th Street, from its intersection with 1st Avenue to its intersection with Second Avenue; Gravelly Court, from its intersection with Lee Avenue to dead end near Kanawha River Bank; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$113,366.60, and that said work was made and completed in accordance with the specifications and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 20th day of May, 1959, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

KAPOC STREET
(From its intersection with Walker Street)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other description</u>	<u>frontage</u>	<u>rate</u>	<u>total Assessment</u>
Okey McDonald and Meda L. McDonald	Lot 11 C, Resubdivi- sion of Lot 11, Block B, North St. Albans	72.45	12.216	885.05
Dennis Lee Blake and Mary Frances Blake	Lot 11 B, Resubdivi- sion of Lot 11, Block B, North St. Albans	47.55	12.216	580.87
Garrett C. Blake	Lot No. 25, Block A, of North St. Albans	91.20	12.216	1,114.10
Daniel D. Snyder and Doris Snyder	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.77
Homer L. Janey and Opal O. Janey	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.77
Howard E. Martin and Shirley M. Martin	Lot near Village of Sattes	50.00	12.216	610.80
Harry D. Barrickman and Blanche E. Barrickman	Lot A of C.M. Cobbs and Minnie Cobbs Subdivision	55.00	12.216	671.88
Gene L. Loring and Marjorie B. Loring	Lot B of C.M. Cobbs and Minnie Cobbs Subdivision	55.00	12.216	671.88
Chris E. Elkins and Macel Elkins	Lot C of C.M. Cobbs and Minnie Cobbs Subdivision	65.00	12.216	794.04
C. M. Cobbs and Minnie Cobbs	Lot D of Cobbs Sub- division	39.60	12.216	483.75

SOUTH SIDE

Porter R. McQuain and Wilma Jean McQuain	Lot 12, Block D, Central City	100.05	12.216	1,122.21
Kenneth J. King and Ruby J. King	Lot 13, Block D, Central City	100.05	12.216	1,222.21
L. C. Mace and R. J. Mace	Lot 38, Block F, Central City	100.05	12.216	1,222.21
Jack Wilson and Paggy Wilson	Lot 39, Block F, Central City	100.05	12.216	1,222.21

Bobby E. Adkins and Lorna J. Adkins	Lot 64, Block H, Central City	100.05	12.216	1,222.21
J. W. Byrd and Sylvia Byrd	Lot Central City	<u>19.00</u>	12.216	<u>232.10</u>
Total-----		1,104.05		13,487.06

LEE AVENUE

(From its intersection with Walker Street,
North to end of Lee Avenue)

EAST SIDE

<u>Name of Owner</u>	<u>Lot number of other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
S.A. and Leona O' Neill	Lot 3, Rhodes Addition to North St. Albans	120.00	11.986	1,438.32
Samuel DeWees and Rosa DeWees	Lot 4, Rhodes Addi- tion to North St. Albans	48.00	11.986	575.33
A. D. Gravely and Virginia R. Gravely	Lots 5 & 6, Rhodes Addition to North St. Albans	80.00	11.986	958.88
Daniel E. Walker	Lot 7, Rhodes Addi- tion to North St. Albans	40.00	11.986	479.44
George O. Douglas	Lot 8, Rhodes Addi- tion to North St. Albans	40.00	11.986	479.44
Norma N. Jeffers and Robert Jeffers	Lot 9, Rhodes Addi- tion to North St. Albans	40.00	11.986	479.44
Kenneth C. Crago and Mary Crago	Lots 10 & 11, Rhodes Addition to North St. Albans	80.00	11.986	958.88
Kenneth C. Crago and Mary Crago	Lot 12, Rhodes Addi- tion to North St. Albans	40.00	11.986	479.44
A. D. Gravely and Virginia R. Gravely	Lots 13 & 14, Rhodes Addition to North St. Albans	75.00	11.986	898.95
Alice M. Moors	Lot 5, Gravely Sub- division	121.50	11.986	1,456.30

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Elizabeth S. Gravely	Lot 6, Gravely Sub- division	100.00	11.986	1,198.60
Verner B. Combs and Elizabeth L. Combs	Lot 7, Gravely Sub- division	100.00	11.986	1,198.60
G. W. Reeves	Lot 10, Reeves Addi- tion to East Nitro, Union District	92.00	11.986	1,102.71
G. W. Reeves	Lot 9, Reeves Addi- tion to East Nitro	87.00	11.986	1,042.78
Total-----		1,063.50		\$ 12,747.11

34TH STREET
(From its intersection with 1st Avenue
to its intersection with Second Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibson	Lot No. 3401	50.83	3.598	\$ 182.87
Clarence Hedrick and Maycel Hedrick	Lot No. 3403	50.00	3.598	179.90
C. A. Leadmon	Lot No. 3405	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3407	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3409	50.00	3.598	179.90
C.M. Trevillian and Ruby Trevillian	Lot No. 3411	50.00	3.598	179.90
Ruth Wolford	Lot No. 3413	50.00	3.598	179.90
Roy Scott and Mary A. Scott	Lot No. 3415	68.00	3.598	244.66

SOUTH SIDE

Carroll Lytton	Lot No. 3402	50.83	3.598	182.87
Edwin L Pennybacker and Berry Pennybacker	Lot No. 3404	50.00	3.598	179.90

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ralph Harrison Lucas and Wilma M. Lucas	Lot No. 3406	50.00	3.598	\$ 179.90
Ira W. Miller	Lot No. 3408	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3410	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3412	50.00	3.598	179.90
Cline W. Grant	Lot No. 3414	50.00	3.598	179.90
D. W. Grant and Sally A. Grant	Lot No. 3416	50.00	3.598	179.90
Totals-----		819.66		\$ 2,949.10

BENAMATI AVENUE
(From its intersection with Kapoc Street,
South to its intersection with Walker Street)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Garrett C. Blake	Lot 25, Block A, North St. Albans	72.50	13.969	\$ 1,012.75
Victoria Benamati	Lot 24, Block A, North St. Albans	40.00	13.969	558.76
Alfred L. Wallace and Iva V. Wallace	Lot 23, Block A, North St. Albans	40.00	13.969	558.76
D. R. Osborne and Bessie Osborne	Lot 22, Block A, North St. Albans	40.00	13.969	558.76
John A. Whitt and Esta Witt	Lot 21, Block A, North St. Albans	40.00	13.969	558.76
Audree Erwin	Lot 20, Block A, and Northerly $\frac{1}{2}$ of Lot 19 Block A, North St. Alb.	60.00	13.969	838.14
Raymond L. Chapman	Lots 16, 17, 18, and part of Lots 15 and 19, Block A, North St. Albans	158.00	13.969	2,207.10
Forest R. Martin and Goldie S. Martin	Part of Lot 15, Block A, North St. Albans	12.00	13.969	167.63

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Sidney W. Hesson and Bessie Hesson	Lot 14 & part of Lot 15, Block A, North St. Albans	50.00	13.969	698.45
Sidney W. Hesson and Bessie Hesson	Lot 13, Block A, North St. Albans	40.00	13.969	558.76
Alexander D. Gravely	Lots 11 & 12, Block A, North St. Albans	40.00	13.969	558.76
Joseph N. Gilpin and Virginia R. Gilpin, Garland E. Stevens and Mary Lou Stevens	Lot 11, Block A, North St. Albans	40.00	13.969	558.76
Joe Holstein and Mary Etta Holstein	Lot 10, Block A, North St. Albans	40.00	13.969	558.76
West Virginia Home Mission, Inc. a cor- poration	Lot 8 & 9, Block A, North St. Albans	80.00	13.969	1,117.52
West Virginia Home Mission, Inc., a cor- poration	Lot 6 & 7, Block A, North St. Albans	80.00	13.969	1,117.52
Edward J. Sproat and Evelyn Sproat	Lot 5, Block A, North St. Albans	40.00	13.969	558.76
F. J. Ball and Hattie M. Ball	Lot 4, Block A, North St. Albans	40.00	13.969	558.76
Hubert Fred Facemyre and Deloris K. Facemyre	Lot 3, Block A, North St. Albans	120.00	13.969	1,676.28
EAST SIDE				
Dennis Lee Blake and Mary Frances Blake	Lot 11-B, North St. Albans	73.00	13.969	1,019.74
Verlin W. Harbert and Anna Lea Harbert	Lot 10-B, North St. Albans	40.00	13.969	558.76
Carrie Barker	Lot 9-B, North St. Albans	40.00	13.969	558.76
Emory C. Burgess and Anna Alma Burgess	Lot 7 & 8-B, North St. Albans	80.00	13.969	1,117.52
Ira L. Clendening and Rheda Clendening	Lot 5 & 6-B, North St. Albans	80.00	13.969	1,117.52

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ira M. Criner and Ruby M. Criner	Lot 4 & northerly 10 feet of Lot 3, Block B, North St. Albans	50.00	13.969	698.45
W. B. Sigmon	Part of Lots 2 & 3, Block B, North St. Alb.	50.00	13.969	698.45
Ira G. Stone and Viola Mae Stone	Part of Lots 1 & 2, Block B, North St. Albans	60.00	13.969	838.14
Hansford Bailey	Lots 15 and 16, Block C, North St. Albans	80.00	13.969	1,117.52
Thomas Browning and Margaret Browning	Lots 13 & 14, Block C, North St. Albans	80.00	13.969	1,117.52
Sherman C. Gibbs and Eutha E. Gibbs	Lot 12, Block C, North St. Albans	40.00	13.969	558.76
Mildred Hill	Lots 10 & 11, Block C North St. Albans	80.00	13.969	1,117.52
Leroy Beach and Demmy Ann Beach	Lot 9, Block C, North St. Albans	40.00	13.969	558.76
T. C. Stanley and Luie Stanley	Lot 8, Block C, North St. Albans	40.00	13.969	558.76
Howard Lanham and Kathryn Lanham	Lot 7, Block C, North St. Albans	40.00	13.969	558.76
Esther Mize	Lot 1, Block C, North St. Albans	120.00	13.969	1,676.28
Totals-----		2,025.50	\$	28,294.21

GRAVELY DRIVE
(From its intersection with Lee Avenue to
dead end near Kanawha River Bank)

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total A Assessment</u>
Elizabeth S. Gravely	Lot No. 6, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 8, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 10, Gravely Subdivision	50.00	12.085	604.25

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Elizabeth S. Gravely	Lot No. 12, Gravely Subdivision	50.00	12.085	\$ 604.25
Elizabeth S. Gravely	Lot No. 14, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 16, Gravely Subdivision	46.10	12.085	557.12
Elizabeth S. Gravely	Lot No. 17, Gravely Subdivision	32.05	12.085	387.32

NORTH SIDE

Verner B. Combs and Elizabeth L. Combs	Lot No. 7, Gravely Subdivision	50.00	12.085	604.25
G. W. Reeves	Lot No. 9, Gravely Subdivision	50.00	12.085	604.25
G. W. Reeves	Lot No. 11, Gravely Subdivision	50.00	12.085	604.25
Edward J. Sproat	Lot No. 13, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 15, Gravely Subdivision	50.00	12.085	604.25
Robert Brabbin and Virginia Brabbin	Lot No. 19, Gravely Subdivision	46.10	12.085	557.12
Robert Brabbin and Virginia Brabbin	Lot No. 18, Gravely Subdivision	32.05	12.085	387.32
Totals -----		656.30		\$ 7,931.38

REEVES DRIVE

(From its intersection with Lee Avenue
to dead end near the Kanawha River Bank)

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number of other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Reeves	Lot No. 10, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 8, Reeves Subdivision	62.60	12.924	807.75

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Reeves	Lot No. 6. Reeves Subdivision	60.00	12.924	775.44
G. W. Reeves	Lot No. 4, Reeves Subdivision	65.00	12.924	840.06
NORTH SIDE				
G. W. Reeves	Lot No. 9, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 7, Reeves Subdivision	60.00	12.924	775.44
E. C. Krise and Nellie Lee Krise	Lot No. 5, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 3, Reeves Subdivision	60.00	12.924	775.44
G. W. Reeves	Lot No. 2, Reeves Subdivision	83.00	12.924	1,072.69
Thomas C. Reeves	Lot No. 1, Reeves Subdivision	88.00	12.924	1,137.31
Totals-----		666.00		8,607.38

LEE AVENUE

(From its intersection with Walker Street,
South to West Sattes School)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
S. A. O'Neill and Leona O'Neill	Lot 12, Lee's Ferry Acres	368.85	12.937	\$ 4,771.82
R. L. Critchfield and Charlotte Critchfield	Lot 13, Lee's Ferry Acres	235.90	12.937	3,051.84
S. F. Lee	Part of Lot 14, Lee's Ferry Acres	100.00	12.937	1,293.70
George A. Lee and Lillie F. Lee	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Lottie M. Hoover	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Phill D. Hill and Eva Hill	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Board of Education of Kanawha County	Lots 15 & 16, Lee's Ferry Acres	100.00	12.937	\$ 1,293.70
John R. Planck and Hazel E. Planck	Part of Lot 16, Lee's Ferry Acres	24.00	12.937	310.49

EAST SIDE-STREET IMPROVEMENT

<u>Name of Owner</u>	<u>Lot Number of other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres	104.75	12.937	\$ 1,355.15
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres	50.00	12.937	646.85
Della Absten	Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
O'Dell Frazier and E. Frazier	Part of Lot No. 8 Lee's Ferry Acres	50.00	12.937	646.85
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Carl L. Nelson and Brucie Nelson	Part of Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Charles T. Smith and Wanda F. Smith	Part of Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres	100.00	12.937	1,293.70
Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres	50.00	12.937	646.85
Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres	50.00	12.937	646.85

<u>Name of Owner</u>	<u>Lot Number or Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres	50.40	12.937	\$ 652.02
Arnold Markham and Gladys Markham	Lot No. 2-B, Lee's Ferry Acres	50.33	12.937	651.12
Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres	50.33	12.937	651.12
Totals-----				1,934.56
				\$25,027.41

EAST SIDE-WALK IMPROVEMENT

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres	104.75	3.699	387.47
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres	50.00	3.699	184.95
Della Absten	Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
O'Dell Frazier and E. Frazier	Part of Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Carl L. Nelson and Brucie Nelson	Part of Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Charles T. Smith and Wanda F. Smith	Part of Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres	100.00	3.699	369.90

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres	50.00	3.699	184.95
Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres	50.00	3.699	184.95
R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres	50.40	3.699	186.43
Arnold Markham and Gladys Markham	Lot No. 2-B, Lee's Ferry Acres	50.33	3.699	186.17
Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres	50.33	3.699	186.17
Totals-----		1,934.56		\$ 3,535.54

WALKER STREET
(From its intersection with Main Avenue, to its
intersection with Lee Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
H. F. Facemyre and Deloris Facemyre	Lot No. 2	40.00	12.002	\$ 480.08
H. F. Facemyre and Deloris Facemyre	Lot No. 3	40.00	12.002	480.08
Charles T. Smith and Wanda Smith	Lot No. 1 & 2	87.50	12.002	1,050.18
S. A. O'Neill and Leona O'Neill	Lot No. 3	40.00	12.002	480.08
W. F. Walker	Lot No. 3	40.00	12.002	480.08
Ester Mize	Lot 1 & $\frac{1}{2}$ of 2	60.00	12.002	720.12
G. N. Conway	Lot 3 & $\frac{1}{2}$ of 2	60.00	12.002	720.12

SOUTH SIDE-STREET IMPROVEMENT

Gravelly Kanawha, Ind.	Part of Lot 11, Lee's Ferry Acres	125.00	12.002	1,500.25
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	126.00	12.002	1,512.25

<u>Name of Owner</u>	<u>Lot No. or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres	37.50	12.002	450.08
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres	37.50	12.002	450.08
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	80.00	12.002	960.16

SOUTH SIDE*-SIDEWALK IMPROVEMENT

<u>Name of Owner</u>	<u>Lot No. or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gravelly Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres	125.00	3.704	463.00
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	126.00	3.704	466.70
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres	37.50	3.704	138.90
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres	37.50	3.704	138.90
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	80.00	3.704	296.32
Totals -----		773.50		\$ 10,787.38

And said Council having inspected said reports, upon motion of Councilman Bush, seconded by Councilman Estep, and adopted unanimously said reports are accepted and ordered to be made a part of the minutes of Council, and the City Recorder is authorized and directed to publish notice that at a meeting to be held on the 27th day of October, 1959, at 8:00 O'clock, P.M. in the City Building, all owners of abutting property and other interested parties might appear and move the revision or correction of said reports, and that on or after said date an assessment for the cost of same would be laid on said property and the owners thereof for the cost of same, which said notice is to be filed with the minutes and made a part hereof.

Upon motion of Councilman Bush, seconded by Councilman Estep, and unanimously adopted, it is ordered that the Council meet in Special Session at the City Building on the 27th day of October, 1959, at 8:00 P.M. for the purposes above set out.

Mayor Alexander informed Council that Rev. William H. Heater was moving from Nitro and therefore was resigning as member of the Nitro Sanitary Board effective September 30, 1959, and further informed Council that the Sanitary Board members recommended Rev. Arnold L. Belcher as replacement for Mr. Heater, and thereupon presented the name of Arnold L. Belcher for consideration as member of the Nitro Sanitary Board.

Councilman Dunlap presented the name of George F. Hayes, Sr. for membership on the Sanitary Board. Councilman Gewin moved seconded by Councilman Bush that Arnold L. Belcher be appointed to serve as member of the Sanitary Board. Upon motion those voting in favor were Councilmen Bush, Estep, Gewin, Hogshead, Grace Lewis, Recorder and Mayor Alexander. The Mayor declared the motion carried.

Thereupon Councilman Gandee stated he wished to go on record as seconding Councilman Dunlap's motion presenting the name of George F. Hayes, Sr.

Councilman Dunlap moved, seconded by Councilman Hogshead that settlement be made with Roane Construction Company, withholding \$500.00 of the amount due Roane Construction Company until necessary alterations had been completed on the sidewalk project. Upon vote, motion carried.

The Mayor informed Council that in meeting of the Finance Committee in August the members felt that a minimum of \$1.25 should be used for all employees, but that when giving the increase the Policewomen were overlooked by the Council, thereupon recommended that \$1.25 be set as base pay. Councilman Hogshead seconded by Councilman Dunlap moved that Policewomen be granted .25¢ hourly increase retroactive to present school term. Upon a vote motion carried.

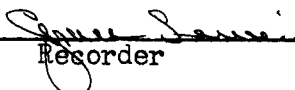
Councilman Gandee informed Council that he had received a number of complaints regarding merchandise displayed on First Avenue between 6th and 7th Streets. The Council discussed this matter, pointing out that this is privately owned property and that the only possible means of stopping this situation would be to declare it a public nuisance.

It was reported that several residents near the old gas plant property on Broadway Avenue were complaining about the weeds growing on said property. The Mayor informed Council that he had talked with a School Board Supervisor who informed him that an option was being held on this property and that they would eliminate this situation.

Upon motion of Councilman Gewin, seconded by Councilman Bush, and unanimously adopted, it is ordered that Council stand adjourned until said above date.



Mayor



Recorder

October 20, 1959

The City Council met in regular session Tuesday, October 20, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder. Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gandee moved, seconded by Councilman Dunlap the minutes for meetings held August 18th, August 26th, September 1st and September 30th be approved as read. Motion carried.

Councilman Estep moved, seconded by Councilman Dunlap the financial statements for the months of August and September be accepted. Motion carried.

The following recommendation of the City Planning Commission was presented to Council as follows:

THE FOLLOWING RECOMMENDATIONS OF THE NITRO CITY PLANNING COMMISSION WAS PRESENTED TO COUNCIL:

the Council designates the property located in Valentine Circle, Sattes Circle, Fenton Circle, both sides of Main Avenue from Valentine Circle Subdivision line to Blackwood Lane, both sides of Center Street from bridge to railroad, and both sides of Holley Street, all in the City of Nitro, Nitro, West Virginia, be restricted as follows:

(1) Only one single family residence along with garage shall be constructed on each lot fronting on the above mentioned streets.

The fronting of said building shall be set back at least 25 feet from property lines, and shall cost not less than \$10,000.00 based upon the index of the Code of 1959.

(2) No buildings shall hereinafter be erected, except for restriction purposes as set forth in paragraph 1.

(3) No business now existing within the above defined areas shall be expanded or added to by construction within the said boundaries and locations.

(4) This ordinance shall take effect from the date of passage by the City Council of the City of Nitro, Nitro, West Virginia.

The Mayor and Council discussed the foregoing amendment and thereupon Councilman Dunlap moved, seconded by Councilman Hogshead that the foregoing be accepted and put in force. Motion carried.

The Mayor and Council entered into a discussion regarding the numbering of the first block of Main Avenue, formerly Payne Avenue, and thereupon Councilman Dunlap moved, seconded by Councilman Estep that first block of Main Avenue be renumbered starting with #1 to 22 inclusive. Motion carried.

Mayor informed Council that the Women's Club had requested permission to install sidewalk on 23rd. Street abutting the curb along 23rd. Street leaving the six foot of street right of way abutting the Women's Club property for purposes of terracing. The Mayor and Council discussed the matter to some length and thereupon the Mayor tabled the matter until next meeting in order that each member might further study this problem.

Councilman Dunlap informed Mayor and Council that it was his opinion that there were not enough "No backing across 1st Avenue" signs in the 23rd. Street area. Mayor informed Council that these signs would be ordered as soon as funds were available.

Councilman Dunlap informed Council that West 11th Street paving "was going to pot" and the Mayor informed Council that the United Fuel Gas Company officials had made the statement that they would dig the street up and replace it, but only one time, and that they were having trouble with the line and did not know what was causing it, but that any time the City

requested it they would replace the concrete street over the line.

Councilman Dunlap suggested to the Council that it might be wise for the City to reserve more property for further recreation needs and it might be feasible to look for acreage in other areas of town. The Mayor and Council discussed this matter to some extent and all agreed that acreage was needed, and would be needed for further recreation.

The Council all agreed that Halloween trick or treat be celebrated on Saturday the 31st of October.

There being no further business to come before Council motion by Councilman Gewin, seconded by Councilman Estep carried.

Meeting adjourned.



Mayor



Recorder

October 27, 1959

At an adjourned session of the Council of the City of Nitro, regularly and duly called on the 27th day of October 1959, there were present W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, H. M. Gandee, F. E. Grover and George W. Hogshead, M.D. members of the City Council. Dr. J. L. Dunlap, Jr, Grenfall Estep and B. E. Gewin being absent.

The meeting was called to order by Mayor Alexander who announced that this was a meeting called for the levying of assessments for paving as set out in the notice to property owners as published in the Kanawha Valley Leader under dates of October 9th and October 16th, 1959. He further announced that the meeting was open for any revision or correction of the report of the Engineer as set out in said notice.

Thereupon the recorder informed Council that the Engineer had heretofore filed his report and that pursuant to its direction she had given notice as required by law to the owners of the property abutting upon the streets and portions thereof pursuant to the paving ordinance adopted by Council on May 20th, 1959 by publication in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, and tendered to Council the publishers affidavit and certificate of publication of said notice.

Thereupon, upon motion of Councilman Gandee, seconded by Councilman Grover, it is ordered that the publishers affidavit and certificate of publication as above mentioned be received and made a part of the minutes of this meeting by actual inclusion therein. Upon a vote being taken of members of Council present and the Mayor and Recorder all voted in the affirmative. The Mayor declared the motion carried.

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of
 Kanawha Valley Leader, a Weekly Newspaper of general circu-
 lation, published in the City of Nitro, Kanawha County, West Vir-
 ginia, do solemnly swear that the annexed

Levy of Assessments

was duly published in said paper once a week for 2
 successive weeks, commencing with the issue of the 9th
 day of October, 1959 and ending with the
 issue of the 16th day of October, 1959
 and was posted at the Court House of Kanawha County on
19

C. R. Walker
 Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 19th day of
October, 1959

Zedek R. Yates
 Notary Public for Kanawha County, West Virginia.

(My commission expires 1-21-65).

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAIN-
 ING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTER-
 ING ASSESSMENTS AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF
 THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA,
 AGAINST PROPERTY ABUTTING ON WALKER STREET, FROM ITS INTERSECTION
 WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSEC-
 TION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER
 STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY
 REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END
 NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE),
 FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA
 ROUTE NO. 25), TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM
 ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE;
 BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSEC-
 TION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTER-
 SECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION
 WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; GRAVELY
 COURT, FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KA-
 NAWHA RIVER BANK; IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUN-
 TIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West
 Virginia, on the 20th day of May, 1959, providing for the permanent improvement
 of the above named streets and portions thereof, by paving and otherwise per-
 manently improving, and by construction of sidewalks thereon, and further pro-
 viding for the assessments of the cost thereof against property abutting thereon as
 provided by Chapter 8, Article 8 of the Code as amended, the said improvements on
 the above named streets, or portions thereof, have been completed and the City En-
 gineer has completed and filed his report showing the owners of the lots or parcels
 of land abutting on said streets so improved; the frontage of each of said lots or
 parcels of land; the proper amount to be assessed against the respective abutting
 lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro
 and in deeds for said lots of record in the Office of the Clerk of the County Court
 of Kanawha County, West Virginia, and in the Office of the Clerk of the County
 Court of Putnam County, West Virginia, and reference is here made to said maps and
 deeds for more complete descriptions.)

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF WALKER STREET, FROM ITS INTERSECTION
 WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSEC-
 TION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER
 STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY
 REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END
 NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE),
 FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE
 NO. 25), TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTER-
 SECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI
 AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH
 KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH
 WALKER STREET; 34TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO
 ITS INTERSECTION WITH SECOND AVENUE; GRAVELY COURT, FROM ITS INTER-
 SECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK;
 ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIR-
 GINIA.

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

I hereby certify that the cost of the permanent improvement of Walker Street,
 from its intersection with Main Avenue (Old West Virginia Route No. 25), to its inter-
 section with Lee Avenue; Lee Avenue, from its intersection with Walker Street, South
 to the West Sattes School; Reeves Drive (Formerly Reeves Court), from its intersection
 with Lee Avenue to dead end near the Kanawha River Bank; Kapoc Street (Formerly
 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25),
 to dead end near Kanawha Avenue; Lee Avenue, from its intersection with Walker
 Street, North to end of Lee Avenue; Benamati Avenue, (Formerly Benamati Street),
 from its intersection with Kapoc Street (Formerly 11th Avenue), South to its inter-
 section with Walker Street; 34th Street, from its intersection with 1st Avenue to its
 intersection with Second Avenue; Gravelly Court, from its intersection with Lee Ave-
 nue to dead end near Kanawha River Bank; all in the City of Nitro, Kanawha
 and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewer-
 ing, guttering, constructing sidewalks and otherwise improving the same, was \$112,
 366.60, and that said work was made and completed in accordance with the specifica-
 tions and plans, filed with and approved by the City Council and supervision of the
 City Engineer, and in accordance with the contract made by the City with the lowest
 bidder; that the description of the lots, and numbers thereof, the names of the
 owners of the lots, and lands and the amount assessed against each of the said
 owners and the property abutting, bounding and fronting upon the said streets, are
 hereinafter correctly shown; that the amounts have been charged, calculated and
 apportioned for each particular lot abutting, bounding and fronting on said streets
 that said streets were permanently improved in accordance with the provisions of
 the Resolution relative thereto adopted by the Common Council of the City of Nitro
 on the 20th day of May, 1959, and in accordance with the specifications, plans, bid-
 and contract therefor; and that said improvement has been completed and is ready
 for acceptance by the Common Council and is properly assessable according to law
 and the lands and lots abutting, fronting and bounding thereon are properly assess-
 able according to law as follows:

KAPOC STREET
 (From its intersection with Walker Street)
 NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Okey McDonald and Meda L. McDonald	Lot 11 C. Resubdivision of Lot 11, Block B, North St. Albans	72.45	12.216	\$ 885.05
Dennis Lee Blake and Mary Frances Blake	Lot 11 B. Resubdivision of Lot 11, Block B, North St. Albans	47.55	12.216	580.87
Garrett C. Blake	Lot No. 25, Block A of North St. Albans	91.20	12.216	1,114.10
Daniel D. Snyder and Doris Snyder	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.75
Homer L. Janey	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.75
Howard E. Martin and Shirley M. Martin	Lot near Village of Sattes	50.00	12.216	610.80
Harry D. Barrickman and Blanche E. Barrickman	Lot A of C. M. Cobbs and Minnie Cobbs Sub-division	55.00	12.216	671.88
Gene L. Loring and Marjorie B. Loring	Lot R of C. M. Cobbs and Minnie Cobbs Sub-division	55.00	12.216	671.88

GRAVELLY DRIVE
(From its intersection with Lee Avenue to
dead end near Kanawha River Bank)

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Elizabeth S. Gravely	Lot No. 8. Gravely Subdivision.	50.00	12.085	\$ 604.25
Elizabeth S. Gravely	Lot No. 8. Gravely Subdivision.	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 10. Gravely Subdivision.	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 12. Gravely Subdivision.	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 14. Gravely Subdivision.	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 16. Gravely Subdivision.	46.10	12.085	557.12
Elizabeth S. Gravely	Lot No. 17. Gravely Subdivision.	32.05	12.085	387.32

NORTH SIDE

Verner B. Combs and Elizabeth L. Combs	Lot No. 7. Gravely Subdivision.	50.00	12.085	604.25
G. W. Reeves	Lot No. 9. Gravely Subdivision.	50.00	12.085	604.25
G. W. Reeves	Lot No. 11. Gravely Subdivision.	50.00	12.085	604.25
Edward J. Sproat	Lot No. 13. Gravely Subdivision.	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 15. Gravely Subdivision.	50.00	12.085	604.25
Robert Brabbin and Virginia Brabbin	Lot No. 19. Gravely Subdivision.	46.10	12.085	557.12
Robert Brabbin and Virginia Brabbin	Lot No. 18. Gravely Subdivision.	32.05	12.085	387.32
Totals		656.30		\$7,931.38

REEVES DRIVE
(From its intersection with Lee Avenue
to dead end near the Kanawha River Bank)

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
G. W. Reeves	Lot No. 10. Reeves Subdivision.	62.50	12.924	\$ 807.75
G. W. Reeves	Lot No. 8. Reeves Subdivision.	62.50	12.924	807.75
G. W. Reeves	Lot No. 6. Reeves Subdivision.	60.00	12.924	775.44
G. W. Reeves	Lot No. 4. Reeves Subdivision.	65.00	12.924	840.06

NORTH SIDE

G. W. Reeves	Lot No. 9. Reeves Subdivision.	62.50	12.924	807.75
G. W. Reeves	Lot No. 7. Reeves Subdivision.	60.00	12.924	775.44
W. C. Krise and Walter Lee Krise	Lot No. 5. Reeves Subdivision.	62.50	12.924	807.75
G. W. Reeves	Lot No. 3. Reeves Subdivision.	60.00	12.924	775.44
G. W. Reeves	Lot No. 2. Reeves Subdivision.	83.00	12.924	1,072.69
Thomas C. Reeves	Lot No. 1. Reeves Subdivision.	88.00	12.924	1,137.31
Totals		666.00		\$8,607.38

LEE AVENUE
(From its intersection with Walker Street,
South to West Sattles School)

WEST SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
S. A. O'Neill and Leona O'Neill	Lot 12. Lee's Ferry Acres.	368.85	12.937	\$4,771.82
R. L. Critchfield and Charlotte Critchfield	Lot 13. Lee's Ferry Acres.	235.90	12.937	3,051.84
S. F. Lee	Part of Lot 14, Lee's Ferry Acres.	100.00	12.937	1,293.70
George A. Lee and Lillie F. Lee	Part of Lot 14, Lee's Ferry Acres.	50.00	12.937	646.85
Lottie M. Hoover	Part of Lot 14, Lee's Ferry Acres.	50.00	12.937	646.85
Phill D. Hill and Eva Hill	Part of Lot 14, Lee's Ferry Acres.	50.00	12.937	646.85
Board of Education of Kanawha County	Lots 15 & 16, Lee's Ferry Acres.	100.00	12.937	1,293.70
John R. Planck and Hazel E. Planck	Part of Lot 16, Lee's Ferry Acres.	24.00	12.937	310.49

EAST SIDE—STREET IMPROVEMENT

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres.	104.75	12.937	\$1,355.15
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres.	50.00	12.937	646.85
Della Absten	Lot No. 6, Lee's Ferry Acres.	50.00	12.937	646.85
Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres.	50.00	12.937	646.85
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres.	50.00	12.937	646.85
O'Dell Frazier and E. Frazier	Part of Lot No. 8, Lee's Ferry Acres.	50.00	12.937	646.85
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres.	50.00	12.937	646.85

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Chris E. Elkins and Macel Elkins	Lot C. of C. M. Cobbs and Minnie Cobbs Sub- division.	65.00	12.216	\$ 794.04
C. M. Cobbs and Minnie Cobbs	Lot D of Cobbs Sub- division.	39.60	12.216	483.75

SOUTH SIDE

Porter R. McQuain and Wilma Jean McQuain	Lot 12. Block D, Central City.	100.05	12.216	1,222.21
Kenneth J. Kling and Ruby J. Kling	Lot 13. Block D, Central City.	100.05	12.216	1,222.21
L. C. Mace and R. J. Mace	Lot 38. Block F, Central City.	100.05	12.216	1,222.21
Jack Wilson and Percy Wilson	Lot 39. Block F, Central City.	100.05	12.216	1,222.21
Bobby E. Adkins and Lorva J. Adkins	Lot 64. Block H, Central City.	100.05	12.216	1,222.21
J. W. Byrd and Sylvia Byrd	Lot Central City.	19.00	12.216	232.10
Totals		1,104.05		\$13,487.06

LEE AVENUE

(From its intersection with Walker Street,
North to end of Lee Avenue)

EAST SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
S. A. and Leona O'Neill	Lot 3. Rhodes Addition to North St. Albans	40.00	11.986	479.44
Samuel DeWees and Rosa DeWees	Lot 4. Rhodes Addition to North St. Albans.	48.00	11.986	575.33
A. D. Gravely and Virginia P. Gravely	Lots 5 & 6. Rhodes Addi- tion to North St. Albans.	80.00	11.986	958.88
Daniel E. Walker	Lot 7. Rhodes Addition to North St. Albans.	40.00	11.986	479.44
George O. Douglas	Lot 8. Rhodes Addition to North St. Albans.	40.00	11.986	479.44
Norma N. Jeffers and Robert Jeffers	Lot 9. Rhodes Addition to North St. Albans.	40.00	11.786	479.44
Kennith C. Crago and Mary Crago	Lots 10 & 11. Rhodes Addition to North St. Albans.	80.00	11.986	958.88
Kennith C. Crago and Mary Crago	Lot 12. Rhodes Addition to North St. Albans.	40.00	11.986	479.44
A. D. Gravely and Virginia R. Gravely	Lots 13 & 14. Rhodes Addition to North St. Albans.	75.00	11.986	898.95

WEST SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Alice M. Moore	Lot 5. Gravely Sub- division.	121.50	11.986	\$1,456.30
Elizabeth S. Gravely	Lot 6. Gravely Sub- division.	100.00	11.986	1,198.60
Verner B. Combs and Elizabeth L. Combs	Lot 7. Gravely Sub- division.	100.00	11.986	1,198.60
G. W. Reeves	Lot 10. Reeves Addition to East Nitro, Union District	92.00	11.986	1,102.71
G. W. Reeves	Lot 9. Reeves Addition to East Nitro.	87.00	11.986	1,042.78
Totals		1,063.50		\$12,747.11

34TH STREET

(From its intersection with 1st Avenue
to its intersection with Second Avenue)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
G. W. Gibson	Lot No. 3401	50.83	3.598	\$ 182.87
Clarence Hedrick and Maycel Hedrick	Lot No. 3403	50.00	3.598	179.90
C. A. Leadmon	Lot No. 3405	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3407	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3409	50.00	3.598	179.90
C. M. Trevillian and Ruby Trevillian	Not No. 3411	50.00	3.598	179.90
Ruth Wolford	Lot No. 3413	50.00	3.598	179.90
Roy Scott and Mary A. Scott	Lot No. 3415	68.00	3.598	244.66

SOUTH SIDE

Carroll Lyton	Lot No. 3402	50.83	3.598	182.87
Edwin L. Pennybacker and Betty Pennybacker	Lot No. 3404	50.00	3.598	179.90
Ralph Harrison Lucas and Wilma M. Lucas	Lot No. 3406	50.00	3.598	179.90
Ira W. Miller	Lot No. 3408	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3410	50.00	3.598	179.90

Ira C. Anderson and Ira Anderson	Lot No. 3412	50.00	3.598	179.90	Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres.	50.00	12.937	646.85
Cline W. Grant	Lot No. 3414	50.00	3.598	179.90	Carl L. Nelson and Bruce Nelson	Part of Lot No. 7, Lee's Ferry Acres.	50.00	12.937	646.85
D. W. Grant and Sally A. Grant	Lot No. 3416	50.00	3.598	179.90	Charles T. Smith and Wanda F. Smith	Part of Lot No. 6, Lee's Ferry Acres.	50.00	12.937	646.85
Totals		819.66		\$2,943.10	Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres.	50.00	12.937	646.85
BENAMATI AVENUE									
(From its intersection with Kapoc Street, South to its intersection with Walker Street)									
WEST SIDE									
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment	Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Garrett C. Blake	Lot 25, Block A, North St. Albans.	72.50	13.969	\$1,012.75	Icile L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres.	104.76	3.699	\$ 387.47
Victoria Benamati	Lot 24, Block A, North St. Albans.	40.00	13.969	558.76	Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres.	50.00	3.699	184.95
Alfred L. Wallace and Iva V. Wallace	Lot 23, Block A, North St. Albans.	40.00	13.969	558.76	Della Absten	Lot No. 6, Lee's Ferry Acres.	50.00	3.699	184.95
D. R. Osborne and Bessie Osborne	Lot 22, Block A, North St. Albans.	40.00	13.969	558.76	Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres.	50.00	3.699	184.95
John A. Whitt and Esta Whitt	Lot 21, Block A, North St. Albans.	40.00	13.969	558.76	Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres.	50.00	3.699	184.95
Andree Erwin	Lot 20, Block A, and Northerly 1/4 of Lot 19, Block A, North St. Albans.	60.00	13.969	838.14	O'Dell Frazier and E. Frazier	Part of Lot No. 8, Lee's Ferry Acres.	50.00	3.699	184.95
Raymond L. Chapman	Lots 16, 17, 18, and part of Lots 15 & 19, Block A, North St. Albans.	158.00	13.969	2,207.10	M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres.	50.00	3.699	184.95
Forest R. Martin and Goldie S. Martin	Part of Lot 15, Block A, North St. Albans.	12.00	13.969	167.63	Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres.	50.00	3.699	184.95
Sidney W. Hesson and Bessie Hesson	Lot 14 & part of Lot 15, Block A, North St. Albans.	50.00	13.969	698.45	Carl L. Nelson and Bruce Nelson	Part of Lot No. 7, Lee's Ferry Acres.	50.00	3.699	184.95
Sidney W. Hesson and Bessie Hesson	Lot 13, Block A, North St. Albans.	40.00	13.969	558.76	Charles T. Smith and Wanda F. Smith	Part of Lot No. 6, Lee's Ferry Acres.	50.00	3.699	184.95
Alexander D. Gravely	Lots 11 & 12, Block A, North St. Albans.	40.00	13.969	558.76	Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres.	50.00	3.699	184.95
Joseph N. Gilpin and Virginia R. Gilpin, Garland E. Stevens and Mary Lou Stephens	Lot 11 Block A North St. Albans.	40.00	13.969	558.76	Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres.	100.00	3.699	\$ 369.90
Joe Holstein and Mary Etta Holstein	Lot 10, Block A, North St. Albans.	40.00	13.969	558.76	Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres.	50.00	3.699	184.95
West Virginia Home Mission, Inc., a corporation.	Lot 8 & 9, Block A, North St. Albans.	80.00	13.969	1,117.52	Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres.	50.00	3.699	184.95
West Virginia Home Mission, Inc., a corporation.	Lot 6 & 7, Block A, North St. Albans.	80.00	13.969	1,117.52	R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres.	50.40	3.699	186.43
Edward J. Sroog and Evelyn Sroog	Lot 5, Block A, North St. Albans.	40.00	13.969	558.76	Arnold Markham and Gladys Markham	Lot No. 2-B, Lee's Ferry Acres.	50.33	3.699	186.17
F. J. Ball and Hattie M. Ball	Lot 4, Block A, North St. Albans.	40.00	13.969	558.76	Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres.	50.33	3.699	186.17
Hubert Fred Facemyre and Deloris K. Facemyre	Lot 3, Block A, North St. Albans.	120.00	13.969	1,676.28	Totals		1,934.56		\$3,535.54
EAST SIDE									
Dennis Lee Blake and Marv Frances Blake	Lot 11-B, North St. Albans.	73.00	13.969	1,019.74	WALKER STREET				
Verlin W. Harbert and Anna Lea Harbert	Lot 10-B, North St. Albans.	40.00	13.969	558.76	(From its intersection with Main Avenue, to its intersection with Lee Avenue)				
Carrie Barker	Lot 9-B, North St. Albans.	40.00	13.969	558.76	NORTH SIDE				
Emory C. Burgess and Alma Alma Burgess	Lot 7 & 8-B, North St. Albans.	80.00	13.969	1,117.52	Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Ira L. Clendenen and Rheda Clendenen	Lot 5 & 6-B, North St. Albans.	80.00	13.969	1,117.52	H. F. Facemyre and Deloris Facemyre	Lot No. 2	40.00	12.002	\$ 480.08
Ira M. Criner and Ruby M. Criner	Lot 4 & Northerly 10' feet of Lot 3, Block B, North St. Albans.	50.00	13.969	698.45	H. F. Facemyre and Deloris Facemyre	Lot No. 3	40.00	12.002	480.08
W. B. Sigmon	Part of Lots 2 & 3, Block B, North St. Albans.	50.00	13.969	698.45	Charles T. Smith and Wanda Smith	Lot No. 1 & 2	87.50	12.002	1,050.18
Ira G. Stone and Viola Mae Stone	Part of Lots 1 & 2, Block B, North St. Albans.	60.00	13.969	838.14	S. A. O'Neill and Leona O'Neill	Lot No. 3	40.00	12.002	480.08
Hansford Bailey	Lots 15 & 16 Block C, North St. Albans.	80.00	13.969	1,117.52	W. F. Walker	Lot No. 3	40.00	12.002	480.08
Thomas Browning and Margaret Browning	Lots 13 & 14 Block C, North St. Albans.	80.00	13.969	1,117.52	Ester Mize	Lot 1 & 1/2 of 2	60.00	12.002	720.12
Sherman C. Gibbs and Rutha E. Gibbs	Lot 12, Block C, North St. Albans.	40.00	13.969	558.76	G. N. Conway	Lot 3 & 1/2 of 2	60.00	12.002	720.12
Mildred Hill	Lots 10 & 11, Block C, North St. Albans.	80.00	13.969	1,117.52					
Yerov Peach and Dermey Ann Beach	Lot 9, Block C, North St. Albans.	40.00	13.969	558.76					
T. C. Stanley and Lule Stanley	Lot 8, Block C, North St. Albans.	40.00	13.969	558.76					
Howard Janham and Kathryn Janham	Lot 7, Block C, North St. Albans.	40.00	13.969	558.76					
Esther Mize	Lot 1, Block C, North St. Albans.	120.00	13.969	1,676.28					
Totals		2,025.50		\$28,294.21					

SOUTH SIDE—STREET IMPROVEMENT

Gravely Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres.	125.00	12.002	1,500.25
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres.	126.00	12.002	1,512.25
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres.	37.50	12.002	450.08
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres.	37.50	12.002	450.08
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres.	80.00	12.002	960.16

SOUTH SIDE—SIDEWALK IMPROVEMENT

Gravely Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres.	125.00	3.704	\$ 463.00
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres.	126.00	3.704	466.70
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres.	37.50	3.704	138.90
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres.	37.50	3.704	138.90
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres.	80.00	3.704	296.32
Totals		773.50		\$10,787.38

Given under my hand this 30th day of September, 1959

CITY ENGINEER
Municipal Engineering Corp.
By J. A. Spence, Engineer

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 27th day of October, 1959, at 8:00 o'clock P.M., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 27th day of October, 1959, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 27th day of October, 1959, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA
Grace Lewis, Recorder

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; GRAVELY COURT, FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK; IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 20th day of May, 1959, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8 of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and in the office of the Clerk of the County Court of Putnam County, West Virginia, and reference is here made to said maps and deeds for more complete descriptions.)

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; GRAVELY COURT, FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

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

I hereby certify that the cost of the permanent improvement of Walker Street, from its intersection with Main Avenue (Old West Virginia Route No. 25), to its intersection with Lee Avenue; Lee Avenue, from its intersection with Walker Street, South to the West Sattes School; Reeves Drive (Formerly Reeves Court), from its intersection with Lee Avenue to dead end near the Kanawha River Bank; Kapoc Street (Formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25), to dead end near Kanawha Avenue; Lee Avenue, from its intersection with Walker Street, North to end of Lee Avenue; Benamati Avenue, (Formerly Benamati Street), from its intersection with Kapoc Street (Formerly 11th Avenue), South to its intersection with Walker Street; 34th Street, from its intersection with 1st Avenue to its intersection with Second Avenue; Gravelly Court, from its intersection with Lee Avenue to dead end near Kanawha River Bank; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving

the same, was \$113,366.60, and that said work was made and completed in accordance with the specifications and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 20th day of May, 1959, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

KAPOC STREET
(From its intersection with Walker Street)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Okey McDonald and Meda L. McDonald	Lot 11 C, Resubdivision of Lot 11, Block B, North St. Albans	72.45	12.216	\$ 885.05
Dennis Lee Blake and Mary Frances Blake	Lot 11 B, Resubdivision of lot 11, Block B, North St. Albans	47.55	12.216	580.87
Garrett C. Blake	Lot No. 25, Block A of North St. Albans	91.20	12.216	1,114.10
Daniel D. Snyder and Doris Snyder	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.77

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Homer L. Janey and Opal O. Janey	Part of Benamati 6.34 Acre Tract	54.50	12.216	\$ 665.77
Howard E. Martin and Shirley M. Martin	Lot near Village of Sattes	50.00	12.216	610.80
Harry D. Barrickman and Blanche E. Barrickman	Lot A of C.M. Cobbs and Minnie Cobbs Subdivision	55.00	12.216	671.88
Gene L. Loring and Marjorie B. Loring	Lot B of C.M. Cobbs and Minnie Cobbs Subdivision	55.00	12.216	671.88
Chris E. Elkins and Macel Elkins	Lot C of C.M. Cobbs and Minnie Cobbs Subdivision	65.00	12.216	794.04
C. M. Cobbs and Minnie Cobbs	Lot D of Cobbs Subdivision	39.60	12.216	483.75
SOUTH SIDE				
Porter R. McQuain and Wilma Jean McQuain	Lot 12, Block D, Central City	100.05	12.216	1,222.21
Kenneth J. King and Ruby J. King	Lot 13, Block D, Central City	100.05	12.216	1,222.21
L. C. Mace and R. J. Mace	Lot 38, Block F, Central City	100.05	12.216	1,222.21
Jack Wilson and Peggy Wilson	Lot 39, Block F, Central City	100.05	12.216	1,222.21
Bobby E. Adkins and Lorna J. Adkins	Lot 64, Block H, Central City	100.05	12.216	1,222.21
J. W. Byrd and Sylvia Byrd	Lot Central City	<u>19.00</u>	12.216	<u>232.10</u>
Totals-----		1,104.05		\$ 13,487.06

LEE AVENUE

(From its intersection with Walker Street,
North to end of Lee Avenue)

EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
S. A. and Leona O'Neill	Lot 3, Rhodes Addition to North St. Albans	120.00	11.986	\$1,438.32

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Samuel DeWees and Rosa DeWees	Lot 4, Rhodes Addition to North St. Albans	48.00	11.986	575.33
A. D. Gravely and Virginia R. Gravely	Lots 5 & 6, Rhodes Addition to North St. Albans	80.00	11.986	958.88
Daniel E. Walker	Lot 7, Rhodes Addition to North St. Albans	40.00	11.986	479.44
George O. Douglas	Lot 8, Rhodes Addition to North St. Albans	40.00	11.986	479.44
Norma N. Jeffers and Robert Jeffers	Lot 9, Rhodes Addition to North St. Albans	40.00	11.986	479.44
Kenneth C. Crago and Mary Crago	Lots 10 & 11, Rhodes Addition to North St. Albans	80.00	11.986	958.88
Kenneth C. Crago and Mary Crago	Lot 12, Rhodes Addition to North St. Albans	40.00	11.986	479.44
A. D. Gravely and Virginia R. Gravely	Lots 13 & 14, Rhodes Addition to North St. Albans	75.00	11.986	898.95
WEST SIDE				
Alice M. Moore	Lot 5, Gravely Subdivision	121.50	11.986	\$ 1,456.30
Elizabeth S. Gravely	Lot 6, Gravely Subdivision	100.00	11.986	1,198.60
Verner B. Combs and Elizabeth L. Combs	Lot 7, Gravely Subdivision	100.00	11.986	1,198.60
G. W. Reeves	Lot 10, Reeves Addi- tion to East Nitro, Union District	92.00	11.986	1,102.71
G. W. Reeves	Lot 9, Reeves Addition to East Nitro	87.00	11.986	1,042.78
Totals -----		1,063.50		\$ 12,747.11

34TH STREET
(From its intersection with 1st Avenue
to its intersection with Second Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibson	Lot No. 3401	50.83	3.598	182.87
Clarence Hedrick and Maycel Hedrick	Lot No. 3403	50.00	3.598	179.90
C. A. Leadmon	Lot No. 3405	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3407	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3409	50.00	3.598	179.90
E. M. Trevillian and Ruby Trevillian	Lot No. 3411	50.00	3.598	179.90
Ruth Wolford	Lot No. 3413	50.00	3.598	179.90
Roy Scott and Mary A. Scott	Lot No. 3415	68.00	3.598	244.66

SOUTH SIDE

Carroll Lytton	Lot No. 3402	50.83	3.598	182.87
Edwin L. Pennybacker and Betty Pennybacker	Lot No. 3404	50.00	3.598	179.90
Ralph Harrison Lucas and Wilma M. Lucas	Lot No. 3406	50.00	3.598	179.90
Ira W. Miller	Lot No. 3408	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3410	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3412	50.00	3.598	179.90
Cline W. Grant	Lot No. 3414	50.00	3.598	179.90
D. W. Grant and Sally A. Grant	Lot No. 3416	50.00	3.598	179.90
Totals-----		819.66		\$2,949.10

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
BENAMATI AVENUE (From its intersection with Kapoc Street, South to its intersection with Walker Street)				
WEST SIDE				
Garrett C. Blake	Lot 25, Block A, North St. Albans	72.50	13.969	1,012.75
Victoria Benamati	Lot 24, Block A, North St. Albans	40.00	13.969	558.76
Alfred L. Wallace and Iva V. Wallace	Lot 23, Block A, North St. Albans	40.00	13.969	558.76
D. R. Osborne and Bessie Osborne	Lot 22, Block A, North St. Albans	40.00	13.969	558.76
John A. Whitt and Esta Whitt	Lot 21, Block A, North St. Albans	40.00	13.969	558.76
Audree Erwin	Lot 20, Block A, and Northerly $\frac{1}{2}$ of Lot 19, Block A, North St. Albans	60.00	13.969	838.14
Raymond L. Chapman	Lots 16, 17, 18 and part of Lots 15 and 19, Block A, North St. Albans	158.00	13.969	2,207.10
Forest R. Martin and Goldie S. Martin	Part of Lot 15, Block A, North St. Albans	12.00	13.969	167.63
Sidney W. Hesson and Bessie Hesson	Lot 14 & part of Lot 15, Block A, North St. Albans	50.00	13.969	698.45
Sidney W. Hesson and Bessie Hesson	Lot 13, Block A, North St. Albans	40.00	13.969	558.76
Alexander D. Gravely	Lots 11 & 12, Block A North St. Albans	40.00	13.969	558.76
Joseph N. Gilpin and Virginia R. Gilpin, Garland E. Stevens and Mary Lou Stevens	Lot 11, Block A, North St. Albans	40.00	13.969	558.76

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Joe Holstein and Mary Etta Holstein	Lot 10, Block A, North St. Albans	40.00	13.969	558.76
West Virginia Home Mission, Inc., a cor- poration	Lot 8 & 9, Block A, North St. Albans	80.00	13.969	1,117.52
West Virginia Home Mission, Inc., a cor- poration	Lot 6 & 7, Block A, North St. Albans	80.00	13.969	1,117.52
Edward J. Sproat and Evelyn Sproat	Lot 5, Block A, North St. Albans	40.00	13.969	558.76
F. J. Ball and Hattie M. Ball	Lot 4, Block A, North St. Albans	40.00	13.969	558.76
Hubert Fred Facemyre and Deloris K. Facemyre	Lot 3, Block A, North St. Albans	120.00	13.969	1,676.28
EAST SIDE				
Dennis Lee Blake and Mary Frances Blake	Lot 11-B, North St. Albans	73.00	13.969	1,019.74
Verlin W. Harbert and Anna Lea Harbert	Lot 10-B, North St. Albans	40.00	13.969	558.76
Carrie Barker	Lot 9-B, North St. Albans	40.00	13.969	558.76
Emory C. Burgess and Anna Alma Burgess	Lot 7 & 8-B, North St. Albans	80.00	13.969	1,117.52
Ira L. Clendening and Rheda Clendening	Lot 5 & 6-B, North St. Albans	80.00	13.969	1,117.52
Ira M. Criner and Ruby M. Criner	Lot 4 & Northerly 10 feet of Lot 3, Block B, North St. Albans	50.00	13.969	698.45
W. B. Sigmon	Part of Lots 2 & 3, Block B, North St. Albans	50.00	13.969	698.45
Ira G. Stone and Viola Mae Stone	Part of Lots 1 & 2 Block B, North St. Albans	60.00	13.969	838.14
Hansford Bailey	Lots 15 & 16, Block C, North St. Albans	80.00	13.969	1,117.52

<u>Name of Owner</u>	<u>Lot number or Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Thomas Browning and Margaret Browning	Lots 13 & 14, Block C, North St. Albans	80.00	13.969	1,117.52
Sherman C. Gibbs and Eutha E. Gibbs	Lot 12, Block C, North St. Albans	40.00	13.969	558.76
Mildred Hill	Lots 10 & 11, Block C North St. Albans	80.00	13.969	1,117.52
Leroy Beach and Demmey Ann Beach	Lot 9, Block C, North St. Albans	40.00	13.969	558.76
T. C. Stanley and Luie Stanley	Lot 8, Block C, North St. Albans	40.00	13.969	558.76
Howard Lanham and Kathryn Lanham	Lot 7, Block C, North St. Albans	40.00	13.969	558.76
Esther Mize	Lot 1, Block C, North St. Albans	120.00	13.969	1,676.28
Totals-----		2,025.50		\$ 28,294.21

GRAVELY DRIVE
(From its intersection with Lee Avenue to
dead end near Kanawha River Bank)

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Elizabeth S. Gravely	Lot No. 6, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 8, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 10, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 12, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 14, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 16, Gravely Subdivision	46.10	12.085	557.12
Elizabeth S. Gravely	Lot No. 17, Gravely Subdivision	32.05	12.085	387.32

NORTH SIDE

Verner B. Combs and Elizabeth L. Combs	Lot No. 7, Gravely Subdivision	50.00	12.085	604.25
G. W. Reeves	Lot No. 9, Gravely Subdivision	50.00	12.085	604.25
G. W. Reeves	Lot No. 11, Gravely Subdivision	50.00	12.085	604.25
Edward J. Sproat	Lot No. 13, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 15, Gravely Subdivision	50.00	12.085	604.25
Robert Brabbin and Virginia Brabbin	Lot No. 19, Gravely Subdivision	46.10	12.085	557.12
Robert Brabbin and Virginia Brabbin	Lot No. 18, Gravely Subdivision	32.05	12.085	387.32
Totals-----		656.30		\$ 7,931.38

REEVES DRIVE

(From its intersection with Lee Avenue
to dead end near the Kanawha River Bank)

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Reeves	Lot No. 10, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 8, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 6, Reeves Subdivision	60.00	12.924	775.44
G. W. Reeves	Lot No. 4, Reeves Subdivision	65.00	12.924	840.06

NORTH SIDE

G. W. Reeves	Lot No. 9, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 7, Reeves Subdivision	60.00	12.924	775.44
E. C. Krise and Nellie Lee Krise	Lot No. 5, Reeves Subdivision	62.50	12.924	807.75

G. W. Reeges	Lot No. 3, Reeves Subdivision	60.00	12.924	775.44
G. W. Reeves	Lot No. 2, Reeves Subdivision	83.00	12.924	1,072.69
Thomas C. Reeves	Lot No. 1, Reeves Subdivision	88.00	12.924	1,137.31
Total-----		666.00		\$ 8,607.38

LEE AVENUE
(From its intersection with Walker Street,
South to West Sattes School)

WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
S. A. O'Neill and Leona O'Neill	Lot 12, Lee's Ferry Acres	368.85	12.937	4,771.82
R. L. Critchfield and Charlotte Critchfield	Lot 13, Lee's Ferry Acres	235.90	12.937	3,051.84
S. F. Lee	Part of Lot 14, Lee's Ferry Acres	100.00	12.937	1,293.70
George A. Lee and Lillie F. Lee	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Lottie M. Hoover	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Phill D. Hill and Eva Hill	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Board of Education of Kanawha County	Lots 15 & 16, Lee's Ferry Acres	100.00	12.937	1,293.70
John R. Planck and Hazel E. Planck	Part of Lot 16, Lee's Ferry Acres	24.00	12.937	310.49

EAST SIDE - STREET IMPROVEMENT

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres	104.75	12.937	1,355.15
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres	50.00	12.937	646.85
Della Absten	Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85

Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
O'Dell Frazier and E. Frazier	Part of Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Carl L. Nelson and Brucie Nelson	Part of Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Charles T. Smith and Wanda F. Smith	Part of Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres	100.00	12.937	1,293.70
Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres	50.00	12.937	646.85
Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres	50.00	12.937	646.85
R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres	50.40	12.937	652.02
Arnold Markham and Gladys Markham	Lot No. 2-B, Lee's Ferry Acres	50.33	12.937	651.12
Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres	50.33	12.937	651.12
Totals-----		1,934.56		\$ 25,027.41

EAST SIDE-WALK IMPROVEMENT

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres	104.75	3.699	387.47
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres	50.00	3.699	184.95
Della Absten	Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95

Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
O'Dell Frazier and E. Frazier	Part of Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Carl L. Nelson and Brucie Nelson	Part of Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Charles T. Smith and Wanda F. Smith	Part of Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres	100.00	3.699	369.90
Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres	50.00	3.699	184.95
Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres	50.00	3.699	184.95
R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres	50.40	3.699	186.43
Arnold Markham and Gladys Markham	Lot No. 2-B, Lee's Ferry Acres	50.33	3.699	186.17
Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres	50.33	3.699	186.17
Totals-----		1,934.56		\$ 3,535.54

WALKER STREET
(From its intersection with Main Avenue to
its intersection with Lee Avenue)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
H. F. Facemyre and Deloris Facemyre	Lot No. 2	40.00	12.002	\$ 480.08
H. F. Facemyre and Deloris Facemyre	Lot No. 3	40.00	12.002	480.00

Charles T. Smith and Wanda Smith	Lot No. 1 & 2	87.50	12.002	1,050.18
S. A. O'Neill and Leona O'Neill	Lot No. 3	40.00	12.002	480.08
W. F. Walker	Lot No. 3	40.00	12.002	480.00
Ester Mize	Lot 1 & $\frac{1}{2}$ of 2	60.00	12.002	720.12
G. N. Conway	Lot 3 & $\frac{1}{2}$ of 2	60.00	12.002	720.12

SOUTH SIDE - STREET IMPROVEMENT

Gravelly Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres	125.00	12.002	1,500.25
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	126.00	12.002	1,512.25
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres	37.50	12.002	450.08
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres	37.50	12.002	450.08
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	80.00	12.002	960.16

SOUTH SIDE - SIDEWALK IMPROVEMENT

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gravelly Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres	125.00	3.704	463.00
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	126.00	3.704	466.70
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres	37.50	3.704	138.90
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres	37.50	3.704	138.90
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	80.00	3.704	296.32
Totals-----			773.50	\$ 10,787.38

Given under my hand this 30th day of September, 1959.

CITY ENGINEER
Municipal Engineering Corp.

By: J. A. Spence
J. A. Spence, Engineer

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 27th day of October, 1959, at 8:00 o'clock, P.M., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 27th day of October, 1959, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 27th day of October, 1959, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA,

By: Grace Lewis, Recorder

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 9th day of October, 1959 and ending with the issue of the 16th day of October, 1959 and was posted at the Court House of Kanawha County.

C. R. Walker,
Manager
Kanawha Valley Leader

Thereupon the Mayor inquired if there were any present who desired to move correction or revision of the assessments. Thereupon Mr. Clarence Watt addressed the council and presented to Council a written protest in favor of Howard E. Martin and Shirley M. Martin who requested that said Engineers Report, dated September 30th, 1959, be revised and corrected and that the said proposed assessment against the petitioners and the land of the petitioners be deleted, removed and stricken from said report.

Thereupon the Mayor informed council that the City Attorney's recommendation to lay the assessments as set out in the Engineers Report should be laid, and if any change is made it would be up to the Court to make that decision.

Mr. & Mrs. Homer Janey owners of a lot on Kapoc, also appeared before council and stated they were not protesting the assessment, that their only interest was to try to get the controversial 15 feet of right of way on the said Kapoc Street straightened out once and for all.

Thereupon Mr. Watt asked that the written protest of Howard E. Martin and Shirley M. Martin be made a part of the minutes.

Thereupon Councilman Grover, seconded by Councilman Hogshead moved that the written protest of Howard E. Martin and Shirley M. Martin be made a part of the minutes of this meeting.

TO THE COMMON COUNCIL OF THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA.

IN RE: HOWARD E. MARTIN AND SHIRLEY M. MARTIN

THE PETITION OF HOWARD E. MARTIN AND SHIRLEY M.
MARTIN PROTESTING THE PROPOSED ASSESSMENTS OF
STREET IMPROVEMENT AGAINST CERTAIN PROPERTY OWNED
BY THE PETITIONERS AND LOCATED IN THE CITY OF NITRO,
KANAWHA COUNTY, WEST VIRGINIA.

Your petitioners humbly complain, allege, state and say:

I.

That they are the owners of a certain parcel of real estate situate in

the City of Nitro, Kanawha County, West Virginia, that said real estate was conveyed unto the petitioners by Harry Unrue and EdRie Unrue, his wife, by deed dated the 10th day of Sept. 1959, said deed being duly or record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, in Deed Book No. 1257, at Page No. 363, and that the aforesaid parcel of land does not front or abutt or in any way lay adjacent to any public street, right of way or easement in the City of Nitro, Kanawha County, West Virginia, and that said lot does not front or abutt or in any way lay adjacent on the north or any side of Kapoc Street from its intersection with Walker Street.

II.

The petitioners further say that said Kapoc Street has recently been improved and that a report of the City Engineer of the City of Nitro, to-wit: J. A. Spence, and/or Municipal Engineering Corporation states that the said real estate of the petitioners fronts or abutts on said Kapoc Street and that the said Common Council proposes to assess the said petitioners for a portion of the cost of the improvement of Kapoc Street as more fully set out in said Engineer's Report; said pertinent portion of the said Engineer's Report being as follows:

"To The Honorable Mayor and Common Council of the City of Nitro, West Virginia:

KAPOC STREET
From its intersection with Walker Street
NORTH SIDE

Howard E. Martin and Shirley M. Martin	Lot near Village of Sattes	50.00	12.216	610.80"
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III.

Your petitioners move and humbly request that said Engineer's Report dated September 30, 1959, be revised and corrected and that the said

proposed assessment against the petitioners and the land of the petitioners be deleted, removed and stricken from said report.

IV.

Your petitioners further say and are so advised that the so assessment is invalid and illegal for other reasons apparent in the ordinance and resolutions pertaining thereto in so far as your petitioners and their respective property is concerned.

Signed: Howard E. Martin

Signed: Shirley M. Martin

Thereupon, upon motion of Councilman Hogshead, seconded by Councilman Bush, presented and moved the adoption of the following ordinance:

O R D I N A N C E

AN ORDINANCE ASSESSING ABUTTING PROPERTY AND THE OWNERS THEREOF WITH THE COST OF THE PERMANENT IMPROVEMENT OF WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; GRAVELY COURT, FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA; ACCEPTING THE IMPROVEMENTS; APPROVING THE REPORT OF THE ENGINEER; LEVYING THE ASSESSMENT; CERTIFICATES; DECLARING THE ASSESSMENTS A LIEN AGAINST ABUTTING PROPERTY; DECLARING THE ABUTTING PROPERTY BENEFITED; AND AUTHORIZING THE FILING OF A CERTIFIED COPY OF THE REPORT OF THE ENGINEER AND COUNCIL ACTION IN THE OFFICE OF THE CLERK OF THE COUNTY COURT OF KANAWHA AND PUTNAM COUNTIED, WEST VIRGINIA.

WHEREAS, the Council of the City of Nitro on the 20th day of ^{early} May, 1959, adopted an ordinance for the permanent improvement/of Walker Street, from its intersection with Main Avenue (Old West Virginia Route No. 25), to its intersection with Lee Avenue; Lee Avenue, from its intersection with Walker Street,

South to the West Sattes School; Reeves Drive (Formerly Reeves Court), from its intersection with Lee Avenue to dead end near the Kanawha River Bank; Kapoc Street (Formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25), to dead end near Kanawha Avenue; Lee Avenue, from its intersection with Walker Street, North to end of Lee Avenue; Benamati Avenue, (Formerly Benamati Street), from its intersection with Kapoc Street (Formerly 11th Avenue) South to its intersection with Walker Street; 34th Street, from its intersection with 1st Avenue to its intersection with Second Avenue; Gravely Court, from its intersection with Lee Avenue to dead end near Kanawha River Bank; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, construction of sidewalks and otherwise improving the same and further providing for the assessment of the abutting property and the owners thereof for the total cost of such improvement; and,

WHEREAS, the report of the City Engineer to the Council reporting and certifying the cost of said improvement and showing the respective amounts apportioned, calculated and charged against each lot abutting, bounding and fronting on said streets and portions of streets and the respective owners thereof was read to the Council at its meeting on ^{November 15} September 30, 1959, and fully set out in its minutes; and,

WHEREAS, it appears to the Council, independently of said Engineer's Report, that the permanent improvement has been completed in accordance with the ordinances heretofore adopted and has specially benefited each lot or parcel of land abutting thereon to an extent greater than the respective part of the cost apportioned, calculated and charged against said respective lot or parcel, and that said report and improvement should be accepted; and

WHEREAS, notice was caused to be published in the Kanawha Valley Leader, a weekly newspaper of general circulation in the City of Nitro and

Kanawha and Putnam Counties, West Virginia, showing the names of the owners of each lot abutting on said improved streets and portions of streets and the amount assessed thereof, respectively, and giving notice to said owners or those who may be owners thereof and interested persons that they might appear before Council in session on October 27, 1959, at 8:00 o'clock, P.M. to move the revision or correction of such proposed assessments, and on or after said date Council might proceed finally to lay said assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO:

First: That the said report of the City Engineer, heretofore filed and read, is hereby ordered set out in full in the minutes of the Council, and said Engineer's report is hereby accepted, approved and adopted by the Council after independent examination and investigation thereof, and is hereby expressly made a part of this ordinance as fully as if set forth herein, and is hereby adopted as the assessment Rolls.

Second: That the permanent improvement as set forth and shown in said report is the same as hereby declared to be completed and is hereby accepted,

Third: That the amounts set forth in the aforesaid report as the proportionate shares of the net cost assessable to each of the various properties and the owners thereof as the same appear in said report are hereby assessed against each of the said properties and the owners thereof as their proportionate share of the cost of the improvement; that the aforesaid amounts are hereby declared to be liens upon each of the several lots abutting upon the said streets and portions of streets as shown in the said report; that paving assessment certificates shall forthwith be issued and signed by the Mayor and City Recorder in the respective amounts assessed against each lot and parcel of land and the owners thereof, each said assessment certificate shall be issued and made payable in ten equal installment certificates, the first of which said installment certificates shall be due and payable in

thirty days from the date of the assessment; thereof, and the remaining nine of said installment certificates shall be due and payable on or before one year and thirty days, two years and thirty days, three years and thirty days, four years and thirty days, five years and thirty days, six years and thirty days, seven years and thirty days, eight years and thirty days, and nine years and thirty days, from the date of the assessment, respectively, all of which said installment certificates shall bear interest at the rate of six per cent (6%) per annum from date of assessment, with the provision that if default be made in the payment of any of the said installment certificates when due and payable, then the whole amount of the said assessment remaining unpaid shall become forthwith due and payable and the holder of the certificate may proceed to collect the whole amount unpaid; that the respective certificates covering the amount of the respective assessments shall be paid by the respective owners of the land, lots or fractional parts thereof so assessed for the cost, and the respective amounts specified in the certificates upon the land, lots or parts of lots so assessed and also debts against the respective owners of the said real estate, and shall be liens ahead in priority of other liens against the said property except for taxes due the state, county and city; and the said certificates may be issued, sold and delivered by the Mayor to the contractor doing the paving and other improvements on said streets or portions of streets in payment of the cost thereof.

Fourth: The Mayor and the City Recorder are hereby authorized to issue, sign and deliver the assessment lien certificates against the several lots in accordance with the provisions of paragraph "Third" hereinabove.

Fifth: The City Recorder is hereby directed to cause to be prepared a certificate, report and notice showing and certifying a copy of the said Engineer's Report, so adopted by the Council, and when so certified to by the

City Recorder the same shall be delivered to the Clerk of the County Court of Kanawha County and Putnam County, and recorded in the Clerk's Office in a Trust Deed Book, and shall be continuing tax liens upon the lots or lands against which the assessments are made until the certificates as aforesaid are paid, and the said County Clerk shall index the same in the names of each lot or land owner mentioned therein.

ASSESSMENT ROLLS

KAPOC STREET (From its intersection with Walker Street)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Okey McDonald and Meda L. McDonald	Lot 11 C, Resubdivision of Lot 11, Block B, North St. Albans	72.45	12.216	\$ 885.05
Dennis Lee Blake and Mary Frances Blake	Lot 11 B, Resubdivision of Lot 11, Block B, North St. Albans	47.55	12.216	580.87
Garrett C. Blake	Lot No. 25, Block A of North St. Albans	91.20	12.216	1,114.10
Daniel D. Snyder and Doris Snyder	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.77
Homer L. Janey and Opal O. Janey	Part of Benamati 6.34 Acre Tract	54.50	12.216	665.77
Howard E. Martin and Shirley M. Martin	Lot near Village of Sattes	50.00	12.216	610.80
Harry D. Barrickman and Blanche E. Barrickman	Lot A of C.M.Cobbs and Minnie Cobbs Subdivision	55.00	12.216	671.88
Gene L. Loring and Marjorie B. Loring	Lot B of C.M.Cobbs and Minnie Cobbs Subdivision	55.00	12.216	671.88
Chris E. Elkins and Macel Elkins	Lot C of C.M.Cobbs and Minnie Cobbs Subdivision	65.00	12.216	794.04

C. M. Cobbs and Minnie Cobbs	Lot D of Cobbs Subdivision	39.60	12.216	\$ 483.75
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SOUTH SIDE

Porter R. McQuain and Wilma Jean McQuain	Lot 12, Block D, Central City	100.05	12.216	1,222.21
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Kenneth J. King and Ruby J. King	Lot 13, Block D, Central City	100.05	12.216	1,222.21
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L. C. Mace and R. J. Mace	Lot 38, Block F, Central City	100.25	12.216	1,222.21
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Jack Wilson and Peggy Wilson	Lot 39, Block F, Central City	100.05	12.216	1,222.21
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Bobby E. Adkins and Lorna J. Adkins	Lot 64, Block H, Central City	100.05	12.216	1,222.21
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J. W. Byrd and Sylvia Byrd	Lot Central City	19.00	12.216	232.10
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Totals-----	1,104.05			\$13,487.06
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LEE AVENUE

(From its intersection with Walker Street,
North to end of Lee Avenue)

EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
S. A. and Leona O'Neill	Lot 3, Rhodes Addition to North St. Albans	120.00	11.986	\$1,438.32
Samuel DeWees and Rosa DeWees	Lot 4, Rhodes Addition to North St. Albans	48.00	11.986	575.33
A. D. Gravely and Virginia R. Gravely	Lots 5 & 6, Rhodes Addition to North St. Albans	80.00	11.986	958.88
Daniel E. Walker	Lot 7, Rhodes Addition to North St. Albans	40.00	11.986	479.44
George O. Douglas	Lot 8, Rhodes Addition to North St. Albans	40.00	11.986	479.44
Norma N. Jeffers and Robert Jeffers	Lot 9, Rhodes Addition to North St. Albans	40.00	11.986	479.44

Kenneth C. Crago and Mary Crago	Lots 10 & 11, Rhodes Addition to North St. Albans	80.00	11.986	\$ 958.88
Kenneth C. Crago and Mary Crago	Lot 12, Rhodes Addition to North St. Albans	40.00	11.986	479.44
A. D. Gravely and Virginia R. Gravely	Lots 13 & 14, Rhodes Addition to North St. Albans	75.00	11.986	898.95
A	WEST SIDE			
Alice M. Moore	Lot 5, Gravely Subdivision	121.50	11.986	1,456.30
Elizabeth S. Gravely	Lot 6, Gravely Subdivision	100.00	11.986	1,198.60
Verner B. Combs and Elizabeth L. Combs	Lot 7, Gravely Subdivision	100.00	11.986	1,198.60
G. W. Reeves	Lot 10, Reeves Addition to East Nitro, Union District	92.00	11.986	1,102.71
G. W. Reeves	Lot 9, Reeves addition to East Nitro	87.00	11.986	1,042.78
Totals-----		1,063.50		\$12,747.11

34TH STREET
(From its intersection with 1st Avenue
to its intersection with Second Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibson	Lot No. 3401	50.83	3.598	182.87
Clarence Hedrick and Maycel Hedrick	Lot No. 3403	50.00	3.598	179.90
C. A. Leadmon	Lot No. 3405	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3407	50.00	3.598	179.90
J. L. Dunlap, Jr. and C. W. Dunlap	Lot No. 3409	50.00	3.598	179.90
C. M. Trevillian and Ruby Travillian	Lot No. 3411	50.00	3.598	179.90

Ruth Wolford	Lot No. 3413	50.00	3.598	179.90
Roy Scott and Mary A. Scott	Lot No. 3415	68.00	3.598	244.66

SOUTH SIDE

Carroll Lytton	Lot No. 3402	50.83	3.598	182.87
Edwin L. Pennybacker and Betty Pennybacker	Lot No. 3404	50.00	3.598	179.90
Ralph Harrison Lucas and Wilma M. Lucas	Lot No. 3406	50.00	3.598	179.90
Ira W. Miller	Lot No. 3408	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3410	50.00	3.598	179.90
Ira C. Anderson and Ima Anderson	Lot No. 3412	50.00	3.598	179.90
Cline W. Grant	Lot No. 3414	50.00	3.598	179.90
D. W. Grant and Sally A. Grant	Lot No. 3416	<u>50.00</u>	3.598	<u>179.90</u>

Totals-----819.66 \$ 2,949.10

BENAMATI AVENUE

(From its intersection with Kapoc Street,
South to its intersection with Walker Street)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Garrett C. Blake	Lot 25, Block A, North St. Albans	72.50	13.969	\$1,012.75
Victoria Benamati	Lot 24, Block A, North St. Albans	40.00	13.969	558.76
Alfred L. Wallace and Iva V. Wallace	Lot 23, Block A, North St. Albans	40.00	13.969	558.76
D. R. Osborne and Bessie Osborne	Lot 22, Block A, North St. Albans	40.00	13.969	558.76
John A. Whitt and Esta Whitt	Lot 21, Block A, North St. Albans	40.00	13.969	558.76

Emory C. Burgess and Amma Alma Burgess	Lot 7 & 8-B, North St. Albans	80.00	13.969	1,117.52
Ira L. Clendening and Rheda Clendening	Lot 5 & 6-B, North St. Albans	80.00	13.969	1,117.52
Ira M. Criner and Ruby Criner	Lot 4 & northerly 10 feet of Lot 3, Block B, North St. Albans	50.00	13.969	698.45
W. B. Sigmon	Part of Lots 2 & 3, Block B, North St. Albans	50.00	13.969	698.45
Ira G. Stone and Viola Mae Stone	Part of Lots 1 & 2, Block B, North St. Albans	60.00	13.969	838.14
Hansford Bailey	Lots 15 & 16, Block C, North St. Albans	80.00	13.969	1,117.52
Thomas Browning and Margaret Browning	Lots 13 & 14, Block C, North St. Albans	80.00	13.969	1,117.52
Sherman C. Gibbs and Eutha E. Gibbs	Lot 12, Block C, North St. Albans	40.00	13.969	558.76
Mildred Hill	Lots 10 & 11, Block C, North St. Albans	80.00	13.969	1,117.52
Leroy Beach and Demmey Ann Beach	Lot 9, Block C, North St. Albans	40.00	13.969	558.76
T. C. Stanley and Luie Stanley	Lot 8, Block C, North St. Albans	40.00	13.969	558.76
Howard Lanham and Kathryn Lanham	Lot 7, Block C, North St. Albans	40.00	13.969	558.76
Esther Mize	Lot 1, Block C, North St. Albans	120.00	13.969	1,676.28
Totals-----		2,025.50		\$ 28,294.21

GRAVELY DRIVE
(From its intersection with Lee Avenue to
dead end near Kanawha River Bank)

SOUTH SIDE

<u>Name of owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Elizabeth S. Gravely	Lot No. 6, Gravely Subdivision	50.00	12.085	604.25

Elizabeth S. Gravely	Lot No. 8, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 10, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 12, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 14, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 16, Gravely Subdivision	46.10	12.085	557.12
Elizabeth S. Gravely	Lot No. 17, Gravely Subdivision	32.05	12.085	387.32

NORTH SIDE

Verner B. Combs and Elizabeth L. Combs	Lot No. 7, Gravely Subdivision	50.00	12.085	604.25
G. W. Reeves	Lot No. 9, Gravely Subdivision	50.00	12.085	604.25
G. W. Reeves	Lot No. 11, Gravely Subdivision	50.00	12.085	604.25
Edward J. Sproat	Lot No. 13, Gravely Subdivision	50.00	12.085	604.25
Elizabeth S. Gravely	Lot No. 15, Gravely Subdivision	50.00	12.085	604.25
Robert Brabbin and Virginia Brabbin	Lot No. 19, Gravely Subdivision	46.10	12.085	557.12
Robert Brabbin and Virginia Brabbin	Lot No. 18, Gravely Subdivision	32.05	12.085	387.32

Totals-----656.30 \$ 7,931.38

REEVES DRIVE

(From its intersection with Lee Avenue
to dead end near the Kanawha River Bank)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Reeves	Lot No. 10, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 8, Reeves Subdivision	62.50	12.924	807.75

G. W. Reeves	Lot No. 6, Reeves Subdivision	60.00	12.924	775.44
G. W. Reeves	Lot No. 4, Reeves Subdivision	65.00	12.924	840.06
NORTH SIDE				
G. W. Reeves	Lot No. 9, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 7, Reeves Subdivision	60.00	12.924	775.44
E. C. Krise and Nellie Lee Krise	Lot No. 5, Reeves Subdivision	62.50	12.924	807.75
G. W. Reeves	Lot No. 3, Reeves Subdivision	60.00	12.924	775.44
G. W. Reeves	Lot No. 2, Reeves Subdivision	83.00	12.924	1,072.69
Thomas C. Reeves	Lot No. 1, Reeves Subdivision	88.00	12.924	1,137.31
Totals-----				666.00 \$ 8,607.38

LEE AVENUE
(From its intersection with Walker Street
South to West Sattes School)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
S. A. O'Neill and Leona O'Neill	Lot 12, Lee's Ferry Acres	368.85	12.937	\$4,771.82
R. L. Critchfield and Charlotte Critchfield	Lot 13, Lee's Ferry Acres	235.90	12.937	3,051.84
S. F. Lee	Part of Lot 14, Lee's Ferry Acres	100.00	12.937	1,293.70
George A. Lee and Lillie F. Lee	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Lottie M. Hoover	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Phill D. Hill and Eva Hill	Part of Lot 14, Lee's Ferry Acres	50.00	12.937	646.85
Board of Education of Kanawha County	Lots 15 & 16, Lee's Ferry Acres	100.00	12.937	1,293.70

John R. Planck and
Hazel E. Planck

Part of Lot 16, Lee's
Ferry Acres

24.00 12.937

310.49

EAST SIDE - STREET IMPROVEMENT

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres	104.75	12.937	1,355.15
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres	50.00	12.937	646.85
Della Absten	Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
O'Dell Frazier and E. Frazier	Part of Lot No. 8,	50.00	12.937	646.85
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres	50.00	12.937	646.85
Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Carl L. Nelson and Brucie Nelson	Part of Lot No. 7, Lee's Ferry Acres	50.00	12.937	646.85
Robert E. Stanley and Janet P. Stanley	Part of Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres	50.00	12.937	646.85
Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres	100.00	12.937	1,293.70
Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres	50.00	12.937	646.85
Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres	50.00	12.937	646.85
R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres	50.40	12.937	652.02

Arnold Markham and Gladys Markham	Lot No. 2-B, Lee's Ferry Acres	50.33	12.937	651.12
Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres	50.33	12.937	651.12
Total-----		1,934.56		\$ 25,027.41

EAST SIDE-SIDEWALK IMPROVEMENT

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Icie L. Kuhn	Part of Lot No. 11, Lee's Ferry Acres	104.75	3.699	387.47
Harry D. Crites and Anne F. Crites	Lot No. 5, Lee's Ferry Acres	50.00	3.699	184.95
Della Absten	Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Donal L. Rymer and F. R. Rymer	Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Paul N. Hanshaw	Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
O'Dell Frazier and E. Frazier	Part of Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
M. A. Doss and W. L. Doss	Part of Lot No. 8, Lee's Ferry Acres	50.00	3.699	184.95
Peter A. Rossi, Jr.	Part of Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Carl L. Nelson and Brucie Nelson	Part of Lot No. 7, Lee's Ferry Acres	50.00	3.699	184.95
Robert E. Stanley and Janet P. Stanley	Part of Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Paul E. Lee and Virginia Lee	Part of Lot No. 6, Lee's Ferry Acres	50.00	3.699	184.95
Samuel F. Lee and Helen T. Lee	Lot No. 5, Lee's Ferry Acres	100.00	3.699	184.95
Noble C. Hicks and Betty Hicks	Part of Lot No. 4, Lee's Ferry Acres	50.00	3.699	184.95
Allen Cooper and R. M. Cooper	Part of Lot No. 4, Lee's Ferry Acres	50.00	3.699	184.95

R. S. Dodson and D. B. Dodson	Part of Lot No. 3, Lee's Ferry Acres	50.40	3.699	186.43
Arnold Markham and Gladys Markham	Lot No. 2-B Lee's Ferry Acres	50.33	3.699	186.17
Arnold Markham and Gladys Markham	Lot No. 2-C, Lee's Ferry Acres	50.33	3.699	186.17
Totals-----		1,934.56		\$ 3,535.54

WALKER STREET
(From its intersection with Main Avenue, to
its intersection with Lee Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other consideration</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
H. F. Facemyre and Deloris Facemyre	Lot No. 2	40.00	12.002	\$ 480.08
H. F. Facemyre and Deloris Facemyre	Lot No. 3	40.00	12.002	480.08
Charles T. Smith and Wanda Smith	Lot No. 1 & 2	87.50	12.002	1,050.18
S. A. O'Neill and Leona O'Neill	Lot No. 3	40.00	12.002	480.08
W. F. Walker	Lot No. 3	40.00	12.002	480.08
Ester Mize	Lot 1 & $\frac{1}{2}$ of 2	60.00	12.002	720.12
G. N. Conway	Lot 3 & $\frac{1}{2}$ of 2	60.00	12.002	720.12

SOUTH SIDE - STREET IMPROVEMENT

Gravelly Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres	125.00	12.002	1,500.25
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	126.00	12.002	1,512.25
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres	37.50	12.002	450.08
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres	37.50	12.002	450.08
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	80.00	12.002	960.16

SOUTH SIDE - SIDEWALK IMPROVEMENT

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gravelly Kanawha, Inc.	Part of Lot 11, Lee's Ferry Acres	125.00	3.704	463.00
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	126.00	3.704	466.70
Ray G. Bowles and Deana Bowles	Part of Lot 11, Lee's Ferry Acres	37.50	3.704	138.90
Paul F. Bradley and F. M. Bradley	Part of Lot 11, Lee's Ferry Acres	37.50	3.704	138.90
Icie Kuhn	Part of Lot 11, Lee's Ferry Acres	80.00	3.704	296.32
		Totals-----773.50		\$10,787.38

Given under my hand this 30th day of September, 1959.

CITY ENGINEER
Municipal Engineering Corp.

By _____
J. A. Spence, Engineer

Thereupon, a vote being taken of members of council present, the Mayor and the Recorder, all voted in the affirmative. The Mayor declared the motion carried.

X Thereupon Councilman Grover informed Mayor and Council that Mr. M. A. Flowers had talked with him on the question of council abandoning Cauffiel Avenue. The Mayor informed council that Mr. Flowers had made a similar request of him. The Mayor and Council entered into a discussion regarding this matter and it was pointed out that a bad drainage problem existed in the area of Cauffiel Avenue and that this condition would be corrected if Mr. Flowers request was granted. Thereupon Councilman Gandee moved that Cauffiel Avenue from New West Virginia Route 25 to Frederick Street be abandoned as use as a City Street. The motion was seconded by Councilman Grover, and upon a vote being taken motion carried.

Thereupon no further business to come before the council a motion of Councilman Bush for adjournment carried.

The meeting was adjourned.



Mayor



Recorder

October 20, 1959

The City Council met in regular session Tuesday, October 20, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder.
Dr. J. L. Dunlap, Jr. Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E.
Grover and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gandee moved, seconded by Councilman Dunlap the minutes
for meeting held A

The City Council met in regular session Tuesday, November 17, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order and informed the Council that the Assessor of Kanawha County and a number of residents from the recently annexed area of Sattes were present at the meeting regarding a matter of property owners in said area of Sattes having been charged taxes for the City's bonded indebtedness and the Mayor asked Mr. Alley, who was acting as spokesman of the group from Sattes Area, to present their case to the Council.

Mr. Alley explained that he had learned that the people in the recently annexed Sattes area has been charged for the City's bonded indebtedness, which he understood from reliable sources they were not liable for and asked that the City Attorney be instructed to take whatever steps necessary to regain their money which they has paid, for 1959 taxes.

The Mayor then called on Mr. McCorkle, Assessor of Kanawha County to explain how this error had happened.

Mr. McCorkle explained that his office has been rushed as usual at budget time and that his Chief Deputy, Mr. Gatens, had used the wrong figures in computing the taxes to be charged the people in the Nitro Annex, but that he would see the people were refunded their money. That this measure would take some time and extra work, but that within a few weeks he hoped to be able to make the adjustment for all property in the Nitro Annex, and Mr. McCorkle informed further that the error had been made in his office and that the City of Nitro Administration was at no fault on this error

The Council then proceeded with the regular order of business. Minutes for meeting held October 20th and October 27th were read. Councilman Gandee moved, seconded by Councilman Dunlap minutes be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Gewin, the financial statement for the month of October be accepted. Motion carried.

The Mayor and Council then entered into a discussion of sidewalk being installed on 23rd St, adjacent to the property owned by the Women's Club. The Women's Club requested permission to erect sidewalk abutting the curb with the 7 foot between sidewalk and their property line to be used for terracing and beautifying purposes. The Council discussed the question of the liability of sidewalk and steps if built on City Property. Thereupon Councilman Hogshead moved, seconded by Councilman Dunlap the Nitro Women's Club be permitted to construct sidewalk and steps abutting curb on 23rd Street and that the Women's Club be requested to secure proper insurance coverage to the satisfaction of the City Attorney. Upon a vote motion carried unanimously.

The recommendation of the Nitro Planning Commission was presented as follows:

THE FOLLOWING RECOMMENDATIONS OF THE NITRO CITY PLANNING COMMISSION WAS PRESENTED TO COUNCIL.

A.

That the section commonly known as the west side of Nitro, from the property on the south side of Boundary Street to and including the property on the north side of 15th Street bounded by the Kanawha River on the west and the New York Central on the east, shall be known and designated as "allowing no gainful business."

1. The developed portion of this area shall remain as set forth in deeds, fifteen (15) feet set back from property line to building and five (5) feet from side or rear of property line.

2. The undeveloped portion of the west side shall have the following restrictions:

- (1) Lots must contain a minimum of 7500 sq. feet and only one house and garage may be erected on each lot.

- (2) Set back from property line to front of house shall be twenty (20) feet minimum and five (5) feet minimum from side or rear of house.
- (3) The cost of dwellings to be Fifteen Thousand Dollars (\$15,000.00) minimum. based on 1959 building costs.
- (4) All streets shall have a right-of-way of fifty (50) feet minimum and twenty-eight (28) feet paved, from curb to curb.
- (5) No gainful business shall be allowed in this west side area.

B.

That the business district of Zone #4 shall constitute that portion of Zone #4 bounded by a line running parallel to and and hundred feet west of the property line fronting on the west side of Main Avenue from Lock Street to Valentine Circle, and the property facing on the east side of Main Avenue, from Valentine Circle to Lock Street back to New York Central property, Lock Street from New York Central property to Payne Avenue, both sides one hundred feet back from property line. The property on west side from north corporation line to a parallel line on the south side of Athletic Field to New York Central property.

The Council then discussed the recommendations and thereupon Councilman Gewin moved, seconded by Councilman Hogshead that the afore-said recommendation of the Planning Commission be referred to the City Zoning Commission for their consideration. Motion carried.

Mrs. Stadler of the Stadler Greenhouses was present at the meeting and explained to Council that they had been denied building permit for additional greenhouse on their property on Main Avenue due to recent action of Planning Commission and City Council. Thereupon Councilman Dunlap moved, seconded by Councilman Estep that special concession be allowed Stadler Greenhouses to construct their additions on Main Avenue. Motion carried.

Mayor Alexander offered the name of Wm. V. Lester as Director for the Civilian Defense of Nitro, subject to approval of the State and National Civilian Defense Bureau. Thereupon Councilman Dunlap moved, seconded by Councilman Gewin that the appointment of Wm. V. Lester be approved. Motion carried.

Councilman Gandee informed that the Dog Warden had been given an increase of \$5.00 by the other towns and thereupon Councilman Gandee moved, seconded by Councilman Dunlap that Nitro grant a \$5.00 per month increase for the Dog Warden, retroactive to July 1st, if the other towns had made the increase retroactive. Motion carried.

Councilman Dunlap moved, seconded by Councilman Estep that the Council be recessed until December 8th.



Mayor



Recorder

December 15, 1959

The City Council met in regular session Tuesday, December 15, 1959.

There were present: W. W. Alexander, Mayor; Grace Lewis, Recorder; M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandeo, G. E. Gewin, F. E. Grover and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Minutes for meeting held November 17, 1959 were read.

Councilman Dunlap moved, seconded by Councilman Estep, the minutes be approved as read. Motion carried.

Councilman Dunlap moved, seconded by Councilman Estep, the financial statement for the month of November be accepted. Motion carried.

Petition was presented to Council for the paving of 18th Street Hill Road from Third Avenue to Pennwood Avenue, Pennwood Avenue to Short Street and Short Street from Third Avenue to Grafton Avenue. The petition was discussed by members of the Council as to the desperate need of paving, selling of certificates, the question of width of street, pointing out that some of the property owners desired a wider street, and the question of sufficient property owner footage signing for requested paving.

Thereupon Councilman Dunlap moved this petition be tabled until a clearer picture of situation was presented. Councilman Grover seconded the motion. Motion carried.

The Mayor and Council entered into a discussion of bad condition of the New York Central track through town. The Mayor informed Council that a letter had been written to the Railroad Company several months ago, requesting the company to make repairs to the railroad through town.

The Mayor and Council entered into a discussion of parking situation in the business area of town. The idea of a parking area was discussed. Councilman Dunlap proposed parking meters alternating with non-meter area, pointing out that the parking was the City Council's problem to do something about and solve. The idea of using parkway on the railroad side of Route 25 for parking area was discussed. Councilman Dunlap moved, seconded by Councilman Grover, that a committee be appointed to begin a study of some solution for the parking problem. Motion carried.

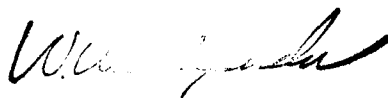
Thereupon, Mayor Alexander appointed the regular Traffic Committee composed of Councilmen Bush, Gewin and Grover, and also appointed Councilmen Dunlap and Estep to this special Traffic Committee.

The Mayor and Council also discussed Holman's sign and the Methodist Church sign in 20th Street and First Avenue obstructing vision of motorists, also high hedge and the mail box located at Kapoc Street and Main Avenue blocking motorists vision. The special traffic committee was instructed to also make a study of solutions to foregoing problems.

The Mayor informed Council that bids for Interceptor Sewers, Pumping Stations and Sewage Treatment Plant had been received by the Sanitary Board on December 8, 1959, that they had been tabulated and the low bids had been sent to the State Water Commission and then on to the Department of Health, Education and Welfare in Charlottesville, Virginia for their approval and informed the Council that it would be necessary to hold a Council meeting when said approval was received.

Thereupon Councilman Dunlap moved, seconded by Councilman Estep that the Committee meeting January 5th be dispensed with.

Thereupon Councilman Grover moved, seconded by Councilman Gandee, that this meeting be recessed until such time as Mayor should call Council in session.



Mayor



Recorder

January 19, 1960

The Council of the City of Nitro, West Virginia, met in regular session at the City Hall, in said city, at 8:00 o'clock P. M. The meeting was called to order and there were present W. W. Alexander, Mayor, presiding, and the following named Councilmen: M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, George W. Hogshead, M. D., also present Grace Lewis, City Recorder.

Absent: F. E. Grover, Councilman.

The minutes for regular meeting held December 15, 1959 were read.

Councilman Bush, seconded by Councilman Estep, moved the minutes be approved as read. Motion carried.

Councilman Gewin moved, seconded by Councilman Bush, the financial statement for the month of December, 1959, be accepted. Motion carried.

The paving petition for the paving of 18th Street Road was again discussed. This petition was again tabled until more information could be secured and the attorney was requested to check Court House records on footage of lot owned by Mrs. Sylvia Gunnoe.

Councilman Dunlap informed Council that a survey had been made in the business area regarding the traffic problem and from lower Bank Street to 23rd Street seemed to have no problem on parking. However, the survey showed that Bank Street from 21st Street to 20th Streets had some problems, and that the majority of the Committee

decided to take no action regarding the parking problem in the business area at this time.

Councilman Bush informed Council that he had checked the mail box located on Main Avenue and Kapoc Street and inquired of the owners of Richard's Grocery Store if they had any objection to the box being moved about sixty feet. They had no objection.

Councilman Gewin reported that the Post office authorities had moved mail box located on North 21st Street and that there was a bad hole left. Mr. Hunter, employee of the local Post Office, informed Council that both of the matters could be taken care of by the Post Office authorities.

Mr. Brown, Attorney, informed Council that it was his opinion that nothing could be done about Holman's sign on their used car lot located at 20th Street and First Avenue, that this property was privately owned. However, Mr. Brown was requested by Council to draft an ordinance regulating the installation of street signs as to size and location.

Councilman Bush moved, seconded by Councilman Estep, that additional street lights (2000 lumen) be installed on Walker Street, one to be installed on pole Number 323 over One and 1120-36, the second light to be installed on pole AEP 53-7472. Motion carried.

Mayor Alexander informed Council that the last session of Legislature had changed the state law regulating Urban and Rural Planning and Zoning within municipalities. This law to take effect January 1, 1960. The Board of Zoning Appeals to consist of Five members all of whom must be free-holders and residents of the city,

and Three-fifths of such members shall have been residents of the City for at least Ten years preceeding the time of their appointment. No member shall hold an elective or appointive office in the City Government.

The Mayor explained further that the City Planning shall be composed of not less than five nor more than fifteen citizens, all of whom shall be free-holders and residents of the municipality. Three-fifths of all members shall have been residents of the municipality for at least ten years prior to appointment. One member of the Commission shall also be a member of the governing body of the City and one member shall be a member of the administrative department of the City.

The following Ordinance was then read to the Council:

ORDINANCE

AN ORDINANCE AND RESOLUTION OF THE CITY OF NITRO CONFIRMING AND IMPLEMENTING THE PROVISIONS OF CHAPTER 8, ARTICLE 5, OF THE CODE OF WEST VIRGINIA, PROVIDING FOR URBAN AND RURAL PLANNING AND ZONING WITHIN MUNICIPLITIES.

WHEREAS, the City of Nitro is subject to the provisions of Chapter 8, Article 5, of the Code of West Virginia; and

WHEREAS, the Council of the City of Nitro is desirous of complying with the provisions of Chapter 8, Article 5, of the Code of West Virginia.

NOW, THEREFORE BE IT RESOLVED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF NITRO:

1. The present zoning law in the City of Nitro, Kanawha and Putnam Counties, West Virginia, shall remain in full force and affect unless changed in the manner provided in Chapter 8,

Article 5, of the Code of West Virginia.

2. The Mayor of the City of Nitro is hereby empowered and directed to do any and all things as required by Chapter 8, Article 5, of the West Virginia Code.

3. The City Planning Commission and The Board of Zoning Appeals hereby created shall be organized, and shall conduct their business as provided in said Article 8, Section 5, of the West Virginia Code.

4. All existing commissions and ordinances which are inconsistent with Chapter 8, Article 5, are hereby repealed.

Thereupon Councilman Bush, seconded by Councilman Estep, moved the adoption of the foregoing ordinance, and upon a vote by Council, motion carried.

The Mayor then explained to the Council that he wished to use the same members now serving on the Planning Commission and the Zoning Commission in as much as they had been working together and were familiar with the needs of the town. However, the Mayor pointed out that it would be necessary to change one of the Commissioners, namely T. O. Townsend, explaining further that Mr. Townsend was a member of the City Park Board, and according to the law he would not be able to serve as member of the Board of Zoning Appeals.

The Mayor then appointed the following members of the Board of Zoning Appeals:

<u>Three Year Term</u>	<u>Two Year Term</u>	<u>One Year Term</u>
G. C. Alderson	C. L. Mollohan	A. W. Hanes
Grant Woodall	E. R. Hamilton	

The Mayor then appointed the members of the Planning Commission as follows:

<u>Three Year Term</u>	<u>Two Year Term</u>	<u>One Year Term</u>
William R. Pritchard	Roy Smith	T. O. Townsend
J. W. Skaggs, M. D.	Mrs. T. A. Dent	Leo Knowlton
J. E. Roark		
Lewis Dillman	Emmett Wallace	Phillip Morrison

and Grenfall L. Estep as member of the City of Council and W. W. Alexander as member of the Administrative Department of the City of Nitro for their term of office.

Thereupon Councilman Gewin, seconded by Councilman Gandee, moved that the foregoing members of Zoning Appeals Board and City Planning Commission as recommended by the Mayor be approved. Motion carried.

The following ordinance was read to the Council:

ORDINANCE

AN ORDINANCE INCREASING THE NUMBER OF WARDS FROM THREE WARDS TO FOUR WARDS WITHIN THE CITY LIMITS OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AND PROVIDING FOR THE ELECTION OF A COUNCILMAN THEREFROM; AND, REDUCING THE NUMBER OF COUNCILMEN AT LARGE FROM FOUR COUNCILMEN AT LARGE TO THREE COUNCILMEN AT LARGE, PURSUANT TO CHAPTER 8, ARTICLE 3, SECTION 8, OF THE CODE OF WEST VIRGINIA.

WHEREAS on the 18th day of December, 1958, additional territory was annexed by the City of Nitro, Kanawha and Putnam Counties, West Virginia, and

WHEREAS it is deemed expedient to create a new ward com-

prised of the newly annexed territory and provide for the election of a Councilman Therefrom.

NOW, THEREFORE BE IT ORDAINED AND RESOLVED by the Council of the City of Nitro:

1. That a Fourth Ward of the City of Nitro be and the same is hereby created, said ward shall consist and be made up of the area lying within the boundaries of Kanawha County, Voting Precinct Number 306, as the same is officially constituted and as shown by the records of the County Court of Kanawha County, West Virginia.

2. One Councilman shall be elected from the newly created Fourth Ward beginning with the year 1960, for a term of four years.

The Councilman elected from the Fourth Ward shall, in addition to the qualifications prescribed by Chapter 8, Article 3, Section 9 of the Code of West Virginia, be a resident and legal voter of the ward from which he is elected, and must be a resident and legal voter at the time he files for election. The Councilman must continue to be a resident of the City and of the Fourth Ward during his term of office, removal of said Councilman from the Fourth Ward shall immediately vacate such office. Any such vacancy shall be filled in the manner prescribed by Chapter 8, Article 3, Section 13 of the Code of West Virginia.

3. The number of Councilmen at Large shall be reduced from Four Councilmen at Large to Three Councilmen at Large in the City of Nitro.

4. The foregoing ordinance shall hereby be made operative and effective as of the date of passage.

5. This ordinance and the various parts and sections thereof are hereby declared to be severable. If any part or section is adjudged unconstitutional or invalid, it is intended that the residue of this ordinance shall not be effected thereby.

Thereupon, Councilman Dunlap moved, seconded by Councilman Gandee, to adopt the foregoing ordinance, and upon vote by the Council, motion carried unanimously.

Mayor Alexander explained to the Council that he and the members of the Sanitary Board had been very busy the last few weeks checking and exploring the idea of merging with local industries on the sewage program, that he had met with officials and engineers from the local plants and with the State Water Resources Commission in Charleston, and that the State Water Resources Commission had then contacted the Department of Health, Education and Welfare, in Charlottesville, Virginia, regarding the idea of Nitro merging with the local industries on the sewage program. The Mayor then explained further that he had been notified by Mr. Bern Wright of the State Water Resources Commission that the Department of Health, Education and Welfare had advised that the City proceed with original plans, and that there was a possibility if they (the City) did not go ahead that the City may lose the Federal Grant, and that the State Water Resources Commission was ordering the city to proceed with their original plan.

The Mayor explained to Council the reason for exploring the idea of merging with local industries was the possibility of saving the people of Nitro several thousand dollars.

The Recorder then presented letter from the Sanitary Board as follows:

Nitro, West Virginia

January 19, 1960

To the Council of the City of Nitro, West Virginia.

The undersigned, constituting the Sanitary Board of the City of Nitro, West Virginia, do hereby certify that the attached proposed ordinance providing for the issuance and delivery of \$750,000 Sewer Revenue Bonds of the City of Nitro, West Virginia, fixing the coupon interest rates for said bonds, and reducing the amount of interest on the bonds to be capitalized from the bond proceeds as representing interest during the period of acquisition and construction of the extensions and improvements to the Municipal Sewage System, has been duly considered and approved by said Sanitary Board, and the Council of the City is hereby petitioned to adopt same and take appropriate action in connection therewith.

Respectfully submitted,

Sanitary Board of Nitro, West Virginia

By ss W. W. Alexander
Mayor, Chairman

By ss W. R. Pritchard
Engineer and Member

By ss Arnold D. Belcher
Member

Councilman Gewin introduced and caused to be read in full an ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND DELIVERY OF \$750,000 SEWER REVENUE BONDS OF THE CITY OF NITRO, WEST VIRGINIA; FIXING THE COUPON INTEREST RATES FOR SAID BONDS; AND REDUCING THE AMOUNT OF INTEREST ON THE BONDS TO BE CAPITALIZED FROM THE BOND PROCEEDS AS REPRESENTING INTEREST DURING THE PERIOD OF ACQUISITION AND CONSTRUCTION OF THE EXTENSIONS AND IMPROVEMENTS TO THE MUNICIPAL SEWAGE SYSTEM.

WHEREAS the City of Nitro, West Virginia pursuant to an ordinance adopted by the Council of said city on July 7, 1959, has heretofore provided for the issuance of \$750,000 Sewer Revenue Bonds of said City for the purpose of defraying the cost, not otherwise provided, of acquiring and constructing extensions and improvements to the municipal sewage system; and

WHEREAS this Council after consultation with Robert R. Anderson, Consulting Engineer, has determined that the proceeds from the sale of all of the bonds of said authorized issue will be necessary for said authorized purpose and that capitalized interest for two years on said bonds as provided in said ordinance would be excessive and if interest on the bonds for one year was capitalized from the bond proceeds it would cover the interest accruing on said bonds during the period of acquisition and construction of said extensions and improvements to the municipal sewage system and the purchaser of said bonds has agreed to the reduction of the period during which such interest is to be capitalized; and

WHEREAS it is provided in Section 2 of said ordinance that said bonds shall bear interest at the coupon rate of six per

cent (6%) per annum or at such lesser coupon rate or rates as may be fixed by supplemental ordinance or ordinances prior to the delivery of said bonds to the purchaser; and

WHEREAS said bonds are ready for delivery to the purchaser and it has been determined in accordance with the provisions of the agreement for the sale of said bonds as referred to in Section 10 of said ordinance that the coupon rates for said bonds shall be less than six per cent (6%) per annum;

NOW, THEREFORE, Be It Ordained by the Council of the City of Nitro, West Virginia, as follows:

Section 1. That the \$750,000 principal amount of Sewer Revenue Bonds of the City of Nitro, West Virginia as authorized by ordinance adopted July 7, 1959 and consisting of 750 bonds, numbered 1 to 750, inclusive, maturing on September 1 of each of the years 1962 to 1999, inclusive, and bearing interest from the date thereof at the coupon interest rates as follows:

<u>Maturities</u>	<u>Interest Rate Per Annum</u>
1962 thru 1979	4 3/4 %
1980 thru 1999	4 7/8 %

shall be sold and delivered to Seasongood & Mayer, Young Moore & Co., Inc., and Associates, pursuant to the agreement for the sale of said bonds and which agreement represents a sale of said bonds upon terms of not less than the statutory minimum of ninety cents on the dollar. The coupon interest rates for said bonds are hereby fixed.

Section 2. That simultaneously with the issuance of said bonds all sums received as accrued interest, together with a portion of the bond proceeds in an amount equal to all interest to accrue on said bonds for one year shall be paid into the "Sewer Revenue Bond Interest and Sinking Fund" as created in and by said ordinance adopted July 7, 1959 as representing interest on said bonds during the period of acquisition and construction of the extensions and improvements to the municipal sewage system.

Section 3. That this ordinance is hereby declared to be supplemental to said ordinance adopted July 7, 1959 and all ordinances, resolutions and orders or parts thereof in so far as same may be in conflict herewith are hereby repealed and that this ordinance be effective forthwith upon its adoption.

It was moved by Councilman Gewin and seconded by Councilman Bush that all rules requiring deferred consideration be suspended and said ordinance be immediately adopted, and after due consideration by the Council, the Mayor put the question on the motion, and the roll being called the following voted:

Aye: Councilmen: Bush, Dunlap, Estep, Gandee, Gewin, Hogshead, Mayor Alexander and Grace Lewis, Recorder.

Nay: None.

Whereupon the Mayor declared the motion duly carried and said ordinance duly adopted.

There being no further business to come before Council at this time, upon Mayor's request, Councilman Estep moved, seconded by Councilman Bush, this meeting be recessed until such time as the Mayor calls Council into session.



W. W. Alexander, Mayor



Grace Lewis, Recorder

January 28, 1960

The Council of the City of Nitro, West Virginia, met in recessed session at the City Building, in said City, at 3:30 o'clock P. M. The meeting was called to order and there were present W. W. Alexander, Mayor, presiding, and the following named Councilmen: M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee and F. E. Grover, also present Grace Lewis, City Recorder.

Absent: B. E. Gewin and George W. Hogshead, M. D. Councilmen.

Councilman M. L. Bush introduced and caused to be read in full an ordinance entitled:

AN ORDINANCE PROVIDING FOR THE CARRYING OF INSURANCE ON ALL BUILDING AND ALL MACHINERY AND EQUIPMENT THEREIN CONSTITUTING A PART OF THE MUNICIPAL SEWAGE SYSTEM OF THE CITY OF NITRO, WEST VIRGINIA AGAINST LOSS OR DAMAGE BY FIRE, LIGHTNING, WINDSTORM, FLOOD AND COLLAPSE AND FOR THE CARRYING OF PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE IN CONNECTION WITH THE OPERATIONS OF SAID MUNICIPAL SEWAGE SYSTEM.

WHEREAS, the City of Nitro, West Virginia, pursuant to an ordinance adopted by the Council of said city on July 7, 1959 has heretofore provided for the issuance of \$750,000 Sewer Revenue Bonds dated September 1, 1959 of said city for the purpose of defraying the cost, not otherwise provided, of acquiring and constructing extensions and improvements to the municipal sewage system; and

WHEREAS, said bonds are being prepared for delivery to the purchaser namely, Seasongood & Mayer, Young Moore & Co., Inc. and Associates and under the purchase agreement for said bonds it is required that the city carry adequate insurance on the buildings and

machinery and equipment therein constituting a part of the municipal sewage system against loss or damage by fire, lightning, windstorm, flood and collapse and also that the city carry adequate public liability and property damage insurance in connection with the operations of the municipal sewage system; and

WHEREAS, it is deemed advisable and necessary by the Council of said City at this time to enact this ordinance with regard to such insurance;

NOW, ~~THEREFORE~~, Be It Ordained by the Council of the City of Nitro, West Virginia, as follows:

Section 1. That the City of Nitro, West Virginia hereby covenants and agrees that so long as ~~any~~ of the \$750,000 Sewer Revenue Bonds dated September 1, 1959 are outstanding under the ordinance adopted by the Council of said city on July 7, 1959 it will keep all buildings and all machinery and equipment therein constituting a part of the municipal sewage system of said city insured against loss or damage of fire, lightning, windstorm, flood and collapse under a policy or policies of a responsible insurance company or companies authorized and qualified under the laws of West Virginia to assume such risks. Coverage of such insurance shall be for ~~the~~ amount of the insurable value or the principal amount of said Sewer Revenue Bonds dated September 1, 1959 as may be outstanding whichever amount is the lesser. The city further covenants and agrees in like manner to carry public liability and property damage insurance covering such risks and for such amounts

as the Sanitary Board of said city deems from time to time to be necessary or advisable by reason of the character and **extent** of the operations of the municipal sewage system. The proceeds of any and all such insurance, other than public liability and property damage, are hereby pledged as security for said Sewer Revenue Bonds dated September 1, 1959 until such proceeds are **paid** out in making good the loss or damage in respect of which such proceeds are received, by repairing or replacing the property damaged or destroyed. All expenses and costs of such insurance shall be an expense of operation and maintenance of the municipal sewage system.

Section 2. The provisions of this ordinance shall constitute a contract between the City of Nitro and the holders of the Sewer Revenue Bonds dated September 1, 1959 authorized to be issued under **said** ordinance adopted July 7, 1959, and after the issuance of any of said bonds no change, **variation**, or alteration of any kind of the provisions of this ordinance shall be made in any manner until such time as all of said bonds and the interest thereon shall have been paid in full.

Section 3. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this ordinance are to the extent of such conflict, hereby repealed and this ordinance shall be effective forthwith upon its adoption.

It was moved by Councilman Estep and seconded by Councilman Grover that all rules requiring deferred consideration be suspended

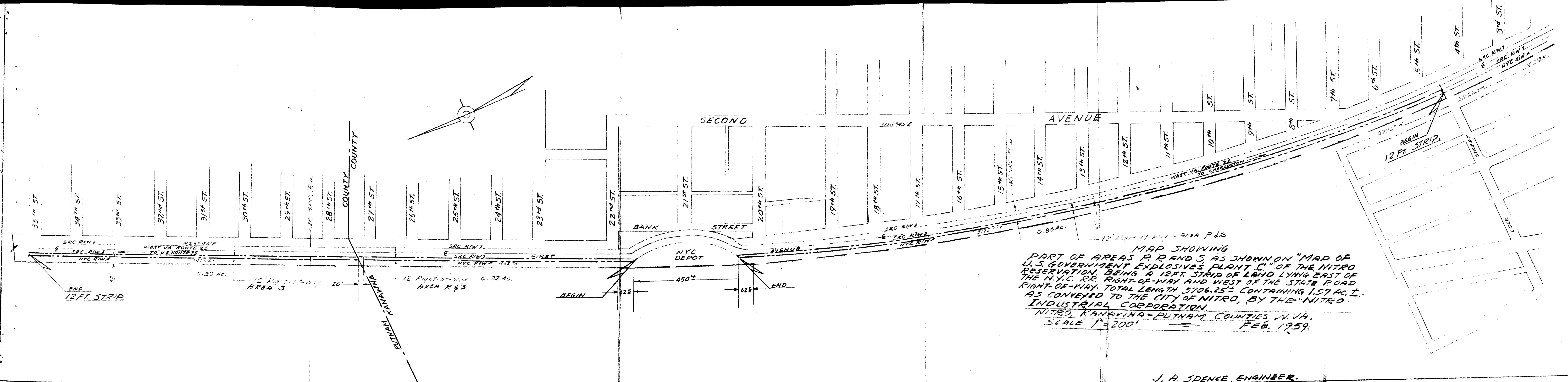
and said ordinance be immediately adopted, and after due consideration by the Council, the Mayor put the question on the motion, and the roll being called the following voted:

AYE: Councilmen Bush, Dunlap, Estep, Gandee and Grover, Grace Lewis, Recorder and W. W. Alexander, Mayor.

Nay: None.

Whereupon the Mayor declared the motion duly carried and said ordinance duly adopted.

The Mayor reported to the meeting that the City Attorney and the attorneys for Nitro Industrial Corporation and Nitro Sewer Company have agreed upon the form of the deeds for the land, easements and sewer system, which the City of Nitro has agreed to purchase, and submitted to the meeting a copy of each of the said deeds, to-wit, a deed between Nitro Industrial Corporation and the City of Nitro, dated September 15, 1959, by which three tracts of land and two easements will be conveyed; a deed between Nitro Sewer Company and the City of Nitro, dated September 15, 1959, by which certain truck line sewers and mains in the sewer system at Nitro will be conveyed; and a quitclaim deed between the City of Nitro and Nitro Sewer Company, dated September 15, 1959, by which certain trunk line sewers in Area "N" and Area "M", which the City of Nitro does not wish to acquire, will be quitclaimed to Nitro Sewer Company.



D E E D

NITRO INDUSTRIAL CORPORATION,
a West Virginia Corporation,

To

CITY OF NITRO, a municipal
corporation

Tracts of land and easements
in Kanawha and Putnam counties,
West Virginia

PAYNE, MINOR, RAY, PRICE & LOEB

ATTORNEYS AT LAW

KANAWHA VALLEY BUILDING

CHARLESTON, WEST VIRGINIA

THIS DEED, Made this 15th day of September, 1939, between
NITRO INDUSTRIAL CORPORATION, a West Virginia corporation, party of
the first part, and the CITY OF NITRO, a municipal corporation, party
of the second part;

W I T N E S S E T M :

That for and in consideration of the sum of Sixty-One
Thousand Five Hundred Dollars (\$61,500.00), cash in hand paid, and
other good and valuable considerations, the receipt of all of which
is hereby acknowledged, the party of the first part does hereby Grant
and Convey unto the party of the second part, subject to the terms,
conditions, reservations and exceptions hereinafter set forth, the
following real estate situate, lying and being in Putnam County and/or
Kanawha County, West Virginia, and more particularly described as
follows:

Lot 1

A tract of land situate on Kanawha River in Putnam County,
West Virginia, a short distance below the City of Nitro, being a part
of Plot 11, Area "N", as shown on the map of U. S. Government Explosive
Plant "C", showing Plots 1 to 25, and more particularly bounded and
described as follows:

BEGINNING at a point on the New York Central
Railroad property, said point being 503 feet
opposite New York Central Centerline Station P.T.
15493 + 3502 said point is also N. 129° 49' E.
30 + 75.94 of the U. S. Government Data from
the aforesaid map; thence with the west line of the
New York Central Railroad property with a 0° 54' 30"
degree curve to the right with a chord N. 24° 39' E.,
86 feet to a point on said curve; thence continuing
with the 0° 54' 30" degree curve to the right, 1,322.61
feet; thence N. 47° 51' W., 37.35 feet to a point at
the original low water mark of Kanawha River; thence
following the low water mark of Kanawha River and
the meanders thereof S. 60° 13' W., 38 feet; thence
S. 61° 57' W., 195.4 feet; thence S. 62° 21' W.,
320.75 feet; thence S. 65° 33' W., 393.38 feet;

thence leaving the original low water mark of Kanawha River and running through the Nitro Industrial Corporation property S. 15° 30' E., 703.43 feet; thence with a curve to the left with a chord S. 24° 39' W., 86 feet; thence S. 23° 45' W., 1,281.26 feet to a point in the north right of way line of the proposed private access road leading to W. Va. Route 25, Alternate; thence with the north line of the said proposed private access road S. 57° 35' E., 40.46 feet to a point, being a common point in the New York Central Railroad property of the northeast line of the said proposed private access road right of way; thence with the west line of the New York Central Railroad property N. 23° 45' E., 1,238.4 feet to the place of beginning, containing 6.5 acres, more or less,

reserving, however, an easement and right of way in, on, along over and across the following part of the said lot for ingress, egress and regress for persons, wagons, automobiles, trucks, trailers and other conveyances, for public utility lines, for private pipe lines, private electric lines, and private telephone lines, for the benefit of the party of the first part, its lessees and assigns, the said rights and privileges to be enjoyed in common with the party of the second part and its assigns without any duty on the party of the first part, its lessees and assigns, to contribute to the cost of the construction or maintenance of any road thereon, the said part of the said lot being more particularly bounded and described as follows:

BEGINNING at a point on the New York Central Railroad property, said point being 583 feet opposite New York Central Centerline Station P.T. 15493 + 3502, said point is also N. 129 + 75.49; E. 30 + 78.94 of the U. S. Government Data, and thence with the west line of the New York Central Railroad property with a 0° 54' 30" degree curve to the right with a chord N. 24° 39' E., 86 feet to a point on said curve; thence N. 15° 30' W., 63.22 feet; thence with a curve to the left with a chord S. 24° 39' W., 86 feet; thence S. 23° 45' W., 1,281.26 feet to a point in the north right of way line of the proposed private access road leading to W. Va. Route 25, Alternate; thence with the north line of the proposed private access road S. 57° 35' E., 40.46 feet to a point, being a common point in the New York Central Railroad property of the northeast line of the proposed private access road right of way; thence with the west line of the New York Central Railroad property N. 23° 45' E. 1,238.4 feet to the place of beginning, containing 1.2 acres, more or less.

A plat showing the said tract is attached hereto as a part hereof.

Lot II

A tract of land situate in the City of Nitro and partly in Kanawha County and partly in Putnam County, West Virginia, and being a strip of land 12 feet wide, known as the old streetcar right of way, lying adjacent to and paralleling the New York Central Railroad on the east side thereof, being a part of Areas "P", "R", and "S", as shown on map of U. S. Government Explosives Plant "C" of the Nitro Reservation, and being more particularly bounded and described as follows:

Parcel 1

BEGINNING at a point at the intersection of the north line of Lock Street, extended, with the east line of the New York Central Railroad right of way and running in a northern direction with the east line of the New York Central Railroad right of way for a distance of 3122.5 feet, more or less, to a point in the southeast line of the New York Central Railroad depot property; thence in a northeastern direction with the said line of the New York Central Railroad depot property a distance of 12 feet to the western line of the right of way of West Virginia Route No. 25; thence in a southern direction and with the western line with West Virginia Route No. 25, a distance of 3122.5 feet, more or less, to a point in the north line of Lock Street, extended; thence in a western direction with the north line of Lock Street, extended, a distance of 12 feet to the beginning, containing 0.86 acres, more or less, and being a part of Areas P and R.

Parcel 2

BEGINNING at a point at the intersection of the east line of the New York Central Railroad right of way with the northeast line of the New York Central Railroad depot property and running in a northern direction with the east line of the New York Central Railroad right of way, passing the Kanawha-Putnam County line at 1163.75 feet, more or less, a distance of 2583.73 feet, more or less, to the north line of 35th Street, extended; thence in an eastern direction with the north line of 35th Street, extended, a distance of 12 feet to the western line of the

right of way of West Virginia Route No. 25; thence in a southern direction with the western line of West Virginia Route No. 25, a distance of 2583.75 feet, more or less, to the north-eastern line of the New York Central Railroad depot property; thence in a northwestern direction with the said northeastern line of the New York Central Railroad depot property a distance of 12 feet to the beginning, containing 0.71 acres, more or less, and being a part of Areas R and S.

A plat showing the said tract is attached hereto as a part hereof.

Lot III

A lot 60 feet wide, situated in the City of Nitro and in Kanawha County, West Virginia, fronting on the western side of Third Avenue, being a part of Plot No. 15, as shown on map of U. S. Government Explosives Plant "C", showing Plots 1 to 25, and being more particularly bounded and described as follows:

BEGINNING at a point on the west side of Third Avenue, said point being 257.5 feet N. 23° 45' E. from Twenty-First Street and at the corner of a lot of Nitro Industrial Corporation and thence with the north side of said lot N. 66° 15' W., 68 feet; thence N. 23° 45' E., 60 feet; thence S. 66° 15' E., 68 feet to a point in the west line of Third Avenue; thence with the west line of Third Avenue, S. 23° 45' W., 60 feet to the place of beginning, containing 0.094 acres, more or less.

A plat showing the said lot is attached hereto and as a part hereof.

Lot IV

An easement and right of way, 10 feet in width, for the purpose of constructing, operating, maintaining, renewing and repairing a sewer line with right of ingress and egress to and from the same along the said 10-foot strip but not elsewhere, the center line of said easement and right of way being more particularly bounded and described as follows:

BEGINNING at a point in the west line of Plot 2, Area "A", said point being N. 6° 40' W., 5 feet from the common corner of Nitro Industrial Corporation property, Plot 2, Area "A", and from the southeast corner of the Kanawha County Board of Education Athletic Field and thence crossing Plot 2, N. 46° 00' E., 70 feet, more or less; thence N. 78° 10' E., paralleling the existing sewer and 6 feet south thereof 468 feet to a point in the east line of Plot 2, Area "A", said point being S. 0° 58' E., 311 feet, more or less, from a stake in the south right of way line of 19th Street, West, the said stake being S. 45° 30' E., 246.14 feet from the intersection of the said south right of way line of 19th Street, West, with the south right of way line of Park Road.

The said easement and right of way is granted subject to the terms, conditions, covenants and promises set out hereinbelow.

A plat showing the center line of the said easement and right of way is attached hereto as a part hereof.

Lot V

An easement and right of way, 12-feet in width, for the purpose of constructing, operating, maintaining, renewing and repairing a sewer line, with right of ingress and egress to and from the same along the said 12-foot strip, but not elsewhere, the center line of said easement and right of way being more particularly bounded and described as follows:

BEGINNING at a point in the north line of 35th Street, extended, and in the center of a 12-foot strip of land situate between the New York Central Railroad Company right of way and State Route No. 25 right of way, and extending in a northerly direction six (6) feet east of the east line of the said New York Central right of way a distance of 5,860 feet, more or less, to a point in the center line of an existing sewer which runs in a westerly direction toward Kanawha River, the said center line of the said easement and right of way being in the center of the said 12-foot strip of land from the north line of 35th Street, extended, to the north line of 41st Street, extended, and then six (6) feet from the western line of a strip of land 40-feet wide, more or less, both the 12-foot strip and the 40-foot strip being owned by Nitro Industrial Corporation.

The said easement and right of way is granted subject to the terms, conditions, covenants and promises set out hereinbelow.

A plat of the center line of the said easement and right of way is attached hereto as a part hereof.

The said easements and rights of way hereinabove described as Lot IV and Lot V are granted subject to the following terms, conditions, covenants and promises:

(a) The party of the first part reserves for itself, its successors and assigns, the right to use the land, which is subject to the said easements and rights of way, in any manner which does not interfere unreasonably with the operation of the said sewer lines.

(b) The party of the second part shall compensate the party of the first part, its successors or assigns, for all damage done to adjoining lands and property thereon by the operations of the party of the second part.

(c) When and if the party of the second part disturbs the surface of the strip of land in connection with its operations thereon, promptly upon the completion of the work the party of the second part shall replace the surface of the land in the same condition in which it was before the work was started, at the cost and expense of the party of the second part.

(d) In the event that this easement shall be abandoned or cease to be used for a period of twelve months or more, it shall revert to and again be vested in the party of the first part, its successors and assigns.

(e) The said easements and rights of way are subject to all rights heretofore granted to and reserved by others, among such exceptions and reservations being what is known as the "Plant Road", gas pipe lines, water pipe lines, electric transmission lines, leases for gardening, and for advertising purposes.

This conveyance is made subject to the following terms, conditions, reservations and exceptions:

(1) There is reserved and excepted from this deed all rights and easements in, on and through the property hereby conveyed which have heretofore been conveyed, or acquired in any other manner, for roads, streets, alleys, water, gas, electricity, telephone, telegraph and other public utilities.

(2) There is reserved and excepted from this deed all the trunk line sewers and mains on said property, with the right to enter upon said property at all times to keep, construct, repair and maintain the said sewers, but without obligation on the party of the first part to repair and maintain said sewers, it being understood that the party of the second part shall have the right to use the said sewer system in common with all other property owners within the Reservation of Nitro, and that the lines connected with the sewer mains for the sole use of said property shall be conveyed to the party of the second part.

(3) This deed is made subject to all of the conditions, restrictions, exceptions and reservations contained in the deeds conveying the said property to the party of the first part, and to its predecessors in title.

The party of the second part covenants, promises and agrees to pay all taxes and assessments and governmental charges against said property for the year 1959 and succeeding years.

The party of the first part covenants with the party of the second part that it will WARRANT GENERALLY the property hereby conveyed, subject to the aforesaid terms, conditions, reservations and exceptions.

IN WITNESS WHEREOF, the party of the first part has caused its name to be signed and its corporate seal to be affixed hereto by its President, thereunto duly authorized, and the party of the second part has caused its name to be signed and its corporate seal to be affixed hereto by its Mayor, thereunto duly authorized, all as of the day and year first above written.

NITRO INDUSTRIAL CORPORATION

By _____
Its President

CITY OF NITRO

By _____
Its Mayor

STATE OF WEST VIRGINIA.

COUNTY OF KANAWHA, To-wit:

I, _____, a Notary Public in and for the State and County aforesaid, do hereby certify that _____, who signed the writing above, bearing date the 15th day of September, 1959, for Nitro Industrial Corporation, a West Virginia corporation, as its President, has this day in my said County acknowledged before me the said writing to be the act and deed of said corporation.

Given under my hand this _____ day of _____, 1960.

My commission expires _____.

Notary Public

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, To-wit:

I, _____, a Notary Public
in and for the State and County aforesaid, do hereby certify
that _____, who signed the writing hereto
annexed, bearing date the 15th day of September, 1959, for
the City of Nitro, a municipal corporation, as its Mayor, has
this day in my said County before me acknowledged the said
writing to be the act and deed of said corporation.

Given under my hand this _____ day of _____,
1960.

My commission expires _____.

Notary Public

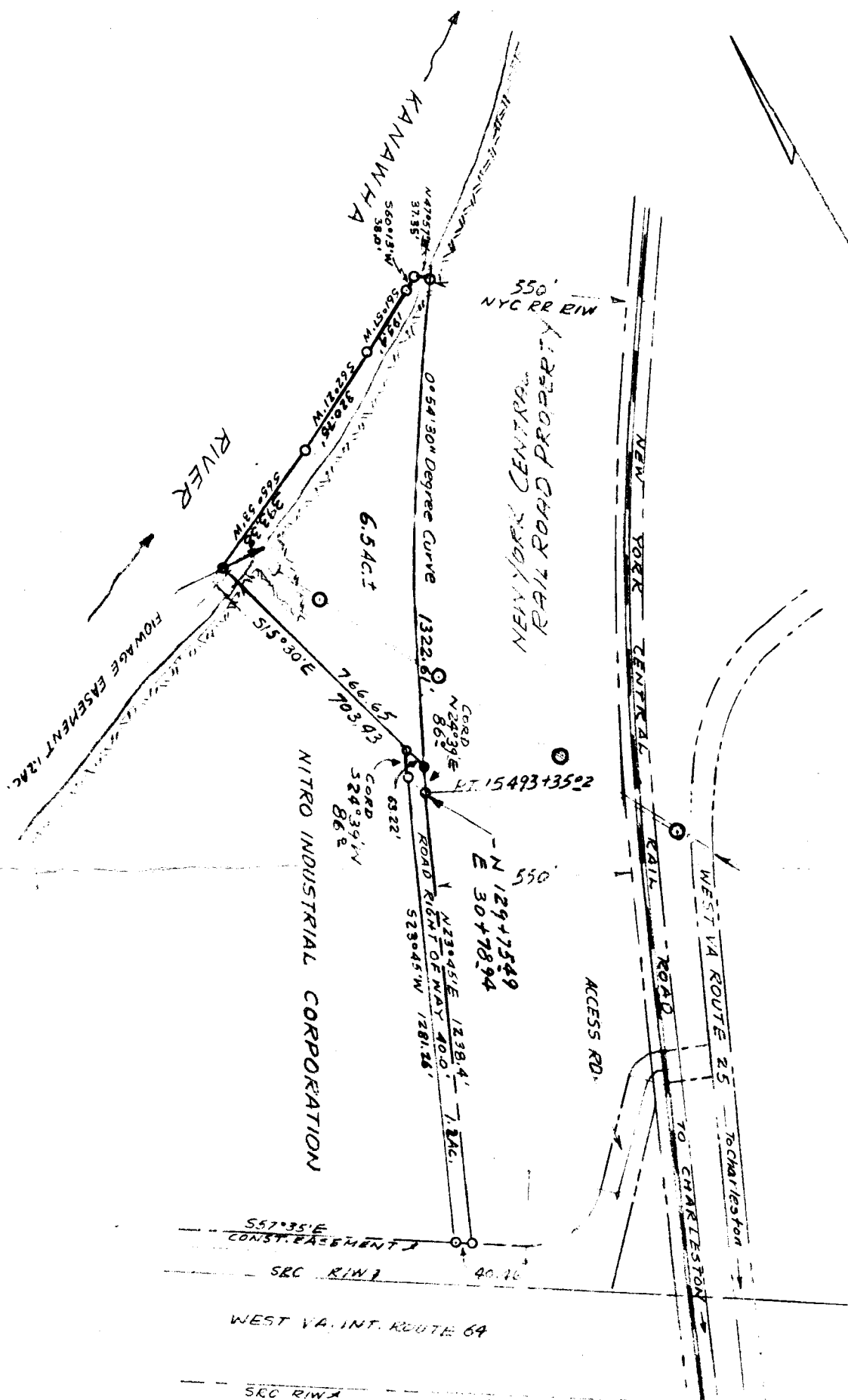
DECLARATION OF CONSIDERATION OF VALUE

Under the penalties of fine and imprisonment as provided by law the grantor does hereby declare the total consideration for the property transferred by this document is Sixty-one Thousand Five Hundred Dollars (\$61,500.00).

NITRO INDUSTRIAL CORPORATION

By _____

President



MAP SHOWING:

PART OF PLOT NO. 11, AREA "M" SHOWN ON
 "MAP OF U.S. GOVERNMENT EXPLOSIVES PLANT
 C, SHOWING PLOTS 1 THROUGH 25 REMAINING UN-
 FOLD, NITRO, WEST VIRGINIA"

AS CONVEYED TO THE CITY OF NITRO
 BY THE NITRO INDUSTRIAL CORPORATION,
 NITRO, PUTNAM COUNTY, W. VA.

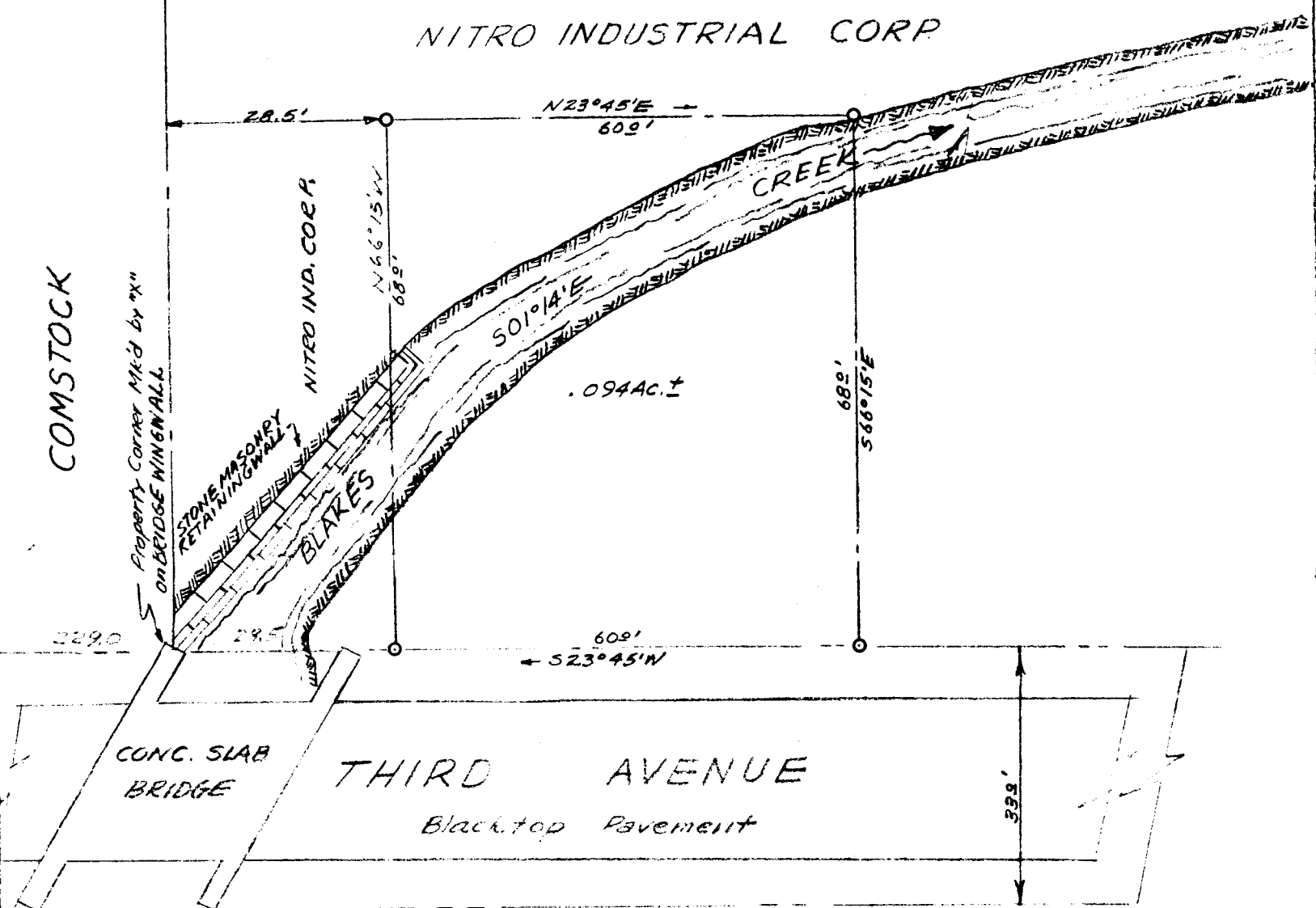
SCALE: 1"=400' FEBRUARY 1959
 MUNICIPAL ENGINEERING CORP.
 J.A. SPENCE REG. PROF. ENGINEER

REV. 2-23-59

COMSTOCK

COMSTOCK

NITRO INDUSTRIAL CORP



MAP SHOWING:

PART OF PLOT 15, SHOWN ON "Map of U.S. GOVERNMENT EXPLOSIVES PLANT C showing Plots 1 through 25 remaining unsold, NITRO, WEST VIRGINIA." Prepared by C.E. CONNER, C.E. dated September 11, 1929 and of record in office of the County Clerk, KANAWHA COUNTY.

MAP BOOK 6, PAGE 145

60.0' Lot on THIRD AVENUE as conveyed by the NITRO INDUSTRIAL CORP. to the City of NITRO, NITRO, KANAWHA CO, WEST VIRGINIA.

SCALE: 1" = 20'

FEBRUARY 16, 1959

MUNICIPAL ENGINEERING CORP

J.A. SPENCE REG. PROFESSIONAL ENGINEER

CITY PARK

PARK ROAD
N83°23'E 443.85
379.62

19TH STREET
S45°30'E 246.14
S45°30'E 194.83

WEST

PART OF PLOT #2
AREA "A"

EXISTING
SEWER

PROPOSED SANITARY
SEWER (FORCE MAIN)
SEWER EASEMENT

MAP SHOWING
PROPOSED SEWER CROSSING
PART OF PLOT 2 AREA A,
SHOWN ON "MAP OF U. S.
GOVERNMENT EXPLOSIVES
PLANT C, SHOWING PLOTS
1 THRU 25. - MAP BOOK 6, PAGE 145
NITRO, KANAWHA CO., W. VA.
EASEMENT FOR SEWER
10 FT. WIDTH GRANTED
AND CONVEYED TO THE
CITY OF NITRO

BY THE

NITRO INDUSTRIAL CORP.

SCALE 1" = 100' = FEB 1959

J. A. SPENCE, ENGR.

ATHLETIC FIELD

FENCE

15TH ST. WEST

PARK AVE.

S68°31'E 165'

MAP SHOWING
 PART OF AREA "S" AS SHOWN ON
 "MAP OF U.S. GOVERNMENT
 EXPLOSIVES PLANT C."
 OF THE NITRO RESERVATION
 BEING A 12 FT. EASEMENT
 LYING EAST OF THE N.Y.C. R.R. R/W
 AND EXTENDING FROM THE NORTH
 R/W LINE OF 35TH ST. EXTENDED,
 NORTHERLY 5860 FT. ± TO THE
 EXISTING SEWER
 AS GRANTED TO THE CITY OF NITRO
 BY THE NITRO INDUSTRIAL CORPORATION
 NITRO, PUTNAM COUNTY, WEST VA.

SCALE 1" = 500' = FEB. 1959

J. A. SPENCE, ENGINEER

PLANT ROAD

6'

FIRST AVE.

41ST ST.

40TH ST.

39TH ST.

38TH ST.

37TH ST.

36TH ST.

35TH ST.

EXISTING
SEWER

12' Easement

6'

NEW YORK CENTRAL RAIL ROAD

5860' ±

N 23° 45'E

W. VA. RT. 25

Thereupon Councilman Bush moved that the following resolution be adopted:

RESOLVED, That the form of the following deeds, which have been submitted to this meeting, are hereby approved, to-wit:

(a) A deed between Nitro Industrial Corporation and the City of Nitro, dated September 15, 1959, by which three tracts of land and two easements are to be conveyed;

(b) A deed between Nitro Sewer Company and the City of Nitro, dated September 15, 1959, by which certain trunk line sewers and mains in the sewer system at Nitro are to be conveyed;

(c) A quitclaim deed between the City of Nitro, and Nitro Sewer Company, dated September 15, 1959, by which certain trunk line sewers in Area "N" and Area "M" which the City of Nitro does not wish to acquire, are to be quitclaimed to Nitro Sewer Company; and,

RESOLVED, FURTHER, That the Mayor of the City of Nitro be, and he hereby is, authorized and directed to execute and acknowledge the said deeds on behalf of the City of Nitro; and,

RESOLVED, FURTHER, That the Mayor of the City of Nitro be, and he hereby is, authorized to accept delivery of the said deeds on behalf of the City of Nitro in the form which has been approved at this meeting; and,

RESOLVED, FURTHER, That the delivery of the said deeds in the form approved at this meeting shall be deemed the full and

D E E D

NITRO SEWER COMPANY,
a West Virginia corporation,

to

CITY OF NITRO, a municipal
corporation.

Sewer system in Nitro, West
Virginia.

PAYNE, MINOR, RAY, PRICE & LOEB
ATTORNEYS AT LAW
KANAWHA VALLEY BUILDING
CHARLESTON, WEST VIRGINIA

BK 7 after pg 113

10/26/59

THIS DEED, Made this 15th day of September, 1959, between NITRO SEWER COMPANY, a West Virginia corporation, party of the first part, and the CITY OF NITRO, a municipal corporation, party of the second part;

W I T N E S S E T H:

That for and in consideration of the sum of Twenty-five Thousand Dollars (\$25,000.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part does hereby Grant and Convey unto the said party of the second part, subject to the terms, conditions, reservations and exceptions hereinafter set forth, the following property situated in Putnam and Kanawha counties, West Virginia, hereinafter sometimes referred to as "sewer system":

(1) All the trunk line sewers and mains in the sewer system constructed 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," except the trunk line sewers and mains which are situate in (a) Area "N" of said Nitro Reservation and (b) that part of Area "N" of said Nitro Reservation lying westerly from the common boundary line between the property of Nitro Industrial Corporation and the property of New York Central Railroad and northerly from co-ordinate location N-92 as such location is shown on a map designated as "Map of U. S. Government Explosives Plant G, Showing Plots Nos. 1 to 23 Remaining Unsold," prepared by C. R. Connor, C. E., September 11th, 1929, to which map reference is hereby made as though incorporated herein.

(2) All that certain trunk line sewer and main situate in Area "N" of the Nitro Reservation, which trunk line sewer and main extends from Kanawha River at a point in the tract of land commonly referred to as "Seeger Tract"

10/26/59

"Point A" in a southerly direction to a point in the common boundary between Area "M" and Area "B" of the Nitro Reservation.

(3) All the easements and rights of way for the trunk line sewers and mains hereby conveyed.

(4) The right to enter upon the premises where the trunk line sewers and mains hereby conveyed are situated in order to operate, keep, repair and maintain the same.

This conveyance is made subject to the following terms, conditions, reservations and exceptions, to-wit:

(a) The rights now owned by others to use the sewer system hereby conveyed in common with other property owners requiring the use of said sewer system within the Nitro Reservation, which rights have heretofore been conveyed to individual owners of property situated within the said Nitro Reservation, are excepted and reserved.

(b) The right of Nitro Industrial Corporation, its successors or assigns, to connect to the said sewer system, without the payment of a tap or connection fee, in order to obtain and enjoy the use of the said sewer system for all land now owned by Nitro Industrial Corporation which is within the Nitro Reservation, is excepted and reserved. Nitro Industrial Corporation, its successors and assigns, will pay such fees for the use of the said sewer system as are fixed by the Public Service Commission of West Virginia and as are paid by other users of the said sewer system. Nitro Industrial Corporation has heretofore reserved to itself the right to make connections to the said sewer system without the payment of any connection fee or tap charge, and to make the aforesaid use of the said sewer system for land owned by it, and any grantee of the above-described sewer system shall recognize the said rights and take the property subject thereto.

(c) All sewers in the Nitro Reservation which are not trunk line sewers and mains, but are small sewers

9/20/52

serving only the parcel of land on which the same are located, are accepted and reserved.

(d) The rights to lay out and construct the water system and the right to enter upon the premises where the water system is located, in order to operate, keep, repair and maintain the same, are limited to such rights as the party of the first part may own.

(e) The rights which Nitro Industrial Corporation and its predecessors in title have granted to others prior to April 3, 1942, for the construction, repair and maintenance of water lines, gas lines, telephone lines and electric lines, are accepted and reserved.

(f) The party of the second part shall pay all taxes on the property hereby conveyed for the year 1952 and succeeding years.

IN WITNESS WHEREOF, the party of the first part has caused its name to be signed and its corporate seal to be hereunto affixed by its President, the same duly authorized, as of the day and year first above written.

NITRO INDUSTRIAL CORPORATION

By _____
Its President

STATE OF WEST VIRGINIA,
COUNTY OF KANE, ss: vld

I, _____, a Notary Public in and for the State and County aforesaid, do hereby certify that _____, who signed the within instrument, bearing date the 15th day of September, 1936, for Elmer Lewis Company, a West Virginia corporation, as its President, has this day acknowledged the same before me in my said County to be the act and deed of said corporation.

Given under my hand this _____ day of _____,

1936.

My commission expires _____

NOTARY PUBLIC

DECLARATION OF CONSIDERATION OF VALUE

Under the provisions of Act and Amendment as provided by law
the parties have hereby declared the total consideration for the property
transferred by this document is Twenty Five Thousand Dollars (\$25,000.00).

WITNESSED AND SIGNED

By _____
[Signature]

and complete performance by Nitro Sewer Company and Nitro Industrial Corporation of the contracts between them, respectively, and the City of Nitro, which contracts created by the options granted to the City of Nitro by Nitro Industrial Corporation and Nitro Sewer Company, dated March 15, 1959, respectively, and the exercise of the said options by the City of Nitro by notice in writing, dated July 14, 1959; and,

RESOLVED, FURTHER, That the copies of the above-mentioned deeds submitted to this meeting by the Mayor be filed with the minutes of this meeting.

The motion was seconded by Councilman Estep, and, after a discussion thereof, a vote was taken, and the majority having voted in favor of the motion, the Mayor announced the motion was carried and that the resolutions had been adopted.

D E E D

CITY OF NITRO, a municipal
corporation,

To

NITRO SEWER COMPANY, a West
Virginia corporation.

Quitclaim deed

PAYNE, MINOR, RAY, PRICE & LOEB
ATTORNEYS AT LAW
KANAWHA VALLEY BUILDING
CHARLESTON, WEST VIRGINIA

BK 7 244 pg 115

THIS DEED, Made this 11th day of September, 1935,
between the CITY OF NITRO, a municipal corporation, party of
the first part, and NITRO POWER COMPANY, a West Virginia corpo-
ration, party of the second part;

S I T H E R E B Y

That for and in consideration of the sum of Ten
Dollars (\$10.00), cash in hand paid, and other good and
valuable considerations, the receipt of all of which is
herby acknowledged, the party of the first part has released,
released and quitclaim claim and by these presents does hereby
release, release and quitclaim unto the party of the second
part all right, title and interest, both at law and in equity,
owned to all the track line covers and main rights in (a)
part "K" of the Nitro Reservation in Putnam County, West
Virginia, the location of said area being as shown on a map
designated as "Map of U. S. Government Reclamation District N,
Showing Plots Nos. 1 to 25 Remaining Unsold," prepared by
G. E. GUNTER, C. E., September 11th, 1935, to which map
reference is hereby made as though incorporated herein; and
(b) that part of area "K" of said Nitro Reservation in Putnam
County, West Virginia, the location of said area being as
shown on said map referred to in (a) next above, lying westerly
from the common boundary line between the property of Nitro
Industrial Corporation and the property of the New York Central
Railroad and northerly from co-ordinate location N-22 as such
location is shown on said aforementioned map, except the follow-
ing track line cover and main which has been conveyed by deed
of even date by Nitro Power Company to the City of Nitro, to-wit:

That certain truck line sewer and main
situate in said Area "K" of said Nitro Reserva-
tion, which truck line sewer and main extends
from the Kanawha River at a point in the tract of
land commonly referred to as "Garage Treatment
Plant Site" in a southerly direction to a point
in the common boundary between said Area "K" and
Area "S" of the Nitro Reservation.

IN WITNESS WHEREOF, the City of Nitro has caused its
name to be signed and its corporate seal to be hereunto affixed
by its Mayor, therunto duly authorized, on of the day and year
first above written.

CITY OF NITRO

By _____
Mayor

STATE OF WEST VIRGINIA,
COUNTY OF LINCOLN, To-wit:

I, _____, Notary Public
do hereby certify that _____, Mayor of the City of
Nitro, a municipal corporation, as its Mayor, has this day
caused to be signed and sealed the foregoing instrument to be the
act and deed of said corporation.

Given under my hand this _____ day of _____,
1940.

My commission expires _____

Notary Public

DECLARATION OF CONSIDERATION OF VALUE

Under the penalties of fine and imprisonment as provided
by law the grantor does hereby declare that the property trans-
ferred by this document is not subject to state estate tax upon
the privilege of transferring real estate for the reason that
the grantor has not paid any consideration for the deed.

CITY OF NITRO

By _____
Mayor



Thereupon, the Mayor informed the Council that Grace Lewis, had resigned as Secretary-Treasurer of the Sanitary Board, effective as of January 31, 1960, stating further that now that the Board would have in their employee a collector of the sewage fees that the present salary for the Secretary services could be applied to the salary of the collector, thereby being a saving to the people, the Mayor further informed the Council that said resignation had been accepted by the Sanitary Board and that the Board had appointed Mrs. Clara Walker, Secretary-Treasurer and collector at a salary of Two Hundred Fifty (\$250.00) Dollars per month.

Thereupon, Councilman Bush moved, seconded by Councilman Estep, the Council accept the appointment of Clara Walker, Secretary-Treasurer of the Nitro Sanitary Board at the above stated salary. Motion carried.

Thereupon, the Mayor asked the Council's opinion of charging the Sanitary Board rent for room to be used by the Board for collection of the sewage fees, stating that the Board had discussed such a possibility. The Mayor and Council discussed this matter and thereupon Councilman Bush moved, seconded by Councilman Estep, that the City charge the Nitro Sanitary Board rent of Thirty-five (\$35.00) Dollars per month, effective February 1, 1960, for rent of room, the amount to include utilities and janitor services. Upon a vote being taken all present voted in favor of motion, except Councilman Dunlap, who did not vote. The Mayor Declared the motion carried.

Thereupon Councilman Estep moved the meeting recessed,
motion seconded by Councilman Bush. Motion carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

February 16, 1960

The Council met in regular session Tuesday, February 16, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

The minutes for meeting held January 19th and January 28th were read. Councilman Gandee moved, seconded by Councilman Grover, the foregoing minutes be approved as read. Motion carried.

Councilman Bush moved, seconded by Councilman Gewin, the financial statement for the month of January be accepted. Motion carried.

The Council then discussed the paving petition for 18th Street Hill Road and the Council was informed that the footage of Mrs. Gunnoe's lot was 288.45 feet, therefore that the property footage against the paving was greater than property footage for the paving. Thereupon, Councilman Grover moved, seconded by Councilman Estep, that the people be notified of this disclosure and that the people be asked if they desired to do further work on the petition in an effort to secure fifty percent of the property owners in favor of paving. Motion carried.

The Mayor informed Council that he had had two requests for street lights, one on First Avenue at Kapoc Street and one on First Avenue, near East Sattes School.

Thereupon, Councilman Grover moved, seconded by Councilman Gandee, that additional Street lights be installed at the following locations: One (2000 lumen) on First Avenue at Kapoc Street, One (6000 lumen) on First Avenue near East Sattes School. Motion carried.

The following ordinance was presented to the Council:

AN ORDINANCE CREATING AND ESTABLISHING A CIVIL DEFENSE AGENCY; PROVIDING FOR A DIRECTOR THEREOF; CREATING CERTAIN POWERS; DESCRIBING THE DUTIES THEREOF; AND OTHER PURPOSES:

Be it ordained by the City Council of the City of Nitro, West Virginia, that the following Civil Defense organization be established for the City of Nitro, West Virginia, in accordance with Chapter 15, Article 5, Section 8, of the West Virginia Code of 1931, as amended, and in coordination with the State Civil Defense Plan and Program, with the authority and regulations specified herein.

SECTION 1. POLICY AND PURPOSE

In view of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action, or from fire, flood, earthquake, or other natural causes, and in order to insure that preparations of this city will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health and safety, and to preserve the lives and property of the people of this

city, it is hereby found and declared to be necessary:

- (1) To create a city Civil Defense Agency:
- (2) To provide for the rendering of mutual aid to other cities within the State of West Virginia and, if necessary and only by compact approval of the Governor of West Virginia, the neighboring cities and counties of another State;
- (3) To cooperate with the State government with respect to carrying out civil defense functions.

It is further declared to be the purpose of this ordinance and the policy of this city, that all Civil Defense functions of this city be coordinated to the maximum extent with the State government, including its various departments and agencies, with other cities and localities, and with private agencies of every type, to the end that the most effective preparation and use may be made of this city's manpower, resources and facilities for dealing with any disaster that may occur.

It is further declared to be the purpose of this ordinance, and the policy of this city to organize a Civil Defense organization in conformity with the West Virginia Civil Defense Plan as directed by Chapter 15, Article 5, Section 8 of the West Virginia Code of 1931, as amended.

SECTION 2. DEFINITIONS

As used in this ordinance: "Civil Defense" shall mean the preparation for and the carrying out of all emergencies functions, other than functions for which the military are

primarily, responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action, or by fire, flood, earthquake, or other natural causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, air raid warning services, communications, radiological, chemical, and other special weapons defense, evacuations of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for the carrying out of the foregoing functions.

SECTION 3. CIVIL DEFENSE ADVISORY COUNCIL

(a) There is hereby created a Civil Defense Advisory Council, hereinafter called Council, which shall consist of (3 to 9) citizens appointed by the City Council, who shall advise (the Mayor) (the City Civil Defense Director, provided for in the next section) on all matters pertaining to Civil Defense. The Mayor shall serve as chairman of the Council and the members thereof shall serve without compensation. The Council shall be responsible for and have general direction and control of the Civil Defense of the City and have such other powers as are granted and conferred by this ordinance which are not inconsistent with other ordinances of this City.

SECTION 4. DIRECTOR OF CIVIL DEFENSE

(a) The Civil Defense Advisory Council, provided for in Section 3 above, is hereby authorized to appoint a Director of Civil Defense, who shall perform such duties as are imposed upon him by this ordinance, and as are delegated to him when not contrary to other ordinances of this City.

SECTION 5. DUTIES OF DIRECTOR

(a) The Director shall coordinate the activities of all organizations for Civil Defense within this City and shall maintain liaison with and cooperate with the Civil Defense agencies and organizations within the State and within the State government. When such authority is delegated to him by the Civil Defense Advisory Council, the Director shall have direct responsibility for the organization, administration and operation of the City organization for Civil Defense, subject to the direction and control of the Civil Defense Advisory Council.

SECTION 6. OTHER DUTIES OF MAYOR OR DIRECTOR

(a) In performing his duties under this ordinance, (the Mayor) (the Director of Civil Defense), is authorized to cooperate with the State government, with other cities and counties, and with private agencies in all matters pertaining to the Civil Defense of the City and of the State.

(b) In performing his duties under this ordinance, and to effect its policy and purpose, (the Mayor), (the Director) is further authorized and empowered:

- (1) To make, amend and recind the necessary orders, rules, regulations to carry out the provisions of this ordinance within the limits of the authority conferred upon him, with due consideration of the plans of the State government.
- (2) To prepare a comprehensive plan and program for the Civil Defense of this city, such plan and program to be integrated into and coordinated with the Civil Defense plans of the State Government, and of other cities and counties within the State to the fullest extent.
- (3) In accordance with such plan and program for the Civil Defense of the city, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps including the partial or full mobilization of the civil defense organization in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need.
- (4) To make such studies and surveys of the industries, resources and facilities in this city as may be necessary to ascertain the capabilities of the city for civil defense, and to plan for the most efficient emergency use thereof.
- (5) On behalf of this city, to enter into mutual aid arrangements with other cities and counties within this State, and also, with the approval of the Governor of West Virginia, with Civil Defense agencies or organizations

of other states, for reciprocal Civil Defense aid and assistance in case of disaster too great to be dealt with unassisted.

(6) To delegate any administrative authority invested in him under this ordinance, and to provide for the subdelegation of any such authority.

(7) To cooperate with the Governor and the West Virginia Division of Civil Defense and with officials and agencies of other cities and counties within the State, in matters pertaining to the Civil Defense of the City and State, including the direction or control of:

- (a) blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises;
- (b) warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;
- (c) the effective screening or extinguishing of all lights and lighting devices and appliances;
- (d) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;
- (e) the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, during prior and subsequent to drills or attack,
- (f) public meetings or gatherings; and
- (g) the evacuation and reception of the civilian population.

SECTION 7, MUTUAL AID ARRANGEMENTS.

(a) The Director of the organization for Civil Defense may, in collaboration with other public and private agencies

within this state, develop or cause to be developed mutual aid arrangements for reciprocal Civil Defense aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the State Civil Defense plan and program, and in time of emergency, it shall be the duty of the city organization for Civil Defense to render assistance in accordance with mutual aid agreements.

(b) The Director of the organization for Civil Defense may, subject to the approval of the Governor, enter into mutual aid arrangements with Civil Defense agencies or organizations in other States for reciprocal Civil Defense aid and assistance in case of disaster too great to be dealt with unassisted.

SECTION 8. APPROPRIATIONS AND AUTHORITY TO ACCEPT SERVICES,
GIFTS, GRANTS AND LOANS.

(a) Whenever the federal or State government, or any agency or officer thereof, shall offer to this city services, equipment, supplies, materials or funds by way of gift, grant, or loan, for purposes of civil defense, the city, acting with the consent of the Governor and through the Mayor, may accept such offer and upon such acceptance, the Mayor may authorize any officer of the city to receive such services, equipment, supplies, materials or funds on behalf of the city, and subject to the terms of the offer and the rules and regulations if any of the agency making the offer.

(b) Whenever any person, firm or corporation shall offer to this city, services, equipment, supplies, materials or funds by way of gift or loan, for purposes of civil defense, the city,

acting through the Mayor, may accept such offer, and upon such acceptance, the Mayor may authorize any officer of the city to receive such services, equipment, supplies, materials, or funds on behalf of the city, and subject to the terms of the offer.

SECTION 9. UTILIZATION OF EXISTING SERVICES AND FACILITIES

(a) In carrying out the provisions of this ordinance, the director is directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the city, to the maximum extent practicable, and the officers and personnel of all such department, offices and agencies are directed to cooperate with ~~extend~~ such services and facilities to the Director, and to the Civil Defense organization of the city upon request.

SECTION 10. POLITICAL ACTIVITY PROHIBITED

(a) The organization for civil defense established under the authority of this ordinance shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

SECTION 11. CIVIL DEFENSE PERSONNEL

(a) No person shall be employed or associated in any capacity in the Civil Defense organization of this city, established under this ordinance, who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or of this State, or of this city, or the overthrow of any Government in the United States by force or

violence, or who has been convicted of or is under indictment of information charging any subversive act against the United States. Each person who is appointed to serve in this organization for Civil Defense shall, before entering upon his duties, take an oath in writing, before a person authorized to administer oaths in this State, which oath shall be substantially as follows:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of West Virginia, against all enemies, foreign and domestic; and that I will bear faith and allegiance to the same; and I take this obligation freely, without any mental reservation for purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the Government of the United States, or of this State, by force or violence during such time as I am a member of the Civil Defense of Nitro, West Virginia, I will not advocate or become a member of any political party or organization that advocates the overthrow of the Government of the United States, or of this State, by force or violence."

SECTION 12. CUMULATIVE EFFECT OF ORDINANCE

(a) This ordinance shall not be deemed to repeal any existing ordinances on this subject, but shall be cumulative thereto.

SECTION 13. SEVERABILITY

(a) If any provisions of this ordinance or the application thereof of any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance ^{effect} which can be given/without the invalid provisions or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 14. ENFORCEMENT.

(a) It shall be the duty of the organization for Civil Defense established pursuant this ordinance, and of the officers thereof, to execute and enforce such orders, rules and regulations as may be made by the (Mayor) (Director of Civil Defense,) under authority of this ordinance. Such organizations shall have available for inspection at their offices all orders, rules and regulations made by the (Mayor), (Director of Civil Defense) under his authority.

SECTION 15. EFFECTIVE DATE

This ordinance shall become effective immediately upon its issuance by the City Council.

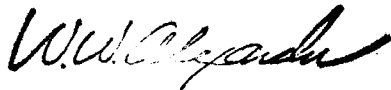
Thereupon Councilman Gandee moved, seconded by Councilman Bush, the foregoing ordinance be adopted. Upon a vote motion carried.

The Council then discussed the bad condiction of 11th Street, West, which apparently caused by a large underground gas line. The Mayor informed the Council that the Gas Company officials had agreed to replace section of pipe that extends under 11th Street, West, but that they would only replace the pipe one time, the reason that the

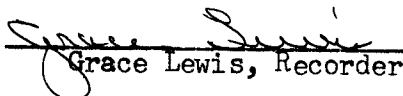
Gas Company has not replaced the pipe before is that they (the Gas Company) is not sure of the cause of the trouble and that they would like to determine cause of trouble before making replacement and they are running tests at present time.

Councilman Gandee mentioned the bad condition of the railroad crossings in town. It was pointed out that the Railroad Company was doint some repair work in the lower part of town.

There being no further business to come before the council at this time, a motion for adjournment by Councilman Grover, seconded by Councilman Bush, carried and was so ordered.



W. W. Alexander, Mayor



Grace Lewis, Recorder

March 1, 1960

The City Council met in a special session, Tuesday, March 1, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Mr. Bill Gibson of Valentine Circle and Main Avenue was present at the meeting and protested the action of the Council in furnishing the City Attorney's services to clarify the deeds for the area of Valentine Circle with regard to business in said area, which meant a lawsuit that had been petitioned by a Mr. Plank and Mr. Morrison of said area through the City Attorney against Mr. and Mrs. Bill Gibson, Mr. Gibson pointed out to the Council that he had had to engage a lawyer because of such litigation and that he felt that the Council was completely out of order in their action, in that he a citizen and taxpayer of the City was having to pay his own lawyer and at the same time was helping pay, as a taxpayer, the salary of the City Attorney and he felt that the city should pay for his own attorney. Mr. Gibson also informed the Council that he checked with his nearby neighbors before opening his business and that the majority of the people living in the area did not object to the Beauty Parlor, however, Mr. Plank and Mr. Morrison did object.

The Council then entered a discussion of this matter and it was brought out in the discussion that several of the Council-

men had not understood that the City Attorney was to represent the protestants in Court, that they (the Council) had been under the impression that when they directed the attorney to assist the protestants in clarifying the said deeds that they thought the deeds could be clarified without court action.

Thereupon, Councilman Hogshead moved, seconded by Councilman Gandee, that in as much as this case was not in any violation of the city ordinances and code, that the City Attorney pursue the investigation no further and that said parties involved be notified to the effect. Motion carried.

The Council discussed a request for sidewalk along First Avenue from 5th Street to 4th Street. The City Engineer is to check the right of way in said area.

The Mayor informed the Council that he and the Engineer had met with officials of the State Road Commission and the Federal Bureau of Roads regarding proposed Route of Interstate 64. After some discussion in regard to affect of Interstate 64 as far as Nitro was concerned, Councilman Gewin, moved seconded by Councilman Grover, that the Mayor be authorized to write a letter to the State Road Commission and the Federal Bureau of Roads giving the Council's approval of the proposed Interstate Route 64 as it affects Nitro. Motion carried.


The Mayor informed Council that the State Road Commission had agreed to install a manhole at 25th Street on Route 25 and that

they had agreed to put in an additional traffic lane on the St. Albans side of St. Albans-Nitro bridge.

There being no further business to come before the Council at this time a motion for adjournment by Councilman Estep, seconded Councilman Gewin carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

March 15, 1960

The City Council met in regular session Tuesday, March 15, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder. M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H.M. Gandee, B. E. Gewin, and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Hogshead, the minutes for meetings held February 16th and March 1st be approved as read. Motion carried.

Councilman Dunlap moved, seconded by Councilman Bush, the financial statement for the month of February be accepted. Motion carried.

The Mayor and Council entered into a discussion of the condition of West 11th Street, which is apparently caused by a large underground gas line. It was pointed out that in as much as the United Fuel Gas Company officials have stated that they would replace the street only once, that specifications should be drawn up by the City Engineer for said work.

Thereupon, Councilman Dunlap, seconded by Councilman Estep, moved that City Engineer be directed to compile specifications for the damaged area of 11th Street West, said specifications to be submitted to Council for approval. Motion carried.

Mayor Alexander submitted to Council the appointments of the following named persons as members of the Civil Defense Council:

Dorothy Davis

Robert Dunn

V. E. Townsend

John McDougal

Joe Holstein

John Dougherty

Kenneth Sales

James Perdue

Robert Ruck

Geraldine Cole

M. L. Bush

Thereupon Councilman Dunlap moved, seconded by Councilman Estep, the foregoing appointments of the Mayor be confirmed. Motion carried.

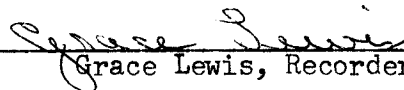
Council again discussed the bad condition of the railroad crossings in town and it was pointed out that the Railroad Company had repaired the tracks in the lower part of town and that perhaps as soon as the bad weather ended that the company would continue the work through town.

It was mentioned that as soon as weather permitted that the street patching would be done.

There being no further business to come before the council, a motion by Councilman Bush, seconded by Councilman Dunlap, for adjournment carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

March 28, 1960.

The City Council met in a Special Session March 28, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and F. E. Grover members of the City Council.

Mayor Alexander called the meeting to order and explained to the Council that the Engineers of the Interstate Route 64 had made a change in the plans of Route 64, thereby creating a problem, making it necessary to lower the city sewer line 5 to 7 feet in order to miss the bridge abutment of Route 64, the Mayor explained further that such change in the city sewer plan would add an additional cost of approximately \$10,000. The Mayor asked the Council's permission to negotiate a contract with the State Road Commission, whereby the State Road Commission would reimburse the city for the additional expense.

Thereupon, Councilman Dunlap moved, seconded by Councilman Gewin, that the Mayor be empowered to enter into contract with the State Road Commission and the Bureau of Federal Roads, that the City be reimbursed by the State Road Commission and that the contractor be informed to proceed and complete said work. Motion carried.

There being no further business to come before the Council at this time a motion by Councilman Bush, seconded by Councilman Dunlap, for adjournment carried.



W. W. Alexander, Mayor


Grace Lewis, Recorder

April 5, 1960

The City Council met in a committee meeting April 5, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and F. E. Grover members of the City Council.

Councilman Estep informed Council that on Saturday afternoon he had been called on the telephone by a Mr. Lee of the Charleston Gazette, who inquired of him as to his decision on voting machines as referred to in a letter from the ANA, and that he told Mr. Lee he had not received a letter and that Mr. Lee informed him that he would receive the letter. Then on Monday he had received the letter in question from Mr. Ira Duffy, Chairman of the ANA, postmarked 5:30 P.M. Saturday. Councilman Estep said that he had called Mr. Duffy and discussed this matter of the voting machines with him, relative to the Putnam County Precinct. Mayor Alexander stated that voting machines could be acquired from Kanawha County for the Putnam County Precinct. The Mayor stated further that the question of fair and honest elections and voting machines had been aired in the Charleston newspaper on Sunday and that he was of the opinion that if this Council needed the Charleston newspaper to tell them what to do, it was time for all of us to quit. The Mayor also stated that there had only been one time in a Nitro election that the results were questioned and that had been in 1956 and that a battery of attorneys from Charleston came in and conducted a recount and at this time there was no change in the results of the election. The Mayor went further to state that the only way to be sure of an honest and fair election was to have honest people serving as election officials inside the polls, regardless of paper ballots or voting machines and that he felt that the people who have served in city, county and national elections

in Nitro were good honest people and that he would trust any one of them to sit alone and count the ballots.

The Mayor referred to a statement made in Sunday's newspaper that the only way to hold a fair election was to have voting machines, that this statement was a direct slap at the honesty and integrity of the people who have served in the polls and that he felt these people were due a public apology.

The Mayor then informed the Council that a check had been made on the cost of voting machines and paper ballots - that the cost of the machines would amount to \$1,057.00 and the paper ballots and 70 election officials would cost approximately \$760.00, a difference of \$297.00.

The question was raised as to the number of machines and the Mayor pointed out that there were three large precincts in town which would require 3 machines each and two extra election officials each.

Thereupon, Councilman Estep moved that Council go into session to settle this question. Motion was seconded by Councilman Bush and upon a vote motion carried and was so ordered.

Thereupon, Councilman Gewin moved, seconded by Councilman Estep, that in view of the fact that voting machines would cost the city \$297.00 more than using paper ballots that the city election to be held June 7, 1960, be conducted by paper ballots. Upon a vote being taken those voting in favor of the motion were: Councilmen Bush, Estep, Gewin and Grace Lewis, Recorder, Mayor Alexander also cast his vote in favor of the motion. Those voting against the motion were: Councilmen Dunlap, Gandee and Grover. The Mayor declared the motion carried and was so ordered.

There being no further business to come before the council at this time a motion for adjournment by Councilman Bush, seconded by Councilman Estep, carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

April 19, 1960

The City Council met in a regular session Tuesday, April 19, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order and asked everyone present to stand in a silent tribute to William Henry Jones.

The minutes for meetings held March 15th, March 28, and April 5th were read.

Question of the Mayor breaking a tie vote on the question of the paper ballot was discussed.

Thereupon, Councilman Gandee moved, seconded by Councilman Estep, the minutes be approved as read. Motion carried.

The financial statement for the month of March was presented. Councilman Dunlap asked how many payments were due on the Garbage truck and was informed the contract ran until September, 1961.

Thereupon, Councilman Dunlap moved, seconded by Councilman Gewin, the financial statement be accepted. Motion carried.

Financial statement of the Special Bond Issue Account was presented to the Council and the Recorder read a detailed report prepared by J. A. Spence, City Engineer on various cost and expenditures of the project.

Thereupon, Councilman Dunlap moved the financial report be accepted, motion seconded by Councilman Hogshead. Upon a vote motion carried.

The foregoing financial statement (Special Bond Issue Account) showed a balance of \$282.97 and it was recommended to the Council that said amount should be paid into the State Sinking Fund to be applied to retiring of bonds.

Thereupon, Councilman Estep moved seconded by Councilman Bush, that a check in the amount of \$282.97 be drawn on the Special Bond Issue account payable to the State Sinking Fund. Motion carried.

The Mayor then presented plans and specifications, prepared by J. A. Spence, City Engineer, for repairing of 11th Street West, by the United Fuel Gas Company in the area of West 11th Street where the pavement is sinking and such damage being caused by a gas line of the United Fuel Gas Company.

The Mayor and Council discussed this matter and thereupon, Councilman Dunlap, moved seconded by Councilman Bush, that the United Fuel Gas Company proceed to follow the said recommendation of the City Engineer in making said repairs. Upon a vote motion carried.

Question was asked as the supervision of the above work and the Mayor informed that the City would have inspectors on the job.

Mayor Alexander also informed Council that he had talked to the New York Central officials about the bad condition of 11th Street crossing and that they had agreed to repair the crossing within the next thirty days, however, they had also said that the crossing would be closed to motor traffic possibly a week during the repairing.

The Mayor then informed the Council that he had received a petition of protest against the New York Central with regard

to trains blocking both crossings for a long period of time, and that he had informed the company that it would be necessary to issue warrants for the arrest of the train engineers if this should happen again. The company officials had informed the Mayor that this act would not happen again.

The Recorder then read Resolution as follows:

R E S O L U T I O N

WHEREAS The United Fuel Gas Company of West Virginia has made application to the Public Service Commission of West Virginia for a substantial increase in rates for gas service to the citizens of The City of Nitro, and;

WHEREAS The City Council of the City of Nitro is of the opinion that said rate increase is excessive and unjustifiable;

NOW THEREFORE BE IT RESOLVED by the City Council of The City of Nitro, Kanawha and Putnam Counties, West Virginia, that to allow the requested rate increase by The United Fuel Gas Company of West Virginia would create a grave injustice and unwarranted burden to the citizens of the City of Nitro. Said Council is of the opinion that the rates now charged by The United Fuel Gas Company of West Virginia are more than adequate to allow the said Gas Company a fair return for their investment.

BE IT FURTHER RESOLVED by the City Council of the City of Nitro, West Virginia that the Mayor be and he hereby is directed to send copies of this resolution to all parties concerned with the acceptance or rejection of the proposed rate increase request- by The United Fuel Gas Company of West Virginia.

R E S O L U T I O N

WHEREAS The Chesapeake and Potomac Telephone Company of West Virginia has made application to the Public Service Commission of West Virginia for a substantial increase in rates for telephone service to the citizens of The City of Nitro, and ;

WHEREAS The City Council of The City of Nitro is of the opinion that said rate increase is excessive and unjustifiable;

NOW THEREFORE BE IT RESOLVED by the City Council of The City of Nitro, Kanawha and Putnam Counties, West Virginia, that to allow the requested rate increase by The Chesapeake and Potomac Telephone Company of West Virginia would create a grave injustice and unwarranted burden to the citizens of The City of Nitro. Said Council is of the opinion that the rates now charged by The Chesapeake and Potomac Telephone Company of West Virginia are more than adequate to allow the said Telephone Company a fair return for their investment.

BE IT FURTHER RESOLVED by The City Council of The City of Nitro, West Virginia that the Mayor be and he hereby is directed to send copies of this resolution to all parties concerned with the acceptance or rejection of the proposed rate increase requested by the Chesapeake and Potomac Telephone Company of West Virginia.

Thereupon, Councilman Dunlap moved, seconded by Councilman Grover, the foregoing Resolutions be adopted. Motion carried.

Councilman Dunlap moved, seconded by Councilman Bush that the Amount of \$250.00 for each of the cases foregoing be allocated to be apent by the City in a cooperative effort by other towns. Motion carried.

A petition for paving of Lock Avenue, from its intersection with Lock Street to its dead end, was presented for the Council's consideration. The Mayor and council entered into a discussion of this matter as to the width of the right of way of the Street, a turn around at the dead end of the Street, percentage of property owner signatures and a parking problem, Mr. Harris, one of the interested property owners on the street informed Council that there should be no parking problem as most of the property owners had drive ways.

Councilman Dunlap moved, seconded by Councilman Grover, the matter of paving petition of Lock Avenue be tabled until the Council had checked the said street. Motion carried.

Mr. Wise, a visitor at the meeting, asked if the parking area along First Avenue, which had been torn up by the contractors installing the sewer lines, would be replaced. The Mayor informed Mr. Wise that the parking area would be replaced with slag or rock.

Mr. Winters, a visitor, asked if something could be done about playing basket ball in the streets late at night, assuring the Council that he was not against the neighborhood children playing basket ball in the street, but that in his neighborhood that large boys, he thought were from out of town were playing there late at night. This matter was discussed to some length by the council and visitors. The Mayor said he would have the police patrol the mentioned areas more often.

The Mayor also informed that he had hopes that the county wide recreation program might help some of Nitro's recreation problems, due to the fact that Nitro has advanced planning of recreation.

The Mayor and council entered a discussion of proposed schools on the West side of town, with regard to parking problems, that Park Avenue should be widened. It was pointed out that if the school is built on the property on 11th Street West that Park Avenue would have to be widened and off street parking is necessary for the school traffic and school buses.

Mr. Higginbotham, a resident of Kanawha Avenue, was present at the meeting, and informed the Mayor that he had asked him over a year ago for a house number, that he was using the Number 18 $\frac{1}{2}$ -A, and the house next door to him was using 18 and a small house on the lot was 18 $\frac{1}{2}$. The street numbering committee is to check this matter.

Mrs. Marjorie Loring, a visitor at the meeting informed the Council that she objected to the insinuation against the honesty of people who had worked inside the polls of the election, stating that she felt the Businessman who made the statement with regard to fair elections should apologize to the people who had worked as election officials in past elections.

The Mayor then asked the Council if they had any comment. Councilman Estep said he had talked with Harry Hoffman of the Charleston Gazette and he had asked Mr. Hoffman, if voting machines make an honest election and his answer was "The best way to have honest elections is to have honest people working inside the polls."

Mr. Higginbotham said he had come to the meeting because of his interest in voting machines and that he thought the machines would be more reasonable and that the people could vote more efficient

and faster. That the machines had been used at the West Virginia State College.

It was again pointed out that voting machines do not insure honest elections.

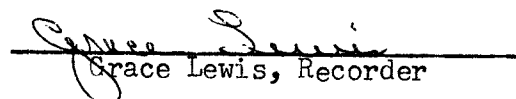
Councilman Dunlap informed that one reason he favored voting machines was to prevent the vote counts coming out of the polls and being given out by Mr. Hunter at the Post Office before closing of the polls, and that he was not questioning the honesty of the election officials and that he was not apologizing, that he was explaining his position on the matter of the vote count coming out of the polls.

Mr. Woods gave some statistics with regard to time element of voting. The point was made that the thing the candidates are questioning was the fact that the count was being let out of the polls before the polls closed.

There being no further business to come before the council at this time a motion by Councilman Dunlap, seconded by Councilman Grover for adjournment carried and was so ordered.



W. W. Alexander, Mayor



Grace Lewis, Recorder

May 10, 1960

The City Council met in special call meeting Tuesday, May 10, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Granfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the City Council.

Mayor Alexander called the meeting to order and presented the call for the meeting, which call is attached to these minutes.

The First order of business was the appointment of the Ballot Commissioners for the City, and thereupon the Mayor presented the names of J. F. Santrock, Sr. and Mrs. James Cole to serve with Grace Lewis, Recorder.

Councilman Gandee moved, seconded by Councilman Estep, the recommendation of the Mayor for Ballot Commissioners be approved. Motion carried.

The Recorder then presented the petitions of nomination of Candidates for City offices, for the election to be held June 7, 1960. The petitions presented in order of filing date:

Mayor

W. W. Alexander

J. Dempsey Gibson

Lester Ray Stone

Recorder

Grace Lewis

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To the Members of the Council of the City of Nitro, West Virginia:

M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall
L. Estep, Howard M. Gandee, B. E. Gewin,
F. E. Grover and George W. Hogshead, M. D.

You, and each of you, will please take notice
that a Special Meeting of the Council of the City of Nitro,
West Virginia, is hereby called and will be held in the
Council Chambers in the City Hall of said City on the 10th
day of May, 1960, at 8:00 o'clock P. M. for the purpose
of the following:

1. The appointment of City Ballot Commissioners.
2. Certifying the candidates for the City Election
to be held June 7, 1960.
3. Appointment of Election Officials for Precinct
Numbers 260, 261, 282, 283, 305 and 306, Kanawha
County, and Precinct Number 22, Putnam County, to
officiate in the City Election to be held June 7,
1960.
4. To consider any other matters that may properly
come before the Council.

Respectfully yours,

W. W. Alexander
W. W. Alexander, Mayor

Attest:

James L. Lewis
Recorder

CITY OF NITRO

The foregoing notice is hereby accepted as being
both sufficient and timely:

Marion L. Bush
Grenfall L. Estep
Howard M. Gandee
Dr. J. L. Dunlap Jr.

B. E. Gewin
George W. Hogshead, M.D.
F. E. Grover

The Recorder then presented a tentative list of election officials, to officiate at the City Election to be held June 7, 1960. Explaining to the council that this list had been compiled from lists of people who have served in past elections of the city, with an exception perhaps of two names on the list, explaining further to the council that each precinct would be read and that the council had the privilege of making any change they so desired. The lists were then read as follows:

	Precinct 306	Kanawha County
Mrs. Juanita Hastings		Receiving Commissioner
Arthur W. Gatens		Receiving Commissioner
Audia Steele		Receiving Commissioner
Gertrude Deem		Receiving Clerk
Rosalie Dremmen		Receiving Clerk
Nina Walters		Counting Commissioner
D. T. Lowman		Counting Commissioner
Emmett Wallace		Counting Commissioner
Roy E. Knapp		Counting Clerk
Mrs. E. Falangan		Counting Clerk

	Precinct 305	Kanawha County
Edward Knight		Receiving Commissioner
J. B. Blackwell, Jr.		Receiving Commissioner
Howard D. Wilson		Receiving Commissioner
Mable Duffy		Receiving Clerk
Norma Harrison		Receiving Clerk

Mary B. Moore	Counting Commissioner
Edna Scully	Counting Commissioner
Lucille Callihan	Counting Commissioner
Mildred Selby	Counting Clerk
Virginia Coalter	Counting Clerk
Precinct 282	
Mildred H. Conaway	Receiving Commissioner
Mrs. Lowell West	Receiving Commissioner
Sadie Wright	Receiving Commissioner
Goldie Thornton	Receiving Clerk
Kathleen Townsend	Receiving Clerk
Golda N. Roark	Counting Commissioner
Winifred P. Chapman	Counting Commissioner
Mae Craven	Counting Commissioner
Marietta Wears	Counting Clerk
Bessie Boggess	Counting Clerk
Precinct 260	
Georgia Brothers	Receiving Commissioner
Wanda Ferrell	Receiving Commissioner
Naomi Willard	Receiving Commissioner
F. H. Lanham	Receiving Clerk
Mrs. C. W. Sigman	Receiving Clerk
Garnet P. Dougherty	Counting Commissioner
Vida Bailey	Counting Commissioner
Helen Baxter	Counting Commissioner
Ethel Bailey	Counting Clerk
Mrs. W. D. Moore	Counting Clerk

Precinct 261

Kanawha County

Velma O. Kinder

Receiving Commissioner

Mary King

Receiving Commissioner

Viola Ragle

Receiving Commissioner

Frank Kenworthy

Receiving Clerk

Treva Sayre

Receiving Clerk

Lena M. Cook

Counting Commissioner

Isabelle Hudnall

Counting Commissioner

Paul V. Woods

Counting Commissioner

Ruby Gillispie

Counting Commissioner

Mark Haynie

Counting Clerk

Precinct 283

Kanawha County

Edith Kautz

Receiving Commissioner

John Stiff

Receiving Commissioner

Myrtle Lawless

Receiving Commissioner

Kathryn Ingram

Receiving Clerk

Cora Jarvis

Receiving Clerk

Virginia T. Hunter

Counting Commissioner

Helen Colcord

Counting Commissioner

Dessie Hawkins

Counting Commissioner

Beulah Howard

Counting Clerk

Betty Osborne

Counting Clerk

Putnam County

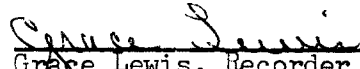
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discussed the matter of the contractors putting in the sewer job were not compacting the fills correctly and that the excavations were not barricaded properly nor are they properly lighted, that **there was** danger of a small child being hurt. The Mayor said that the contractors had been cautioned about this matter.

There being no further business to come before the council at this time a motion for adjournment by Councilman Bush, **seconded** by Councilman Dunlap carried.


Grace Lewis, Recorder


W. W. Alexander, Mayor

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Abstract

Councilman Dunlap moved that the Engineer secure cost estimates for a 20 foot paving of said Lock Avenue. It was then pointed out that a 20 foot street would be depriving the owners of the river side of said street a sidewalk right of way.

Thereupon Councilman Dunlap changed the foregoing motion that the Engineer be requested to secure cost estimates on a 19 foot street with curb. Motion was seconded by Councilman Gandee. Upon a vote, motion carried.

The Council then considered paving petition for 39th Street, East from Bailes Drive extending West approximately 500 feet.

Councilman Dunlap moved the City Engineer be requested to secure cost estimates for a 20 foot street with lip curb. Motion seconded by Councilman Grover. Motion carried.

The Council then considered street petition for paving of Walker Street and Oakie Avenue from New West Virginia Route No. 25 to end of Oakie Avenue. In a discussion of the paving of this street, the Mayor pointed out that there was a possibility that from 250 to 300 feet of this street would not bear certificates. The Council in discussion felt that this street should be checked further. Thereupon Councilman Dunlap moved the paving petition for Walker Street and Oakie Avenue be tabled.

At this point Mr. Denver Higginbotham, Vice-President of the ANA arose and asked the Council, on behalf of the ANA that they reconsider the use of voting machines in the City Election, June 7th. Councilman Estep informed Council that this matter was out of order until matters at hand were taken care of. Councilman Grover stated that Council should reconsider the use of voting machines, since we have found out that the machines would be cheaper than the use of paper ballots. The Mayor stated that with reference to the articles in Sunday's paper that said article was misleading and did not go far enough into the facts. That the City Election would require more machines than quoted in the newspaper story and that the article did not state that the State Law requires each election official be paid \$5.00 each for attending schools for instruction on the operation of voting machines. Councilman Estep referred to the first mention of the use of voting machines was to insure honest elections and that if we cannot

trust the election officials we are in a sorry shape.

Councilman Gandee stated that in the last City Election he had been told he was running good in his precinct.

Mr. Higginbotham informed the Council that any cost over the cost of paper ballots would be covered by the QNA.

The Mayor asked the Council's pleasure on this question. Thereupon, Councilman G_ewin moved, seconded by Councilman Bush, that in view of the fact that Council had already acted upon the matter of voting machines and paper ballots, and that election officials had been appointed and notified of their appointment, that this matter be tabled. Upon a vote those voting in favor of motion were Councilmen Bush, Estep, Gewin, Hogshead, Grace Lewis, Recorder and Mayor Alexander. Those voting against the motion were Councilmen Dunlap, Gandee and Grover. The motion was declared carried and so ordered.

Mr. Higginbotham then asked the Mayor to let him see the opinion of the Attorney General's on the matter of the City Attorney being a member of the Police Civil Service Board. The Mayor informed Mr. Higginbotham that the City did not have a written opinion, however he felt that a written opinion could be received.

Councilman Hogshead moved, seconded by Councilman Dunlap, that the city request Charles Walker, Prosecuting Attorney of Kanawha County to secure an opinion from the Attorney General on the matter of the City Attorney serving as a member of the Police Civil Service Board. Upon a vote motion carried.

The mayor then informed Council that Mr. Brown's appointment to this Board had not been his appointment as inferred, that Mr. Brown was appointed by the other two members of the Police Civil Service Board.

The question then arose as to Mr. Brown being a public official and Mr. Brown said he was not a public official, that he was a legal advisor for the City.

Thereupon Councilman Estep seconded the motion to table the matter of paving petition for Walker Street and Oakie Avenue. Upon a vote, motion carried.

The Recorder presented to the Council the names of persons, who have notified the City that they are unable to serve as election officials, as appointed by the City Council on May 10th, and the Recorder also submitted names for the Council's consideration as follows:

Precinct 306 - Kanawha County.

Receiving Commissioner, Arthur W. Gatens, Mrs. Bertha Smith as replacement;

Counting Clerk, Mrs. E. Flanagan, Mrs. Harry Russell as replacement;

Councilman Hogshead moved, seconded by Councilman Bush, that Mrs. Harry Russell be appointed to replace Mrs. E. Flanagan as Counting Clerk.

Motion carried.

Councilman Dunlap moved, seconded by Councilman Grover that Mrs. Bertha Smith be appointed to replace Arthur W. Gatens as Receiving Commissioner. Motion carried.

Precinct 305 - Kanawha County.

Receiving Commissioner, J. B. Blackwell, Jr., Mrs. Edith Dillman as replacement; Counting Commissioner, Mrs. Lucille Callihan, Mrs. Carl Johnson as replacement.

Councilman Bush moved, seconded by Councilman Estep, that Mrs. Edith Dillman be appointed to replace J. B. Blackwell, Jr. as Receiving Commissioner, and Mrs. Carl Johnson be appointed to replace Mrs. Lucille Callihan as Counting Commissioner. Upon a vote motion carried.

Precinct 282 - Kanawha County

Receiving Commissioner, Mrs. Lowell West, Mrs. F. W. Craig as replacement; Counting Clerk, Mrs. Bessie Boggess, Mrs. A. L. Jordan as replacement.

Councilman Gandee moved, seconded by Councilman Grover that Mrs. F. W. Craig be appointed to replace Mrs. Lowell C. West As Receiving Commissioner, and Mrs. A. L. Jordan be appointed to replace Mrs. Bessie


Boggess as Counting Clerk. Motion carried.

Councilman Bush moved the Power Company be instructed to install a 6000 lumen street light on pole 112D-13 on Benamati Avenue at Walker Avenue. Motion seconded by Councilman Estep. Motion carried.

Mayor Alexander informed the Council that a letter had been written to the owners of vacant lots on Main Avenue, Dupont and Washington Avenue from Beech to Dogwood Streets requesting the said owners to clean the brush and weeds from said lots and that the owners had not taken care of the matter. The Mayor then requested the Council's permission to have the lots cleaned and to bill each of the owners for the cost of same. It was also mentioned that vacant lots on 19th street and 2nd. Ave., Dr. Temple's lot on 21st Street (2121) also needed cleaning.

Councilman Estep moved, seconded by Councilman Bush, that the Mayor be given permission to have the abovementioned lots cleaned off and that property owners be billed for the cost of same. Motion carried.

There being no further business to come before the Council a motion by Councilman Bush, seconded by Councilman Dunlap, for adjournment carried and was so ordered.


Grace Lewis, City Recorder


W. W. Alexander, Mayor

June 6, 1960

The City Council met in a special call meeting for the purpose of considering the appointment of election officials to serve in the polls at the City Election to be held June 7, 1960, as replacements of those persons who have notified the City that they cannot serve.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder; M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, B. E. Gewin, F. E. Grover and Geo. W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

The Recorder then presented to the Council the names of persons who were unable to serve on the various election boards and also presented names of replacements for Council's consideration.

Precinct 306 - Kanawha County.

Counting Commissioner, D. T. Lowman, Mrs. Nancy Matheny as replacement; Counting Commissioner, Emmett Wallace, Jack E. Wallace as replacement. Counting Clerk, Roy E. Knapp, Mrs. D. C. Irwin as replacement.

Thereupon Councilman Gewin moved, seconded by Councilman Bush, the foregoing persons be named as replacements on the election board for Precinct No. 306. Motion carried.

Precinct 305 - Kanawha County.

Counting Commissioner, Edna Scully, L. C. Mace as replacement. Counting Clerk, Virginia Coalter, Phyllis Beller as replacement.

Thereupon Councilman Bush moved, seconded by Councilman Hogshead, the foregoing persons be named as replacements on the Election Board for Precinct No. 305. Motion carried.

Precinct 282 - Kanawha County.

Receiving Clerk, Mrs. Goldie Thornton, Mrs. Harold Smith as replacement. Counting Commissioner, Mrs. Mae Craven, Mrs. Donald D. Smith as replacement.

Counting Clerk, Mrs. A. L. Jordan, A. L. Jordan as replacement.

Thereupon Councilman Dunlap moved, seconded by Councilman Hogshead, the foregoing persons be named as replacements on the Election Board for Precinct No. 282. Motion carried.

Precinct No. 260 - Kanawha County.

Receiving Commissioner, Wanda Ferrell, Myrtle Adkins as replacement;

Receiving Clerk, F. H. Lanham, Fay Harper as replacement.

Thereupon Councilman Grover moved, seconded by Councilman Bush, the foregoing persons be named as replacements on the election Board for Precinct No. 260. Motion carried.

Precinct No. 261 - Kanawha County.

Receiving Commissioner, Viola Ragle, Eva Harrison as replacement;

Receiving Clerk, Treva Sayre, Elizabeth Robins as replacement; Counting Clerk, Rev. Mark Haynie, Eva Wagner as replacement.

Thereupon Councilman Estep moved, seconded by Councilman Bush, the foregoing persons be named as replacements on the Election Board for Precinct No. 261. Motion carried.

Precinct No. 283 - Kanawha County.

Receiving Commissioner, J. R. Stiff, Mrs. Frank Hall as replacement;

Counting Commissioner, Helen Colcord, Bobby Lee Higginbotham as replacement.

Thereupon Councilman Dunlap moved, seconded by Councilman Grover, the foregoing persons be named as replacements on the Election Board for Precinct No. 283. Motion carried.

Precinct No. 22 - Putnam County.

Receiving Clerk, Lila Hinkle, Wallace B. Hinkle as replacement;

Thereupon Councilman Bush moved, seconded by Councilman Hogshead, that Wallace B. Hinkle be named as replacement on the Election Board for Precinct No. 22. Motion carried.

NOTICE




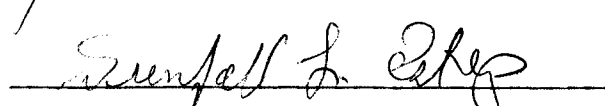

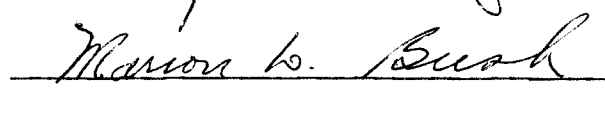
TO: M. L. BUSH, DR. GEORGE W. HOGSHEAD, BORDEN GEWIN, J. L. DUNLAP, GRENFALL L. ESTEP, HOWARD M. GANDEE, and FRANK E. GROVER, Members of the Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia.

You, and each of you, will please take notice that a special meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chambers of the City Hall of said City on the 6th day of June, 1960, at 1:00 o'clock p.m. for the purpose of considering the following.

1. To consider the appointment of election officials to serve in the polls at the City election to be held on June 7, 1960, as replacements of those persons who have notified the city that they cannot serve.


W. W. ALEXANDER, MAYOR

Service of the within notice is considered both timely and sufficient.

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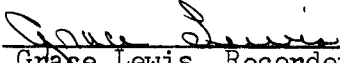
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There being no further business to come before the Council at this time, a motion by Councilman Estep, seconded by Councilman Bush, for adjournment carried and was so ordered.



Grace Lewis, Recorder



W. W. Alexander, Mayor

June 13, 1960

The City Council met Monday, June 13, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder; M. L. Bush, Grenfall L. Estep, B. E. Gewin and Geo. W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Bush resolved the Council into a Board of Canvassers to canvass the City Election held June 7, 1960. Motion seconded by Councilman Estep. Motion carried and was so ordered.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 306, Kanawha County; The Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number of ballots destroyed: None

Number of ballots remaining not voted 445 as ascertained from Tally sheet. Number of ballots voted 404.

One challenged ballot as follows: Worthy G. Hardway, had registration card but not registered in the registration book.

Councilman Estep moved, seconded by Councilman Bush that action of Election Board on this challenge be sustained. Motion carried.

The Recorder then read the certificate of results as follows:

Mayor:

W. W. Alexander	227
J. Dempsey Gibson	160
Lester Ray Stone	9

Recorder:

Grace Lewis	306
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Councilman At Large:

Mrs. Juanita Clerk	178
Dr. J. L. Dunlap, Jr.	143
Grenfall L. Estep	156
Borden E. Gewin	181
Earl E. "Bruzz" Harris	59
Dr. L. I. Hoke	152
Stanley E. Juzwik, R.P.	33
Dewey M. King	129
Rex R. White	105

Councilman Ward Four:

Dr. Hubert Preston, Jr.	134
Thomas C. Reeves	250

The ballots for precinct 306 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 305. Kanawha County; The Board proceeded to canvass said returns by counting the ballots voted without unfolding same, and tabulated the following.

Number of ballots destroyed: None

Number of ballots remaining not voted 306 as ascertained from tally sheet. Number of ballots voted 221.

Four challenged ballots as follows: Carl Vernon Addison, Jo Anne Addison, Ella Allen, improper registration in book, Melvin L. Pennington, Jr. registration card but not in registration book.

Councilman Estep moved, seconded by Councilman Bush, that action of Election Board on these challenges be sustained. Motion carried.

The Recorder then read the certificate of results as follows:

Mayor

W. W. Alexander	174
J. Dempsey Gibson	124
Lester Ray Stone	3

Recorder

Grace Lewis	215
Tom Hayes	1

Councilman At Large

Mrs. Juanita Clark	94
Dr. J. L. Dunlap, Jr.	103
Grenfall L. Estep	69
Borden E. Gewin	98
Earl E. "Bruzz" Harris	59
Dr. L. I. Hoke	128
Stanley E. Juzwik, R.P.	41
Dewey M. King	93
Rex R. White	142

Councilman Ward Three

Earl W. Dye	169
Howard M. Gandee	104
G. D. Rutherford	8

The ballots for precinct 305 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 282, Kanawha County; The Board proceeded to canvass said returns by counting the ballots voted

without unfolding same, and tabulated the following:

Number of ballots destroyed: None

Number of ballots remaining not voted 319 as ascertained from tally sheet. Number of ballots voted 480.

The Recorder then read the certificate of results as follows:

Mayor

W. W. Alexander	246
J. Dempsey Gibson	199
Lester Ray Stone	35

Recorder

Grace Lewis	332
George F. Hayes	2
Tom Hayes	1
Farley Douglas	1

Councilman At Large

Mrs. Juanita Clark	192
Dr. J. L. Dunlap, Jr.	187
Grenfall L. Estep	112
Borden E. Gewin	176
Earl E. "Bruzz" Harris	134
Dr. L. I. Hoke	230
Stanley E. Juzwik, R.P.	57
Dewey M. King	227
Rex R. White	63

Councilman Ward Three

Earl W. Dye	203
Howard M. Gandee	221
G. D. Rutherford	30

The ballots for precinct 282 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 260, Kanawha County; The Board proceeded to canvass said returns by counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed: None

Number of ballots remaining not voted 236 as ascertained from tally sheet. Number of ballots voted 289.

The Recorder then read the certificate of results as follows:

Mayor

W. W. Alexander	155
J. Dempsey Gibson	114
Lester Ray Stone	18

Recorder

Grace Lewis	204
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Councilman At Large

Mrs. Juanita Clerk	127
Dr. J. L. Dunlap, Jr.	106
Grenfall L. Estep	43
Borden E. Gewin	119
Earl E. "Bruzz" Harris	111
Dr. L. I. Hoke	129
Stanley E. Juzwik, R.P.	27
Dewey M. King	124
Rex R. White	36

Councilman Ward Two

Darrell D. Evans	118
William G. "Bill" Spaulding	145

The ballots for precinct 260 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificate of results for Precinct Number 261, Kanawha County; The Board proceeded to canvass said returns by counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed: None

Number of ballots remaining not voted 247 as ascertained from tally sheet. Number of ballots voted 313.

The Recorder then read the certificate of results as follows:

Mayor

W. W. Alexander	173
J. Dempsey Gibson	111
Lester Ray Stone	25

Recorder

Grace Lewis	233
Ton Hayes	1
Hogan	1

Councilman At Large

Mrs. Juanita Clark	120
Dr. J. L. Dunlap, Jr.	113
Grenfall L. Estep	98
Borden E. Gewin	146
Earl E. "Bruzz" Harris	75

Dr. L. I. Hoke	130
Stanley E. Juzwik, R.P.	51
Dewey M. King	114
Rex R. White	47

Councilman Ward Two

Darrell D. Evans	131
William G. "Bill" Spaulding	157

The ballots for precinct 261 were then again sealed in a new envelope and each member of the Board wrote his name across where envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificate of results for Precinct Number 283, Kanawha County; The Board proceeded to canvass said returns by counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed: None

Number of ballots remaining not voted 250 as ascertained from tally sheet. Number of ballots voted 275.

The Recorder then read the certificate of results as follows:

Mayor

W. W. Alexander	197
J. Dempsey Gibson	71
Lester Ray Stone	5

Recorder

Grace Lewis	222
Tom Hayes	1
George F. Hayes	1

Councilman At Large

Mrs. Juanita Clark	127
Dr. J. L. Dunlap, Jr.	89
Grenfall L. Estep	104
Borden E. Gewin	137
Earl E. "Bruzz" Harris	32
Dr. L. I. Hoke	117
Stanley E. Juzwik, R.P.	76
Dewey M. King	73
Rex R. White	41

Councilman Ward One

Mrs. Florence Butler	66
R. M. "Bob" Woods	199

The ballots for precince 283 were then again sealed in a new envelope and each member of the Board wrote his name across where envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificate of results for Precinct number 22, Putnam County; The Board proceeded to canvass said returns by counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed: None.

Number of ballots remaining not voted 357 as ascertained from tally sheet. Number of ballots voted 493.

One challenged ballot as follows: Roy Scott, not on registration book.

Councilman Gewin moved, seconded by Councilman Hogshead that action of election board on this challenge be sustained. Motion Carried.

The Recorder then read the certificate of results as follows:

Mayor

W. W. Alexander	271
J. Dempsey Gibson	200
Lester Ray Stone	20

Recorder

Grace Lewis	344
George F. Hayes	2

Councilman At Large

Mrs. Juanita Clark	168
Dr. J. L. Dunlap, Jr.	200
Grenfall L. Estep	151
Borden E. Gewin	201
Earl E. "Bruzz" Harris	72
Dr. L. I. Hoke	247
Stanley E. Juzwik, R.P.	75
Dewey M. King	190
Rex R. White	77

Councilman Ward One

Mrs. Florence Butler	170
R. M. "Bob" Woods	286

The ballots for precinct 22 were then again sealed in a new envelope and each member of the Board wrote his name across where envelope was sealed.

The Recorder then read certificate of results of the canvassing board of the City Election held June 7th, 1960 in the City of Nitro, West Virginia, as follows:

Mayor

W. W. Alexander	1443
J. Dempsey Gibson	979
Lester Ray Stone	115

Recorder

Grace Lewis	1856
George F. Hayes	5
Tom Hayes	4
Farley Douglas	1
Hogan	1

Councilman At Large

Mrs. Juanita Clark	1006
Dr. J. L. Dunlap, Jr.	941
G. L. "Sweat" Estep	733
Borden E. Gewin	1058
Earl E. "Bruzz" Harris	542
Dr. L. I. Hoke	1133
Stanley E. Juzwik, R.P.	.360
Dewey M. King	950
Rex R. White	511

Councilman First Ward

Mrs. Florence Butler	236
R. M. "Bob" Woods	485

Councilman Second Ward

Darrell D. Evans	249
William G. "Bill" Spaulding	302

Councilman Third Ward

Earl W. Dye	372
Howard M. Gandee	325
G. D. Rutherford	38

Councilman Fourth Ward

Dr. Hubert Preston, Jr.

134

Thomas C. Reeves

250

Councilman Bush moved, seconded by Councilman Hogshead, that Council, sitting as a Board of Canvassers, certify the above results. Motion carried.


Motion by Councilman Gewin, seconded by Councilman Hogshead, that Board of Canvassers be dissolved. Motion carried.

The Mayor called the meeting to order for the purpose of conducting business relating to the election.

Councilman Hogshead moved, seconded by Councilman Estep that all election expenses be paid. Motion carried.

Councilman Bush moved for adjournment. It was so ordered.


Grace Lewis, Recorder


W. W. Alexander, Mayor

June 21, 1960

The City Council met in a regular session Tuesday, June 21, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr. Grenfall L. Estep, B. E. Gewin and George W. Hogshead, M.D. members of the Council.

The meeting was called to order by the Mayor.

Minutes for the meetings of May 17th, June 6th and June 13th were read. Councilman Bush moved, seconded by Councilman Gewin, the minutes be approved. Motion carried.

Financial statement for the month of May, 1960 was presented. Councilman Estep moved, seconded by Councilman Gewin, that statement be accepted. Motion carried.

Councilman Estep brought up the matter of a light for Minor Avenue. After discussion it was decided to make a thorough check before the light was ordered.

Councilman Dunlap moved that some action be taken to secure street lights for 21st Street, from Third Avenue to Blakes Creek Bridge. Councilman Estep seconded the motion. Motion carried. Mayor Alexander suggested that the Engineer from Appalachian Power Company check this situation and make recommendations to the City Council.

Councilman Bush said request had been made for a street light at Kapoc and Walker on new highway. Councilman Bush moved that 2500 lumen light be installed on C & P pole 326/5, between Walker and Kapoc on new highway. Motion carried.

Paving Oakie Avenue and Walker Street was discussed. It was agreed to pave Walker from Highway to hill, Oakie Avenue North approximately 400 feet to fence where there are houses. A 28 foot street with curb and gutter has been requested. Councilman Estep moved, seconded by Councilman

Hogshead that Walker Street from new highway to hill and Oakie Avenue North approximately 400 feet to fence, be turned over to city engineer for cost estimates. Councilman Dunlap questioned Walker Street where it fronts on Old County Road at base of hill, The Mayor said paving would be to Old County Road. Thereupon the motion carried.

Councilman Gewin moved that Engineer secure cost estimates for 15th Street and 29th Street. Councilman Estep seconded the motion. Motion carried.

Upon motion of Councilman Gewin, seconded by Councilman Dunlap, it was requested that city engineer check cost for a 10 foot strip for 18th Street hill to Pennwood, and 15th Street hill from Pennwood to Third Avenue. Pennwood Avenue to be 16 or 18 feet, whichever right of way will stand. Motion carried.

Councilman Hogshead asked when West 11th Street crossing was to be fixed. The Mayor informed that the Railroad Company has promised that this work would be taken care of this year. Mayor asked council for permission to contact the Railroad Company on this matter.

Councilman Estep moved, seconded by Councilman Bush, that this permission be granted. Motion carried.

It was also mentioned that since the school will be built in the west section of town that the New York Central Railroad will be forced to put lights or a gate at the 11th Street crossing. Councilman Dunlap moved, seconded by Councilman Hogshead, that Mayor be given authority to see about getting a gate or light, or both, and to use whatever force is necessary. Motion carried.

Councilman Estep asked about children using school playground equipment during the summer months. Other cities are doing this. The Mayor stated that in his opinion matters of this kind should come through the Park Board.

Councilman Bush then brought up the matter of salary for the

Recorder, pointing out that women workers in other towns, and in plant offices, with less responsibility, are receiving more salary and working less hours per week. The following ordinance was then read:

AN ORDINANCE RELATING TO THE
SALARY OF THE CITY RECORDER
OF THE CITY OF NITRO, KANAWHA
AND PUTNAM COUNTIES, WEST
VIRGINIA.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that the salary of the City Recorder of the City of Nitro shall be Four Hundred Fifty Dollars (\$450.00) per month.

The effective date of this ordinance shall be July 1, 1960.

Any prior ordinances in conflict with this ordinance are hereby repealed.

Councilman Bush moved, seconded by Councilman Estep, that this ordinance be adopted. Those voting in favor of motion were: Councilmen Bush, Estep, Gewin and Hogshead and Mayor Alexander. Councilman Dunlap and Grace Lewis, Recorder did not vote. Motion was declared carried and so ordered.

Councilman Bush next brought up the salary of the Mayor. Pointing out that the work being done and salaries of other Mayors, and people in plants who work only 40 hours per week. Thereupon the following ordinance was read:

AN ORDINANCE RELATING TO THE
SALARY OF THE MAYOR OF THE CITY
OF NITRO, KANAWHA AND PUTNAM COUNTIES,
WEST VIRGINIA.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that the salary of the Mayor of the City of Nitro, shall be five hundred dollars (\$500.00) per month, and in addition to said salary the Mayor shall receive Two Hundred

(200.00) per month as a fixed salary for presiding over the Police Court of the City of Nitro.

Be it Resolved that the Mayor of the City of Nitro shall continue to preside over the Police Court of said City in the capacity of Ex-Officio Justice of the Peace, and all court cost and fines which are collected from the performance of said duty shall be turned over to the Treasurer of the City of Nitro for the use of the General Fund of the said City.

BE IT RESOLVED FURTHER that if this ordinance or any part hereof is held invalid, then the Mayor of the City of Nitro will receive the same salary which he received in prior fiscal year.

The effective date of this ordinance shall be July 1, 1960.

Councilman Bush moved, seconded by Councilman Estep, this ordinance be adopted. Those voting in favor of motion were Councilmen Bush, Estep, Gewin and Hogshead, M.D. and Grace Lewis, Recorder. Councilman Dunlap and Mayor Alexander did not vote. Motion was declared carried and was so ordered.

Councilman Bush brought to the attention of the Council the amount of trash swept into the street by merchants, and suggested that those merchants be requested to keep a container for trash.

It was mentioned that a light should be placed over the fire plug on Benamati Avenue. Council felt at this time that a light is not needed.


Councilman Hogshead had a complaint from one of the merchants in the business area that employees were utilizing all the parking space in front of the stores. It was suggested that parking time be limited at certain hours of the day, but that if employers and employees would cooperate it would automatically help this situation.

Councilman Gewin moved it be entered into the minutes of the City Council a vote of appreciation to the outgoing members for their services to the City. Motion was seconded by Mayor Alexander. Those voting for said motion were: Councilman Gewin, Mayor Alexander and Grace Lewis, Recorder. Mayor declared the motion carried.

Councilman Bush moved for adjournment. It was so ordered.



Grace Lewis, Recorder



W. W. Alexander, Mayor

118

July 5, 1960

The City Council met in a Special call meeting July 5, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, D. E. Gewin, L. I. Hoke, M.D., Thomas C. Reeves, Wm. G. Spaulding and Robert M. Woods, members of the City Council. Mrs. Juanita Clark and Earl W. Dye being absent.

Mayor Alexander called the meeting to order and extended a welcome to the new members of the City Council, pointing out their responsibility to the people of Nitro, and also stating that he had confidence in the Council that they would make as many improvements as possible during their term of office.

The Recorder presented the call for the meeting.

Mayor Alexander then made the following committee appointments:

TRAFFIC COMMITTEE

W. G. Spaulding, Chm.
B. E. Gewin
Earl Dye
Thomas C. Reeves

SEWAGE WKS. COMM.

B. E. Gewin, Ch.
R. M. Woods
Earl Dye
W. W. Alexander

ANNEXATION COMM.

Juanity Clark, Ch.
Thomas C. Reeves
Earl Dye

SANITATION & HEALTH DEPT.

Dr. L. I. Hoke, Ch.
W. G. Spaulding
Juanity Clark
R. M. Woods

FINANCE COMM.

Grace Lewis, Ch.
B. E. Gewin
R. M. Woods
W. W. Alexander

FIRE DEPT. COMM.

R. M. Woods, Ch.
B. E. Gewin
Earl Dye
W. G. Spaulding

POLICE DEPT. COMM.

Thomas Reeves, Ch.
R. M. Woods
B. E. Gewin
W. W. Alexander

SWIMMING POOL COMM.

Juanity Clark, Ch.
Thomas C. Reeves
Dr. L. I. Hoke

STREET COMM.

Dr. L. I. Hoke, Ch.
B. E. Gewin
Earl Dye
Thomas C. Reeves

RECREATION COMM.

R. M. Woods, Ch.
Juanity Clark
Dr. L. I. Hoke
Thomas C. Reeves

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO:

W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER, MRS. JUANITA CLARK, EARL W. DYE, B. E. GEWIN, L. I. HOKE, M.D., THOMAS C. REEVES, WILLIAM G. SPAULDING AND R. M. WOODS, Members thereof.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on the 5th day of July, 1960, at 8:00 o'clock, P.M., for the purposes following:

1. To consider and act upon all matters relating to the paving and the permanent improvement of the following named streets in the City of Nitro, Kanawha and Putnam Counties, West Virginia: Lock Avenue from its intersection with Lock Street, North to dead end; Locust Street from its intersection with Main Avenue (Formerly Old West Virginia Route No. 25), to its intersection with Benamati Avenue; Nitro Heights Road, from end of present paving, north to the city limit line; 15th Street, from its intersection with Third Avenue, to its intersection with First Avenue; 39th Street from its intersection with Second Avenue to its intersection with First Avenue; 18th Street Hill Road from its intersection with 18th Street and Third Avenue to its intersection with Penwood Avenue; Penwood Avenue from its intersection with 18th Street Hill Road and Calderwood Avenue, to its intersection with Short Street (Formerly 15th Street Hill Road); Short Street (Formerly 15th Street Hill Road), from its intersection with Penwood Avenue to its intersection with Third Avenue; Third Avenue from its intersection with Short Street (Formerly 15th Street Hill Road), to 15th Street; 39th Street, East from its intersection with Bailes Drive, West to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 400 feet to dead end; Walker Street from its intersection with First Avenue, East to dead end at the Old County Road.

firmation of appointments.

3. To consider any and all other matters that may properly come before the Council.

Respectfully yours,

W.W. Alexander
W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being both sufficient and timely:

William B. Spaulding

Robert W. Woods

Thomas A. Reeves

Dr. LeMay

R. J. Jewin

1. The first part of the document is a list of the names of the members of the committee.

2. The second part of the document is a list of the names of the members of the committee.

3. The third part of the document is a list of the names of the members of the committee.

4. The fourth part of the document is a list of the names of the members of the committee.

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10. The tenth part of the document is a list of the names of the members of the committee.

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12. The twelfth part of the document is a list of the names of the members of the committee.

13. The thirteenth part of the document is a list of the names of the members of the committee.

14. The fourteenth part of the document is a list of the names of the members of the committee.

STREET LIGHT COMM.

W. G. Spaulding, Ch.
 Thomas C. Reeves
 Earl Dye

BUILDING & PLANNING COMM.

Thomas C. Reeves, Ch.
 Dr. L. I. Hoke
 B. E. Gewin
 R. M. Woods
 Juanity Clark

STREET SIGN COMM.

Earl Dye, Ch.
 W. G. Spaulding
 Juanity Clark

STREET NUMBERING COMM.

W. G. Spaulding, Ch.
 Dr. L. I. Hoke
 Earl Dye

WATER WORKS COMM.

B. E. Gewin, Ch.
 R. M. Woods
 Earl Dye
 Dr. L. I. Hoke

GARBAGE COMM.

Earl Dye, Ch.
 Dr. L. I. Hoke
 Thomas C. Reeves
 W. G. Spaulding

DOG POUND COMM.

Earl Dye, Ch.
 Dr. L. I. Hoke
 W. G. Spaulding

Thereupon, Councilman Gewin moved, seconded by Councilman Hoke, the committee appointments, be approved. Upon a vote motion carried.

Mayor Alexander then made the following appointments:

Park Board from Council, replacing Estep	R. M. Woods
Park Board May 1964 replacing Woods	G. L. Estep
Park Board Aug. 1962 replacing Clark	Ruby Esteppe
Planning Board Member of Council	B. E. Gewin
City Treasurer	Grace Lewis
City Attorney	Winston C. Brown
City Engineer	J. A. Spence & Municipal Engineering Co.
Building Inspector	J. E. Roark
Plumbing Inspector	J. F. Thacker
Electrical Inspector	W. E. Peaker

Thereupon, Councilman Woods moved, seconded by Councilman Reeves, the appointments be approved. Upon a vote motion carried.

Upon a question regarding the Planning Commission of the City, the Mayor proceeded to explain to the Council the work of the Planning

Commission and explained further that one Councilman and the Mayor served as members of the commission as required by State Law.

The work of the Park Board was also explained to the Council, pointing out that a member from the City Council served as member of the Park Board.

Mr. Alley, resident of Nitro, appeared before the Council, showed a stock certificate, representing one share in the Sattes Sewage Company, stating he had purchased this share for \$225.00, which entitled him to the use of the sewer line and protested to the Council the sewage fee as as being charged by the Nitro Sanitary Board, stating that he was not paying the fees, pointing out that the City does not own this particular sewer, that it is owned by the users. That he has check with attorneys, the County and the Attorney General and that he has been advised he does not have to pay the sewer fee being charged, also pointing out that the City purchased a sewer system from the Nitro Sewer Company and that they should purchase all systems. Councilman Hoke asked the question of the difference of the sewer systems as purchased by the City and the other sewer systems. The Mayor explained that the City was working under the orders of the West Virginia Water Commission and that the City had been advised to pick up all sewage outlets in Nitro, including this particular sewer, which was built under the direction of Mr. W. W. Hanshaw, stating further that city was also advised that this Company, headed by Mr. Hanshaw did not have permit from the West Virginia Water Commission to operate a sewer.

Councilman Reeves informed the Council that he was in somewhat the same position as Mr. Hanshaw, in that he owned the sewer system that served his houses and had been taken over by the City - that he was willing for the city to take the sewer system as long as the city would maintain the sewer and treat the sewage. Mr. Alley still contended that the City

should have the City Attorney check into all angles of this situation and to present the facts to the people. The Mayor informed Mr. Alley that he should contact the West Virginia Water Commission, since this is the agency the city worked under and also the governmental agency who had given the City orders to cease and desist polluting the streams.

✓ Thereupon, the Council proceeded to consider and discuss the requests, proposals and petitions of the abutting property owners for grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing and guttering, and otherwise improving the following named streets: Lock Avenue from its intersection with Lock Street, North to dead end; Locust Street from its intersection with Main Avenue (formerly Old West Virginia Route No. 25), to its intersection with Benamati Avenue; Nitro Heights Road, from end of present paving, north to the City limit line; 15th Street, from its intersection with Third Avenue, to its intersection with First Avenue; 39th Street from its intersection with Second Avenue to its intersection with First Avenue; 18th Street Hill Road from its intersection with 18th Street and Third Avenue to its intersection with Pennwood Avenue; Pennwood Avenue from its intersection with 18th Street Hill Road and Calderwood Avenue, to its intersection with Short Street (formerly 15th Street Hill Road); Short Street (formerly 15th Street Hill Road), from its intersection with Pennwood Avenue to its intersection with Third Avenue; Third Avenue from its intersection with Short Street (formerly 15th Street Hill Road), to 15th Street; 39th Street, East from its intersection with Bailes Drive, West to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 400 feet to dead end; Walker Street from its intersection with First Avenue, east to dead end at the Old County Road.

Mayor Alexander explained to the Council the procedure of paving programs and the holding of protest meetings.

Thereupon Councilman Gewin moved that Council accept above named petitions and that it also accept the proposals of interest persons and of Council for the said improvements of said above named streets, and moved that the City proceed to grade, re-grade, drain, pave, re-pave, surface, re-surface, widen, curb, re-curb, and gutter, the above named streets and public ways and that said improvements be done under and pursuant to the procedure set forth and provided in Article 8, Chapter 8, of the Code of West Virginia, as amended by Chapter 89 Acts of the Legislature, Regular Session, 1949; and further moves that the Council do fix July 26, 1960, at 8:00 O'Clock P.M. in its Council Chambers in the City Hall of said City as the time and place of a public meeting of Council for the hearing of protests and objections or other remarks of property owners or other interested persons and for any adjournment; and further that the City Recorder be authorized and directed to publish the following notice once a week for three successive weeks in the Kanawha Valley Leader, the only newspaper published within the City of Nitro and having general circulation therein, said notice being as follows:

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: LOCK AVENUE FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; LOCUST STREET FROM ITS INTERSECTION WITH MAIN AVENUE (FORMERLY OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH BENAMATI AVENUE; NITRO HEIGHTS ROAD, FROM END OF PRESENT PAVING, NORTH TO THE CITY LIMIT LINE; 15th STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET FROM ITS INTERSECTION

WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE; 18TH STREET HILL ROAD FROM ITS INTERSECTION WITH 18th STREET AND THIRD AVENUE TO ITS INTERSECTION WITH PENNWOOD AVENUE; PENNWOOD AVENUE FROM ITS INTERSECTION WITH 18th STREET HILL ROAD AND CALDERWOOD AVENUE, TO ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD); SHORT STREET (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENNWOOD AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; THIRD AVENUE FROM ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD), TO 15TH STREET; 39TH STREET, EAST FROM ITS INTERSECTION WITH BAILES DRIVE, WEST TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 400 FEET TO DEAD END; WALKER STREET FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD.

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, and other wise permanently improving said streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways.

The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 26th day of July, 1960, at 8:00 o'clock P.M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be

heard at said meeting or any adjournment thereof.

Done by action of the Council of the City of Nitro on the 5th day of July, 1960.

CITY OF NITRO
By: Grace Lewis
City Recorder

Said motion was duly seconded by Councilman Spaulding, and upon a vote of the Council all members present voted in the affirmative. The Mayor declared the motion carried and was so ordered.

Councilman Spaulding asked if there was a chance that Third Avenue would ever be paved. The Mayor pointed out that there was a possible chance that the Council would have to order this street paved, as he felt that a petition for paving could not be secured, in that there was a large amount of unimproved property on the hill side of Third Avenue, however he had been contacted by several people who were in favor of paving Third Avenue.

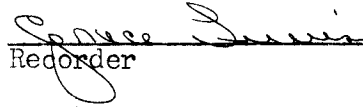
Councilman Hoke pointed out that eventually 23rd Street should be extended to Third Avenue and Third Avenue widened from 21st Street to 23rd Street to Allow two-way traffic.

Councilman Woods informed Council that he had had request to have weeds cut at the Railroad crossing at 11th Street, West. It was pointed out that the growth of weeds on property adjacent to Galloway property on 21st Street, obstructed vision of motorists using Blake's Creek Road. Two other lots mentioned because of the growth of weeds were corner of 19th and 2nd Avenue and the adjacent lot. Letters are to be sent to owners of said lots requesting them to have the weeds cut.

The Mayor and Council then discussed the need of a light at 11th Street crossing and also the need of traffic lights at other points. Mayor Alexander explained to Council the difficulty in securing permission

from the State Road Commission for lights, pointing out that the City had been denied the right by the State Road Commission to install traffic lights at 21st Street and 1st Avenue, 20th Street and 1st Avenue and Main Avenue at Hickory Street.

There being no further business to come before the council, a motion by Councilman Hoke, seconded by Councilman Woods, for adjournment carried.


Recorder


Mayor

July 19, 1960

The City Council met in regular session Tuesday, July 19th, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, William G. Spaulding and Robert M. Woods members of the City Council. Mrs. Juanita Clark and L. I. Hoke, M.D. being absent.

Mayor Alexander called the meeting to order.

Minutes for meetings held June 21st and July 5th were read.

Thereupon Councilman Gewin moved, seconded by Councilman Woods, minutes be approved. Motion carried.

The Recorder presented copies of the financial statement for the month of June. Members of the council asked several questions regarding various items of the financial statement, items were explained by the Mayor and Recorder.

Thereupon Councilman Gewin moved, seconded by Councilman Dye, the financial statement be accepted. Motion carried.

Mayor Alexander explained to the Council that a letter had been written to Col. Geo. White, Deputy Commissioner and State Highway Engineer of the State Road Commission to widen and resurface approximately 4,000 feet of street extending from Kapoc Street to the Sattes Bridge, explaining that the city would install a curb adjacent to sidewalk, in said area, a like project of 1954, from Kapoc Street to Lock Street.

Mayor Alexander also explained to the council that a letter had been written to Col. White regarding flooding of properties along West Virginia Route No. 25, above Kapoc Street, explaining that flooding was

caused from a fill that had been made by a property owner, under a permit issued by the State Road Commission, which according to the City Engineer was not in accordance with requirements of said permit, asking that the State Road Commission office take necessary steps to have the condition corrected.

Mr. Alley again appeared before the City Council in protest of paying the sewage fee and feels that city should compensate him for his portion of the sewer, stating that he had talked with Mr. Bern Wright of the West Virginia Water Resources Commission, the Public Service Commission and the State Health Department. That Mr. Hanshaw did have a permit from Health Department to build the sewer, that a friend of his in the Attorney General's office had advised him not to pay the sewage fee. Mr. Brown, Attorney, advised Mr. Alley to follow his counsel's advise and not pay the sewage fee and the Mayor advised Mr. Alley that in his opinion the best way to settle problem was to have a friendly law suit and let the courts make the decision, which is what the Sanitary Board would be forced to do in case he did not pay the sewer fees.

Councilman Gewin explained to council that during the period of years the Water Works Committee of the City Council had met regarding the water situation and that they had again met due to the recent flare up of the foul tasting water and he thereby offered the following resolution for Council's consideration:

RESOLUTION

BE IT RESOLVED by the Water Works Committee of the City of Nitro, Kanawha and Putnam Counties, West Virginia, Borden E. Gewin,

Chairman, R. M. Woods and Earl Dye, members thereof;

WHEREAS the water supply furnished by the West Virginia Water Company within the city limits of Nitro, Kanawha and Putnam Counties, West Virginia has had such concentrations of foreign matters that citizens have been complaining both to the members of the committee and to the City of Nitro itself, which said foreign matter renders the water unsatisfactory and very distasteful; and;

WHEREAS we the members of the Water Works Committee feel it necessary in the interest of the citizens which we represent within the City of Nitro to take all proper action to improve the conditions of the water supply which is furnished to the citizens of Nitro;

NOW THEREFORE BE IT RESOLVED by the Water Works Committee of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that we recommend to the said City Council of the City of Nitro that consideration be given to the acquisition and purchase of the water works within the City of Nitro. We are of the firm conviction that the best way to approach the problem of furnishing water which is palatable and satisfactory to all citizens of the City of Nitro is to have the city own and operate the water system within said city.

We are confident that to carry out successfully this program will require the co-operation of both the cities of South Charleston and Dunbar, since they receive a large portion of their water supply from the plant located within the city of Nitro and owned by the West Virginia Water Company.

Thereupon Councilman Gewin moved, seconded by Councilman Dye,

Thereupon Councilman Gewin moved, seconded by Councilman Dye, the Council adopt the foregoing Resolution and upon a vote by the Council the motion carried and was so ordered.

Mayor Alexander informed the Council that in 1947 the City had tried to negotiate a purchase with the Water Company and had been denied, and also again been denied in 1955 and was told on both occasions that the water works was not for sale, then in 1958 the West Virginia Water Company plant was annexed and made a part of the City of Nitro, thereby making it possible for the city to condemn and take over the water plant. The condition of the water is not something that has come up just recently, it has come about over a period of years by extra pollution of the Kanawha River by cities and industries, without proper legislation to curb condition, however, a condition that has come about over many years, cannot be corrected over night. As for new source of water being a solution to our problem, the Mayor stated that he did not feel that he was qualified to determine this as a solution, that he felt that it would take qualified and experienced Engineers to make a study of the problem. In any event this would cost a large sum of money and all of the facts should be gathered and presented to the people, who would be paying the bill. The Mayor stated further that he felt that if the city had control of the water, that they would also have control of the quantity and quality of the water.

Mr. Higginbotham, Vice President of the ANA, informed the council that he was not speaking for the ANA, but he personally commended the Mayor and Council on their action.

Councilman Reeves reported that he had been having complaints on the problem of Wilson Street. The Mayor informed that he had been approached by a few of the people of Sattes area, who used said street and that they were willing to help pay the cost of paving the street. The Traffic Committee was asked to make a study of Wilson Street.

Councilman Dye mentioned that there was some confusion as to the name of Main Avenue, some residents and the Postal officials still use the name of First Avenue, that he felt there was a need of more street markers. The Mayor advised that if the budget allowed that some markers would be purchased this year.

There being no further business, Councilman Woods moved, seconded by Councilman Spaulding, the meeting be recessed until July 26, 1960. Motion carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

July 26, 1960

The Council of the City of Nitro met in a recessed session in the Council Chambers of the City Hall on the 26th day of July, 1960, pursuant to an order duly made on July 5, 1960, by said Council.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, and Robert M. Woods members of the Council. L. I. Hoke and William G. Spaulding members of the Council absent.

Thereupon the Mayor announced that this was a duly called and advertised public meeting held for the purpose set forth in the legal notice for the hearing of objections and protests from property owners and other interested persons relative to the permanent improvements of the Streets and portions of streets set out in the legal notice, copy of which was presented to the Council and which is hereinafter set out as a part of these minutes; and for which improvements the plans, specifications, profiles and estimates were on file and available for inspection by any interested persons.

Thereupon, the Recorder advised the Council that the notice to abutting property owners of the proposed permanent improvements had been duly published for three successive weeks in the Kanawha Valley Leader as directed by Council in an order made at a Special Session on July 5, 1960.

Thereupon Councilman Gewin, seconded by Councilwoman Clark, moved that the Publisher's Affidavit and Certificate of publication of said notice, by Cecil Walker, publisher of said paper, be made a part of the minutes of this meeting by being set out herein. Upon a vote being taken, the Council voted unanimously in favor of said motion and the Mayor directed the same passed and so ordered.

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, TO-WIT:

I, CECIL R. WALKER, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro,

Kanawha County, West Virginia, do solemnly swear that the annexed

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: LOCK AVENUE FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; LOCUST STREET FROM ITS INTERSECTION WITH MAIN AVENUE (FORMERLY OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH BENAMATI AVENUE; NITRO HEIGHTS ROAD, FROM END OF PRESENT PAVING, NORTH TO THE CITY LIMIT LINE; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE; 18th STREET HILL ROAD FROM ITS INTERSECTION WITH 18th STREET AND THIRD AVENUE TO ITS INTERSECTION WITH PENWOOD AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 18TH STREET HILL ROAD AND CALDERWOOD AVENUE, TO ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD); SHORT STREET (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; THIRD AVENUE FROM ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD), TO 15TH STREET; 39th STREET, EAST FROM ITS INTERSECTION WITH BAILES DRIVE WEST TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 400 FEET TO DEAD END; WALKER STREET FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD.

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering and other wise permanently improving said streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets, and public ways.

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker

Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

LEGAL NOTICE

was duly published in said paper once a week for 3 successive weeks, commencing with the issue of the 8th day of July, 1960 and ending with the issue of the 22nd day of July, 1960 and was posted at the Court House of Kanawha County on

, 19

C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 3 day of

Aug, 1960

James Jefferson
Notary Public for Kanawha County, West Virginia.

My commission expires 10/17/62

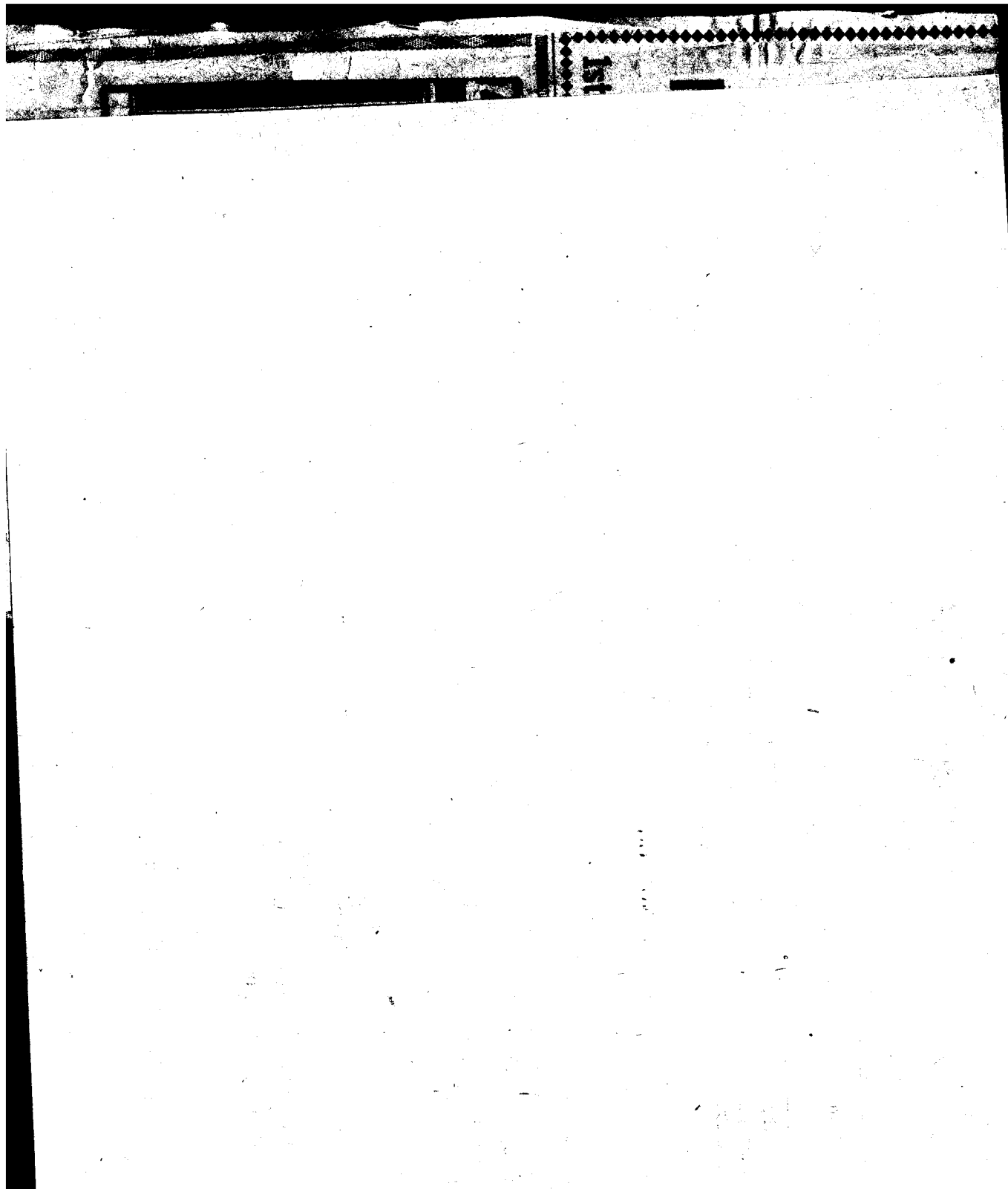
LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS WHOSE PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: LOCUST AVENUE FROM ITS INTERSECTION WITH LOCUST STREET NORTH TO DEAD END; LOCUST STREET FROM ITS INTERSECTION WITH PENWOOD AVENUE (FORMERLY OLD WEST VIRGINIA ROUTE NO. 1) TO ITS INTERSECTION WITH BENAMAT AVENUE; THE HEIGHTS ROAD FROM END OF PRESENT PAVING SECTION WITH THIRD AVENUE TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH PENWOOD AVENUE; 18TH STREET HILL ROAD FROM ITS INTERSECTION WITH 18TH STREET AND THIRD AVENUE TO ITS INTERSECTION WITH PENWOOD AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 18TH STREET HILL ROAD AND CALDERWOOD AVENUE TO ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD); SHORT STREET (FORMERLY 15TH STREET HILL ROAD) FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; THIRD AVENUE FROM ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD), TO 15TH STREET; 15TH STREET FROM ITS INTERSECTION WITH BAILIES DRIVE WEST TO DEAD END NEAR BLAKES CREEK; OAKEN AVENUE FROM ITS INTERSECTION WITH WALKER STREET NORTH APPROXIMATELY 400 FEET TO DEAD END; WALKER STREET FROM ITS INTERSECTION WITH FIRST AVENUE EAST TO DEAD END AT THE OLD COUNTY ROAD.

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, resurfacing, guttering, and other wise permanently improving said streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways or portions thereof, and including any intersections as the Common Council of The City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways.

The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 26th day of July, 1960, at 8:00 o'clock P.M. at the City of Nitro in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of the City of Nitro on the 14th day of July, 1960.



The proposals to make such improvements and the plans, specifications, profiles and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 26th day of July, 1960, at 8:00 o'clock P.M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of the City of Nitro on the 5th day of July, 1960.

CITY OF NITRO
GRACE LEWIS
RECORDER

was duly published in said paper once a week for 3 successive weeks, commencing with the issue of the 8th day of July, 1960 and ending with the issue of the 22nd day of July, 1960.

SS C. R. Walker
Manager
Kanawha Valley Leader

Subscribed and sworn to before me this 3 day of August, 1960.

SS James Jefferies

Notary Public for Kanawha County, West Virginia

(My commission expires 10/7/62)

The Council then proceeded to consider the permanent improvement of Oakie Avenue, from its intersection with Walker Street, North approximately 400 feet to dead end, Walker Street, from its intersection with First Avenue, east to dead end at the Old County Road.

Thereupon, there being no protest, Councilman Dye, moved, seconded by Councilman Reeves, that the improvement of Oakie Avenue, from its intersection with Walker Street, North approximately 400 feet to dead end, Walker Street, from its intersection with First Avenue, east to dead end at the Old County Road be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of Locust Street from its intersection with Main Avenue (formerly old West Virginia Route No. 25) to its intersection with Benamati Avenue.

Mr. Hansford Bailey appeared before the Council in protest and the Mayor informed council that he had written protest from Mr. Boyd Martin, that there was 75 property owner feet against the paving to 25 property owner feet for the paving.

Thereupon, Councilman Reeves moved, seconded by Councilman Woods, that in view of the major portion of property owner feet being against the paving and that Locust Street was not a lead in street, that Locust Street be deleted from the program. Upon a vote the motion carried and was so ordered.

Thereupon, Council then proceeded the permanent improvement of Lock Avenue, from its intersection with Lock Street, North to dead end.

A petition, signed by owners of 650 property owner feet protesting the paving of Lock Avenue, was presented. The Council discussed the undeveloped property on one side of Lock Avenue, that there were five houses facing the said street.

Thereupon, Councilman Dye moved, seconded by Councilman Gewin, that improvement of Lock Avenue, from its intersection with Lock Street, North to dead end, be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of 15th Street, from its intersection with First Avenue to its intersection with Third Avenue.

Thereupon, there being no protest, Councilman Gewin, seconded by Councilwoman Clark, the improvement of 15th Street, from its intersection with First Avenue to its intersection with Third Avenue be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of 39th Street, from its intersection with First Avenue to its intersection with Second Avenue. Mr. Charles Painter, Trustee of the Nitro Nazarene Church, Charles Sisk and G. A. Raynes appeared before the Council in protest, informing the Council that they understood that the new super highway was to go through 39th Street and that they felt if this happened that the Street should not be resurfaced and they were also under the impression that said street had been improved by resurfacing recently. The Mayor informed the protestants that the plans for the super highway did not show the highway to go through 39th Street, and that curb and gutter had been installed on 39th Street within the last few years.

Thereupon, after considerable discussion, Councilman Woods moved, seconded by Councilman Dye, that improvement of 39th Street from its intersection with First Avenue to its intersection with Second Avenue, be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of 39th Street, East, from its intersection with Bailes Drive to dead end near Blakes Creek.

Duard Angell, Russell Sturgeon, S. A. Williams and Mr. Phelps, appeared before the council in protest, in that the lead in street Bailes Drive had not been included in the program and that Bailes Drive was the only access to 39th Street, East.

Thereupon, after considerable discussion, Councilman Gewin moved, seconded by Councilman Woods, that the permanent improvement of 39th Street East from Bailes Drive to dead end near Blakes Creek be ordered. Upon a vote motion carried and was so ordered.

Mayor Alexander informed the Council that the area of 18th Street Hill Road and Nitro Heights had been turned down by the bonding company and that this action automatically deleted said streets from the program.

Upon advise of the City Engineer, Councilwoman Clark, seconded by Councilman Woods, moved that new construction be classed as Unit A. Motion carried.

Councilman Reeves moved, seconded by Councilwoman Clark, the resurfacing be classed as Unit C. Motion carried.

Councilman Dye moved, seconded by Councilman Woods, that city ask for alternate bids on Unit A. Motion carried.

Thereupon the following ordinance was introduced to Council.

RESOLUTION OF THE COUNCIL OF THE CITY OF NITRO
DECLARING THE NECESSITY AND CONVENIENCE OF
PERMANENTLY IMPROVING CERTAIN DESIGNATED STREETS
OR PORTIONS THEREOF IN THE CITY OF NITRO, WEST
VIRGINIA; PROVIDING FOR THE PERMENENT IMPROVEMENT
OF SAID STREETS OR PORTIONS THEREOF; APPROVING
PLANS AND SPECIFICATIONS; PROVIDING FOR COM-
PETITIVE BIDS, CONTRACT AND SUPERVISION; PRO-
FOR PAYMENT BY ASSESSING THE TOTAL COST ON
ABUTTING PROPERTY AND THE ISSUANCE OF ASSESSMENT
CERTIFICATES; ALL AS PROVIDED BY ARTICLE 8,
CHAPTER 8 OF THE CODE OF WEST VIRGINIA, AS
AMENDED BY THE ACTS OF THE LEGISLATURE OF 1949.

WHEREAS, the Council of the City of Nitro has caused notice to be given to abutting property owners as provided in Section 3, Article 8, Chapter 8 of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, by publication in the Kanawha Valley Leader, the only newspaper of general circulation in said City, once a week for three successive weeks, commencing on the 8th day of July, 1960, and ending on the 22nd day of July, 1960, that a public meeting would be held at the Municipal Building in said City on the 26th day of July, 1960, for the purpose of considering a resolution of ordinance declaring the necessity or convenience of the permanent improvement of certain streets or portions thereof in said City, and giving an opportunity to abutting owners and other interested persons to protest and be heard concerning the adoption or rejection of same, which streets and portions thereof are described as follows:

LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET,
NORTH TO DEAD END; LOCUST STREET FROM ITS INTERSECTION
WITH MAIN AVENUE (FORMERLY OLD WEST VIRGINIA ROUTE NO.
25), to its intersection with Benamati Avenue;

NITRO HEIGHTS ROAD, FROM END OF PRESENT
PAVING, NORTH TO THE CITY LIMIT LINE; 15TH
STREET, FROM ITS INTERSECTION WITH THIRD AVENUE,
TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET,
FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS
INTERSECTION WITH FIRST AVENUE; 18TH STREET HILL
ROAD FROM ITS INTERSECTION WITH 18TH STREET AND
THIRD AVENUE TO ITS INTERSECTION WITH PENWOOD
AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH
18TH STREET HILL ROAD AND CALDERWOOD AVENUE, TO ITS
INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD);
SHORT STREET (FORMERLY 15TH STREET HILL ROAD), FROM
ITS INTERSECTION WITH PENWOOD AVENUE, TO ITS INTERSECTION
WITH 15TH STREET AND THIRD AVENUE; 39TH STREET, EAST,
FROM ITS INTERSECTION WITH BAILES DRIVE, WEST TO
DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS
INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY
300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION
WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD.

WHEREAS, prior to said public meeting there have been prepared plans, specifications and estimates of the proposed improvements by Municipal Engineering, for said City of Nitro, showing the proposed grade and sufficient data for any owner of abutting property to calculate approximately what proportionate part of the estimated cost thereof might be assessed against his property, and said plans, specifications and estimates have been on file with the Recorder of said City and open to the inspection

of all interested persons; and

WHEREAS, a hearing was duly held pursuant to said notice, at which all abutting owners and interested persons were given an opportunity to protest and be heard concerning the adoption or rejection of said resolution or ordinance; and

WHEREAS, acting under the authority of the last paragraph of Section 2 of Article 8 of Chapter 8 of the Code of West Virginia, as amended in 1949, and regardless of the validity or invalidity of any petitions which may have heretofore been submitted to the Council, the Council by vote of more than three-fourths of its members, deems it advisable, necessary and convenient to provide for such improvements and to assess the entire cost thereof upon abutting property and the owners thereof;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

SECTION 1. That the certificate of publication of the notice of said meeting by the Kanawha Valley Leader, the only newspaper of general circulation in said City of Nitro, and a copy of said notice be, and the same are hereby made a part of the minutes of the Council and the Recorder is hereby ordered to spread the same upon the record of said meeting.

SECTION 2. That following its own independent investigation and upon its own authority as provided by law, the Council by the affirmative vote of more than three-fourths of its members, hereby declares it to be necessary and convenient to permanently improve by grading, regrading, paving and repaving, surfacing and re-surfacing, with base and drainage, and by building and renew-

100



such abutting lot or parcel of land.

SECTION 5. The total cost of the improvements, including the cost of improvements at and within intersections, and including all items of costs mentioned in Section 5, Article 8, Chapter 8 of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, shall be apportioned to and assessed against and borne by the lots or parcels of land and other properties abutting upon the respective portions of streets or other public ways hereby authorized to be improved, and upon which said improvements shall have been made. Each lot or parcel of land so abutting said portions of streets or other public ways shall be assessed with that portion of the total cost of the improvements on the entire portions of any street or public way herein authorized to be improved, which is represented by the porportion which the abutting frontage in feet of said lot or parcel of land bears to the total abutting frontage in feet of all the assessable lots or parcels of land abutting on any respective portion of a street or public way herein authorized to be improved as provided by Chapter 8, Article 8 of said Code, as amended in 1949.

SECTION 6. The cost so apportioned shall be assessed against the respective abutting lots or parcels of land and shall be paid in ten (10) equal installments, the first to be and become due thirty (30) days after levying of the assessment for the improvements, and the other nine (9) ~~installments~~ to be and become due one (1) each year for nine (9) years thereafter, all at the rate of six per centum (6%) per annum from the date of the assess-

ments, provided that on failure of the owner of the property assessed to pay any installment as and when due, and such default continuing for sixty (60) days, then at the option of the holder of the certificate evidencing any such assessment the entire balance thereof may be declared immediately due and payable, and the holder of the certificates may forthwith proceed to enforce the collection thereof.

SECTION 7. Certificates shall be issued evidencing said assessments and each installment of principal and interest payable. Said certificates shall be payable to the bearer and be signed by the Mayor and Recorder and shall refer to the ordinance or resolution laying the assessments, and shall each show the amount and date of the assessment and describe the property against which the assessment is laid, describing the same as to the ownership, amount, frontage and briefly as to location. The property abutting the portion of the street, alley, easement or public way improved shall be subject to a lien, from the date of the ordinance or resolution laying the assessment, for the payment of the costs of the improvements assessed against said property, and said assessments shall be and constitute liens in the hands of the holders of said certificates upon the respective lots and lands assessed and shall have priority over all other liens except those for land taxes due the state, county and municipality and except liens for pre-existing special assessments; and the said assessments shall be levied and paid, with interest thereon, and said certificates shall be issued, enforceable and otherwise, in all respects, subject to the provisions of said Chapter 8, Article 8 of the Code of West Virginia, as amended by Acts of 1949. Each installment of

said assessment on each certificate shall be evidenced by a coupon attached to the principal certificate, which coupon shall evidence such installment, shall refer to the date of the resolution levying said assessment and the time when said installment is due, and shall be signed in the name of the City of Nitro, by the facsimile signature of the Mayor, attested by the facsimile signature of the Recorder.

SECTION 8. The Recorder shall forthwith advertise for bids for said improvements to be made in accordance with said plans and specifications therefor. Such advertisement shall be made by publication at least once a week for two successive weeks in The Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, but not necessarily published therein. The contract shall be let to the lowest responsible bidder, but the advertisement for bids shall reserve to the City the right to reject any and all bids therefor. The work done under such contract, when let, shall be paid for by delivering to the contractor assessment certificates as above provided in lieu of cash. *and paying*

SECTION 9. Upon the completion of the improvements, the City Engineer is hereby directed to prepare and submit to the Council his report showing the cost of such permanent improvements, the numbers and descriptions of the lots and parcels of land abutting same, the names of the owners of such lots and parcels, and such other matters as may be necessary in order to levy an assessment against said abutting property in accordance with the provisions of Chapter 8, Article 8, of the Code of West Virginia, as amended by the Legislature of West Virginia, Regular Session 1949. Upon

the filing of said Engineer's report with the Recorder, the Recorder, is hereby directed to give notice in the name of the City to the owners of the property to be assessed according to said Engineer's report that on or after date named in said notice an assessment may be laid against the property so improved as embodied in said Engineer's report. Said notice shall state that the owner or owners whose property is to be assessed, or other interested party, may on said date appear before the Council to move the revision or correction of such proposed assessment. Such notice shall be by publication once a week for two successive weeks in a newspaper of general circulation in the county and shall show the total cost of the improvement, the several frontages abutting thereon and respective amounts to be assessed against the abutting property, with a description of the respective abutting lots and lands as to ownership, frontage and location.

SECTION 10. The attorney for the City is hereby directed to prepare and submit to the Council thereof, such notices, ordinances and information as may be required by the Council for the laying of the assessments and issuance of the certificates as aforesaid.

Thereupon, Councilwoman Clark moved, seconded by Councilman Woods, the adoption of the foregoing ordinance and upon a vote, Council voted unanimously in favor of said motion and was so ordered.

Thereupon Councilwoman Clark, moved, seconded by Councilman Woods, that bids be received from Contractors until 4:30 o'clock P. M. on August 10, 1960, and that contractors be required to deposit with his bid a certified check or bidders bond in the amount of five per centum of total contract, and that the bids be considered by

Council at a Special Meeting to be held at 8:00 o'clock P. M. on August 10, 1960, in the Council Chambers in the City Hall of the City of Nitro and at any adjournment or recess thereof. Motion Carried.

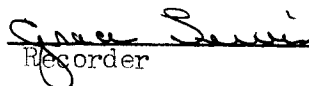
Mayor Alexander asked the Council's permission to institute mandamus proceedings against the Assessor of Putnam County to include the annexed area known as Saunders area and 40th Street Road to the City of Nitro tax district.

Thereupon Councilwoman Clark moved, seconded by Councilman Woods, said permission be granted. Upon a vote motion carried.

There being no further business a vote by Councilman Gewin, seconded by Councilman Woods, for adjournment carried.



Mayor



Recorder

August 2, 1960

The City Council met in a special session Tuesday,
August 2, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves. William G. Spaulding and Robert M. Woods members of the Council. Earl W. Dye being absent.

Councilman Gewin moved, seconded by Councilman Woods, the Council go into a special session. Motion carried.

Mayor Alexander presented the following persons names as a Citizen's Committee to work with the Water Works Committee of the City Council:

Mrs. Kenneth D. Sales	1358	Valentine Circle
Mrs. Joe F. Peck	1417	Sattes Circle
Mrs. Robert L. Pruett	3906	39th Street
Fred L. Goff, M. D.	2176	21st Street
G. P. Russell	65	21st Street
Thomas D. Winter	1223	Park Avenue
George W. Hogshead, M. D.	1431	14th Street West
M. L. Bush	3203	32nd Street
William H. Sutton	2117	21st Street
Robert W. Howard	50	21st Street
P. T. Arbuckle	20	21st Street
Darrell D. Evans	914	9th Street
A. W. Conaway	1126	11th Street West
Noble C. Hicks	227	Lee Avenue
R. L. Christy	1342	Valentine Circle

Councilwoman Clark moved, seconded by Councilman Hoke, the appointments be confirmed. Motion carried.

Mayor Alexander submitted the names of Robert W. Howard and Carl Bender as members of the Planning Commission. Councilman Spaulding moved the foregoing be confirmed. Motion seconded by Councilman Woods. Motion carried.

Mayor Alexander informed the Council that the former Council had allocated the amount of Two Hundred Fifty (\$250.00) Dollars be paid to Attorneys on protest of the gas rate increase and that he had received statement from Elmer Dodson, Attorney on the said protest and asked Council action on the payment of said statement.

Thereupon Councilman Hoke moved, seconded by Councilman Spaulding, that the Two Hundred Fifty (\$250.00) Dollars be paid to Attorneys. Motion carried.

There being no further business to come before the Council a motion for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

August 10, 1960

The City Council met in a special session in the Council Chambers in the City Hall of Nitro, West Virginia on the ^{10th} 10th day of August, 1960, at 8:00 o'clock P. M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, Thomas C. Reeves, William G. Spaulding and Robert M. Woods members of the Council.

The meeting was called and held pursuant to Ordinance adopted by Council on the ^{26th} 26th day of July, 1960, and also pursuant to advertisement for bids for permanent improvement of certain streets named in said advertisement which was duly published in the Kanawha Valley Leader, and by notice given to members of Council.

The meeting was called to order by Mayor Alexander.

Thereupon the Recorder reported that she had complied with direction of Council by Ordinance heretofore adopted and had duly advertised for bids on the permanent improvement of Lock Avenue, from its intersection with Lock Street North to deand end; 15th Street, from its intersection with Third Avenue to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue; 39th Street, East, from its intersection with Bailes Drive, West to dead end near Blakes Creek; Oakie Avenue from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue, East to dead end at the old county road, in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, for two successive weeks as required by said Ordinance, and tenered Publisher's Affidavit

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO:

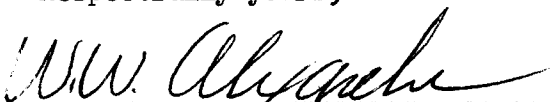
W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER, MRS. JUANITA CLARK,
EARL W. DYE, B. E. GEWIN, L. I. HOKE, M. D., THOMAS C. REEVES, WILLIAM G.
SPAULDING AND R. M. WOODS, MEMBERS THEREOF.

You, and each of you, will please take notice that a Special Meeting of
the Council of the City of Nitro, West Virginia, is hereby called and will be
held in the Council Chamber in the City Hall of said City on the 10th day of
August, 1960, at 8:00 o'clock, P. M., for the purposes following:

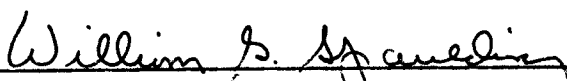
1. To consider and act upon all matters relating to the Budget for the
City of Nitro for the current year.

2. To consider and act on any and all other matters that may properly come
before the Council.

Respectfully yours,

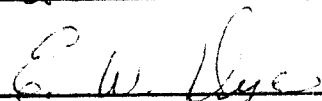

W. W. Alexander, Mayor

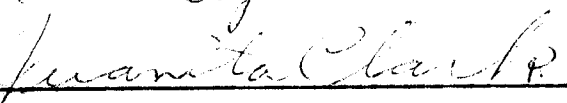
The foregoing notice is hereby accepted as being both sufficient and
timely:











Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of
Kanawha Valley Leader, a Weekly Newspaper of general circ-
ulation, published in the City of Nitro, Kanawha County, West Vir-
ginia, do solemnly swear that the annexed

NOTICE TO CONTRACTORS

was duly published in said paper once a week for 2
successive weeks, commencing with the issue of the 29th
day of July, 1960 and ending with the
issue of the 5th day of August, 1960
and was posted at the Court House of Kanawha County on

, 19

C. R. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 5 day of

Aug, 1960

James Jeffers
Notary Public for Kanawha County, West Virginia.

My commission expires 10/7/62.

NOTICE TO CONTRACTORS

THE CITY OF NITRO will receive sealed proposals for the
paving, re-paving, widening, surfacing, re-surfacing, grading,
draining curbing and guttering and otherwise permanently improv-
ing same and for the construction of sidewalks therein, upon
and along Lock Avenue, from its intersection with Lock Street
North to dead end; 15th Street, from its intersection with Third
Avenue, to its intersection with First Avenue; 39th Street, from
its intersection with Second Avenue, to its intersection with First
Avenue; 39th Street, East, from its intersection with Bailes Drive
West, to dead end near Blakes Creek; Oakie Avenue, from its
intersection with Walker Street, North approximately 300 feet to
dead end; Walker Street, from its intersection with First Avenue
East to dead end at the Old County Road; (and otherwise per-
manently improving said streets, all in the City of Nitro, Kanawha
and Putnam Counties, West Virginia.

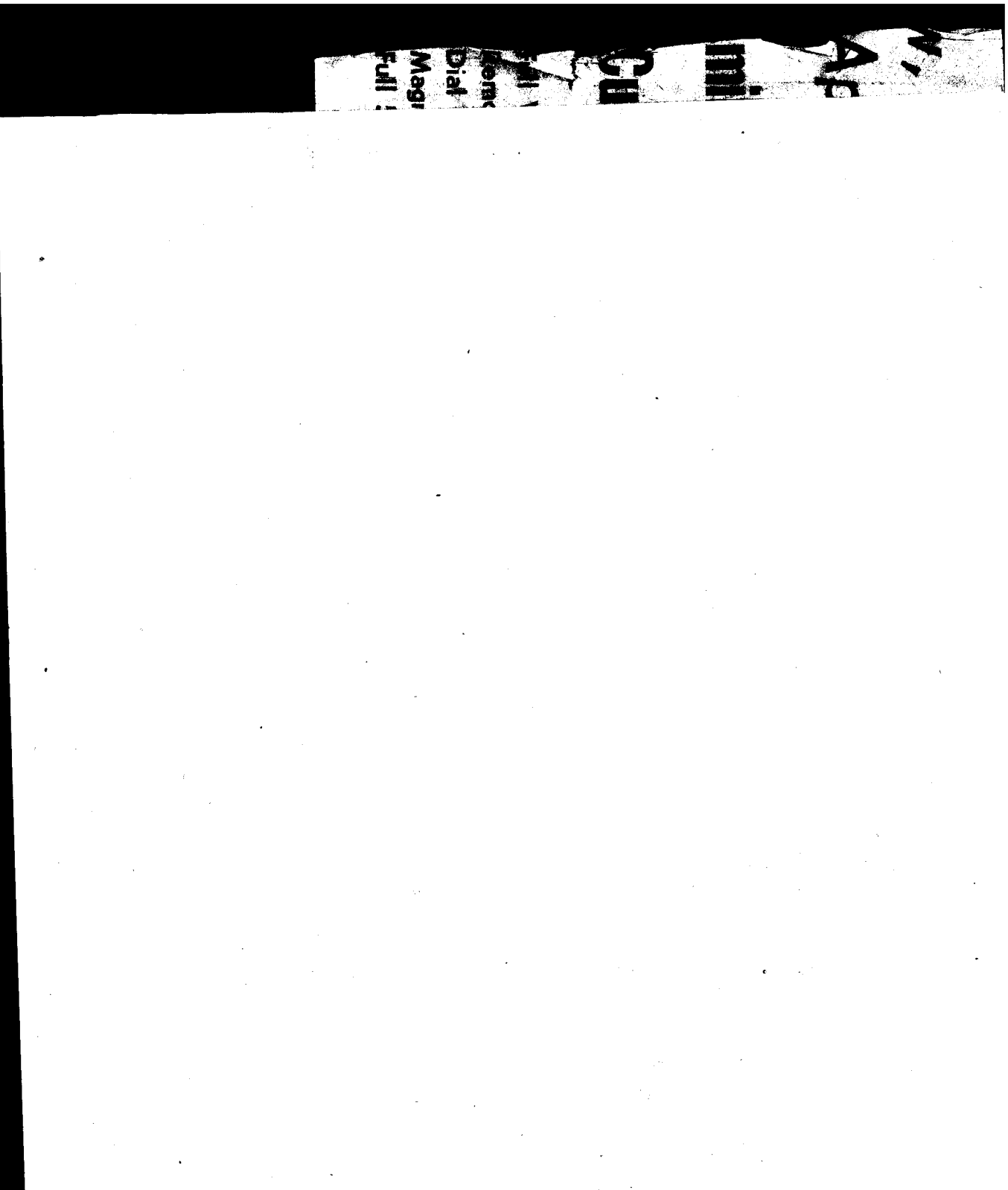
Proposals will be received only on and in accordance with forms
furnished by the City Recorder. Work must be performed in
accordance with plans, specifications, profiles and estimates on
file with Grace Lewis, City Recorder. Payment for said work will
be made by certificates in the manner set out in the bid propos-
als. The contractor shall deposit a certified check or bidder's
bond in the amount of 5% of the bid price and furnish letter
committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City
Recorder on or before 4:30 o'clock, P.M. EST, August 10, 1960.
Bids will be opened and publicly read at the City Hall, in the
Council Chamber at a meeting of Council to be held on the 10th
day of August, 1960, at 8:00 o'clock, P.M. EST. The City reserves
the right to reject any and all bids or to waive any irregularities
in bids.

Plans, specifications and proposal sheets may be obtained at
the Office of Grace Lewis, City Recorder.

GRACE LEWIS, CITY RECORDER
CITY OF NITRO.

7292tc



of said publication.

Woods
Councilman Woods moved, seconded by Councilwoman Clark, that the notice to contractors, notice asking for bids on said proposed improvements, together with Publisher's Affidavit of due publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein. All members of the Council, the Mayor and Recorder voted for this motion and was so ordered.

AFFIDAVIT OF PUBLICATION *Rel. to the City of Nitro*

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, TO-WIT:

I, CECIL R. WALKER, Manager of Kanawha Valley Leader, a Weekly newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE TO CONTRACTORS

THE CITY OF NITRO will receive sealed proposals for the paving, re-paving, widening, surfacing, re-surfacing, grading, draining, curbing and guttering and otherwise permanently improving same and for the construction of sidewalks therein, upon and **along** Lock Avenue, from its intersection with Lock Street, North to dead end; 15th Street, from its intersection with Third Avenue to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue; 39th Street, East, from its intersection with Bailes Drive West, to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue East to dead end at the Old County Road; and otherwise permanently improving said streets, all in the City of Nitro Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with Grace Lewis, City Recorder. Payment for said work will be made by certificates in the manner set out in the bid proposal forms. The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis,

City Recorder on or before 4:30 o'clock P. M. EST, August 10, 1960. Bids will be opened and publicly read at the City Hall, in the Council Chamber at a meeting of Council to be held on the 10th day of August, 1960, at 8:00 o'clock P. M. EST. The City reserves the right to reject any and all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

Grace Lewis, City Recorder
City of Nitro

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 29th day of July, 1960 and ending with the issue of the 5th day of August, 1960.

SS C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 5 day of August, 1960.

SS James Jefferies
Notary Public for Kanawha County, West Virginia
(My commission expires 10/7/62).

The Mayor announced that this was the meeting at which bids on the proposed improvements to streets and public ways in said City were to be opened and publicly read, and considered by the Council.

The Recorder reported that six contractors had submitted sealed bids for the proposed work, they being Charleston Concrete Floors Company, Andersons' Inc., M & M Construction Company, T. N. Hewitt Corporation and Kenneth M. Dunn, O. K. Construction, Inc., and Mountain State Construction Company.

Thereupon, Councilman Dye, seconded by Councilman Woods, moved that the foregoing Contractor's bids be listed. Motion carried.

The Mayor then announced that bids would be publicly opened and read, and thereupon said bids were opened by members of the Council and publicly read, and a tabulation thereof was begun by

the City Engineer in order to ascertain the best and lowest bid.

Thereupon J. A. Spence, City Engineer, presented a tabulation and analysis of the Contractor's bids, total aggregate sums being: Mountain State Construction Company \$39,914.75; O. K. Construction Company, Inc. \$ 36,970.10; Charleston Concrete Floor Company \$34,200.75; The R. N. Hewitt Corporation and Kenneth M. Dunn \$37,233.00; M & M Construction Company, Inc. \$45,655.50 and Andersons' Inc. on the resurfacing bid of \$7,992.10.

Thereupon Councilman Spaulding moved, seconded by Councilman Dye, that the bid of Charleston Concrete Floor Company in the aggregate sum of \$34,200.75 be accepted, ^{Unit A} /It being the best and lowest bid for said permanent improvement, which said improvements had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with the plans, profiles and specifications; and further that the Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to Ordinance authorizing said improvements heretofore enacted. Upon a vote by the Council, motion carried unanimously.

Thereupon Councilman Spaulding moved, seconded by Councilwoman Clark, that the bid of Andersons' Inc. in the aggregate sum of \$7,992.10 be accepted by the Council for Unit C, it being the best and lowest bid for said permanent improvement, which said improvements had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with plans, profiles and specifications; and further that the Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to Ordinance authorizing said improvements heretofore

enacted. Upon a vote by the Council, motion carried unanimously.

Thereupon Mayor Alexander presented a call for a special session for the consideration of the Levy Estimate for the current year, informing the Council that Council was pressed for time on the budget in that the Assessor of Kanawha County had been late sending out the assessment figures for Kanawha County.

The Mayor informed Council that the figures in the budget included a Ten (\$10.00) Dollar increase for salaried employees and a five (5¢) cent increase for the hourly employees.

Thereupon Councilman Dye moved, seconded by Councilman Woods, that a Ten (\$10.00) Dollar per month increase be granted regular salaried employees and Five (5¢) per hour be granted the regular hourly employees, rectroactive to July 1, 1960. Upon a vote motion carried.

After due consideration and discussion, Councilman Spaulding moved the proposed levy be adopted. Motion seconded by Councilwoman Clark. Motion carried and all members of the Council proceeded to sign levy estimate as follows:

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM,
MUNICIPALITY OF NITRO, To-wit:

At a special session of the council of the municipality of Nitro held in the council chambers thereof, in the city building on Wednesday, the 10th day of August, 1960, there were present:

W. W. Alexander, Mayor Grace Lewis, Recording Officer, and William G. Spaulding, Robert M. Woods, Thomas C. Reeves, E. W. Dye, Juanita Clark members of the said municipality.

In accordance with Section 14, Article 8, Chapter 87, Acts 1933, Second Extraordinary Session, the Council proceeded to make an estimate of the amounts necessary to be raised by levy of taxes for the current fiscal year, and doth determine and estimate the several amounts

to be 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.

Balance in hand of city treasurer	\$ 5,346.21
Balance in hands of sheriff	2,993.48
Police fines and costs	10,500.00
Permits-building, street, sewer and other	1,800.00
Parking meters	1.00
Paving and sewer assessments	11,200.00
Rents, Building and Concessions	420.00
Civic Benefits Association	24,000.00
Taxes: Gross sales	42,807.31
Capitation and Dog	2,500.00
Franchise	100.00
Consumers' Sales (Liquor)	12,700.00
Amusement	300.00
Fees: Garbage	41,500.00
License:	
Electrician and plumbers	400.00
General	1,680.00
Miscellaneous	4,000.00
Total estimated Receipts	<hr/> 162,248.00

ESTIMATED CURRENT EXPENDITURES:

1. Salary of Mayor	6,000.00
2. Salary of Recorder	5,400.00
3. Salary of Treasurer	1.00
4. Salary of Police Judge	2,400.00
5. Salary of City Attorney	500.00
7. Salaries of Councilmen	840.00
8. Salaries of Assistants and Clerks	3,100.00
9. Salaries of Chief and 4 Police	26,159.00
10. New Equipment Police Department	3,000.00
11. General Expenses Police Department	3,000.00
12. Policemen's Pension Fund	1.00
13. Salaries of Jailor and expenses feeding prisoners	5,700.00
14. Salaries Chief and 5 Firemen	28,800.00
15. New Equipment Fire Department	500.00
16. General expenses Fire Department	2,000.00
17. Firemen's Pension Fund	1.00
18. Salaries Health Commissioner and Employees	1,300.00
20. General expenses Health Department	750.00
21. Salaries Garbage Department	25,000.00
22. New equipment garbage Department	4,800.00
23. General expenses Garbage Department	4,500.00
24. Janitor supplies	300.00

25. Repairs to Jail and City Building	25.00
26. Furniture, Fixture and Office Machines	20.00
27. Stationery, office supplies and equipment	500.00
28. Postage	150.00
29. Water-fire protection, streets and sewers	7,300.00
30. Water - City Building and other purposes	150.00
31. Light for street lighting	5,600.00
32. Light - City Building and traffic lights, etc.	650.00
33. Repairs street and traffic lights	10.00
34. Fuel, heating City Building	800.00
35. Telephone and Telegraph (all Departments)	900.00
37. Legal Publications	500.00
38. Insurance on City Building and other property	2,100.00
39. Premiums, Policemen's and official bonds	150.00
40. Election expenses	1,500.00
41. Attorneys' fees, court costs and damages	1,500.00
42. Salaries, Engineering Department	1,000.00
43. General expenses, Engineering Department	1,000.00
44. Salaries and wages all street employees	9,000.00
45. New equipment, street department	4,000.00
46. Materials, supplies and expenses, Street Department	2,500.00
47. Maintenance of Sewers, salaries and supplies	100.00
48. Construction of new streets, sidewalks and sewers	11,200.00
49. Workmen's Compensation premiums	1,500.00
50. Audit by Tax Commissioner	200.00
51. Refunding erroneous payments	25.00
52. Municipal Dues	75.00
53. Parks and Playgrounds salaries, supplies and expenses	4,000.00
55. Traveling and car expenses of city officials	100.00
56. Civilian Defense	100.00
59. Treasurer's fees	150.00
60. Social security	3,000.00
61. Contingent expenses (Mandatory only)	1,009.00
62. Dog Pound expenses	1,200.00
Total Current expenses	186,066.00
Total estimated disbursements	186,066.00
Less estimated receipts	162,248.00
Net amount to be raised by levy	23,818.00

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 \$23,818.00 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 & Sixty-five -One hundreths cents (9.65 ¢) on Class No. I property,
 Nineteen & Three Tenths cents (19.3 ¢) on Class No. II property, and
 Thirty-eight & Six tenths cents (38.6 ¢) on Class No. IV property,
 for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levies (Whole Dollars)
Number I				
Personal Property	\$ 311,520.00	3.4 ¢ 6.25¢	9.65¢	\$ 301.00
Public Utility Property	630,700.00	3.4 ¢ 6.25¢	9.65¢	609.00
Total Class No. I	<u>942,220.00</u>			<u>910.00</u>
Number II				
Real Estate	4,099,770.00	6.8 ¢ 12.5¢	19.3¢	7,913.00
Number IV				
Real Estate	1,802,440.00	13.6 ¢ 25 ¢	38.6¢	6,957.00
Personal Property	1,438,610.00	13.6 ¢ 25 ¢	38.6¢	5,553.00
Public Utility Property	<u>1,329,300.00</u>	13.6 ¢ 25 ¢	38.6¢	<u>5,131.00</u>
Total Class No. IV	4,570,350.00			17,641.00
TOTAL LEVY	9,612,340.00			26,464.00
Less Delinquent Taxes and Exonerations Estimated at 10%				2,646.00
Net amount to be raised by Levy				<u>23,818.00</u>

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	Original	Amount	Amount Required for		
Authorizing	amount of	of Bonds			
Issue	Issue	Outstanding	Sinking Fund	Interest	Total
10-20-38	\$16,000.	\$ 2,700.	\$ 900.	\$ 74.00	\$ 974.
7- 1-53	50,000.	36,500.	2,000.	1,095.	3,095.
5- 5-55	95,000.	83,000.	3,000.	2,255.	5,255.
12-16-58	168,000.	166,000.	2,000.	6,225.	8,255.
Totals	329,00.	287,200.	7,900.	9,649.	17,579.
Delinquent Taxes and Exonerations Estimated at 10%					1,758.

Total Amount to be Raised by a Levy of Taxes 19,337.
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

Nine & One-Tenth cents (9.1 ¢) on Class No. I property,
 Eighteen & Two Tenths cents (18.2 ¢) on Class No. II property, and
 Thirty-six & four tenths cents (36.4 ¢) on Class No. IV property,
 for the purposes aforesaid, based upon the last assessment therein
 as follows:

CLASS	ASSESSED VALUATION	PROPOSED RATES	TAXES LEVIED (WHOLE DOLLARS)
Number I			
Personal Property	\$ 298,270.00	9.1¢	\$ 271.00
Public Utility Property	630,700.00	9.1¢	574.00
Total Class No. I	928,970.00		845.00
Number II			
Real Estate	2,777,870.00	18.2¢	5,056.00
Number IV			
Real Estate	1,234,340.00	36.4¢	4,493.00
Personal Property	1,135,010.00	36.4¢	4,131.00
Public Utility Property	1,273,900.00	36.4¢	4,637.00
Total Class No. IV	3,643,250.00		13,261.00
TOTAL LEVY	7,350,090.00		19,162.00

There being no further business to come before the council
 a motion by Councilman Spaulding, seconded by Councilman Woods
 for adjournment carried.


 W. W. Alexander, Mayor


 Grace Lewis, Recorder

August 16, 1960

The City Council met in a regular session Tuesday, August 16, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, L. I. Hoke, M.D., Thomas C. Reeves, William G. Spaulding and Robert M. Woods, members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Reeves moved to dispense with reading of minutes of meetings held July 19th, July 26th, August 2nd and August 10th. Motion seconded by Councilman Woods. Motion carried.

Councilman Woods, moved seconded by Councilman Dye, the financial statement for the month of July be accepted. Motion carried.

Mayor Alexander explained to the Council that the State Road Commission had notified him that Main Avenue, from Kapoc Street to Sattes Bridge, would be turned over to the City without the State Road Commission making the improvements of widening and resurfacing, as had been requested by the City. The Mayor and Council discussed this matter concerning repairs needed to said street and the injustice to adjacent property owners.

Thereupon Councilman Dye moved, seconded by Councilman Reeves, that Council go on record protesting the action of the State Road Commission's intent to abandon Main Avenue, from Kapoc Street to Blackwood Avenue, without making similar improvements as the Road Commission had made to the lower section of Main Avenue. Motion carried.

Mayor Alexander explained to the Council that the Finance Committee had recommended a change be made in the garbage collection system, pointing out that since the Sanitary Board office had opened in February, that more customers were paying their garbage fees at the city hall.

Thereupon after some discussion, Councilman Dye moved, that the city attorney be instructed to draft an amendment to the ordinance governing the

40011

garbage collection in the effect that the superintendent be removed as collector of fees, that the superintendent be paid 25cents per hour above the wage of the garbage truck driver, and his duties shall be in addition to driver of a garbage truck, to oversee all outside garbage equipment and the garbage dump, and that the collection of fees for garbage be made at the city office, that an office collector be employed at the rate of \$1.50 per hour and bonded in the amount of \$3,500.00. That the effective date be September 1, 1960 and that all customers be notified by hand bills. Motion seconded by Councilman Woods. Upon a vote motion carried.

Councilman Spaulding moved that a 2500 lumen street light be installed on pole 5670-23 AEP 88C292C, located on 39th Street East. Motion seconded by Councilman Woods. Motion carried.

Councilman Spaulding moved that the first parking space be eliminated on 21st Street at Second Avenue in front of the Corner Restaurant. Councilman Reeves seconded the motion. Motion carried.

Mayor Alexander submitted a bid from Holman Motor Sales, Inc. for a new police cruiser. The Mayor and council discussed the need of new police cars and the Mayor was requested to secure two other bids, from Ford dealers, for police cars.

Mayor requested Councilmen Dye and Gewin to serve with him on the special water works committee and attend meetings held with the Cities of Dunbar and South Charleston.

Mayor Alexander appointed O.K. Walker as member of the Citizens Committee.

Thereupon Councilman Hoke moved, seconded by Councilman Woods, the appointment be approved. Motion carried.

There being no further business to come before the Council upon a motion by Councilman Woods, the meeting was adjourned.

W. W. Alexander, Mayor

Grace Lewis, Recorder

August 25, 1960

The City Council met in a special session, August 25, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, L. I. Hoke, M.D., Thomas C. Reeves and R. M. Woods members of the City Council.

Mayor Alexander called the meeting to order.

The Recorder presented a letter to Council from the State Tax Commissioner, approving the Levy Estimate as submitted and the Recorder then presented the Levy order forms and the members of the council then proceeded to sign the levy order as follows:

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM,
MUNICIPALITY OF NITRO, TO-WIT:

At a special session of the council of the Municipality of Nitro, West Virginia, held in the council chamber thereof on Thursday, the 25th day of August, 1960 Present W. W. Alexander, Mayor, Recording Officer Grace Lewis and Thomas C. Reeves, L. I. Hoke, Robert M. Woods and B. E. Gewin members of the council of said Municipality.

CURRENT REGULAR MUNICIPAL LEVY ORDER

Order Form No. 1

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 will be \$26,464.00, according to the estimate made and entered of record on the 10th day of August, 1960, 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 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:

cents

Nine & sixty five one hundredths / (9.65¢) on Class No. I property
Nineteen & three tenths cents (19.3 ¢) on Class No. II property, and,
Thirty eight & six tenths cents (38.6 ¢) on Class No. IV property,
for the purposes aforesaid, based upon the last assessment therein, as follows:

Class	Assessed Valuation	Total Rate of Levy	Taxes Levied (Whole Dollars)
Number I			
Personal Property	\$ 311,520.00	9.65¢	\$ 301.00
Public Utility Property	630,700.00	9.65¢	609.00
Total Class No. I	942,220.00		910.00
Number II			
Real Estate	4,099,770.00	19.3 ¢	7,913.00
Number IV			
Real Estate	1,802,440.00	38.6 ¢	6,957.00
Personal Property	1,438,610.00	38.6 ¢	5,553.00
Public Utility Property	1,329,300.00	38.6 ¢	5,131.00
Total Class No. IV	4,570,350.00		17,641.00
Total Levy	9,612,340.00		26,464.00

MUNICIPAL BOND PURPOSES - INTEREST AND
SINKING FUND

Order Form No. 3

ORDER

Bond Issues 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 \$329,000.00 will be \$19,162.00 according to the estimate made and entered of record on the 12 day of August, 1960 and said estimate having been published by law and no one appearing to oppose the same or take exception 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

Nine & one tenth cents (9.1 ¢) on Class No. I property
Eighteen & two tenths cents (18.2 ¢) on Class No. II property, and
Thirty six & four tenths cents (36.4 ¢) on Class No. IV property,
for the purposes aforesaid, based upon the last assessment therein, as follows:

Class	Assessed Valuation	Total Rate of Levy	Taxes Levied (Whole Dollars)
Number I			
Personal Property	298,270.00	9.1 ¢	271.00
Public Utility Property	630,700.00	9.1 ¢	574.00
Total Class No. I	928,970.00		845.00
Number II			
Real Estate	2,777,870.00	18.2 ¢	5,056.00
Number IV			
Real Estate	1,234,340.00	36.4 ¢	4,493.00
Personal Property	1,135,010.00	36.4 ¢	4,131.00
Public Utility Property	1,273,900.00	36.4 ¢	4,637.00
Total Class No. IV	3,643,250.00		13,261.00
Total Levy	7,350,090.00		19,162.00

The Mayor then submitted bids on Ford cars for council's consideration:

Holman Motor Sales, Inc.	
Heavy duty V-8 Ford Interceptor Motor	\$ 1,942.15
Regular V-8 Tudor	1,795.00
Bert Wolfe Ford Valley Motor Sales	
4-Door Fairlane	2,152.25
St. Albans Motors, Inc.	
1961 Ford Fairlane	1,999.20

The Council then discussed the bids and thereupon Councilman Woods moved, the order for police cruiser be placed with the lowest bidder - Holman Motor Sales, Inc., - for heavy duty V-8 Ford Interceptor motor as per bid quote. Motion seconded by Councilman Gewin. Upon a vote motion carried and was so ordered.

The Recorder presented to the Council amendment to the garbage ordinance as follows:

AN ORDINANCE RELATING TO THE COLLECTION OF GARBAGE IN THE CITY OF NITRO ABOLISHING THE OFFICE OF SUPERINTENDENT AS COLLECTOR OF FEES; PROVIDING FOR COLLECTION OF FEES TO BE MADE AT THE CITY BUILDING IN THE CITY OF NITRO; PROVIDING FOR A COLLECTOR TO BE HIRED; AND SETTING FORTH THE DUTIES OF THE SUPERINTENDENT IN SAID CITY.

WHEREAS, a previous ordinance was passed relating to the operation of the garbage system within the City of Nitro;

NOW THEREFORE BE IT ORDAINED by the Council of the City of Nitro that the previous ordinance relating to the operation of the garbage system within the said City be amended as follows:

(1) That the office of superintendent be relieved as collector of fees for the garbage system and he shall not in the future be required to furnish bond.

(2) The superintendent shall act as driver and oversee all equipment relating to the garbage system within the City of Nitro, and shall be supervisor of all personnel hired relating to the garbage system. The superintendent shall receive a salary of (\$.25) above the truck driver rate per hour.

(3) That the office of collector is hereby created and said collector shall receive (\$1.50) per hour, and be bonded in the amount of (\$3,500.00).

(4) That all garbage fees shall be payable at the City Building of the City of Nitro.

Any prior ordinances in conflict with this ordinance are hereby repealed.

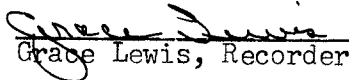
The effective date of this ordinance shall be September 1, 1960.

Thereupon, after discussion by the Mayor and Council, Councilman Hoke moved, seconded by Councilman Woods, that the foregoing amendment be adopted. Upon a vote by the Council, motion carried and was so ordered.

There being no further business, the meeting was adjourned.



W. W. Alexander, Mayor



Grace Lewis, Recorder

September 20, 1960

The City Council met in regular session Tuesday, September 20, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D. William G. Spaulding, Thomas C. Reeves and R. M. ^{Wicks} ~~Reeves~~ members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Dye, the minutes of meetings held August 16th and 25th be approved. Motion carried.

Councilman Dye moved, seconded by Councilman Clark, the financial statement for the month of August be accepted. Motion carried.

Councilman Reeves moved, seconded by Councilman Spaulding, that Council confirm an order for street light located on AEP pole 51-7297 Fenton Circle. Motion carried.

Councilman Spaulding moved, seconded by Councilman Dye, a street light be installed on 10th Street, between Second and Third Avenues. Motion carried.

Councilman Dye reported to the Council that the Traffic Committee had made a syrvey of the business area during peak business hours, and that they had checked with the merchants in said area and found that the merchants and their employees were using a large portion of the parking area. The Mayor and council then discussed this problem as to a restriction of parking or trying to secure the cooperation of the merchants and their employees as to parking of their cars on streets other than 21st Street and Bank Street, and in so doing providing parking spaces for customers on 21st Street and Bank Street.

Thereupon, Councilman Hoke moved that a letter be written to the merchants in the business area of 21st Street and Bank Street, advising them that a survey had been made of the parking situation, that 38% of the parked cars belonged to the merchants and their employees, that they themselves were doing most of the damage and that the problem is theirs and up to them to correct it. Motion seconded by Councilman Reeves. Upon a vote motion carried.

Councilman Dye made a report of meeting held by Council committees of the four towns on the question of employing a new animal warden. That there was ~~one~~ applicant from Nitro, which ~~does~~ not seem suitable to the other members of the committee, that an applicant from South Charleston was favored by most of the committee. Councilman Dye also reported that the truck used by the animal warden was being repaired and that each city would pay their proportionate part.

Councilman Woods reported that the Water Company had made an excavation in the pavement on 41st Street and had not repaired the pavement. The Mayor informed that the company had been advised to repair street.

Councilman Spaulding asked question regarding surface water going into the sanitary sewers. The Mayor informed that about one-third of the sewers were combination. The Mayor also informed council that with regard to the situation on 7th Street and on the West side of town, that it would be necessary to put in traps in the manholes to take care of the situations.

The Mayor and council discussed the trains blocking the crossings, also the bad condition of the tracks and that the city has requested the New York Central numerous times to take care of both situations.

Councilman Spaulding moved that the city attorney check the legality and draft ordinances to control the New York Central blocking the crossings. Motion seconded by Councilman Clark. Motion carried.

Councilman Dye reported that the committee had checked the streets for street markers.

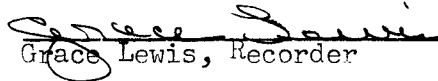
Thereupon, Councilman Dye moved that the city purchase 26 signs, for streets designated by the street committee. Motion seconded by Councilman Woods. Motion carried.

Councilman Hoke informed council that he had had complaints of drag-racing on Main Avenue after 1 A. M. The Mayor informed that the police had been making a number of arrests on traffice violations.

There being no further business to come before the council, a motion for adjournment by Councilman Spaulding, seconded by Councilman Hoke, carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

October 18, 1960

The City Council met in a regular session Tuesday, October 18, 1960.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas G. Reeves, William G. Spaulding and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Woods, the minutes for meeting held September 20th be approved. Motion carried.

Councilman Woods moved, seconded by Councilman Gewin, the financial statement for the month of September be accepted. Motion carried.

Mayor Alexander explained to the Council that the city was having some difficulty in securing electric service to the Sanitary lift station located on the river bank near Gravely Drive, explaining that Mr. Gravely had refused permission to cross his property on Gravely Drive. That the city was trying to avoid going to court on this matter. That the Attorney and Engineer had met with the Appalachina Power Company attorneys and engineers and that their solution was a power pole being installed on street right of way on Gravely Drive. The Mayor then suggested the Council order street light installed on Gravely Drive, pole to be installed by Power Company.

Thereupon, Councilman Gewin moved, seconded by Councilman Dye, the City request a 2500 lumen street light be installed on Gravely Drive, on pole to be installed by the Power Company. Upon a vote motion carried.

Mayor Alexander informed council that he had had several requests for an additional street light on 18th Street hill and asked the Street Lighting Committee to check this matter.

The Mayor informed Council that a number of residents from the east end of town had requested the city observe the same night as the City of St. Albans as Halloween Trick or Treat.

Thereupon Councilman Dye moved that Saturday, October 29th be observed as Trick or Treat night in Nitro. Motion seconded by Councilman Reeves. Motion carried.

Councilman Spaulding moved that necessary paint and materials be purchased to redecorate interior of the fire station and city hall. Motion seconded by Councilman Woods. Motion carried.

Mayor Alexander explained that all firemen should have a telephone in their home, in that it was necessary at times to reach them, pointing out that they were advised of this at time of employment and explaining further that some of the firemen did not have telephones, and that this worked a hardship on the other men. In discussion by Mayor and council, council agreed that all firemen should be advised to have telephones installed in their homes.

The Mayor informed council that the city was being recognized at a dinner given by the Charleston Chamber of Commerce and that this engagement was the same night, November 1st, as committee meeting of the City Council.

There upon, Councilman Gewin, seconded by Councilman Spaulding, moved that council dispense with committee meeting November 1st and that special meeting be called if necessary. Motion carried.

Councilman Woods informed council that residents of 34th and 35th streets were complaining about the replacement of ditch along

First Avenue and also complaints on the amount of stone used. The Mayor explained that the ditch was not as deep as it had been formerly, however, the difference in depth was to eliminate the trouble of cars sliding into the ditch as had happened many times after ditch was installed by State Road Commission, and the Engineer felt that the depth of this ditch would carry off the water on First Avenue. With regard to the stone that had been used, the Mayor informed that 108 tons had been placed along First Avenue from 19th Street and 27th Street.


Mayor Alexander informed council that Grenfall Estep had resigned as member of the Board of Park Commissioners and that the Board had offered the name of Bernard Estep to fill the vacancy.

Thereupon Councilman Hoke moved, seconded by Councilman Woods, that Bernard Estep be appointed to fill the unexpired term of Grenfall Estep as member of the Board of Park Commissioners. Upon a vote motion carried.

There being no further business to come before the Council a motion by Councilman Hoke, seconded by Councilman Spaulding, to recess the meeting carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

November 15, 1960

At a regular session of the Council of the City of Nitro, regularly and duly called, on the 15th day of November, 1960. There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, and Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves and R. M. Woods members of the council.

Mayor Alexander called the meeting to order and announced that the meeting was now open for business.

Councilman Dye moved, seconded by Councilman Woods, the minutes for meeting held October 18, 1960 be approved. Motion carried.

Councilman Woods moved, seconded by Councilman Clark, the financial statement for the month of October be accepted. Motion carried.

Thereupon J. A. Spence, City Engineer, presented to Council his reports that the improvements authorized by Ordinances of Council adopted on the 26th day of July, 1960, and as hereinafter set out in full, had been completed in accordance with the plans, specifications, paving Ordinances and Contracts with T. R. Pauley and D. C. Pauley, DBA, Charleston Concrete Floor Company and Andersons' Inc., which said reports are in form and figures as follows:, to-wit:

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, EAST, FROM ITS INTERSECTION WITH BAILLES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET,

FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

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

I hereby certify that the cost of the permanent improvement of Lock Avenue, from its intersection with Lock Street, North to dead end; 15th Street, from its intersection with Third Avenue, to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue, 39th Street East, from its intersection with Bailes Drive, West, to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue, East to dead end at the Old County Road; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, re-paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$49,312.53, and that said work was made and completed in accordance with the specifications and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contracts made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned

for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 29th day of November , 1960, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

UNIT "C"
15th Street

(From its intersection with Third Avenue,
to its intersection with First Avenue)

NORTH SIDE				
<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Joe C. Woody	Lot No. 1501	48.37	3.2876	\$ 159.02
Sam Pontier	Lot No. 1503	50.00	3.2876	164.38
Denver J. Carte & Wilma Carte	Lot No. 1505	50.00	3.2876	164.38
G. L. Wise & B. M. Wise	Lot No. 1507	50.00	3.2876	164.38
Belva Jividen	Lot No. 1509	50.00	3.2876	164.38
John D. Nelson & Edna A. Nelson	Lot No. 1511	50.00	3.2876	164.38
Ralph Fowler & R. Fowler	Lot No. 1513	50.00	3.2876	164.38
Trustees of the Nitro Church of God	Lot No. 1517 & 1519-Area P	100.00	3.2876	328.76
Trustees of the Nitro Church of God	Lot No. 1521 & 1523	100.00	3.2876	328.76

Billy G. Thompson & Mary Lou Thompson	Lot No. 1525 & 1527	100.00	3.2876	\$ 328.76
I. E. Ellis & G. B. Ellis	Lot No. 1529 and 1531	100.00	3.2876	328.76
Thomas Ingram & Freda Ingram	Lot No. 1533 & 1535	129.00	3.2876	424.10

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
John F. Smith	Lot No. 1502 & 1504	89.60	3.2876	\$ 294.57
Jessie W. Cains & Helen Cains	Lot No. 1506	50.00	3.2876	164.38
Blanchie L. Radford	Lot No. 1508	50.00	3.2876	164.38
Archie P. Fisher	Lot No. 1510	50.00	3.2876	164.38
E. E. & Rebecca J. Higginbotham	Lot No. 1512	50.00	3.2876	164.38
Rosa T. Wysong	Lot No. 1514	50.00	3.2876	164.38
F. B. Kenworthy & H. Kenworthy	Lot No. 1518	50.00	3.2876	164.38
Isabelle Hudnall & Howard Hudnall	Lot No. 1520 and 1522	100.00	3.2876	328.76
Orville O. Holley & Ina Holley	Lot No. 1524 and 1526	100.00	3.2876	328.76
Grace Draper	Lot No. 1528, 1530 and 1532	150.00	3.2876	493.14
Hilda E. Kilgore	Lot No. 1534, 1536 and 1538	<u>150.00</u>	3.2876	<u>493.14</u>
TOTALS-----		1766.97		\$ 5809.09

39TH STREET
(From its intersection with Second Avenue
to its intersection with First Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Clarence Edward Bartlett	Lot No. 3901	50.83	3.2493	\$ 165.16
Herman Carney & Arlene Carney	Lot No. 3903	50.00	3.2493	162.47
Lawrence Powell	Lot No. 3905	50.00	3.2493	162.47
G. A. Raynes	Lot No. 3907	50.00	3.2493	162.47
C. E. Tinsley	Lot No. 3909	50.00	3.2493	162.47
Guy Matthews	Lot No. 3911	50.00	3.2493	162.47
Paul Martin & Vivian Martin	Lot No. 3913	50.00	3.2493	162.47
Bill Harlow	Lot No. 3915	50.00	3.2493	162.47
Lemma Realty Company, Inc.	Lot No. 3917	50.00	3.2493	162.47
Trustees of the Church of The Nazarene, Nitro, West Virginia	Lot No. 3919	50.00	3.2493	162.47

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
M. K. Hoke	Lot No. 3902	50.83	3.2493	\$ 165.16
Roy R. Ranson & Marie Ranson	Lot No. 3904	50.00	3.2493	162.47
Electa Ranson Pruett	Lot No. 3906	50.00	3.2493	162.47
Charles T. Sisk	Lot No. 3908	50.00	3.2493	162.47
Joseph L. Matthews & Helen Matthews	Lot No. 3910	50.00	3.2493	162.47

Hugo D. Tidquist & Sara Tidquist	Lot No. 3912	50.00	3.2493	\$ 162.47
Nitro Industrial Corporation	Lot No. 3914	50.00	3.2493	162.47
Arnold L. Ferry	Lot No. 3916	50.00	3.2493	162.47
Trustees of the Church of The Nazarene of Nitro, W. Va.	Lot No. 3918 & 3920	<u>100.00</u>	3.2493	<u>324.93</u>
TOTALS-----		1001.66		\$ 3254.77
TOTAL UNIT "C" -----				\$ 9063.86

UNIT " A "

LOCK AVENUE

(From its intersection with Lock Street
North to dead end)

EAST SIDE				
<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Trustees of the Evangelical United Brethren Church	Lot No. 99, East View Land Company Addition.	24.00	9.7187	\$ 233.24
Bernie F. Gillenwater and Sonia Gillenwater	Part of Lot No. 98 East View Land Co. Addition.	50.00	9.7187	485.94
R. L. Harris	Part of Lot No. 97 East View Land Co. Addition.	50.00	9.7187	485.94
James F. Wygal & Elizabeth Wygal	Part of Lots Nos. 95 & 96, East View Land Co. Addition.	100.00	9.7187	971.87
Betty J. Hein	Part of Lot No. 94 East View Land Co. Addition.	50.00	9.7187	485.94
Ruby F. Craig	Lot Nos. 92 & 93, East View Land Co. Addition.	100.00	9.7187	971.87

G. D. Rutherford & Devona Rutherford	Lot 91, East View Land Co. Addition.	50.00	9.7187	485.94
Freddie E. Conrad & Patricia Conrad	Lot No. 90, East View Land Company Addition	68.00	9.7187	660.87

WEST SIDE				
<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
R. W. Saunders	Parcel Old Lock 7 Nitro.	245.00	9.7187	\$ 2381.08
City of Nitro	Parcel Old Lock 7 Nitro.	40.00	9.7187	388.74
R. W. Saunders	Parcel Old Lock	202.00	9.7187	1963.18
TOTALS -----		979.00		\$ 9514.61

OAKIE AVENUE

(From its intersection with Walker Street,
North approximately 300 feet to dead end)

WEST SIDE				
<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
James Stanley	Lot No. 9, Block G, North St. Albans.	40.00	12.8095	\$ 512.38
Lucy Erlewine	Lot No. 8, Block G, North St. Albans.	40.00	12.8095	512.38
J. E. Amory & Vada Amory	Lot No. 7, Block G, North St. Albans.	40.00	12.8095	512.38
Lester A. Erlewine and Maxine Erlewine	Lot Nos. 5 and 6, Block G, North St. Albans.	80.00	12.8095	1024.76
S. C. Savilla & Jacob Isacoff	Lot No. 4, Block G, North St. Albans.	40.00	12.8095	512.38

Troy Mortgages, Inc.	Lot No. 3, Block G, North St. Albans.	120.00	12.8095	1537.14
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EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
H. E. Hudson & Dorothy Hudson	Lots No. 7 and 8, Block H, North St. Albans.	80.00	12.8095	\$ 1024.76
Frank P. Justice and R. Justice	Lots No. 5 and 6, Block H, North St. Albans.	80.00	12.8095	1024.76
Ernest Erwin, et al.	Lots No. 3 and 4, Block H, North St. Albans.	80.00	12.8095	1024.76
Okey Smith & Elsie Smith	Lot No. 1, Block H, Block H, North St. Albans.	<u>120.00</u>	12.8095	<u>1537.14</u>

TOTALS -----	720.00			\$ 9222.84
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39TH STREET, EAST
(From its intersection with Bailes Drive,
West, to dead end near Blakes Creek)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot No. 29, Saunders Addition</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Thomas Finch & Hazel Finch	Lot No. 29, Saunders Addition	100.00	11.2465	\$ 1124.65
Wayne T. Phelps	Lot Nos. 27 & 26, Saunders Addition	100.00	11.2465	1124.65
Kermit L. Thompson	Lot No. 25, Saunders Addition	50.00	11.2465	562.33
Austin G. Hanna	Lot Nos. 24 & 23, Saunders Addition	100.00	11.2465	1124.65
Samuel L. Williams	Lot No. 22, Saunders Addition	50.00	11.2465	562.33

Dayton Olie Brohard & Ruby Edith Brohard	Lot Nos. 21 and 20, Saunders Addition	100.00	11.2465	\$ 1124.65
Doval Ogden and Freda Ogden	Lot No. 19, Saunders Addition	50.00	11.2465	562.33
Henry O. Linear	Lot No. 18, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot Nos 17 and 16, Saunders Addition	100.00	11.2465	1124.65
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 15, Saunders Addition	53.00	11.2465	596.06

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Austin E. Hudson	Lot No. 49, Saunders Addition	50.00	11.2465	\$ 562.33
Curtis Saunders	Lot No. 48, Saunders Addition	50.00	11.2465	562.33
Paul Alexander & Maggie Alexander	Lot No. 47, Saunders Addition	50.00	11.2465	562.33

39TH STR ET, EAST
(From its intersection with Bailes Drive,
West, to dead end near Blakes Creek)

SOUTH SIDE (CON'T)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Sherman R. Mc Grew	Lot No. 46, Saunders Addition	50.00	11.2465	\$ 562.33
Mary McGrew	Lot No. 45, Saunders Addition	50.00	11.2465	562.33
Ernest McGrew & Cleo P. McGrew	Lot No. 44, Saunders Addition	50.00	11.2465	562.33
Albert W. Shank & Octava C. Shank	Lot No. 43, Saunders Addition	50.00	11.2465	562.33
Clarence R. Sturgeon	Lot Nos. 42 & 41, Saunders Addition	100.00	11.2465	1124.65

Durward Ray Angell and Evelyn Angell	Lot Nos. 40 & 39, Saunders Addition	100.00	11.2465	\$ 1124.65
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 38, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 37, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 36, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot Nos. 35 & 34, Saunders Addition	<u>53.00</u>	11.2465	<u>596.07</u>
TOTALS		1506.00		\$ 16,937.30

WALKER STREET

(From its intersection with First Avenue,
East to dead end at the Old County Road)

NORTHSIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
F. L. Sattes, L. P. Harvey, Janet L. Sattes & Barbara Sattes Bacon.	Part of 15 $\frac{1}{2}$ Acre Tract.	174.00	13.2194	\$ 2,300.18
Lilly Wooten	Tract, Corner of Old County Road and Walker Street	14.00	13.2194	185.07

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Charles W. Blair & J. M. Blair	Lot 2, Block G, North St. Albans	40.00	13.2194	\$ 528.78
Troy Mortgages, Inc.	Lot 3, Block G, North St. Albans	40.00	13.2194	528.78
Okey Smith and Elsie Smith	Lot Nos. 1, 2 and 12, Block H. North St. Albans.	<u>78.00</u>	13.2194	<u>1,031.11</u>

TOTALS----- 306.00 \$ 4,573.92
 TOTAL UNIT "A" ----- \$ 40,248.67
 GRAND TOTAL ----- \$ 49,312.53

Given under my hand this 10th day of November, 1960.

CITY ENGINEER
 Municipal Engineering Corp.

By: _____
 J. A. SPENCE, ENGINEER

And said Council having inspected said reports, upon motion of Councilman Clark, seconded by Councilman Hoke, and adopted unanimously said reports are accepted and ordered to be made a part of the minutes of Council, and the City Recorder is authorized and directed to publish notice that at a meeting to be held on the 29th day of November, 1960, at 8:00 o'clock, P. M. in the City Building, all owners of abutting property and other interested parties might appear and move the revision or correction of said reports, and that on or after said date an assessment for the cost of same would be laid on said property and the owners thereof for the cost of same, which said notice is to be filed with the minutes and made a part hereof.

Thereupon the following ordinance was introduced and read:

AN ORDINANCE RELATING TO THE OPERATION
OF RAILROADS WITHIN THE CITY LIMITS OF
THE CITY OF NITRO, KANAWHA AND PUTNAM
COUNTIES, WEST VIRGINIA, AND PRESCRIBING
REGULATIONS AND PENALTIES FOR THE OPERATION
OF RAILROADS WITHIN THE CITY LIMITS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO:

SECTION 1. Franchise to occupy streets.

No license, permit, contract or grant shall be granted to any railroad company to occupy any street within the City unless it clearly appears that the public will derive some convenience or benefit therefrom and that the occupation will not destroy the street or any portion thereof as a public thoroughfare. No additional tracks, switches, fills or other construction shall hereafter be allowed to be constructed by any railroad corporation in the City along or across any of the public streets or highways in the City until the company shall first have secured a permit or license therefor from the Council issued in compliance with the provisions of this article.

SECTION 2. Conformity with regulations required.

Every railroad company now operating, or which may hereafter operate, within the City limits shall conform to the regulations in this article in regard to crossings and the operation of its railroad within the City limits.

SECTION 3. Crossing, construction.

At every point where the tracks or switches of a railroad company cross any unpaved public thoroughfare or street, it shall be the duty of the railroad company to construct proper crossings and approaches thereto on such a grade that it shall not exceed two percent, and under the direction and in accordance

with plans and surveys made by the City Engineer if so required by the Council. Each of said crossings shall be covered the full width of the street between curb lines and for ten feet on each side of the tracks with crushed stone of such strength and size (not to exceed stone that will pass through a two-inch ring) as may required by the City Engineer, to a depth of at least twelve inches, but the City Engineer may, if conditions warrant it, allow a less depth of crushed stone down to six inches deep and a base of coarser stone. The stone filling shall continue to the entire distance of each side of the railroad tracks to which the original grade of the street was disturbed in arriving at the new grade for the crossing, in the event the street was disturbed from a greater length than the ten feet on each side of the track. At all points for one foot on the outside of each rail and the entire space between the rails, the entire width of the railway between curbs and the ties shall be covered with substantial boards not less than two and one-half inches thick and not less than six inches wide, except where a narrower board is necessary to fill out some crack less than six inches wide; and in the event that there is more than one track on each of said street crossings, then the whole space between each set of tracks shall be constructed of boards in the same manner herein provided for the space between the rails. In the event the rails of the said company run parallel with the street and along any part thereof, the ties between the rails and the space for eighteen inches on either side of any rail shall be covered with

boards of the size and construction perscribed for crossings. All such boards filling at crossings and along public streets occupied by the railroad tracks shall be kept in good repair and condition, securely spiked down at all times, and no rotten boards, loose ends or split and damaged boards shall be permitted which in the judgement of the City Engineer might cause an injury to any animal, vehicle or person traveling along or across the tracks on the public street. Whenever any street is paved by the City up to a line parallel with the property line of the railroad company's right of way on both sides of any railroad crossing, it shall be the duty of the railroad company forthwith to proceed to pave said crossing the entire distance of its right of way with the same materials and in the same manner that the rest of the street on either side of the crossing is paved or with other materials to be approved by the City Engineer. It shall be unlawful for any railroad company to delay the completion of said work for a longer ti me than twenty days after the completion of the paving on both sides of the crossing, said paving to be done according to plans and specifications and on grades to be approved by the City Engineer and the Council. The Council may require any well recognized and reasorable, special construction, guards or other devices, along the rails to provide a smooth passage over same for vehicles using said crossing. The railroad company shall also keep the paving on the crossing in good repair and condition at all times.

SECTION 4. Electric lights.

All persons operating railroads within or through the City are required to place a good and sufficient arc electric

light at any and all points where said railway crosses any public street or throughfare, after ten days' notice from the council so to do, these lights to be the equal in candle power of the arc lights usually used by the City to light its streets.

SECTION 5. Signal lights, gongs, gates and watchmen.

It shall be the duty of every person operating a railroad within the City, whenever required by resolution of the Council, and after ninety days' written notice of such requirement given to such person and a finding by the Council that the public safety so requires, to maintain and operate at any point in the City where a public street crosses its road or tracks at grade, an electric signal light, gong, gates or other safety device, designated in said resolution, properly constructed to give ample warning to travelers of the approach of trains, locomotives and cars upon the railroad. Such person shall also, when required, in like manner, keep at any such points a sober, careful and experienced watchman, whose duty it shall be to keep the tracks clear of horses, cattle, vehicles and pedestrians, and to issue proper warnings against crossing the track during the approach of any train, locomotive or car. It shall be unlawful for any watchman so employed in looking after said crossing to be absent therefrom during his hours of duty, or to be asleep or not attentive to his duties at any such times. Such watchman shall be kept on duty during such hours of the day or night as may be prescribed by the Council.

SECTION 6. "Stop" signs.

Wherever the tracks of any person operating a railroad cross a public street at grade, it shall be the duty of any such person,

if the street be paved, to cause the word "stop" to be clearly printed in white paint in letters not less than thirty inches high upon the surface thereof at each side of its tracks, and a white line four inches in width shall be painted underneath the word "stop", extending from curb to curb; and if such street be not paved suitable signs shall be erected at each side thereof, of such design and at such heights as to be read easily, upon which shall be inscribed in letters at least ten inches high the word "stop". All such signs and lines provided by this section shall be painted, erected and maintained in good readable condition by and at the expense of the railroad company, under the supervision of the Chief of Police of the City.

SECTION (7.) Obstructions to view; standing locomotives or cars near crossings.

It shall be the duty of every person operating a railroad in the City to keep its tracks and right of way clear of objects obstructing the clear view of the tracks by travelers at grade crossings, and it shall be unlawful for any such person to permit its locomotives, trains or cars to remain standing on its tracks within one hundred feet of any such crossing for a longer period than five minutes.

It shall be unlawful for any officer or employee whose duty it shall be to carry out any provision of this section to fail to do so, or for any other person to violate this section.

SECTION 8. Obstructing by engines or cars; backing; freight trains.

It shall be unlawful for any person operating a railroad within the City limits, to obstruct any street crossing by allowing engines or cars to stand thereon for a longer period than five minutes, and it shall be the duty of all trainmen to cut the train into sections at each crossing, with part of the train on one side of a cross street and part on the other side of the cross street, when it shall be necessary for them to remain at the crossing for a longer period than five minutes, and to cut such train at each crossing obstructed thereby for such length of time. In the event any train shall be unexpectedly delayed on a crossing for a longer period than five minutes and any person has been waiting at the crossing for longer than five minutes to cross same, the trainmen shall forthwith cut the train so as to allow such person to pass if he demand such action. When shifting cars or pulling or backing any train in any yard which necessitates crossing public streets, the bell of the engine shall be kept constantly ringing whenever approaching any such street crossing, and if any locomotive, car or caboose be backing within said limits, a man shall be stationed on the end farthest from the engine, that is, on the end nearest the street crossing it is approaching, to give signals and warn any person using the crossing of his danger. After twilight, the man stationed on the approaching end of a backing train, car or locomotive shall carry a lighted lantern. No freight train shall be moved across any street in the City unless it be equipped with an adequate number of experienced brakemen, who shall be stationed so as to see the danger signals and hear the signals from the engine. It shall be unlawful for any person in charge of any engine or train to "kick" or otherwise propel any car across any public thoroughfare unless there be a man stationed on the end of the car first approaching the crossing, and he shall have the car fully

under control so that he can promptly stop same in the event of danger.

SECTION 9. Speed of trains.

It shall be unlawful within the limits of the City for any person or the agent or employee of any such person to run any locomotive, engine, car or train of cars at a rate of speed exceeding fifteen miles an hour, across any public street which has not been provided with automatic gates and at which said gates are not operated, but where such automatic gates are in operation, a speed not exceeding twenty miles an hour may be attained across any of such streets.

SECTION 10. Blowing whistle or ringing bell.

It shall be unlawful for the engineer or fireman or any person having charge of any locomotive within the limits of the City to blow the whistle or horn of the engine in his charge, or to ring unnecessarily the bell of any such engine, except so far as may be required in giving such signals as are required by the laws of the State of West Virginia, for warning at railroad crossing, and when signals are given with the whistle or bell that are required by such laws, they shall be only short blasts of sufficient length to give the notice or warning required by law, and no longer. The use of the whistle of any locomotive for the purpose of calling in brakemen, calling for signals from train dispatcher or conductor, notifying the public or tradesmen of the approach or presence of such engine are absolutely prohibited.

SECTION 11. Bumping posts at switches.

All persons operating railroads within the City shall provide suitable bumping posts at the end of each switch of sufficient strength to prevent the derailment of any car which may approach the end of such switch with such momentum that but for such post it would run off into the street or yard.

SECTION 12. Jumping on or off moving train.

It shall be unlawful for any person who is not employed to work upon

such trains, to climb upon or jump off of any moving engine or train within the City limits, while the same is in motion or running into or through the City.

SECTION 13. Trespass on railroad property.

No unauthorized person shall loiter, walk, ride, drive or otherwise trespass upon any railway right of way or tracks, or upon the bridges or elevated structures carrying tracks, unless there is a walkway provided for pedestrians, which walkway or passageway must be separated from the tracks of a railroad by a partition, or upon locomotives or cars operated on tracks of any railroad company operating in the City.

SECTION 14. Obstruction of railway track or interference with operation of trains.

It shall be unlawful for any person within the City to place any obstruction upon or near the track of any railway, or to displace any switch or remove, disturb or injure anything pertaining to the track, wires, poles, cars, engines or anything necessary for the operation of any such railway or in anywise to prevent or endanger the passage of any locomotive, except that this section shall not be construed as covering hose or other obstruction placed on or over the track in case of fire.

SECTION 15. Removal or melting of snow from railway tracks.

It shall be unlawful for any person in removing snow from the tracks of any railway in the City, to do so in such a manner as to obstruct the free passageway of any street or roadway. And no person shall sprinkle salt or other decomposing substance upon any railway tracks or rails in the City for the purpose of melting snow or ice thereon or for any purpose, unless a permit is granted therefor by the Mayor of the City of Nitro.

SECTION 16. Penalty.

Whoever violates this article shall be deemed guilty of a misdemeanor and shall be fined not less than five dollars (\$5.00) nor more than two hundred

dollars (\$200.00) for each offense or imprisoned not more than thirty days, or both.

SECTION 17. Validity.

The invalidity of any section, clause, sentence or provision in this ordinance shall not affect the validity of any other section, clause, sentence or provisions hereof, which can be effective without such invalid part or parts.

After considerable discussion by the Mayor and Council, Councilman Dye moved the adoption of the foregoing ordinance. Motion seconded by Councilman Clark. Motion carried.

The Mayor informed council that he had had requests for a street light on Oakie Avenue.

Thereupon, Councilman Gewin moved, seconded by Councilman Hoke, that a street light be installed on Oakie Avenue, providing the street lighting committee felt the need and approved the installation. Motion carried.

Councilman Dye moved, the postal officials be asked to relocate mail box now located on Kapoc Street and Main Avenue, explaining that the mail box obstructed the vision of the motorists entering Main Avenue from Kapoc Street. Motion seconded by Councilman Clark. Motion carried.

Councilman Clark informed council that she had received complaints on a dangerous hole on West 12th Street. Mayor Alexander explained that that was caused by the deterioration of an abandoned wood stave water line and that when Park Avenue was widened and paved that the line would have to be collapsed.

The Mayor and Council decided that the City Engineer should meet with the Engineer of the Kanawha County School Board in an effort to work out a solution for widening Park Avenue and provide off street parking for the new school to be built on West 11th Street.

Upon motion of Councilman Hoke, seconded by Councilman Clark, and

unanimously adopted, it is order that Council meet in Special Session at the City Building on the 29th day of November, 1960, at 8:00 o'clock P. M. in a recessed session.



W. W. Alexander, Mayor



Grace Lewis, Recorder

November 29, 1960

At an adjourned session of the Council of the City of Nitro, regularly and duly called on the 29th day of November, 1960, there were present W. W. Alexander, Mayor, Grace Lewis, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves and Robert M. Woods members of the Council. Juanita Clark and William G. Spaulding being absent.

The meeting was called to order by Mayor Alexander who announced that this was a meeting called for the levying of assessments for paving as set out in the notice to property owners as published in the Kanawha Valley Leader under dates of November 18, 1960, and November 25, 1960. He further announced that meeting was open for any revision or correction of the report of the Engineer as set out in said notice.

There upon the Recorder informed Council that the Engineer had heretofore filed his report and that pursuant to its direction she had given notice as required by law to the owners of the property abutting upon the streets and portions thereof pursuant to the paving ordinance adopted by Council on July 26, 1960, by publications in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, and tendered to Council the publisher's affidavit and certificate of publication of said notice.

There upon, upon motion of Councilman Woods, seconded by Councilman Dye, it is ordered that the publisher's affidavit and certificate of publication as above mentioned be received and made a part of the minutes of this meeting by actual inclusion therein. Upon a vote being taken of members of Council present and the Mayor and Recorder all voted in the affirmative. The Mayor declared the motion carried.

AFFIDAVIT OF PUBLICATION

State of West Virginia,
County of Kanawha, to-wit:

I, C. R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper

of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET, EAST, FROM ITS INTERSECTION WITH BAILES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 26th day of July, 1960, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8 of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and in the office of the Clerk of the County Court of Putnam County, West Virginia, and reference is here made to said maps and deeds for more complete descriptions.)

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET EAST, FROM ITS INTERSECTION WITH BAILES DRIVE WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE. FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.
TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

I hereby certify that the cost of the permanent improvement of Lock Avenue, from its intersection with Lock Street, North to dead end; 15th Street, from its intersection with Third Avenue, to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue, 39th Street East, from its intersection with Bailes Drive, West, to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue, East to dead end at

Book 7, after pg. 251

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, C. R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

Publication

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 18th day of Nov., 1960 and ending with the issue of the 25th day of Nov., 1960 and was posted at the Court House of Kanawha County on 25, 19

C. R. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 25 day of Nov, 19 60

James Jeffers
Notary Public for Kanawha County, West Virginia.

(My commission expires 10/2/62).

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET, EAST, FROM ITS INTERSECTION WITH BAILES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 26th day of July, 1960, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8 of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and in the office of the Clerk of the County Court of Putnam County, West Virginia, and reference is here made to said maps and deeds for more complete descriptions.)

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET EAST, FROM ITS INTERSECTION WITH BAILES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

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

I hereby certify that the cost of the permanent improvement of Lock Avenue, from its intersection with Lock Street, North to dead end; 15th Street, from its intersection with Third Avenue, to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue, 39th Street East, from its intersection with Bailes Drive, West, to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue, East to dead end at the Old County Road; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, re-paving, draining, curbing sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$49,312.53, and that said work was made and completed in accordance with the specifications and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots,

THIRTY-NINTH STREET

(From its intersection with Second Avenue to its intersection with First Avenue)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Clarence Edward Bartlett	Lot No. 3901	50.83	3.2493	\$	165.16
Herman Carney and Arlene Carney	Lot No. 3903.....	50.00	3.2493		162.47
Lawrence Powell	Lot No. 3905.....	50.00	3.2493		162.47
G. A. Raynes	Lot No. 3907.....	50.00	3.2493		162.47
C. E. Tinsley	Lot No. 3909.....	50.00	3.2493		162.47
Guy Matthews	Lot No. 3911.....	50.00	3.2493		162.47
Paul Martin and Vivian Martin	Lot No. 3913.....	50.00	3.2493		162.47
Bill Harlow	Lot No. 3915.....	50.00	3.2493		162.47
Lemma Realty Company, Inc.	Lot No. 3917.....	50.00	3.2493		162.47
Trustees of the Church of The Nazarene, Nitro, West Virginia	Lot No. 3919.....	50.00	3.2493		162.47

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
M. K. Hoke	Lot No. 3902.....	50.83	3.2493	\$	165.16
Roy R. Ranson	Lot No. 3904.....	50.00	3.2493		162.47
Electa Ranson Pruett	Lot No. 3906.....	50.00	3.2493		162.47
Charles T. Sisk	Lot No. 3908.....	50.00	3.2493		162.47
Joseph L. Matthews and Helen Matthews	Lot No. 3910.....	50.00	3.2493		162.47
Hugo D. Tidquist and Sara Tidquist	Lot No. 3912.....	50.00	3.2493		162.47
Nitro Industrial Corporation	Lot No. 3914.....	50.00	3.2493		162.47
Arnold L. Perry	Lot No. 3916.....	50.00	3.2493		162.47
Trustees of the Church of The Nazarene of Nitro, W. Va.	Lot No. 3918 and 3920.....	100.00	3.2493		324.93
TOTALS.....		\$1,001.66			\$3,254.77
TOTAL UNIT "C".....					\$9,063.86

UNIT "A"

LOCK AVENUE

(From its intersection with Lock Street North to dead end)

EAST SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Trustees of the Evangelical United Brethren Church.	Lot No. 99, East View Land Company Addition.....	24.00	9.7187	\$	233.24
Bernie F. Gillenwater and Sonia Gillenwater	Part of Lot No. 98 East View Land Co. Addition.....	50.00	9.7187		485.94
R. L. Harris	Part of Lot No. 97 East View Land Co. Addition.....	50.00	9.7187		485.94
James F. Wygal and Elizabeth Wygal	Part of Lots Nos. 95 and 96, East View Land Co. Addition.....	100.00	9.7187		971.87
Betty J. Hein	Part of Lot No. 94 East View Land Co. Addition.....	50.00	9.7187		485.94
Ruby F. Craig	Lot Nos. 92 and 93, East View Land Co.				

and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 26th day of July, 1960, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

UNIT "C"
FIFTEENTH STREET
(From its intersection with Third Avenue, to its intersection with First Avenue)

NORTH SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Joe C. Woody	Lot No. 1501.....	48.37	3.2876	\$ 159.02
Sam Pontier	Lot No. 1503.....	50.00	3.2876	164.38
Denver J. Carte and Wilma Carte	Lot No. 1505.....	50.00	3.2876	164.38
G. L. Wise and B. M. Wise	Lot No. 1507.....	50.00	3.2876	164.38
Belva Jividen	Lot No. 1509.....	50.00	3.2876	164.38
John D. Nelson and Edna A. Nelson	Lot No. 1511.....	50.00	3.2876	164.38
Ralph Fowler and R. Fowler	Lot No. 1513.....	50.00	3.2876	164.38
Trustees of the Nitro Church of God.	Lot No. 1517 and 1519-Area P.....	100.00	3.2876	328.76
Trustees of the Nitro Church of God.	Lot No. 1521 and 1523.....	100.00	3.2876	328.76
Billy G. Thompson and Mary Lou Thompson	Lot No. 1525 and 1527.....	100.00	3.2876	328.76
I. E. Ellis and G. B. Ellis	Lot No. 1528 and 1531.....	100.00	3.2876	328.76
Thomas Ingram and Freda Ingram	Lot No. 1533 and 1535.....	129.00	3.2876	\$ 424.10

SOUTH SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
John F. Smith	Lot No. 1502 and 1504.....	89.60	3.2876	\$ 294.57
Jessie W. Cains and Helen Cains	Lot No. 1506.....	50.00	3.2876	164.38
Flanchie L. Radford	Lot No. 1508.....	50.00	3.2876	164.38
Archie P. Fisher	Lot No. 1510.....	50.00	3.2876	164.38
E. E. and Rebecca J. Higginbotham	Lot No. 1512.....	50.00	3.2876	164.38
Rosa T. Wysong	Lot No. 1514.....	50.00	3.2876	164.38
F. B. Kenworthy and H. Kenworthy	Lot No. 1518.....	50.00	3.2876	164.38
Isabelle Hudnall and Howard Hudnall	Lot No. 1520 and 1522.....	100.00	3.2876	328.76
Orville O. Holley and Ina Holley	Lot No. 1524 and 1526.....	100.00	3.2876	328.76
Grace Draper	Lot No. 1528, 1530 and 1532.....	150.00	3.2876	493.14
Hilda E. Kilgore	Lot No. 1534, 1536 and 1538.....	150.00	3.2876	493.14
	TOTALS.....	\$1,766.97		\$5,809.09

G. D Rutherford and Devona Rutherford	Addition.....	100.00	9.7187	971.87
Freddie E. Conrad and Patricia Conrad	Lot 91, East View Land Co. Addition.....	50.00	9.7187	485.94
	Lot No. 90, East View Land Co. Addition.....	68.00	9.7187	660.87

WEST SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
R. G. Saunders	Parcel Old Lock 7 Nitro.....	245.00	9.7187	\$2,381.08
City of Nitro	Parcel Old Lock 7 Nitro.....	40.00	9.7187	388.74
R. G. Saunders	Parcel Old Lock 7 Nitro.....	202.00	9.7187	1,963.18
	TOTALS.....	979.00		\$9,514.61

OAKIE AVENUE
(From its intersection with Walker Street, North approximately 300 feet to dead end)

WEST SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
James Stanley	Lot No. 9, Block G, North St. Albans.....	40.00	12.8095	\$ 512.38
Lucy Erlewine	Lot No. 8, Block G, North St. Albans.....	40.00	12.8095	512.38
J. E. Amory and Vada Amory	Lot No. 7, Block G, North St. Albans.....	40.00	12.8095	512.38
Lester A. Erlewine and Maxine Erlewine	Lot Nos. 5 and 6, Block G, North St. Albans.....	80.00	12.8095	1,024.76
S. C. Savilla and Jacob Isacoff	Lot No. 4, Block G, North St. Albans.....	40.00	12.8095	512.38
Troy Mortgages, Inc.	Lot No. 3, Block G, North St. Albans.....	120.00	12.8095	1,537.14

EAST SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
H. E. Hudson and Dorothy Hudson	Lots No. 7 and 8, Block H, North St. Albans.....	80.00	12.8095	\$1,024.76
Frank P. Justice and R. Justice	Lots No. 5 and 6, Block H, North St. Albans.....	80.00	12.8095	1,024.76
Ernest Erwin, et al.	Lots No. 3 and 4, Block H, North St. Albans.....	80.00	12.8095	1,024.76
Okey Smith and Elsie Smith	Lot No. 1, Block H, North St. Albans.....	120.00	12.8095	1,537.14
	TOTALS.....	720.00		\$9,222.84

THIRTY-NINTH STREET, EAST

(From its intersection with Bailes Drive, West,
to dead end near Blakes Creek)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Thomas Finch and Hazel Finch Wayne T. Phelps	Lot No. 29, Saun- ders Addition Lot Nos. 27 and 26, Saunders Addition	100.00	11.2465		\$1,124.65
Kermit L. Thompson Austin G. Hanna	Lot No. 25, Saun- ders Addition Lot Nos. 24 and 23, Saunders Addition	100.00	11.2465		1,124.65
Samuel L. Williams	Lot No. 22, Saun- ders Addition Lot Nos. 21 and 20, Saunders Addition	50.00	11.2465		562.33
Dayton Olie Brohard and Ruby Edith Brohard	Lot No. 19, Saun- ders Addition Lot No. 18, Saun- ders Addition	100.00	11.2465		1,124.65
Doval Ogden and Freda Ogden Henry O. Minear	Lot No. 17 and 16, Saunders Addition	50.00	11.2465		562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 15, Saun- ders Addition	50.00	11.2465		562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus		100.00	11.2465		1,124.65
		53.00	11.2465		596.06

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Austin E. Hudson	Lot No. 49, Saun- ders Addition	50.00	11.2465		\$ 562.33
Curtis Saunders	Lot No. 48, Saun- ders Addition	50.00	11.2465		562.33
Paul Alexander and Maggie Alexander Sherman R. McGrew	Lot No. 47, Saun- ders Addition Lot No. 46, Saun- ders Addition	50.00	11.2465		562.33
Mary McGrew	Lot No. 45, Saun- ders Addition	50.00	11.2465		562.33
Ernest McGrew and Cleo P. McGrew	Lot No. 44, Saun- ders Addition	50.00	11.2465		562.33
Albert W. Shank and Octava C. Shank Clarence R. Sturgeon	Lot No. 43, Saun- ders Addition Lot Nos. 42 and 41, Saunders Addition	50.00	11.2465		562.33
Durward Ray Angell and Evelyn Angell	Lot Nos. 40 and 39, Saunders Addition	100.00	11.2465		1,124.65
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus		100.00	11.2465		1,124.65
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 38, Saun- ders Addition	50.00	11.2465		562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 37, Saun- ders Addition	50.00	11.2465		562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 36, Saun- ders Addition	50.00	11.2465		562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot Nos. 35 and 34, Saunders Addition	53.00	11.2465		596.07
TOTALS.....		1,506.00			\$16,937.30

WALKER STREET

(From its intersection with First Avenue, East to dead end
at the Old County Road)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
F. L. Sattes, L. P. Harvey, Janet L. Sattes and Barbara Sattes Bason. Lilly Wooten	Part of 15½ Acre Tract. Tract, Corner of Old County Road and Walker Street	174.00	13.2194		\$2,300.18
		14.00	13.2194		185.07

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Charles W. Blair and J. M. Blair	Lot 2, Block G, North St. Albans	40.00	13.2194		\$ 528.78
Troy Mortgages, Inc.	Lot 3, Block G, North St. Albans	40.00	13.2194		528.78
Okey Smith and Elsie Smith	Lot Nos. 1, 2 and 12 Block H, North St. Albans.	78.00	13.2194		1,031.11
	TOTALS.....	306.00			\$ 4,573.92

TOTAL UNIT "A"\$40,248.67

GRAND TOTAL\$49,312.53

Given under my hand this 10th day of November, 1960.

CITY ENGINEER

Municipal Engineering Corp.

By: J. A. SPENCE, ENGINEER

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 29th day of November, 1960, at 8:00 o'clock, p.m., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 29th day of November, 1960, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 29th day of November, 1960, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA,

By: Grace Lewis, Recorder

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET, EAST, FROM ITS INTERSECTION WITH BAILES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 26th day of July, 1960, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8 of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and in the office of the Clerk of the County Court of Putnam County, West Virginia, and reference is here made to said maps and deeds for more complete descriptions.)

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET EAST, FROM ITS INTERSECTION WITH BAILES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

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

I hereby certify that the cost of the permanent improvement of Lock Avenue, from its intersection with Lock Street, North to dead end; 15th Street, from its intersection with Third Avenue, to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue, 39th Street East, from its intersection with Bailes Drive, West, to dead end near Blakes Creek; Oakie Avenue, from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue, East to dead end at the Old County Road; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, re-paving, draining, curbing sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$49,312.53, and that said work was made and completed in accordance with the specifications and plans, filed with and approved by the City Council and supervision of the

THIRTY-NINTH STREET

(From its intersection with Second Avenue to its intersection with First Avenue)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Clarence Edward Bartlett	Lot No. 3901	50.83	3.2493	\$	165.16
Herman Carney and Arlene Carney	Lot No. 3903.....	50.00	3.2493		162.47
Lawrence Powell	Lot No. 3905.....	50.00	3.2493		162.47
G. A. Raynes	Lot No. 3907.....	50.00	3.2493		162.47
C. E. Tinsley	Lot No. 3909.....	50.00	3.2493		162.47
Guy Matthews	Lot No. 3911.....	50.00	3.2493		162.47
Paul Martin and Vivian Martin	Lot No. 3913.....	50.00	3.2493		162.47
Bill Harlow	Lot No. 3915.....	50.00	3.2493		162.47
Lemma Realty Company, Inc.	Lot No. 3917.....	50.00	3.2493		162.47
Trustees of the Church of The Nazarene, Nitro, West Virginia	Lot No. 3919.....	50.00	3.2493		162.47

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
M. K. Hoke	Lot No. 3902.....	50.83	3.2493	\$	165.16
Roy R. Ranson	Lot No. 3904.....	50.00	3.2493		162.47
Electa Ranson Pruett	Lot No. 3906.....	50.00	3.2493		162.47
Charles T. Sisk	Lot No. 3908.....	50.00	3.2493		162.47
Joseph L. Matthews and Helen Matthews	Lot No. 3910.....	50.00	3.2493		162.47
Hugo D. Tidquist and Sara Tidquist	Lot No. 3912.....	50.00	3.2493		162.47
Nitro Industrial Corporation	Lot No. 3914.....	50.00	3.2493		162.47
Arnold L. Perry	Lot No. 3916.....	50.00	3.2493		162.47
Trustees of the Church of The Nazarene of Nitro, W. Va.	Lot No. 3918 and 3920.....	100.00	3.2493		324.93
TOTALS.....		\$1,001.66			\$3,254.77
TOTAL UNIT "C".....					\$9,063.86

UNIT "A"

LOCK AVENUE

(From its intersection with Lock Street North to dead end)

EAST SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Trustees of the Evangelical United Brethren Church.	Lot No. 99, East View Land Company Addition.....	24.00	9.7187	\$	233.24
Bernie F. Gillenwater and Sonia Gillenwater	Part of Lot No. 98 East View Land Co. Addition.....	50.00	9.7187		485.94
R. L. Harris	Part of Lot No. 97 East View Land Co. Addition.....	50.00	9.7187		485.94
James F. Wygal and Elizabeth Wygal	Part of Lots Nos. 95 and 96, East View Land Co. Addition.....	100.00	9.7187		971.87
Betty J. Hein	Part of Lot No. 94 East View Land Co. Addition.....	50.00	9.7187		485.94
Ruby F. Craig	Lot Nos. 92 and				

City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 26th day of July, 1960, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable accordig to law as follows:

UNIT "C"
FIFTEENTH STREET
(From its intersection with Third Avenue, to its
intersection with First Avenue)

NORTH SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Joe C. Woody	Lot No. 1501.....	48.37	3.2876	\$ 159.02
Sam Pontier	Lot No. 1503.....	50.00	3.2876	164.38
Denver J. Carte and Wilma Carte	Lot No. 1505.....	50.00	3.2876	164.38
G. L. Wise and B. M. Wise	Lot No. 1507.....	50.00	3.2876	164.38
Belva Jividen	Lot No. 1509.....	50.00	3.2876	164.38
John D. Nelson and Edna A. Nelson	Lot No. 1511.....	50.00	3.2876	164.38
Ralph Fowler and R. Fowler	Lot No. 1513.....	50.00	3.2876	164.38
Trustees of the Nitro Church of God.	Lot No. 1517 and 1519-Area P.....	100.00	3.2876	328.76
Trustees of the Nitro Church of God.	Lot No. 1521 and 1523.....	100.00	3.2876	328.76
Billy G. Thompson and Mary Lou Thompson	Lot No. 1525 and 1527.....	100.00	3.2876	328.76
I. E. Ellis and G. B. Ellis	Lot No. 1528 and 1531.....	100.00	3.2876	328.76
Thomas Ingram and Freda Ingram	Lot No. 1533 and 1535.....	129.00	3.2876	\$ 424.10

SOUTH SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
John F. Smith	Lot No. 1502 and 1504.....	89.60	3.2876	\$ 294.57
Jessie W. Cains and Helen Cains	Lot No. 1506.....	50.00	3.2876	164.38
Flanchie L. Radford	Lot No. 1508.....	50.00	3.2876	164.38
Archie P. Fisher	Lot No. 1510.....	50.00	3.2876	164.38
E. E. and Rebecca J. Higginbotham	Lot No. 1512.....	50.00	3.2876	164.38
Rosa T. Wysong	Lot No. 1514.....	50.00	3.2876	164.38
F. B. Kenworthy and H. Kenworthy	Lot No. 1518.....	50.00	3.2876	164.38
Isabelle Hudnall and Howard Hudnall	Lot No. 1520 and 1522.....	100.00	3.2876	328.76
Orville O. Holley and Ina Holley	Lot No. 1524 and 1526.....	100.00	3.2876	328.76
Grace Draper	Lot No. 1528, 1530 and 1532...	150.00	3.2876	493.14
Hilda E. Kilgore	Lot No. 1534, 1536 and 1538...	150.00	3.2876	493.14
	TOTALS.....	\$1,766.97		\$5,809.09

93, East View Land Co. Addition.	100.00	9.7187	971.87
G. D Rutherford and Devona Rutherford	Lot 91, East View Land Co. Addition.	50.00	9.7187 485.94
Freddie E. Conrad and Patricia Conrad	Lot No. 90, East View Land Co. Addition.	68.00	9.7187 660.87

WEST SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
R. G. Saunders	Parcel Old Lock 7 Nitro.	245.00	9.7187	\$2,381.08
City of Nitro	Parcel Old Lock 7 Nitro.	40.00	9.7187	388.74
R. G. Saunders	Parcel Old Lock 7 Nitro.	202.00	9.7187	1,963.18
	TOTALS.....	979.00		\$9,514.61

OAKIE AVENUE
(From its intersection with Walker Street, North
approximately 300 feet to dead end)

WEST SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
James Stanley	Lot No. 9, Block G, North St. Albans.	40.00	12.8095	\$ 512.38
Lucy Erlewine	Lot No. 8, Block G, North St. Albans.	40.00	12.8095	512.38
J. E. Amory and Vada Amory	Lot No. 7, Block G, North St. Albans.	40.00	12.8095	512.38
Lester A. Erlewine and Maxine Erlewine	Lot Nos. 5 and 6, Block G, North St. Albans.	80.00	12.8095	1,024.76
S. C. Savilla and Jacob Isacoff	Lot No. 4, Block G, North St. Albans.	40.00	12.8095	512.38
Troy Mortgages, Inc.	Lot No. 3, Block G, North St. Albans.	120.00	12.8095	1,537.14

EAST SIDE				
Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
H. E. Hudson and Dorothy Hudson	Lots No. 7 and 8, Block H, North St. Albans.	80.00	12.8095	\$1,024.76
Frank P. Justice and R. Justice	Lots No. 5 and 6, Block H, North St. Albans.	80.00	12.8095	1,024.76
Ernest Erwin, et al.	Lots No. 3 and 4, Block H, North St. Albans.	80.00	12.8095	1,024.76
Okey Smith and Elsie Smith	Lot No. 1, Block H, North St. Albans.	120.00	12.8095	1,537.14
	TOTALS.....	720.00		\$9,222.84

THIRTY-NINTH STREET, EAST

(From its intersection with Bailes Drive, West,
to dead end near Blakes Creek)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Thomas Finch and Hazel Finch Wayne T. Phelps	Lot No. 29, Saun- ders Addition Lot Nos. 27 and 26, Saunders Addition	100.00	11.2465	\$1,124.65	1,124.65
Kermit L. Thompson Austin G. Hanna	Lot No. 25, Saun- ders Addition Lot Nos. 24 and 23, Saunders Addition	50.00	11.2465	562.33	1,124.65
Samuel L. Williams	Lot No. 22, Saun- ders Addition	50.00	11.2465	562.33	
Dayton Olie Brohard and Ruby Edith Brohard	Lot Nos. 21 and 20, Saunders Addition	100.00	11.2465	1,124.65	
Doval Ogden and Freda Ogden Henry O. Minear	Lot No. 19, Saun- ders Addition Lot No. 18, Saun- ders Addition	50.00	11.2465	562.33	562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot Nos. 17 and 16, Saunders Addition	100.00	11.2465	1,124.65	
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 15, Saun- ders Addition	53.00	11.2465	596.06	

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Austin E. Hudson	Lot No. 49, Saun- ders Addition	50.00	11.2465	\$ 562.33	
Curtis Saunders	Lot No. 48, Saun- ders Addition	50.00	11.2465	562.33	
Paul Alexander and Maggie Alexander Sherman R. McGrew	Lot No. 47, Saun- ders Addition Lot No. 46, Saun- ders Addition	50.00	11.2465	562.33	562.33
Mary McGrew	Lot No. 45, Saun- ders Addition	50.00	11.2465	562.33	
Ernest McGrew and Cleo P. McGrew	Lot No. 44, Saun- ders Addition	50.00	11.2465	562.33	
Albert W. Shank and Octava C. Shank Clarence R. Sturgeon	Lot No. 43, Saun- ders Addition Lot Nos. 42 and 41, Saunders Addition	100.00	11.2465	1,124.65	
Durward Ray Angell and Evelyn Angell	Lot Nos. 40 and 39, Saunders Addition	100.00	11.2465	1,124.65	
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 38, Saun- ders Addition	50.00	11.2465	562.33	
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 37, Saun- ders Addition	50.00	11.2465	562.33	
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 36, Saun- ders Addition	50.00	11.2465	562.33	
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot Nos. 35 and 34, Saunders Addition	53.00	11.2465	596.07	
TOTALS.....		1,506.00			\$16,937.30

WALKER STREET

(From its intersection with First Avenue, East to dead end
at the Old County Road)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
F. L. Sattes, L. P. Harvey, Janet L. Sattes and Barbara Sattes Bason.	Part of 15½ Acre Tract.	174.00	13.2194	\$2,300.18	
Lilly Wooten	Tract, Corner of Old County Road and Walker Street	14.00	13.2194	185.07	

SOUTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Assessment	Total
Charles W. Blair and J. M. Blair	Lot 2, Block G, North St. Albans	40.00	13.2194	\$ 528.78	
Troy Mortgages, Inc.	Lot 3, Block G, North St. Albans	40.00	13.2194	528.78	
Okey Smith and Elsie Smith	Lot Nos. 1, 2 and 12, Block H, North St. Albans.	78.00	13.2194	1,031.11	
	TOTALS.....	306.00		\$ 4,573.92	

TOTAL UNIT "A".....\$40,248.67

GRAND TOTAL.....\$49,312.53

Given under my hand this 10th day of November, 1960.

CITY ENGINEER

Municipal Engineering Corp.

By: J. A. SPENCE, ENGINEER

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 29th day of November, 1960, at 8:00 o'clock, p.m., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 29th day of November, 1960, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 29th day of November, 1960, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA,

By: Grace Lewis, Recorder

the Old County Road; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, re-paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same was \$49,312.53, and that said work was made and completed in accordance with the specification and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 26th day of July 1960, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows;

UNIT "C"
FIFTEENTH STREET

(From its intersection with Third Avenue, to its intersection
with First Avenue)

NORTH SIDE

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Joe C. Woody	Lot No. 1501	48.37	3.2876	\$ 159.02
Sam Pontier	Lot No. 1503	50.00	3.2876	164.38
Denver J. Carte and Wilma Carte	Lot No. 1505	50.00	3.2876	164.38
G. L. Wise and R. M. Wise	Lot No. 1507	50.00	3.2876	164.38
Belva Jividen	Lot No. 1509	50.00	3.2876	164.38
John D. Nelson and Edna A. Nelson	Lot No. 1511	50.00	3.2876	164.38
Ralph Fowler and R. Fowler	Lot No. 1513	50.00	3.2876	164.38
Trustees of the Nitro Church of God	Lot No. 1517 and 1519-Area P	100.00	3.2876	328.76
Trustees of the Nitro Church of God	Lot No. 1521 and 1523	100.00	3.2876	328.76
Billy G. Thompson and Mary Lou Thompson	Lot no. 1525 and 1527	100.00	3.2876	328.76
I. E. Ellis and G. B. Ellis	Lot No. 1528 and 1531	100.00	3.2876	328.76
Thomas Ingram and Freda Ingram	Lot No. 1533 and 1535	129.00	3.2876	\$ 424.10

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
John F. Smith	Lot No. 1502 and 1504	89.60	3.2876	\$ 294.57
Jessie W. Cains and Helen Cains	Lot No. 1506	50.00	3.2876	164.38
Blanchie L. Radford	Lot No. 1508	50.00	3.2876	164.38
Archie P. Fisher	Lot No. 1510	50.00	3.2876	164.38
E. E. and Rebecca J. Higginbotham	Lot No. 1512	50.00	3.2876	164.38
Rosa T. Wysong	Lot No. 1514	50.00	3.2876	164.38
F. B. Kenworthy and H. Kenworthy	Lot No. 1518	50.00	3.2876	164.38
Isabelle Hudnall and Howard Hudnall	Lot No. 1520 and 1522	100.00	3.2876	328.76
Orville O. Holley and Ina Holley	Lot No. 1524 and 1526	100.00	3.2876	328.76
Grace Draper	Lot No. 1528 1530 and 1532	150.00	3.2876	493.14
Hilda E. Kilgore	Lot No. 1534, 1536 and 1538	150.00	3.2876	493.14
	TOTALS	1,766.97		\$5,809.09

THIRTY-NINTH STREET

(From its intersection with Second Avenue to its intersection
with First Avenue)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Clarence Edward Bartlett	Lot No. 3901	50.83	3.2493	\$ 165.16
Herran Carney and Arlene Carney	Lot No. 3903	50.00	3.2493	162.47
Lawrence Powell	Lot No. 3905	50.00	3.2493	162.47
G. A. Raynes	Lot No. 3907	50.00	3.2493	162.47
C. E. Tinsley	Lot No. 3909	50.00	3.2493	162.47
Guy Matthews	Lot No. 3911	50.00	3.2493	162.47
Paul Martin and Vivian Martin	Lot No. 3913	50.00	3.2493	162.47
Bill Harlow	Lot No. 3915	50.00	3.2493	162.47
Lemma Realty Company Inc.	Lot No. 3917	50.00	3.2493	162.47
Trustees of the Church of The Nazarene, Nitro, West Virginia	Lot No. 3919	50.00	3.2493	162.47

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
M. K. Hoke	Lot No. 3902	50.83	3.2493	\$ 165.16
Roy R. Ranson and Marie Ranson	Lot No. 3904	50.00	3.2493	162.47
Electa Ranson Pruett	Lot No. 3906	50.00	3.2493	162.47
Charles T. Sisk	Lot No. 3908	50.00	3.2493	162.47
Joseph L. Matthews and Helen Matthews	Lot No. 3910	50.00	3.2493	162.47
Hugo D. Tidquist and Sara Tidquist	Lot No. 3912	50.00	3.2493	162.47
Nitro Industrial Corporation	Lot No. 3914	50.00	3.2493	162.47
Arnold L. Perry	Lot No. 3916	50.00	3.2493	162.47
Trustees of the Church of The Nazarene of Nitro, W. Va.	Lot No. 3918 and 3920	100.00	3.2493	324.93
	TOTALS	1,001.66		\$3,254.77
TOTAL UNIT "C"-----				\$9,063.86

UNIT "A"
LOCK AVENUE

(From its intersection with Lock Street North to dead end)

EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Trustees of the Evangelical United Brethren Church	Lot No. 99, East View Land Company Addition	24.00	9.7187	\$ 233.24
Bernie F. Gillenwater and Sonia Gillenwater	Part of Lot No. 98 East View Land Company Addition	50.00	9.7187	485.94
R. L. Harris	Part of Lot No. 97 East View Land Company Addition	50.00	9.7187	485.94
James F. Wygal and Elizabeth Wygal	Part of Lots Nos. 95 and 96, East View Land Company Addition	100.00	9.7187	971.87
Betty J. Hein	Part of Lot No. 94 East View Land Company Addition	50.00	9.7187	485.94

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruby F. Craig	Lot Nos. 92 and 93, East View Land Co. Addition	100.00	9.7187	\$ 971.87
G. D. Rutherford and Devona Rutherford	Lot 91, East View Land Co. Addition	50.00	9.7187	485.94
Freddie E. Conrad and Patricia Conrad	Lot No. 90, East View Land Co. Addition	68.00	9.7187	660.87

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
R. W. Saunders	Parcel Old Lock 7 Nitro	245.00	9.7187	\$2,381.08
City of Nitro	Parcel Old Lock 7 Nitro	40.00	9.7187	388.74
R. W. Saunders	Parcel Old Lock 7 Nitro	202.00	9.7187	1,963.18
	TOTALS	979.00		\$9,514.61

OAKIE AVENUE

(From its intersection with Walker Street, North approximately 300 feet to
dead end)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
James Stanley	Lot No. 9, Block G. North St. Albans	40.00	12.8095	\$ 512.38
Lucy Erlewine	Lot No. 8, Block G, North St. Albans	40.00	12.8095	512.38
J. E. Amory and Vada Amory	Lot No. 7, Block G. North St. Albans	40.00	12.8095	512.38
Lester A. Erlewine and Maxine Erlewine	Lot Nos. 5 and 6, Block G, North St. Albans	80.00	12.8095	1,024.76
S. C. Savilla and Jacob Isacoff	Lot No. 4, Block G. North St. Albans	40.00	12.8095	512.38
Troy Mortgages, Inc.	Lot No. 3, Block G. North St. Albans	120.00	12.8095	1,537.14

EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
H. E. Hudson and Dorothy Hudson	Lots No. 7 and 8, Block H, North St. Albans	80.00	12.8095	\$1,024.76
Frank P. Justice and R. Justice	Lots No. 5 and 6, Block H, North St. Albans	80.00	12.8095	1,024.76
Ernest Erwin, et al.	Lots No. 3 and 4, Block H, North St. Albans	80.00	12.8095	1,024.76
Okey Smith and Elsie Smith	Lot No. 1, Block H, North St. Albans	120.00	12.8095	1,537.14
	TOTALS	720.00		\$9,222.84

THIRTY-NINTH STREET, EAST

(From its intersection with Bailes Drive, West, to dead end
near Blakes Creek)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Thomas Finch and Hazel Finch Wayne T. Phelps	Lot No. 29, Saunders Addition	100.00	11.2465	\$1,124.65
Kermit L. Thompson	Lot Nos. 27 and 26, Saunders Addition	100.00	11.2465	1,124.65
Austin G. Hanna	Lot No. 25, Saunders Addition	50.00	11.2465	562.33
Samuel L. Williams	Lot Nos. 24 and 23, Saunders Addition	100.00	11.2465	1,124.65
Dayton Olie Brohard and Ruby Edith Brohard	Lot No. 22, Saunders Addition	50.00	11.2465	562.33
Doval Ogden and Freda Ogden	Lots Nos. 21 and 20, Saunders Addition	100.00	11.2465	1,124.65
Henry O. Minear	Lot No. 19, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 18, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot Nos. 17 and 16, Saunders Addition	100.00	11.2465	1,124.65
	Lot No. 15, Saunders Addition	53.00	11.2465	596.06

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Austin E. Hudson	Lot No. 49, Saunders Addition	50.00	11.2465	\$ 562.33
Curtis Saunders	Lot No. 48, Saunders Addition	50.00	11.2465	562.33
Paul Alexander and Maggie Alexander	Lot No. 47, Saunders Addition	50.00	11.2465	562.33
Sherman R. McGrew	Lot No. 46, Saunders Addition	50.00	11.2465	562.33
Mary McGrew	Lot No. 45, Saunders Addition	50.00	11.2465	562.33
Ernest McGrew and Cleo P. McGrew	Lot No. 44, Saunders Addition	50.00	11.2465	562.33
Albert W. Shank and Octava C. Shank	Lot No. 43, Saunders Addition	50.00	11.2465	562.33
Clarence R. Sturgeon	Lot Nos. 42 and 41, Saunders Addition	100.00	11.2465	1,124.65
Durward Ray Angell and Evelyn Angell	Lot Nos. 40 and 39, Saunders Addition	100.00	11.2465	1,124.65
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 38, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 37, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot No. 36, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden and Gertrude R. Maus	Lot Nos. 35 and 34, Saunders Addition	53.00	11.2465	596.07
	TOTALS	1,506.00		\$16,937.30

WALKER STREET

(From its intersection with First Avenue, East to dead end at the Old
County Road)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
F. L. Sattes, L. P. Harvey, Janet L. Sattes and Barbara Sattes Bason Lilly Wooten	Part of 15 $\frac{1}{2}$ Acre Tract Tract, Corner of Old County Road and Walker Street	174.00 14.00	13.2194	\$2,300.18 185.07

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Charles W. Blair and J. E. Blair	Lot 2, Block G, North St. Albans	40.00	13.2194	\$ 528.78
Troy Mortgages, Inc.	Lot 3, Block G, North St. Albans	40.00	13.2194	528.78
Okey Smith and Elsie Smith	Lot Nos. 1, 2, and 12, Block H, North St. Albans	78.00	13.2194	1,031.11
	TOTALS	306.00		\$4,573.92

TOTAL UNIT " A " ----- \$40,248.67

GRAND TOTAL ----- \$49,312.53

Given under my hand this 10th day of November, 1960.

CITY ENGINEER

Municipal Engineering Corp.

By: J. A. SPENCE, ENGINEER

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 29th day of November, 1960, at 8:00 o'clock, p.m., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 29th day of November, 1960, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 29th day of November, 1960, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA,

By: Grace Lewis, Recorder

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 18th day of November, 1960, and ending with the issue of the 25th day of November 1960, and was posted at the Court House of Kanawha

C. R. Walker
Manager,
Kanawha Valley Leader

Subscribed and sworn to before me this 25th day of November, 1960.

James Jefferies
Notary Public for Kanawha County, West Virginia

(My commission expires 10/7/62).

Thereupon the Mayor inquired if there were any persons present who desired to move correction or revision of the proposed assessment and there were none.

Thereupon upon motion by Councilman Dye, seconded by Councilman Reeves, presented and moved the adoption of the following ordinance:

AN ORDINANCE ASSESSING ABUTTING PROPERTY AND THE OWNERS THEREOF WITH THE COST OF THE PERMANENT IMPROVEMENT OF LOCK AVENUE, FROM ITS INTERSECTION WITH LOCK STREET, NORTH TO DEAD END; 15TH STREET, FROM ITS INTERSECTION WITH THIRD AVENUE, TO ITS INTERSECTION WITH FIRST AVENUE; 39TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH FIRST AVENUE, 39TH STREET EAST, FROM ITS INTERSECTION WITH BAILLES DRIVE, WEST, TO DEAD END NEAR BLAKES CREEK; OAKIE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH APPROXIMATELY 300 FEET TO DEAD END; WALKER STREET, FROM ITS INTERSECTION WITH FIRST AVENUE, EAST TO DEAD END AT THE OLD COUNTY ROAD; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

WHEREAS, the Council of the City of Nitro on the 26th day of July, 1960, adopted an ordinance for the permanent improvement of Lock Avenue, from its intersection with Lock Street, North to Dead End; 15th Street, from its intersection with Third Avenue to its intersection with First Avenue; 39th Street, from its intersection with Second Avenue to its intersection with First Avenue; 39th Street, East, from its intersection with Bailles Drive, West, to dead end near Blakes Creek; Oakie Avenue: from its intersection with Walker Street, North approximately 300 feet to dead end; Walker Street, from its intersection with First Avenue, East to dead end at the Old County Road; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining,

curbing, sewerage, guttering, construction of sidewalks and otherwise improving the same and further providing for the assessment of the abutting property and owners thereof for the total cost of such improvement; and,

WHEREAS, the report of the City Engineer to the Council reporting and certifying the cost of said improvement and showing the respective amounts apportioned, calculated and charged against each lot abutting, bounding and fronting on said streets and portions of streets and the respective owners thereof was read to the Council at its meeting on November 15, 1960, and fully set out in its minutes; and,

WHEREAS, it appears to the Council, independently of said Engineer's Report, that the permanent improvement has been completed in accordance with the ordinances heretofore adopted and has specially benefited each lot or parcel of land abutting thereon to an extent greater than the respective part of the cost apportioned, calculated and charged against said respective lot or parcel, and that said report and improvement should be accepted; and

WHEREAS, notice was caused to be published in the Kanawha Valley Leader, a weekly newspaper of general circulation in the City of Nitro and Kanawha and Putnam Counties, West Virginia, showing the names of the owners of each lot abutting on said improved streets and portions of streets and the amount assessed thereof, respectively, and giving notice to said owners or those who may be owners thereof and interested persons that they might appear before Council in session on November 29, 1960, at 8:00 o'clock, P. M. to move the revision or correction of such proposed assessments, and on or after said date Council might proceed finally to lay said assessments.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO:

First: That the said report of the City Engineer, heretofore filed and read, is hereby ordered set out in full in the minutes of the Council, and said Engineer's report is hereby accepted, approved and adopted by the Council after independent examination and investigation thereof, and is hereby expressly made a part of this ordinance as fully as if set forth herein, and is hereby adopted as the assessment Rolls.

Second: That the permanent improvement as set forth and shown in said report is the same as hereby declared to be completed and is hereby accepted.

Third: That the amounts set forth in the aforesaid report as the proportionate shares of the net cost assessable to each of the various properties and owners thereof as the same appear in said report are hereby assessed against each of the said properties and the owners thereof as their proportionate share of the cost of the improvement; that the aforesaid amounts are hereby declared to be liens upon each of the several lots abutting upon the said streets and portions of streets as shown in the said report; that paving assessment certificates shall forthwith be issued and signed by the Mayor and City Recorder in the respective amounts assessed against each lot and parcel of land and the owners thereof, each said assessment certificate shall be issued and made payable in ten equal installment certificates, the first of which said installment certificates shall be due and payable in thirty days from the date of the assessment; thereof, and the remaining nine of said installment certificates shall be due and payable on or before one year and thirty days, two years and thirty days, three years and thirty days, four years and thirty days, five years and thirty days, six years and thirty days, seven years and thirty days, eight years and thirty days, and nine years and thirty days, from the date of the assessment, respectively,

all of which said installment certificates shall bear interest at the rate of six per cent (6%) per annum from date of assessment, with the provision that if default be made in the payment of any of the said installment certificates when due and payable, then the whole amount of the said assessment remaining unpaid shall become forthwith due and payable and the holder of the certificate may proceed to collect the whole amount unpaid; that the respective certificates covering the amount of the respective assessments shall be paid by the respective owners of the land, lots or fractional parts thereof so assessed for the cost, and the respective amounts specified in the certificates upon the land, lots or parts of lots so assessed and also debts against the respective owners of the said real estate, and shall be liens ahead in priority of other liens against the said property except for taxes due the state, county and city; and the said certificates may be issued, sold and delivered by the Mayor to the contractor doing the paving and other improvements on said streets or portions of streets in payment of the cost thereof.

Fourth: The Mayor and the City Recorder are hereby authorized to issue, sign and deliver the assessment lien certificates against the several lots in accordance with the provisions of paragraph "Third" hereinabove.

Fifth: The City Recorder is hereby directed to cause to be prepared a certificate, report and notice showing and certifying a copy of the said Engineer's Report, so adopted by the Council, and when so certified to by the City Recorder the same shall be delivered to the Clerk of the County Court of Kanawha County and Putnam County, and recorded in the Clerk's Office in a Trust Deed Book, and shall be continuing tax liens upon the lots or lands against which the assessments are made until the certificates as aforesaid are paid, and the said County Clerk shall index the same in the names of each lot or land owner mentioned therein.

ASSESSMENT ROLLS

UNIT "C"

15TH STREET

(From its intersection with Third Avenue, to
its intersection with First Avenue)

<u>Name of Owner</u>	NORTH SIDE		<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
	Lot number or other description				
Joe C. Woody	Lot No. 1501		48.37	3.2876	\$ 159.02
Sam Pontier	Lot No. 1503		50.00	3.2876	164.38
Denver J. Carte & Wilma Carte	Lot No. 1505		50.00	3.2876	164.38
G. L. Wise & B. M. Wise	Lot No. 1507		50.00	3.2876	164.38
Belva Jividen	Lot No. 1509		50.00	3.2876	164.38
John D. Nelson & Edna A. Nelson	Lot No. 1511		50.00	3.2876	164.38
Ralph Fowler & R. Fowler	Lot No. 1513		50.00	3.2876	164.38
Trustees of the Nitro Church of God	Lot No. 1517 & 1519-Area P		100.00	3.2876	328.76
Trustees of the Nitro Church of God	Lot No. 1521 & 1523		100.00	3.2876	328.76
Billy G. Thompson & Mary Lou Thompson	Lot No. 1525 & 1527		100.00	3.2876	328.76
I. E. Ellis & G. B. Ellis	Lot No. 1529 & 1531		100.00	3.2876	328.76

15TH STREET

(From its intersection with Third Avenue, to
its intersection with First Avenue)

NORTH SIDE (CON'T)

<u>Name of Owner</u>	NORTH SIDE		<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
	Lot number or other description				
Thomas Ingram & Freda Ingram	Lot No. 1533 & 1535		129.00	3.2876	\$ 424.10

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
John F. Smith	Lot No. 1502 & 1504	89.60	3.2876	\$ 294.57
Jessie W. Cains & Helen Cains	Lot No. 1506	50.00	3.2876	164.38
Blanchie L. Radford	Lot No. 1508	50.00	3.2876	164.38
Archie P. Fisher	Lot No. 1510	50.00	3.2876	164.38
E. E. Higginbotham & Rebecca J. Higginbotham	Lot No. 1512	50.00	3.2876	164.38
Rosa T. Wysong	Lot No. 1514	50.00	3.2876	164.38
F. B. Kenworthy & H. Kenworthy	Lot No. 1518	50.00	3.2876	164.38
Isabelle Hudnall & Howard Hudnall	Lot No. 1520 & 1522	100.00	3.2876	328.76
Orville O. Holley & Ina Holley	Lot No. 1524 & 1526	100.00	3.2876	328.76
Grace Draper	Lot No. 1528, 1530 & 1532	150.00	3.2876	493.14
Hilda E. Kilgore	Lot No. 1534, 1536, & 1538	<u>150.00</u>	3.2876	<u>493.14</u>
TOTALS-----				1,766.97
				\$ 5,809.09

39TH STREET

(From its intersection with Second Avenue to
its intersection with First Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Clarence Edward Bartlett	Lot No. 3901	50.83	3.2493	\$ 165.16
Herman Carney & Arlene Carney	Lot No. 3903	50.00	3.2493	162.47
Lawrence Powell	Lot No. 3905	50.00	3.2493	162.47

39TH STREET
(From its intersection with Second Avenue to its intersection
with First Avenue)

NORTH SIDE (CON'T)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. A. Raynes	Lot No. 3907	50.00	3.2493	\$ 162.47
C. E. Tinsley	Lot No. 3909	50.00	3.2493	162.47
Guy Matthews	Lot No. 3911	50.00	3.2493	162.47
Paul Martin & Vivian Martin	Lot No. 3913	50.00	3.2493	162.47
Bill Harlow	Lot No. 3915	50.00	3.2493	162.47
Lemma Realty Company, Inc.	Lot No. 3917	50.00	3.2493	162.47
Trustees of the Church of The Nazarene, Nitro West Virginia	Lot No. 3919	50.00	3.2493	162.47

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
M. K. Hoke	Lot No. 3902	50.83	3.2493	\$ 165.16
Roy R. Ranson & Marie Ranson	Lot No. 3904	50.00	3.2493	162.47
Electa Ranson Pruett	Lot No. 3906	50.00	3.2493	162.47
Charles T. Sisk	Lot No. 3908	50.00	3.2493	162.47
Joseph L. Matthews & Helen Matthews	Lot No. 3910	50.00	3.2493	162.47
Hugo D. Tidquist & Sara Tidquist	Lot No. 3912	50.00	3.2493	162.47
Nitro Industrial Corporation	Lot No. 3914	50.00	3.2493	162.47
Arnold L. Perry	Lot No. 3916	50.00	3.2493	162.47
Trustees of the Church of The Nazarene of Nitro, W. Va.	Lot No. 3918 & 3920	<u>100.00</u>	3.2493	<u>324.93</u>
TOTALS-----		1,001.66		\$ 3,254.77
TOTAL UNIT "C"-----				\$ 9,063.86

UNIT "A"

LOCK AVENUE

(From its intersection with Lock Street
North to dead end)

EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Trustees of the Evangelical United Brethren Church	Lot No. 99, East View Land Company Addition	24.00	9.7187	\$ 233.24
Bernie F. Gillenwater & Sonia Gillenwater	Part of Lot No. 98, East View Land Co. Addition.	50.00	9.7187	485.94
R. L. Harris	Part of Lot No. 97 East View Land Co. Addition	50.00	9.7187	485.94
James F. Wygal & Elizabeth Wygal	Part of Lot Nos. 95 & 96, East View Land Co. Addition	100.00	9.7187	971.87
Betty J. Hein	Part of Lot No. 94, East View Land Co. Addition	50.00	9.7187	485.94
Ruby F. Craig	Lot Nos 92 & 93, East View Land Co. Addition	100.00	9.7187	971.87
G. D. Rutherford & Devona Rutherford	Lot 91, East View Land Co. Addition	50.00	9.7187	485.94
Freddie E. Conrad & Patricia Conrad	Lot No. 90, East View Land Co. Addition	68.00	9.7187	660.87

UNIT "A"

LOCK AVENUE

(From its intersection with Lock Street
North to dead end)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
R. W. Saunders	Parcel Old Lock 7, Nitro	245.00	9.7187	\$ 2,381.08
City of Nitro	Parcel Old Lock 7, Nitro	40.00	9.7187	388.74
R. W. Saunders	Parcel Old Lock 7, Nitro	<u>202.00</u>	9.7187	<u>1,963.18</u>
TOTALS -----		979.00		\$ 9,514.61

OAKIE AVENUE

(From its intersection with Walker Street, North
approximately 300 feet to dead end)

WEST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
James Stanley	Lot No. 9, Block G, North St. Albans	40.00	12.8095	\$ 512.38
Lucy Erlewine	Lot No. 8, Block G, North St. Albans	40.00	12.8095	512.38
J. E. Amory & Vada Amory	Lot No. 7, Block G, North St. Albans	40.00	12.8095	512.38
Lester A. Erlewine & Maxine Erlewine	Lot Nos. 5 & 6, Block G, North St. Albans	80.00	12.8095	1,024.76
S. C. Savilla & Jacob Isacoff	Lot No. 4, Block G, North St. Albans	40.00	12.8095	512.38
Troy Mortgages, Inc.	Lot No. 3, Block G, North St. Albans	120.00	12.8095	1,537.14

EAST SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
H. E. Hudson & Dorothy Hudson	Lots No. 7 & 8, Block H, North St. Albans	80.00	12.8095	\$ 1,024.76
Frank P. Justice & R. Justice	Lots No. 5 & 6, Block H, North St. Albans	80.00	12.8095	1,024.76
Ernest Erwin, et al	Lots No. 3 & 4, Block H, North St. Albans	80.00	12.8095	1,024.76
Okey Smith & Elsie Smith	Lot No. 1, Block H, North St. Albans	<u>120.00</u>	12.8095	<u>1,537.14</u>
	TOTALS -----	720.00		\$ 9,222.84

39TH STREET, EAST
(From its intersection with Bailes Drive, West,
to dead end near Blakes Creek)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Thomas Finch & Hazel Finch	Lot No. 29, Saunders Addition	100.00	11.2465	\$ 1,124.65
Wayne T. Phelps	Lot Nos. 27 & 26, Saunders Addition	100.00	11.2465	1,124.65
Kermit L. Thompson	Lot No. 25, Saunders Addition	50.00	11.2465	562.33
Austin G. Hanna	Lot Nos. 24 & 23, Saunders Addition	100.00	11.2465	1,124.65
Samuel L. Williams	Lot No. 22, Saunders Addition	50.00	11.2465	562.33
Dayton Olie Brohard & Ruby Edith Brohard	Lot Nos. 21 & 20, Saunders Addition	100.00	11.2465	1,124.65
Doval Ogden & Freda Ogden	Lot No. 19, Saunders Addition	50.00	11.2465	562.33

39TH STREET, EAST
(From its intersection with Baines Drive, West,
to dead end near Blakes Creek)

NORTH SIDE (CON'T)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Henry O. Minear	Lot No. 18, Saunders Addition	50.00	11.2465	\$ 562.33
Doval G. Ogden, Freda O. Ogden & Gertrude R. Maus	Lot Nos. 17 & 16, Saunders Addition	100.00	11.2465	1,124.65
Doval G. Ogden, Freda O. Ogden & Gertrude R. Maus	Lot No. 15, Saunders Addition	53.00	11.2465	596.06

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Austin E. Hudson	Lot No. 49, Saunders Addition	50.00	11.2465	\$ 562.33
Curtis Saunders	Lot No. 48, Saunders Addition	50.00	11.2465	562.33
Paul Alexander and Maggie Alexander	Lot No. 47, Saunders Addition	50.00	11.2465	562.33
Sherman R. McGrew	Lot No. 46, Saunders Addition	50.00	11.2465	562.33
Mary McGrew	Lot No. 45, Saunders Addition	50.00	11.2465	562.33
Ernest McGrew & Cleo P. McGrew	Lot No. 44, Saunders Addition	50.00	11.2465	562.33
Albert W. Shank & Octava C. Shank	Lot No. 43, Saunders Addition	50.00	11.2465	562.33
Clarence R. Sturgeon	Lot Nos. 42 & 41, Saunders Addition	100.00	11.2465	1,124.65
Durward Ray Angell and Evelyn Angell	Lot Nos. 40 & 39, Saunders Addition	100.00	11.2465	1,124.65

39TH STREET, EAST
(From its intersection with Bailes Drive, West,
to dead end near Blakes Creek)

SOUTH SIDE (CON'T)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 38, Saunders Addition	50.00	11.2465	\$ 562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 37, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot No. 36, Saunders Addition	50.00	11.2465	562.33
Doval G. Ogden, Freda Q. Ogden & Gertrude R. Maus	Lot Nos. 35 & 34, Saunders Addition	<u>53.00</u>	11.2465	<u>596.07</u>
TOTALS-----			1,506.00	\$16,937.30

WALKER STREET
(From its intersection with First Avenue
East to dead end at the Old County Road)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
F. L. Sattes, L. P. Harvey, Janet L. Sattes & Barbara Sattes Bacon	Part of 15 $\frac{1}{2}$ Acre Tract	174.00	13.2194	\$ 2,300.18
Lilly Wooten	Tract, Corner of Old County Road and Walker Street	14.00	13.2194	185.07

WALKER STREET
(From its intersection with First Avenue, East to
dead end at the Old County Road)

SOUTH SIDE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Charles W. Blair & J. M. Blair	Lot 2, Block G, North St. Albans	40.00	13.2194	\$ 528.78
Troy Mortgages, Inc.	Lot 3, Block G, North St. Albans	40.00	13.2194	528.78
Okey Smith & Elsie Smith	Lot Nos. 1, 2 & 12, Block H, North St. Albans	<u>78.00</u>	13.2194	<u>1,031.11</u>
TOTALS -----				306.00 \$ 4,573.92
TOTAL UNIT "A" -----				\$ 40,248.67
GRAND TOTAL-----				\$ 49,312.53

Given under my hand this 10th day of November, 1960.

CITY ENGINEER
Municipal Engineering Corp.

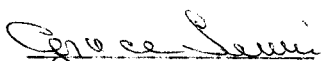
By: J. A. SPENCE, ENGINEER

Thereupon, a vote being taken of members of Council present, the Mayor and the Recorder, all voted in the affirmative. The Mayor declared the motion carried.

Thereupon, no further business to come before the Council a motion by Councilman Hoke for adjournment carried.

The meeting was adjourned.


W. W. Alexander, Mayor


Grace Lewis, Recorder

December 6, 1960

The City Council met Tuesday, December 6, 1960.

There were present: W. W. Alexander, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves and Robert M. Woods members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Woods moved, seconded by Councilman Dye, that Council go into session to take care of the business at hand, and moved further to dispense with the regular meeting of December 20th. Upon a vote motion carried.

Councilman Dye moved, seconded by Councilman Clark, that an additional 1000 lumen street light be installed at the dead end of Washington Avenue at Gum Street. Motion carried.

Councilman Dye reported that after survey, the street lighting committee felt that an additional street light was not needed on 22nd Street and First Avenue.

The Mayor informed Council that he had had a request for a street light on Nitro Heights Road and that he felt that the light was needed.

Thereupon, Councilman Clark moved, seconded by Councilman Hoke, that a 2500 lumen street light be installed on Nitro Heights Road. Motion carried.

Councilman Dye informed council of holes in pavement near manhole at Hickory Street and Washington Avenue. This matter is to be checked.

Councilman Woods moved, seconded by Councilman Clark, that the Director of the local Civil Defense, or someone he may designate meet with the council and discuss the proposed evacuation plan of the Civilian Defense organization. Motion carried.

Mayor Alexander appointed Councilman Woods to represent the City Council on the Civilian Defense Council.

In a discussion of the widening of Park Avenue, the Mayor informed council that the Board of Education had been advised of the necessity of Park Avenue being widened and that the street would be widened during the construction of the new school in said area, or included in the next street paving program.

Mayor Alexander explained to council that the Board of Zoning Appeals had met on the request made by Frank Grover to extend the business area on the lower side of 41st Street to the same footage as the upper side of the street.

Recommendation of the Board of Zoning Appeals was presented as follows:

RECOMMENDATION:

"All lots in Zone Number Three from 41st Street, North to the Nitro Corporate limits, fronting on the East side of First Avenue, shall be known and designated as business lots to a depth of 150 feet from front lot line."

Recommendation of the Zoning Commission was presented:

"It was moved by Mr. Roark and seconded by Mr. Howard that area be recommended to be in Business Zone."

Thereupon, the following Ordinance was presented for Council's consideration:

ORDINANCE

BE IT ORDAINED by the Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that upon recommendation of the Planning Commission of the City of Nitro and upon recommendation of the Zoning Appeal Board of the City of Nitro, that that the Zoning Ordinance of said city be and the same is hereby altered and amended as follows:

"All lots in Zone No. 3 from 41st Street, North to the Nitro Corporate limits, fronting on the east side of 1st Avenue shall be known and designated as business lots to a depth of 150 feet from front lot line."

PROVIDED HOWEVER any business building must be set back at least 10 feet from the back property line of said property and said 10 feet cannot be used in any manner for any business purpose whatsoever; and

PROVIDED FURTHER that said restriction shall only apply to the corner lot of 41st Street and 1st Avenue, which fronts 100 feet on 1st Avenue, and is presently owned by Frank Grover; and


BE IT FURTHER PROVIDED that as to all other business lots from 41st Street to said city limits there is hereby declared no restriction as to the depth for which said lot may be used for business purposes.

Councilman Dye moved, seconded by Councilman Clark, that the foregoing ordinance be approved and adopted. Upon a vote motion carried.

Councilman Woods informed Council that the Fire Department was in need of a desk for the station and that it may be possible to purchase a desk through surplus items.

Thereupon, Councilman Woods moved, seconded by Councilman Dye, the the Mayor be authorized to expend \$100.00 for surplus goods. Motion carried.

There being no further business to come before the council, a motion for adjournment by Councilman Clark carried.



Grace Lewis, Recorder



W. W. Alexander, Mayor

January 17, 1961

The City Council met in a regular session Tuesday, January 17, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Thereupon, Councilman Reeves moved, seconded by Councilman Woods, to dispense with the reading of minutes of meetings held November 15th, November 29th and December 6th. Motion carried.

Councilman Woods, seconded by Councilman Hoke, moved the financial statement for the months of November and December, 1960, be accepted. Motion carried.

Councilman Reeves moved the City request the Appalachian Power Company to install a 6000 lumen street light at 22nd Street and First Avenue. Motion seconded by Councilman Gewin. Motion carried.

The Mayor informed council that the Appalachian Power Company would check the street lights twice a year and at such time all light bulbs would be replaced. In the meantime any light that goes out will be replaced immediately upon notifying the Power Company.

The Mayor informed council that Goodrich Gulf Company was to build a storage building on property located on 19th Street West Road and that upon making a survey of the land they had found that the 19th Street West road was located partly on land proposed for their building and that the company had asked the city about relocating the said road on its proper right of way, the Mayor informed that he had given per-

mission to Goodrich Gulf Company to relocate the road at their own expense.

The Mayor informed council that he had been representing the city at a number of meetings of the Kanawha Valley Industrial Corporation, an organization set up primarily to promote new industries and growth of the Kanawha Valley. At the present time, the main project of the Corporation is securing the old Naval Ordnance Plant in South Charleston. The Mayor informed council further that this is a nonprofit organization and any moneys and properties secured by said organization would be used to either expand present industries or to promote new industries in the Valley and that there was membership dues starting at \$100.00 minimum and graduating upward, based on ability of the companies involved. That attorneys for the organization, including Robert Kelly, had checked the legality and informed municipal officials that the cities were allowed to pay the membership dues.

Thereupon, Councilman Gewin moved, seconded by Councilman Woods, that the City pay the \$100.00 membership dues to the Kanawha Valley Industrial Corporation as outlined by the Mayor. Upon a vote motion carried.

The Mayor and council entered into a discussion of Smith Street being a dedicated street. Mr. Miller a property owner on Smith Street presented a map and copy of a deed of property located on Smith Street. The Mayor informed council that he had had the attorney to check the court records regarding Smith Street and that was the attorney's opinion that Smith Street was a dedicated street.


The Mayor and council entered into a discussion of paving Smith Street and a number of other streets that needed paving and it was decided that the council meet Sunday afternoon and make a survey of all street.

Councilman Woods informed council that the Putnam County Board of Education had purchased property on East 39th Street and planned to erect a grade school on said property, he also informed that Blake's Creek adjacent to said property was full of debris that cannot flow down the creek. The Mayor informed council that he felt that all of Blake's Creek should be dredged out in order to eliminate this problem and that he would have the City Engineer check this matter and make up plans for dredging the creek.

The Mayor informed council that the old cruiser needed a complete set of tires and asked the council's opinion of the purchase of a new police cruiser and informed further that he had a bid from Holman Motor Sales. The Council decided that it would be best to secure two other ford bids for police cruisers.

The Mayor and council entered into a discussion of purchasing of gasoline for city equipment from the State of West Virginia. It was brought out that storage pumps would have to be installed, it would be necessary for a responsible person be in charge of dispensing of the gasoline and also the loss of gasoline through evaporation. It was the council's opinion that the city should continue under the present system for the time being.

There being no further business to come before the council a motion for adjournment by Councilman Hoke, seconded by Councilman Gewin carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

February 7, 1961

The City Council met Tuesday, February 7, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, L. I. Hoke, M. D., Thomas C. Reeves and Robert M. Woods members of the City Council.

Thereupon, Councilman Woods, seconded by Councilman Reeves, moved that council go into executive session. Motion carried.

The following ordinance was presented for the council's consideration:

O R D I N A N C E

BE IT ORDAINED by the Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that upon recommendation of the Planning Commission of the City of Nitro the Zoning Ordinance of said city is hereby amended as follows:

"No house trailers shall be permitted to be parked within the city limits of the city of Nitro, Kanawha and Putnam Counties, West Virginia."

All prior ordinances which are inconsistent with this ordinance are hereby repealed.

Effective date of this ordinance shall be from date of passage.

Thereupon, Councilman Reeves moved, seconded by Councilman Clark, the foregoing ordinance be adopted. Upon a vote motion carried.

Councilman Clark moved, seconded by Councilman Reeves, that Council accept the Civilian Defense evacuation plan for Nitro. Upon a vote motion carried.

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

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

February 21, 1961

The City Council met in regular session February 21, 1961.

There were present; W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, William G. Spaulding and R. M. Woods, members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Gewin, the minutes for meetings held January 17th and February 7th be approved as read. Motion carried.

Councilman Dye moved, seconded by Councilman Woods, the financial statement for the month of January be accepted. Motion carried.

Councilman Dye informed Council that one of the garbage trucks had damaged a fence on the property of John Sheets. The Mayor said he would have Mr. Humphreys check into this matter and contact the insurance company.

Councilman Hoke informed Council that the section of Second Avenue from 31st Street to 40th Street was hazardous, due to the narrow width of the Street and that cars parked on both sides of Second Avenue in said section. The Mayor explained that the right of way in this section was very narrow in places. The Council discussed this matter to some extent and conscientious of opinion was that parking eliminated on one side of Second Avenue was the only solution. The Traffic Committee is to make a study of this situation.

Bids on a new cruiser car were discussed by the Mayor and Council.

The bids were as follows:

Holman Motor Sales, Inc.	List	\$2,550.55
	Less Trade in	600.50
	Net	1,950.00
 Bert Wolfe Ford	 List	 \$2,601.25
	Less trade in	597.00
	Net	2,004.25

Thereupon, Councilman Gewin moved, seconded by Councilman Woods, Council accept the bid of Holman Motor Sales, Inc. at the quoted price of \$1,950.00. Upon a vote motion carried.

Mayor Alexander informed Council that the terms of office of T. O. Townsend, Philip Morrison and Leo Knowlton as members of the Planning Commission had expired. That all three men had been contacted and Mr. Knowlton did not wish to be reappointed. Thereupon, the Mayor submitted the names of T. O. Townsend and Philip Morrison for reappointment and Robert Pruett as replacement for Leo Knowlton, for a term of three years each. Thereupon, Councilman Spaulding moved, seconded by Councilman Dye, that the Mayors' appointment of T. O. Townsend, Philip Morrison and Robert Pruett be approved. Upon a vote, motion carried.

The Mayor informed Council that the term of office of A. W. Hanes as member of the Board of Zoning appeals had expired. The Mayor informed further that he wished to reappoint Mr. Hanes for a period of three years.

Thereupon, Councilman Spaulding moved, seconded by Councilman Hoke, the Council approve the Mayors appointment of A. W. Hanes as a member of the Board of Zoning Appeals. Upon a vote motion carried.

Mayor Alexander explained to the Council that Mr. Roark, the City&s Building Inspector, was ill and that since the services of a Building Inspector was needed often, that he wished to submit the name of J. F. Thacker as Assistant Building Inspector. Thereupon, Councilman Dye moved, seconded by Councilman Gewin, that J. F. Thacker be approved as Assistant City Building Inspector. Motion carried.

The Mayor explained that due to Mr. Peakers' additional responsibilities at the plant, that some times we are unable to reach him for an electrical inspection, therefore he wished to propose the name of T. A. Bateman as an assistant to the Electrical Inspector. Thereupon Councilman Spaulding moved, seconded by Councilman Dye, that T. A. Bateman be appointed as Assistant Electrical Inspector for the City. Upon a vote motion carried.

There being no further business to come before the Council, upon a motion by Councilman Gewin, seconded by Councilman Hoke, the meeting was adjourned.



W. W. Alexander, Mayor



Grace Lewis, Recorder

March 21, 1961

The City Council met in regular session March 21, 1961. There were present: W. W. Alexander, Mayor, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, William G. Spaulding and R. M. Woods members of the City Council. In the absence of the Recorder, Mr. Brown, City Attorney, recorded the minutes of the meeting.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Clark the minutes for meeting of February 21, 1961 be approved as read. Motion carried.

Councilman Gewin moved, seconded by Councilman Dye, the financial statement for the month of February be accepted. Motion carried.

Mayor Alexander informed council that the New Highway would destroy much of sewer line in the lower end of town and that they have been requested to replace the 18" line with 21" new line, and also, requested that line be relocated 200 feet closer to the pressure line.

Councilman Woods informed council that he had received many complaints about the condition of Main Avenue and the sewer line which has sunk in. Whereupon, Mayor Alexander informed council that the contractor has agreed to fix up the sewer lines.

Councilman Clark said that she has received many complaints about 21st Street which has many bad holes. Whereupon, the Mayor said he preferred to wait until we had temperatures ranging in the 70's before patching the holes.

The Mayor informed council that the Insurance Company was taking care of the claim of John Sheets.

Councilman Sapulding moved, seconded by Councilman Gewin that parking on Second Avenue from 30th Street to 40th Street be permitted on the East side only of Second Avenue. Motion carried.

The Mayor informed Council and read a letter from Mr. Earliwine explaining his hardship due to his family and loss of his house trailer by fire and requesting that he be permitted to move a new house trailer upon the land and same place as the one which was destroyed by fire. Whereupon, Councilman Hoke as for the reading of the Ordinance which was read by Mayor Alexander, whereupon, members of the council expressed their regrets of Mr. Earliwine's unfortunate situation, however, council was of the opinion that they should not repeal the Ordinance prohibiting the parking of house trailers within the City of Nitro.

Councilman Dye asked that a check be made about house trailer located in east end of town, whereupon, the Mayor informed him that the house trailer in question was there before annexation and passage of the Ordinance.

Mayor Alexander submitted to Council the name of Norman Phelps as assistant Plumbing Inspector. Whereupon, Councilman Gewin moved, seconded by Councilman Woods that Norman Phelps be appointed Assistant Plumbing Inspector. Motion carried.

Mayor informed council that two men from one of the plants wants to purchase the sweeper which is causing trouble and belongs to the City and have offered \$1,000.00 for the sweeper. Also that Rish Equipment Company said it would not pay to have sweeper overhauled. Council requested that the Mayor secure prices on new sweeper

and also the amount of trade-in for old sweeper.

Council requested the Mayor to investigate the "State Crash Program" as to getting aid in cleaning streets and beautification of the City.

The Mayor informed council that he had received several complaints about the Church sign located at 20th Street and 1st Avenue. Whereupon, Councilmen Woods, Hoke and Spaulding said it would be alright with the Church to raise the sign so as not to obstruct the view of automobile driving.

The Mayor and council considered the street paving of the following streets:


Bailes Drive	all agreed to pave.
Smith Street	all agreed to leave in project but requested City Attorney to get letter from T. G. & T. as to release of street and payment of paving assessment. (Mr. Brown read letter regarding same.)
Cedar Street	agreed
Dogwood Street	agreed
Fir Street	agreed
Gum Street	agreed
Ivy Street - to Kanawha Ave.	agreed
Locust Street	agreed
Wilson Street	agreed - Mr. Brown is to check as to grade and paving cost at Railroad Crossing
4th Street	agreed
Third Avenue	21st Street to 3rd Street agreed

18th Street Hill, Pennwood Avenue and 15th Street Hill agreed
Nitro Heights Hill- to City limits agreed
Kapoc Street - Main Avenue to Rt. 25 agreed
Walker Street - Main Avenue to Rt. 25 agreed
Alley - 20th Street to 19th Street agreed
Alley 20th Street to 21st Street agreed
Alley between City Bldg. & Witry Bldg. agreed
16th Street 1st Avenue to 2nd Avenue agreed
24th Street agreed
19th Street 1st Ave. to 2nd Avenue agreed
Hickory Street (check as to curb)
Dupont Avenue (700 Block) agreed
Park Avenue widen agreed
Alley 21st Street to 22nd Street agreed
Hillside Drive (Engineer to check as to drainage, etc.)
Boundary Street (Engineer check as to width, etc.)
Layne Avenue (Mayor will check as to N. Y. C. paying their part.)

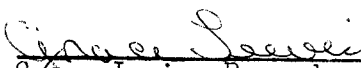
Councilman Spaulding moved, seconded by Councilman Hoke that the Mayor direct the City Engineer to proceed with preparing estimates on the streets. Motion carried.

The Mayor informed council that he had made formal request for permanent improvement of 40th Street Road with the Road Commission.

Councilman Spaulding moved, seconded by Councilman Dye that meeting be adjourned. Motion carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

April 18, 1961

The City Council met in regular session April 18, 1961. There were present : W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves and Robert M. Woods members of the Council.

Councilman Gewin moved, seconded by Councilman Woods, minutes for meeting held March 21st be approved. Motion carried.

Councilman Woods moved, seconded by Councilman Clark, the financial statement for the month of March be accepted. Motion carried.

Councilman Hoke reported that the Kanawha County Health Department would have a representative down to check the water drainage problem on Walker Street.

Letter was read to Council from the Nitro Unified Schools Committee, expressing their appreciation of the assistance of the City government on the Putnam County School Levy parade.

Letter was read from members of the Fire Department, requesting that Firemen be put on a pension plan. Thereupon the Mayor explained to the Council that the last legislature had passed a law regarding pension plan for all city employees and officials. Thereupon Mayor Alexander appointed a committee to make a study of the pension plan, the committee being Councilmen Gewin, Chairman, Woods and Reeves.

The Mayor informed council that he had inspected the Fire Station recently and that he felt that the building needed blinds at all windows, and that he had obtained a quotation from Nitro Shade and Awning Company of \$168.00. Councilman Hoke informed council that he had purchased blinds from a firm in Dunbar at a very reasonable price and asked that the Mayor check with the Dunbar firm.

Thereupon, Councilman Clark moved, seconded by Councilman Woods, to secure a price on venetian blinds from the Dunbar firm and that the Mayor be authorized to purchase the blinds from the lowest of the two firms. The Motion carried.

A letter from Geo. Saul, President of the Park Board, was presented to the council, requesting that the city council authorize the installation of two street lights at the park.

The Mayor and Council discussed this request, all agreeing that the lights were needed, however, the Mayor informed council that the poles in the park area carried high tension lines and that he felt that the Appalachian Power Company and Street Lighting Committee should check this matter.

Thereupon, Councilman Hoke moved, seconded by Councilman Clark, that council go along with recommendation of the Street lighting committee with regard to installation of lights at the Park. Motion carried.

Mayor Alexander asked the council to approve the expenses of Councilman Reeves for a trip to Washington, D. C. to attend a public meeting for West Virginia officials in regard to Federal loans and grants that may become available for municipal improvements.

Thereupon, Councilman Dye moved, seconded by Councilman Woods, that council approve expenses for Councilman Reeves for a trip to Washington, D. C. Motion carried.

Thereupon, the following resolution was introduced to Council.

NOTICE OF SPECIAL ELECTION
FOR
ADDITIONAL MUNICIPAL LEVY

TO THE VOTERS OF NITRO, WEST VIRGINIA
TAKE NOTICE

That at a regular meeting of the Council of the City of Nitro, State of West Virginia, held on the 18th day of April, 1961, the following order was made and entered of record. TO-WIT:

The Council of the City of Nitro being of the opinion that the maximum levies for current expenses authorized by Article 8, Chapter 11 of the Code of West Virginia, as last amended, will not provide sufficient funds for the payment of the current expenses of the City of Nitro, including expenditures for the purposes hereinafter set forth, and that an election should be held to increase such levies, it is hereby ordered:

1. That the purpose for which additional funds are needed is as follows:

Street Maintenance and Repairs.

Parks and Recreation.

Additional Firemen's Wages.

Additional Street Lighting in Business Area.

Additional Policemen's Wages.

2. That the amount for each purpose is as follows:

Street Maintenance and Repairs, \$4,000 for each fiscal year for a period of three years.

Parks and Recreation \$4,500 for each fiscal year for a period of three years.

Additional Firemen's Wages, \$3,500 for each fiscal year for a period of three years.

Additional Street Lighting in Business Area \$500 for each fiscal

year for a period of three years.

Additional Policemen's Wages, \$4,500 for each fiscal year for a period of three years.

3. That the total amount for said purpose or purposes is \$17,000 for each fiscal year for a period of three years.

4. That the separate and aggregate assessed valuation of each class of taxable property within the municipality of Nitro, is as follows:

Class I, \$942,220; Class II, \$4,099,770; Class IV, \$4,570,350; Aggregate, \$9,612,340.

5. That the proposed additional rate of levy in cents on each class of property is as follows: Class I, 6.25¢; Class II, 12.5¢; Class IV, 25¢.

6. That the proposed years to which the additional levy shall apply are the fiscal years beginning July 1, 1961, July 1, 1962, and July 1, 1963.

7. That the question of such additional levy shall be submitted to a vote at a special election, to be held on the 29th day of May, 1961.

8. That notice calling such election shall be given by publication of this order at least once each week for two successive weeks before said election in the Kanawha Valley Leader, a newspaper of general circulation in said municipality and the only newspaper published therein and of general circulation in Kanawha and Putnam Counties, West Virginia in which the City of Nitro is situate. Printed copies of this order shall also be posted at each place of voting at least ten days before said election. All the provisions of the laws concerning general election shall apply as far as practicable, except that a separate ballot shall be used at such election when held in connection with any other election.

9. That the ballot to be used at such election shall be in form as follows:

"Special election to authorize additional levies for the years 1961-62, 1962-63, 1963-64, and for the purpose of Street Maintenance and Repairs, Parks and Recreation, Additional Firemen's Wages, Additional Street Lighting in Business Area, and Additional Policemen's Wages, according to the order of the Council entered on the 18th day of April, 1961."

Additional levy shall be on Class I property, 6.25 cents; on Class II property, 12.5 cents; Class IV property, 25 cents.

() For the Levies

() Against the Levies

Instructions: Those favoring the additional levies, place (X) in the square before "For the Levies"; those against such levies, place (X) in the square before "Against the Levies."

Council of the City of Nitro

By W. W. Alexander, Mayor

Attest:

Grace Lewis,
Recorder

Councilman Clark moved, seconded by Councilman Hoke, the adoption of the foregoing resolution calling a Special Levy Election May 29, 1961. Upon a vote motion carried.

Thereupon, the following names were submitted to the Council:

Precinct 306

Juanita Hastings
Audria Steele
Bertha A. Smith
Rosalie Drennan
Gertrude Deem
Nancy E. Matheny
Jack E. Wallace
Marjorie Loring
Mrs. D. C. Irwin
Mrs. H. B. Russell

Kanawha County
Receiving Commissioner
Receiving Commissioner
Receiving Commissioner
Receiving Clerk
Receiving Clerk
Counting Commissioner
Counting Commissioner
Counting Commissioner
Counting Clerk
Counting Clerk

Precinct 305

Ruth Mace
Edith Dillman
H. D. Wilson
Norma Harrison
Lucille Callihan
Mary B. Moore
Audrey Fields
Genieva Luikart
Phyllis Beller
Mrs. Charles Agee

Kanawha County
Receiving Commissioner
Receiving Commissioner
Receiving Commissioner
Receiving Clerk
Receiving Clerk
Counting Commissioner
Counting Commissioner
Counting Commissioner
Counting Clerk
Counting Clerk

Precinct 282

Mildred H. Conaway
 Ruby F. Craig
 Sadie Wright
 Eunice Higginbotham
 Ethel Smith
 Golda N. Roark
 Winifred P. Chapman
 Georgia Brothers
 Marietta Wears
 A. L. Jordan

Kanawha County

Receiving Commissioner
 Receiving Commissioner
 Receiving Commissioner
 Receiving Clerk
 Receiving Clerk
 Counting Commissioner
 Counting Commissioner
 Counting Commissioner
 Counting Clerk
 Counting Clerk

Precinct 260

Goldie Harris
 Myrtle Atkins
 Naomi Willard
 Mable Sigman
 Mrs. Charles Wilson
 Vida Bailey
 Garnett P. Dougherty
 Helen Baxter
 Ernesteen Evans
 Mary F. Moore

Kanawha County

Receiving Commissioner
 Receiving Commissioner
 Receiving Commissioner
 Receiving Clerk
 Receiving Clerk
 Counting Commissioner
 Counting Commissioner
 Counting Commissioner
 Counting Clerk
 Counting Clerk

Precinct 261

Velma O. Kinder
Marie Betz
Mrs. John Perry
F. B. Kenworthy
Shirley Collins
Reba Mathes
Ona Arbuckle
Viola Ragle
Isabelle H. Hudnall
Ruby Gillispie

Kanawha County

Receiving Commissioner
Receiving Commissioner
Receiving Commissioner
Receiving Clerk
Receiving Clerk
Counting Commissioner
Counting Commissioner
Counting Commissioner
Counting Clerk
Counting Clerk

Precinct 283

Edith Kautz
Grace L. Peck
Christine M. Hall
Kathryn E. Ingram
Myrtle Lawless
Dessie B. Hawkins
Helen Colcord
Virginia T. Hunter
Beulah M. Howard
Bobby Lee Higginbotham

Kanawha County

Receiving Commissioner
Receiving Commissioner
Receiving Commissioner
Receiving Commissioner
Receiving Clerk
Counting Commissioner
Counting Commissioner
Counting Commissioner
Counting Clerk
Counting Clerk

Precinct 22

Putnam County

Marie Hedrick	Receiving Commissioner
Hazel Townsend	Receiving Commissioner
Nelda Cottrill	Receiving Commissioner
Mrs. W. B. Hinkle	Receiving Clerk
Mary Michael	Receiving Clerk
Mary Eugenia Dorsey	Counting Commissioner
Audra Cogar	Counting Commissioner
Stella O'Gorman	Counting Commissioner
Marie Smith	Counting Clerk
Belva Peaker	Counting Clerk

Thereupon, Councilman Woods moved, seconded by Councilman Dye, the foregoing persons be named as election officials to conduct a Special Levy Election May 29th. Upon a vote motion carried.

Councilman Gewin moved, seconded by Councilman Clark, that rate of pay for election officials be same as paid in former City elections. Motion carried.

Councilman Dye, moved that the Recorder be authorized to proceed with necessary plans to conduct the Levy Election May 29th. Motion seconded by Councilman Reeves. Motion carried.

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


 W. W. Alexander, Mayor


 Grace Lewis, Recorder

May 16, 1961

The City Council met in regular session Tuesday, May 16, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, William G. Spaulding and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Woods, to dispense with reading of minutes of April 18, 1961. Motion carried.

Councilman Hoke moved, seconded by Councilman Spaulding, the financial statement for the month of April be accepted. Motion carried.

Mayor Alexander called upon the spokesman for a group of property owners present at the meeting and thereupon Mr. C. E. Foster presented to the Council a petition signed by the property owners of 24th Street, said petition protesting the proposed resurfacing of 24th Street and said petition setting out the reasons of the protest. Mayor Alexander advised the group that their petition would be filed and then considered at the protest meeting on the paving, also advising that the traffic problem in said area was being studied by the Traffic Committee of the City Council.

Councilman Dye informed council that St. Albans, Dunbar and South Charleston had increased the Dog Warden's salary Five Dollars per month. Thereupon, Councilman Dye moved, seconded by Councilman Woods, the salary of the Dog Warden be increased \$5.00 per month retroactive to May 1st. Upon a vote motion carried.

Councilman Dye reported that he had met with Mr. Hedrick of the Appalachian Power Company with regard to installing additional lights at the park and that the recommendation of Mr. Hedrick and the Street Lighting Committee was four 2500 lumen lights be installed on the AEP poles located at the park.

The Recorder read the refusals of election officials and submitted replacements as follows:

Precinct Number 306 - Kanawha County

Counting Commissioner - Jack E. Wallace, Mrs. R. L. Critchfield as replacement.

Counting Clerk - Mrs. D. C. Irwin, Mrs. James Williams as replacement.

Precinct Number 305 - Kanawha County

Receiving Commissioner - Ruth Mace, Lucille Callihan as replacement.

Receiving Clerk - Lucille Callihan, K. K. Casto as replacement.

Precinct Number 282 - Kanawha County

Receiving Clerk - Ethel Smith, Mrs. Curtis Brewer as replacement.

Counting Clerk - Marietta Wears, Bessie Boggess as replacement.

Precinct Number 260 - Kanawha County

Receiving Commissioner - Charles Hartley, Goldie Harris as replacement.

Counting Commissioner - Helen Baxter, Mrs. J. W. Deeter as replacement.

Precinct Number 283 - Kanawha County

Counting Clerk - Beulah Howard, Glad Welton as replacement.

Counting Clerk - Bobby Lee Higginbotham, Lena Mae Cook as replacement.

Precinct Number 22 - Putnam County

Receiving Clerk - Mrs. W. B. Hinkle, Mrs. Harold Escue as replacement.

Thereupon Councilman Clark moved, seconded by Councilman Gewin,

the foregoing persons be named as replacements on the Election Boards for the Special Levy Election being held May 29th. Upon a vote motion carried.

Letter from the Post Office Department, was presented, requesting that lots on Hillside avenue be numbered and that the area off of Benamatti Avenue be named and numbered. The request was given to the Street Numbering Committee for study.

The Mayor informed council that in a meeting of the Sanitary Board plans had been discussed of the sewer extensions to be installed in the 39th Street, East, Pinegrove, 18th Street Hill and East side of Railroad track, south of Kapok Street areas, that the estimates of such extensions would amount to \$98,000.00, also that the Sanitary Board requested authorization from the City Council to seel bonds in said amount. The Mayor and Council discussed this matter pointing out that this would not mean an increase in the sewer rates, the possibility of securing a federal grant and deliquent accounts.

Thereupon Councilman Dye moved, seconded by Councilman Clark, that the Sanitary Board be granted authorization to sell bonds in amount of \$75,000.00, money to be used for installation of sewer extensions in the 39th Street, East, Pinegrove, 18th Street and East side of Railroad Tracks South of Kapok Street, Areas. Upon a vote motion carried unanimously.

Thereupon the following resolution and agreement was presented to the Council.

(Resolution and agreement attached to minuted:

R E S O L U T I O N

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NITRO IN KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AS FOLLOWS:

1. THAT THE CITY OF NITRO ENTER INTO AGREEMENT WITH THE STATE ROAD COMMISSION OF WEST VIRGINIA BEARING DATE OF MAY 16, 1961, HEREINAFTER SET FORTH:

2. THAT THE MAYOR OF THE CITY OF NITRO BE AND IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF NITRO AND THE RECORDER TO ATTEST THE SAME AND AFFIX THE CORPORATE SEAL OF SAID CITY.

ON A MOTION BY _____ AND A SECOND BY _____, THE CITY COUNCIL OF NITRO, WEST VIRGINIA APPROVED AND ^H SUTHORIZES THE ADOPTION OF THE ABOVE RESOLUTION.

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM
MUNICIPALITY OF NITRO,

I, _____, RECORDING OFFICER OF SAID MUNICIPALITY, DO HEREBY CERTIFY THAT THE FOREGOING ARE TRUE COPIES FROM THE RECORDS OF ORDER MADE AND ENTERED BY THE COUNCIL OF SAID MUNICIPALITY ON THE _____ DAY OF _____, 1961.

RECORDER

THIS AGREEMENT, MADE THIS 16TH DAY OF MAY, 1961, BY AND BETWEEN THE CITY OF NITRO, A MUNICIPAL CORPORATION, HEREINAFTER CALLED "CITY", PARTY OF THE FIRST PART, AND THE STATE ROAD COMMISSION OF WEST VIRGINIA, A CORPORATION, HEREINAFTER CALLED "COMMISSION", PARTY OF THE SECOND PART.

W I T N E S S E T H:

WHEREAS, COMMISSION PROPOSES TO CONSTRUCT A PORTION OF INTERSTATE ROUTE 64, PROJECT 1-64-1(25)43, TO CROSS AND AFFECT CERTAIN FACILITIES OF CITY AT LOCATIONS UNDER WHICH CONDITIONS COMMISSION IS OBLIGATED TO RELOCATE EXISTING FACILITIES TO CONFORM WITH THE NEW IMPROVEMENT, NOT INCLUDING ANY BETTERMENT OF FACILITIES AND GIVING PROPER ALLOWANCE FOR MATERIAL SALVAGED, AND

WHEREAS, CITY STATES THAT THE WORK HEREIN CONTEMPLATED AFFECTS ONLY A MINOR SEGMENT OF CITY'S SEWER SYSTEM, AND THE CONSTRUCTION COSTS OF THE WORK HEREIN CONSIDERED ARE TO BE FINANCED FROM FUNDS PROVIDED BY THE STATE AND EXPENDED UNDER FEDERAL REGULATIONS, AND

WHEREAS, UNDER SUCH CONDITIONS FEDERAL-AID FUNDS ARE ELIGIBLE TO PAY A SHARE OF SUCH COST.

NOW, THEREFORE, IN CONSIDERATION OF THE SUM OF ONE DOLLAR (\$1.00) CASH IN HAND PAID TO EACH OTHER, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, CITY AND COMMISSION HEREBY MUTUALLY COVENANT AND AGREE AS FOLLOWS:

1. CITY AGREES TO THE ALTERATION, RELOCATION, AND/OR REPLACEMENT OF PORTIONS OF CITY'S SEWER LINES ON THE LAND TO BE ACQUIRED BY COMMISSION FOR THE CONSTRUCTION AND MAINTENANCE OF INTERSTATE ROAD PROJECT 1-64-1(26)43, PUTNAM COUNTY, WEST VIRGINIA, BY COMMISSION, AS A PART OF THE CONTRACT FOR THE ROAD CONSTRUCTION.

2. CITY AGREES TO ACCEPT PLANS AND SPECIFICATIONS FOR THE ALTERATIONS AND REPLACEMENTS OF CITY'S FACILITIES INCLUDING TIMPORARY LOCATION, IF NECESSARY, TO CONFORM TO THE NEW HIGHWAY IMPROVEMENT AS OUTLINED AND DETAILED IN THE PLANS FOR THE CONSTRUCTION OF SAID PROJECT, SAID PLANS ARE TO BE READ, TREATED AND CONSIDERED A PART HEREOF, AND AS WELL PROVIDE A COMPREHENSIVE DETAILED STATEMENT OF THE WORK TO BE PERFORMED, WHICH IS LIKEWISE ATTACHED HERETO, AND MADE A PART HEREOF, AND MARKED SCHEDULE "A". PLANS SHOW CLEARLY THE EXISTING FACILITIES AS WELL AS RELOCATED FACILITIES.

3. COMMISSION AGREES AFTER ACCEPTANCE OF PLANS AND ESTIMATES BY CITY, TO PROCEED PROMPTLY TO HAVE ITS CONTRACTOR PERFORM THE WORK SET FORTH IN SAID PLANS FOR SAID PROJECT.

4. CITY AGREES TO COOPERATE WITH THE COMMISSION'S CONTRACTOR IN THE PERFORMANCE OF ITS WORK IN ACCORDANCE WITH SAID PLANS AND SPECIFICATIONS.

5. CITY AGREES THAT THE REMOVAL AND RELOCATION OF SAID FACILITIES SHALL NOT BE INTERFERED WITH BY ANY OF ITS AGENTS, EMPLOYEES, OR CONTRACTEES, EXCEPT IN THE PERFORMANCE OF DESIGNATED DUTIES INVOLVING INSPECTION AND ENGINEERING. CITY'S ENGINEERS AND OTHER DESIGNATED REPRESENTATIVES MAY SUPERVISE THE WORK THROUGH COMMISSION'S ENGINEER IN CHARGE.

6. CITY AGREES THAT THE METHOD OF DEVELOPING THE COST TO THE CITY ^{OF} WORK UNDER THIS AGREEMENT, SHALL BE WITH A WORK ORDER ACCOUNTING PROCEDURE AS PRESCRIBED BY THE STATE TAX COMMISSIONER OF WEST VIRGINIA.

7. COMMISSION AGREES TO ASSUME THE OBLIGATION OF THE ACTUAL COST OF THE RIGHTS-OF-WAY, CONSTRUCTION, REMOVAL, RELOCATION, AND ALTERATION OF SAID FACILITIES, SAID COST IS ESTIMATED TO BE AS FOLLOWS, TO-WIT:

SCHEDULE "A" ATTACHED HERETO AND TO BE READ, TREATED AND CONSIDERED AS A PART HEREOF AND SHOWING THAT PORTION OF THE WORK TO BE PERFORMED BY COMMISSION.

SCHEDULE "B" ATTACHED HERETO AND TO BE READ, TREATED AND CONSIDERED AS A PART HEREOF AND ENTITLED "CONSTRUCTION ENGINEERING, INSPECTION, ACCOUNTING, AND LEGAL EXPENSES INCURRED TO CITY."

IT IS FURTHER PROVIDED THAT THE WORK TO BE PERFORMED UNDER THIS AGREEMENT SHALL BE IN ACCORDANCE WITH AND IN PURSUANCE TO THE TERMS AND PROVISIONS OF PUBLIC ROADS POLICY AND PROCEDURE MEMORANDUM No. 30-4.

8. COMMISSION AGREES THAT UPON COMPLETION OF WORK, THE ENGINEERS REPRESENTING THE CITY SHALL APPROVE THE FUNCTION OF THE SEWER SYSTEM INSOFAR AS IT MAY HAVE BEEN AFFECTED BY WORK PERFORMED AS OUTLINED IN THIS AGREEMENT. UPON RECEIPT OF PROPER BILLING AFTER COMMENCEMENT OF THE WORK AS HEREIN PROVIDED, COMMISSION AGREES TO REIMBURSE CITY ON A MONTHLY BASIS FOR THE ACTUAL COST OF CITY'S ENGINEERS, INSPECTION, LEGAL AND ACCOUNTING SERVICES PERFORMED UNDER THIS AGREEMENT.

9. AFTER COMPLETION OF THE WORK AS OUTLINED IN SCHEDULE "A" CITY AGREES TO ACCEPT AND ASSUME THE MAINTENANCE AND REPAIR OF SAID SEWER LINES, AND COMMISSION AGREES TO ALLOW CITY'S AGENTS AND EMPLOYEES THE RIGHT OF INGRESS AND EGRESS UPON THE COMMISSION'S RIGHT OF WAY FOR THE PURPOSE OF SAID MAINTENANCE AND REPAIR, SUBJECT TO PROVISIONS OF POLICY AND PROCEDURE MEMORANDUM 40-2(6) OF THE BUREAU OF PUBLIC ROADS.

IN WITNESS WHEREOF THE CITY OF NITRO, A MUNICIPAL CORPORATION HAS CAUSED ITS CORPORATE NAME TO BE SIGNED HERE TO BY

_____, ITS MAYOR, AND ITS CORPORATE SEAL
TO BE AFFIXED HERETO BY _____, ITS RECORDER,
BOTH OFFICIALS THEREUNTO HAVING BEEN DULY AUTHORIZED UNDER AND
BY VIRTUE OF A RESOLUTION ADOPTED BY THE COUNCIL OF THE CITY OF
NITRO ON THE _____ DAY OF _____, 1961, AND IN WITNESS
WHEREOF THE STATE ROAD COMMISSION OF WEST VIRGINIA, A CORPORATION,

HAS CAUSED ITS CORPORATE NAME TO BE SIGNED BY _____,
ITS COMMISSIONER, AND ITS CORPORATE SEAL TO BE AFFIXED BY BOBBY
A. BOAZ, ITS SECRETARY, BOTH OFFICIALS BEING THEREUNTO DULY
AUTHORIZED.

THE CITY OF NITRO

By _____
MAYOR

ATTEST:

RECORDER

THE STATE ROAD COMMISSION OF
WEST VIRGINIA

By _____
COMMISSIONER

ATTEST:

SECRETARY

SCHEDULE "A"

WORK TO BE PERFORMED FOR THE CITY OF NITRO BY
THE STATE ROAD COMMISSION OF WEST VIRGINIA.

1. INSTALL TWO (2) MANHOLES 60 FEET AND 228 FEET RIGHT OF
BASE LINE STATION 39+10 OF ROUTE WEST VIRGINIA 25 AND
CONNECT WITH 168 LINEAR FEET OF 21" VITRIFIED CLAY PIPE
(EXTRA STRENGTH).
2. INSTALL 440 LINEAR FEET OF 21" VITRIFIED CLAY PIPE
(EXTRA STRENGTH) 60 FEET RIGHT OF BASE LINE STATION
39+10 TO 43+50.
3. INSTALL 120 LINEAR FEET OF 36" REINFORCED CONCRETE PIPE
(CLASS IV) 60 FEET RIGHT OF BASE LINE STATIONS 39+50
TO 40+50 UNDER RAMP "GH".
4. INSTALL ONE (1) MANHOLE 60 FEET RIGHT OF BASE LINE STATION
43+50.
5. INSTALL 500 LINEAR FEET OF 21" VITRIFIED CLAY PIPE
(EXTRA STRENGTH) 60 FEET RIGHT OF BASE LINE STATIONS
43+50 TO 48+50.
6. INSTALL ONE (1) MANHOLE 60 FEET RIGHT OF BASE LINE STATION
48+50.
7. INSTALL 550 LINEAR FEET OF 21" VITRIFIED CLAY PIPE (EXTRA
STRENGTH) 60 FEET RIGHT OF BASE LINE STATIONS 48+50 TO
54+00.
8. INSTALL ONE (1) MANHOLE 60 FEET RIGHT OF BASE LINE STATION
54+00.
9. INSTALL 480 LINEAR FEET OF 21" VITRIFIED CLAY PIPE (EXTRA
STRENGTH) 60 FEET RIGHT OF BASE LINE STATION 54+00 TO
58+80.
10. INSTALL 120 LINEAR FEET OF 36" REINFORCED CONCRETE PIPE
(CLASS IV) 60 FEET RIGHT OF BASE LINE STATIONS 57+50
TO 58+70 UNDER RAMP "EF".

11. INSTALL TWO (2) MANHOLES 60 FEET AND 175 FEET RIGHT OF
BASE LINE STATION 58+80 AND CONNECT WITH 115 LINEAR FEET
OF 21" VITRIFIED CLAY PIPE (EXTRA STRENGTH).
12. INSTALL MANHOLE 120 FEET RIGHT OF BLAKE CREEK CHANNEL
BASE LINE STATION 7+55 AND CONNECT WITH EXISTING MANHOLE
10 FEET RIGHT OF CHANNEL BASE LINE STATION 7+06 WITH
124 LINEAR FEET OF 10" CAST IRON PIPE.
13. INSTALL 333 LINEAR FEET OF 10" VITRIFIED CLAY PIPE (EXTRA
STRENGTH) 120 FEET RIGHT OF CHANNEL BASE LINE STATION
7+55 TO 10+88.
14. INSTALL ^{TWO} (2) MANHOLES 120 FEET RIGHT OF CHANNEL BASE
LINE STATIONS 10+88 AND 13+77 AND CONNECT WITH 289 LINEAR
FEET OF 10" VITRIFIED CLAY PIPE (EXTRA STRENGTH).
15. INSTALL 303 LINEAR FEET OF 10" VITRIFIED CLAY PIPE (EXTRA
STRENGTH) 120 FEET RIGHT OF CHANNEL BASE LINE STATION
13+77 TO 16+80.
16. INSTALL ONE (1) MANHOLE 120 FEET RIGHT OF CHANNEL BASE
LINE STATION 16+80.
17. CONSTRUCT BLAKE CREEK SEWER CROSSING AS SHOWN ON STATE
ROAD COMMISSION CONSTRUCTION PLANS AND DESIGNATED AS
SHEETS Nos. 50-A AND 50-B.

SCHEDULE "B"

CONSTRUCTION ENGINEERING, INSPECTION, ACCOUNTING AND LEGAL
EXPENSES INCURRED TO CITY.

CITY WILL PROVIDE FOR ITS CONSTRUCTION ENGINEERING AND INSPECTION
(AS PROVIDED IN PARAGRAPH 5 OF THIS AGREEMENT), ACCOUNTING AND
LEGAL SERVICES, AND WILL BE COMPENSATED THEREFOR BY COMMISSION
UPON RECEIPT OF PROPER BILLING, ESTIMATED AS FOLLOWS:

CONSTRUCTION	ENGINEERING AND INSPECTION	
	SALARIES AND WAGES	\$ 2,400
	ADDITIVES	240
		<hr/>
		\$ 2,640.00
ACCOUNTING		
	SALARIES AND WAGES	\$ 400
	ADDITIVES	37
		<hr/>
		\$ 437.00
GENERAL ADMINISTRATION & LEGAL EXPENSES		\$ 300.00
	TOTAL	\$ 3,377.00

SUMMARY OF
PRELIMINARY ESTIMATE OF UTILITY COSTS

ROUTE 64 NAME: INTERSTATE, PUTNAM COUNTY
AGREEMENT NO. 1, FEDERAL PROJECT NO. 1-64-1(25)43
ESTIMATE OF COSTS TO BE INCURRED IN RELOCATING FACILITIES OF _____
THE CITY OF NITRO
ADDRESS: NITRO, WEST VIRGINIA

A. PRELIMINARY ENGINEERING

1. LABOR

(A) SALARIES AND WAGES _____

(B) ADDITIVES _____

(C) PERSONAL EXPENSE _____

2. SUPPLIES _____

3. TRANSPORTATION _____

TOTAL _____

B. RIGHT OF WAY ACQUISITION

1. LABOR

(A) SALARIES AND WAGES _____

(B) ADDITIVES _____

(C) PERSONAL EXPENSE _____

2. SUPPLIES _____

3. TRANSPORTATION _____

4. LAND OR EASEMENTS _____

TOTAL _____

C. TEMPORARY CONSTRUCTION

1. LABOR

(A) SALARIES AND WAGES _____

(B) ADDITIVES _____

(C) PERSONAL EXPENSE _____

(D) CONTRACT _____

2. MATERIAL

(A) NEW MATERIAL _____

(B) HANDLING _____

(C) DEPRECIATION _____

3. EQUIPMENT

(A) COMPANY OWNED _____

(B) RENTED _____

. TOTAL _____

D. PERMANENT CONSTRUCTION

1. LABOR

(A) SALARIES AND WAGES _____

(B) ADDITIVES _____

(C) PERSONAL EXPENSE _____

(D) CONTRACT 59,883 59,883

2. MATERIAL

(A) NEW MATERIAL _____

(B) SALVAGE _____

(C) HANDLING _____

3. EQUIPMENT

(A) COMPANY OWNED _____

(B) RENTED _____

TOTAL

(1) 59,883

E. CONSTRUCTION ENGINEERING AND INSPECTION

1. LABOR

(A) SALARIES AND WAGES	<u>2,400</u>	
(B) ADDITIVES	<u>240</u>	
(C) PERSONAL EXPENSE	<u> </u>	<u>2,640</u>

2. SUPPLIES

3. TRANSPORTATION

4. GENERAL ENGINEERING & SUPERVISION

TOTAL

(2)

2,640

F. ACCOUNTING

1. LABOR

(A) SALARIES AND WAGES	<u>400</u>	
(B) ADDITIVES	<u>37</u>	
(C) PERSONAL EXPENSE	<u> </u>	<u>437</u>

2. SUPPLIES

3. TRANSPORTATION

TOTAL

(2)

437G. OVERHEADS NOT INCLUDED IN ADDITIVES
(SEE PARAGRAPHS 2(N) AND 10(B) IN P. P. M. 30-4)

1. GENERAL ADMINISTRATION & LEGAL EXPENSES	(2)	<u>300</u>
--	-----	------------

TOTAL ESTIMATED COST

\$ 63,260

(1) TO BE INCLUDED COSTS OF CONSTRUCTION PAID TO CONTRACTOR.

(2) TO BE PAID DIRECT TO CITY UPON RECEIPT OF PROPER BILLING.

Upon a motion by Councilman Woods, seconded by Councilman Hoke the Resolution and Agreement were adopted. Motion carried.

Councilman Woods presented "Emergency Communication Plan" prepared by the local Civilian Defense Agency, stating that the agency was planning an area test. The Mayor and members of the council discussed the "Emergency Communication Plan". Thereupon Councilman Woods, seconded by Councilman Reeves, moved that the City Council approve the said Plan as prepared by the Civilian Defense Council. Upon a vote motion carried.

Councilman Spaulding informed council that he had checked Second Avenue from 32nd Street to 41st Street and that parking in said area does not seem congested and suggested that the matter be tabled for the time being.

Councilman Woods informed council that the Putnam County School Officials had asked if the city had any plans for sidewalks on Second Avenue and out 40th Street Road toward 39th Street, East, the location for the new elementary school. Mayor Alexander said he would have the Engineer check this area and the Mayor also asked Councilman Woods to get a plot plan on the land owned by the Putnam County School Board.

The Mayor informed council that he had been requested by some of the property owners on Fredrick Avenue to include Fredrick Avenue in the paving program.


Thereupon Councilman Clark moved, seconded by Councilman Reeves, that the City Engineer be authorized to work up cost estimates on paving of Fredrick Avenue, from Kapok Street to Walker

Street. Motion carried.

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



W. W. Alexander, Mayor


Grace Lewis, Recorder

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, THAT UPON RECOMMENDATION OF THE PLANNING COMMISSION OF THE CITY OF NITRO THE ZONING ORDINANCE OF SAID CITY IS HEREBY AMENDED AS FOLLOWS:

"NO HOUSE TRAILERS SHALL BE PERMITTED TO BE PARKED WITHIN THE CITY LIMITS OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA."

ALL PRIOR ORDINANCES WHICH ARE INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE FROM DATE OF PASSAGE. FEBRUARY 7, 1961.

I, GRACE LEWIS, RECORDER OF THE CITY OF NITRO, WEST VIRGINIA, DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND ACCURATE COPY OF ORDINANCE ENACTED BY THE COUNCIL OF THE CITY OF NITRO ON FEBRUARY 7, 1961.

GIVEN UNDER MY HAND THIS 7TH DAY OF JULY, 1961.

GRACE LEWIS, RECORDER
CITY OF NITRO, WEST VIRGINIA

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, THAT UPON RECOMMENDATION OF THE PLANNING COMMISSION OF THE CITY OF NITRO THE ZONING ORDINANCE OF SAID CITY IS HEREBY AMENDED AS FOLLOWS:

"NO HOUSE TRAILERS SHALL BE PERMITTED TO BE PARKED WITHIN THE CITY LIMITS OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA."

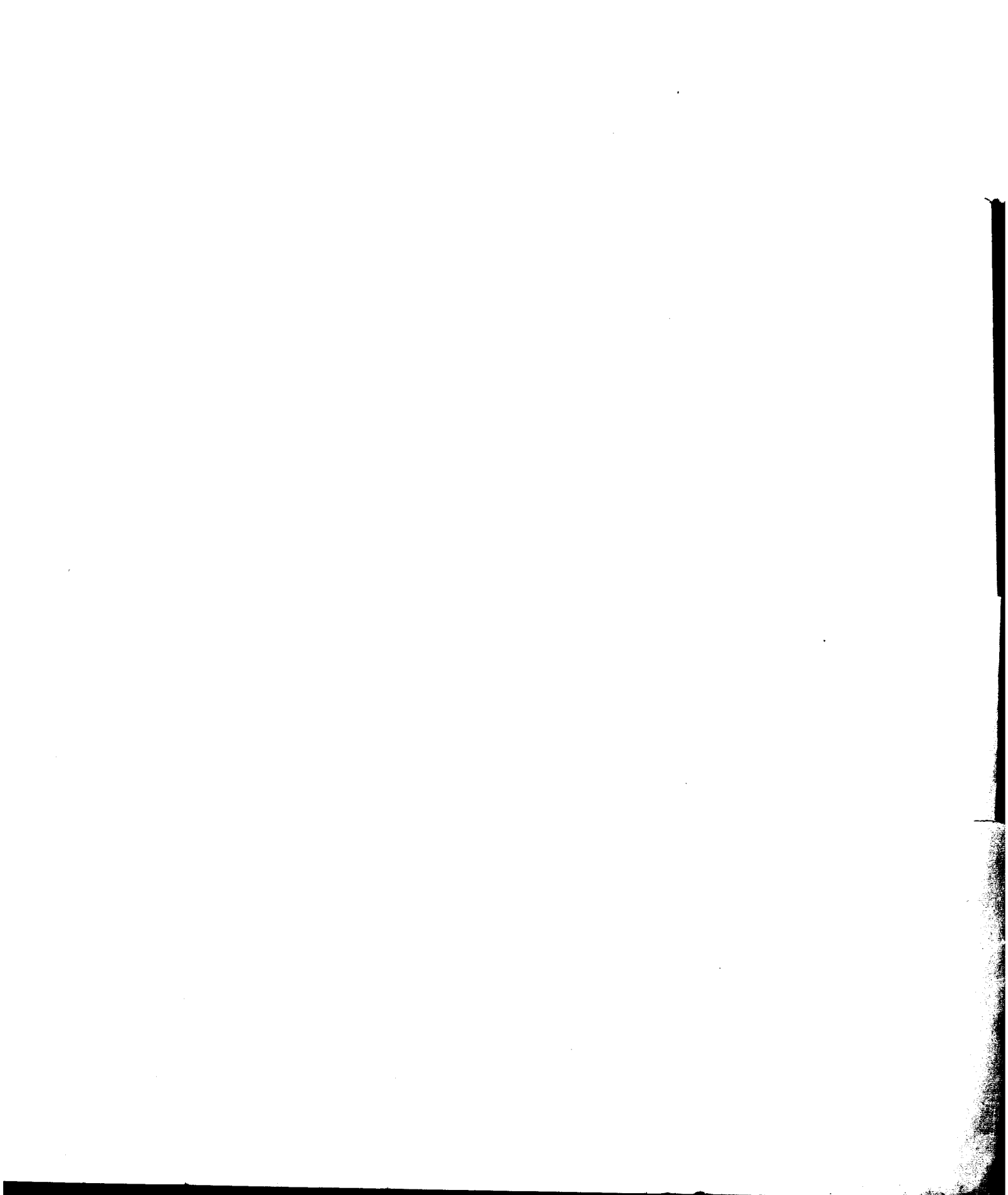
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GIVEN UNDER MY HAND THIS 7TH DAY OF JULY, 1961.

GRACE LEWIS, RECORDER
CITY OF NITRO, WEST VIRGINIA



ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO,
KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, THAT UPON
RECOMMENDATION OF THE PLANNING COMMISSION OF THE CITY OF
NITRO THE ZONING ORDINANCE OF SAID CITY IS HEREBY AMENDED
AS FOLLOWS:

"NO HOUSE TRAILERS SHALL BE PERMITTED TO BE PARKED
WITHIN THE CITY LIMITS OF THE CITY OF NITRO, KANAWHA
AND PUTNAM COUNTIES, WEST VIRGINIA."

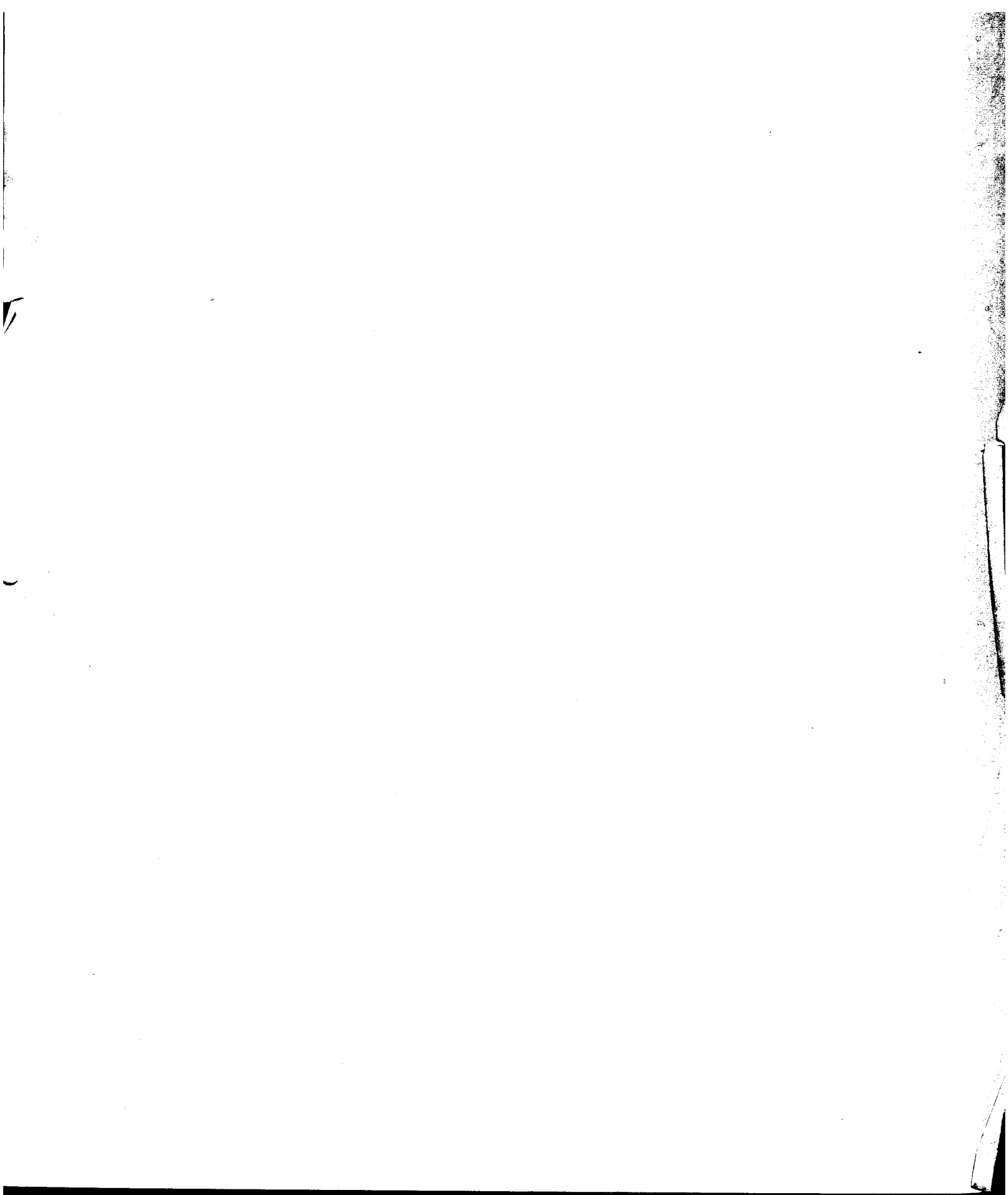
ALL PRIOR ORDINANCES WHICH ARE INCONSISTENT WITH THIS
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I, GRACE LEWIS, RECORDER OF THE CITY OF NITRO, WEST VIRGINIA,
DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND ACCURATE COPY OF
ORDINANCE ENACTED BY THE COUNCIL OF THE CITY OF NITRO ON
FEBRUARY 7, 1961.

GIVEN UNDER MY HAND THIS 7TH DAY OF JULY, 1961.

GRACE LEWIS, RECORDER
CITY OF NITRO, WEST VIRGINIA



May 26, 1961

The City Council met in a Special Meeting May 26th for the purpose of considering the appointment of election officials to serve in the polls at the Special Levy Election to be held May 29, 1961, as replacements of those persons who have notified the city that they cannot serve.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, B. E. Gewin, William G. Spaulding and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

The Recorder then presented to the council the names of the persons who were unable to serve on the various election boards and also presented names of replacements for council's consideration:

Precinct Number 306 - Kanawha County

Receiving Commissioner - Bertha A. Smith, Daisy Yeick as replacement.

Precinct Number 282 - Kanawha County

Receiving Commissioner - Mildred H. Conaway, Donald D. Smith as replacement.

Counting Commissioner - Georgia Brothers, Virginia Belcher as replacement.

Precinct Number 261 - Kanawha County

Counting Commissioner - Ona Arbuckle, Margie Smith as replacement.

Counting Clerk - Ruby Gillispie, Jessie Hager as replacement.

Precinct Number 283 - Kanawha County

Receiving Clerk - Myrtle Lawless, Beulah Howard, as replacement.

Precinct Number 22 - Putnam County

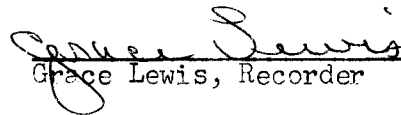
Receiving Commissioner - Nelda Cottrill, Mrs. Carl Bender as replacement.

Thereupon Councilman Spaulding moved, seconded by Councilman Woods the foregoing persons be named as replacements on the Election Boards for the Special Levy Election being held Monday, May 29th. Upon a vote motion carried.

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



W. W. Alexander, Mayor

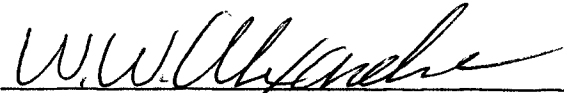


Grace Lewis, Recorder

W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER,
MRS. JUANITA CLARK, EARL W. DYE, B. E. GEWIN,
L. I. HOKE, M.D., THOMAS C. REEVES, WILLIAM
G. SPAULDING and R. M. WOODS, Members thereof.

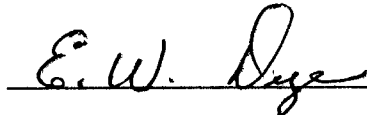
You, and each of you, will please take notice that a
Special Meeting of the Council of the City of Nitro,
Kanawha and Putnam Counties, West Virginia, is hereby call-
ed and will be held in the Council Chambers of the City
Hall of said City on the 6th day of June, 1961, at 8 o'clock
P.M., for the purpose of considering the following.

1. To canvass the results of the election held in
regard to the Levy which was voted on by the
citizens of Nitro on May 29, 1961, as required
by law.
2. To consider and act on the question of raising
the license fee for electricians, plumbers,
and the sale of beer within the City of Nitro.
3. To consider and act upon the purchase of
maintenance equipment for the City of Nitro.
4. To consider and act upon all matters necessary
in regard to the paving of streets, sidewalks,
and alleys within the City of Nitro.
5. To consider any other matters that may properly
come before the Council.
6. To consider and act upon new member of Sanitary Board.

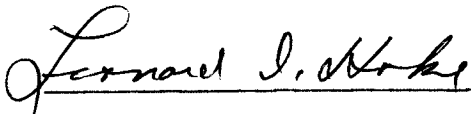


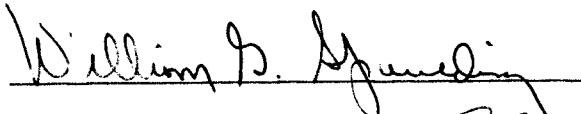
W. W. ALEXANDER, MAYOR

Service of the within notice is considered both timely
and sufficient.
















June 6, 1961

The City Council met in a Special Call Meeting June 6, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, William G. Spaulding and Robert M. Woods members of the City Council.

Mayor Alexander called the meeting to order and presented the call for the meeting, which call is attached to these minutes.

The first order of business was the Council, as a Board of Canvassers, to canvass the Special Levy Election held May 29, 1961.

Thereupon the Recorder laid before the Board the ballots, polls books, tally sheets and certificates of results for Precinct Number 306, Kanawha County, the Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number Ballots destroyed: None

Number Ballots remaining not voted 779 as ascertained from Tally Sheet.

Number Ballots voted 71.

The Recorder then read the certificate of Results as follows:

For the Levies - 62

Against the Levies - 9

The ballots for Precinct Number 306 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 305, Kanawha County, the Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number Ballots destroyed: None

Number Ballots remaining not voted 458 as ascertained from Tally Sheet.

Number Ballots voted 67.

The Recorder then read certificate of results as follows:

For the Levies - 56

Against the Levies - 11

The ballots for Precinct Number 305 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 282, Kanawha County, the Board proceeded to canvass said returns by Counting the ballots without unfolding same, and tabulated the following:

Number Ballots destroyed: None

Number Ballots remaining not voted 736 as ascertained from Tally Sheet.

Number Ballots voted 64.

The Recorder then read the certificate of results as follows:

For the Levies - 61

Against the Levies - 3

The ballots for Precinct Number 282 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 260, Kanawha County, the Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number Ballots destroyed: None

Number Ballots remaining not voted 463 as ascertained from Tally Sheet.

Number Ballots voted 62.

The Recorder then read the certificate of results as follows:

For the Levies - 52

Against the Levies - 10

The Ballots for Precinct Number 260 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 261, Kanawha County, the Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number Ballots destroyed: None

Number Ballots remaining not voted 479 as ascertained from Tally Sheet.

Number Ballots voted 71.

The Recorder then read the certificates of results as follows:

For the Levies - 68

Against the Levies - 3

The ballots for Precinct Number 261 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 283, Kanawha County, the Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number ballots destroyed: None

Number ballots remaining not voted 454 as ascertained from Tally Sheet.

Number Ballots voted 71.

The Recorder then read the certificates of results as follows:

For the Levies - 69

Against the Levies - 2

The ballots for Precinct Number 283 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 22, Putnam County, the Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number Ballots destroyed: None

Number ballots remaining not voted 764 as ascertained from Tally Sheet.

Number Ballots voted 86.

The Recorder then read the certificate of results as follows:

For the Levies - 77

Against the Levies - 9

The ballots for Precinct Number 22 were then again sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

The Recorder then read certificate of results of the canvassing board of the Special Levy Election held May 29, 1961, in the City of Nitro, West Virginia as follows:

For the Levies - 445

Against the Levies - 47

Councilman Dye moved, seconded by Councilman Clark, the Council , sitting as a Board of Canvassers, certify the above results. Upon a vote by the Council the motion carried.

Councilman Spaulding moved, seconded by Councilman Woods, that all election expenses be paid. Motion carried.

Motion by Councilman Hoke, seconded by Councilman Gewin, that Board of Canvassers be dissolved. Motion carried.

Thereupon the Council then proceeded to consider other business included in the call for said meeting.

Mayor Alexander explained to the Council that Nitro license fees for Electrician and Plumbers were lower than the neighboring towns and that some of our licensed plumbers and electricians had asked that Nitro fees be increased and that he personally felt that the fees should be in line with other towns in the valley and offered the following:

Master Plumber and Electrician - \$40.00 initial fee, renewal \$10.00.

Journeyman Plumbers and Electrician - \$10.00 initial fee, and renewal \$ 5.00.

The Mayor and members of the council discussed this matter to some length. Thereupon Councilman Woods, moved seconded by Councilman Dye that Master Plumber and Electrician initial license fee be set at \$40.00 and \$10.00 renewal fee, Journeyman Plumber and Electrician initial fee be \$10.00 with \$5.00 renewal fee, effective July 1, 1961. Upon a vote motion carried.

The Mayor and members of council discussed increasing Beer license. Thereupon Councilman Hoke moved, seconded by Councilman Gewin, that Beer license fee be increased to \$100.00, effective July 1, 1961. Upon a vote motion carried.

The Mayor presented to council literature and bid price on a Drott-4 in 1 bucket, Number H-30, manufactured by Drott Manufacturing Company. The Mayor explained to council that the city owned a bulldozer, which was five years old and the city had paid \$11,167.00 for same, that transportation of the dozer from the dump site to town was an additional expense, that there are several jobs that the city needs done that cannot be done by the dozer, that the Drott-4 in 1 bucket was more versatile than the dozer and that it could be transported under its own power, in that it is mounted on rubber tires, that the Rish Equipment Company bid on the Drott - 4 in 1 bucket was \$12,640.00 with trade in of \$7,050.00 on the dozer, terms of lease rental agreement at Five percent.

The Mayor presented bid from Rish Equipment Company on an Austin Western Street Sweeper Model 40 as \$8,941.00 with \$1,500.00 trade-in on the old sweeper. Also on the same lease rental agreement terms as the Drott 4 in 1 bucket. The Mayor and members of the Council discussed the equipment and its uses. Thereupon Councilman Spaulding moved, seconded by Councilman Woods, that the City enter into a lease rental agreement with Rish Equipment Company for a Drott 4 in 1 Bucket, Model H-30 and an Austin Western Model 40 Street Sweeper at the quoted price, that the City make a down payment of moneys available and balance to be set at 24 months at Five Percent. Upon a vote by council, motion carried.

Mayor Alexander presented to council the following bids on a Ford truck for the Street Department:

Harvey Shreeve - \$ 4,496.10

Bert Wolfe - 4,503.13

Holman Motor Sales, Inc. - 4,490.00

The truck being a F-600 with 174 wheel base, V-8 motor, five speed transmission and 2 speed axel with No. 7 hoist, steel bed with 31 inch sides and 37 inch bed and tail gate.

Gewin

Thereupon Councilman/Moved, seconded by Councilman Hoke, that the City purchase truck from Holman Motor Sales, Inc. at the quoted bid price of \$4,490.00. Upon a vote motion carried.

Mayor Alexander explained to Council that a committee of the Civilian Defense had requested the city to pay into their treasury \$4.00 for each fire in the city and that in return the Civilian Defense would assure the city that at least 2 men of their organization would be on duty at each fire to handle traffic and assist the firemen in any way possible, explaining that money would only be used to purchase equipment for the Civilian Defense organization. The Council raised the question of liability on the part of the city in case of injury and the Mayor explained that the Civilian Defense had their own insurance coverage.

Thereupon Councilman Clark moved, seconded by Councilman Reeves, the Civilian Defense be given a donation at the end of each quarter. Upon a vote motion carried.

Mayor Alexander explained to the council that Arnold Belcher was moving from town, thereby creating a vacancy on the Sanitary Board and that he wished to appoint Luke W. Michael as member of the Sanitary Board to serve the unexpired term of Arnold Belcher. Thereupon Councilman Clark moved, the Council approve the appointment of Luke W. Michael as member of the Sanitary Board. Motion seconded by Councilman Woods. Motion carried.

Council suggested that a police officer make a traffic survey of 23rd Street and 24th Street on Monday, Wednesday and Friday at the hours of 9:30 A. M., 1:30 P. M. and 4:30 P. M. for thirty minutes each and to list the number of cars and trucks using each street.

There being not further business to come before the council at this time a motion by Councilman Spaulding carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

June 20, 1961

The City Council met in regular session Tuesday, June 20, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M.D., Thomas C. Reeves and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Woods, to dispense with reading of minutes of meetings held May 16th, May 26th and June 6th. Upon vote motion carried.

Councilman Clark moved, seconded by Councilman Gewin, the financial statement for the month of May be accepted. Motion carried.

Managers and officials of the Little League and Babe Ruth teams present at the meeting registered complaints of operation and supervision of the City Park. The complaints being: officials and boys of teams cannot get into park to take care of the playing fields, nor do they have access to tools and equipment; more money should be spent on ball fields, pointing out the recent black topping of a basket ball court; park attendants using the park for a golf driving range and the danger of such activity to the children playing; dangerous barb wire fence, pointing out that women and children had torn clothing on same; children using the large mowing machine; the necessity of a water fountain near the ball fields; boys not allowed to park their bicycles near the playing fields; the lack of cooperation of the park attendants with regard to baseball, pointing out that park attendants did not seem interested in baseball for the boys of Nitro; out of town ball teams using the ballfields thereby depriving the local boys a place to play their games and also practice; the closing of the Park on Saturday afternoon and selling of soft drinks by little league members.

Councilman Woods informed the group that the Park Board had met on the 19th of June and that some of the foregoing complaints had been discussed and that a solution had been recommended, such as posting a schedule of attendants' hours on duty, area set aside for parking bikes, a gate constructed near the Water Company property for vehicles going into the park.

In a discussion by the Mayor and Council it was pointed out that the Council wanted the park used by all the children of Nitro, that the appropriation for the park had been increased to \$4,500.00, the City Council felt that the Park Board was doing a good job on the park and that a meeting should be arranged by the Park Board with the League officials in an effort to iron out the foregoing complaints.

Mayor Alexander presented to the Council a survey of 23rd and 24th Street traffic made by the Police Department, showing three to one more traffic on 23rd Street than 24th Street.

Thereupon, The Council proceeded to consider and discuss the requests, proposals and petitions of the abutting property owners for grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing and guttering, and otherwise improving the following named streets: Third Avenue from its intersection with 4th Street to its intersection with 21st Street: Frederick Avenue from its intersection with Kapok Street to its intersection with Walker Street: Fourth Street from its intersection with 1st Avenue to its intersection with 3rd Avenue; Bailes Drive from its intersection with 40th Street to its intersection with East 39th Street; Fir Street from its intersection with Main Avenue to its intersection with Washington Avenue; Layne Avenue from its intersection with Lock Street to its intersection with Appalachian

Street; Kapok Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Gum Street from its intersection with Dupont Avenue to its intersection with Main Avenue; Penwood Avenue from its intersection with 18th Street Hill to its intersection with Short Street, (formerly 15th Street Hill Road); Short, (formerly 15th Street Hill Road), from its intersection with Penwood Avenue to its intersection with 3rd Avenue; 18th Street Hill from its intersection with Penwood Avenue to its intersection with 3rd Avenue; 19th Street West from its intersection with 1st Avenue to end of Railroad Crossing right of way; Nitro Heights Road from end of present pavement to city limit line; Boundary Street from its intersection with Broadway Avenue to its intersection with Layne Avenue; Walker Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Wilson Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; All between 1st Avenue and 2nd Avenue, from its intersection with 19th Street to its intersection with 21st Street; Alley between 1st Avenue and 2nd Avenue, from its intersection with 22nd Street to its intersection with 21st Street; Twenty fourth Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Alley between 20th Street and 21st Street, from its intersection with 2nd Avenue to Dead End; 12th Street, West, turn-Around at end of Street; 19th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Park Avenue from its intersection with West 11th Street to its intersection with West 15th Street; Park Avenue (Sidewalk), from its intersection with West 11th Street to its intersection with 15th Street West; 16th Street from its intersection with 1st Avenue to its

intersection with 2nd Avenue; Hickory Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Smith Street from a point on Washington Street to a Point on Kanawha Avenue; Ivy Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Locust Street from its intersection with Main Avenue to its intersection with Benamati Avenue; Dogwood Street from its intersection with Main Avenue to its intersection with Kanawha Avenue, Cedar Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Hillside Drive from its intersection with Wilson Street to City limit line; Main Avenue, (curb and gutter), from its intersection with Kapok Street to its intersection with Blackwood Avenue.

Thereupon Councilman Clark moved that Council accept above named petitions and that it also accept the proposals of interested persons and of Council for the said improvements of said above named streets, and moved that the City proceed to grade, re-grade, drain, pave, re-pave, surface, re-surface, widen, curb, re-curb, and gutter, the above named streets and public ways and that said improvements be done under and pursuant to the procedure set forth and provided in Article 8, Chapter 8, of the Code of West Virginia, as amended by Chapter 89 Acts of the Legislature, Regular Session, 1949; and further moves that the Council do fix July 11, 1961, at 8:00 O'Clock P.M. in its Council Chambers in the City Hall of said City as the time and place of a public meeting of Council for the hearing of protests and objections or other remarks of property owners or other interested persons and for any adjournment; and further that the City Recorder be authorized and directed to publish the following notice once a week for three successive weeks in the Kanawha Valley Leader, the only newspaper published within the City of Nitro and having general circulation therein, said notice being as follows:

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: THIRD AVENUE FROM ITS INTERSECTION WITH 4TH STREET TO ITS INTERSECTION WITH 21ST STREET; FREDRICK AVENUE FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH WALKER STREET; FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; BAILES DRIVE FROM ITS INTERSECTION WITH 40TH STREET TO ITS INTERSECTION WITH EAST 39TH STREET; FIR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WASHINGTON AVENUE; LAYNE AVENUE FROM ITS INTERSECTION WITH LOCK STREET TO ITS INTERSECTION WITH APPALACHIAN STREET; KAPOK STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; GUM STREET FROM ITS INTERSECTION WITH DUPONT AVENUE TO ITS INTERSECTION WITH MAIN AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 18TH STREET HILL TO ITS INTERSECTION WITH SHORT STREET, (FORMERLY 15TH STREET HILL ROAD); SHORT STREET, (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3 RD AVENUE; 18TH STREET HILL FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 19TH STREET WEST FROM ITS INTERSECTION WITH 1ST AVENUE TO END OF RAILROAD CROSSING ROGHT OF WAY; NITRO HEIGHTS ROAD FROM END OF PRESENT PAVEMENT TO CITY LIMIT LINE; BOUNDARY STREET FROM ITS INTERSECTION WITH BROADWAY AVENUE TO ITS INTERSECTION WITH LAYNE AVENUE; WALKER STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; WILSON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25;

ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 19TH STREET TO ITS INTERSECTION WITH 21ST STREET; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 22ND STREET TO ITS INTERSECTION WITH 21ST STREET; TWENTY FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; ALLEY BETWEEN 20TH STREET AND 21ST STREET, FROM ITS INTERSECTION WITH 2ND AVENUE TO DEAD END; 12TH STREET WEST, TURN-AROUND AT END OF STREET; 19TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; PARK AVENUE FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH WEST 15TH STREET; PARK AVENUE, (SIDEWALK), FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH 15TH STREET WEST; 16TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; HICKORY STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; SMITH STREET FROM A POINT ON WASHINGTON STREET TO A POINT ON KANAWHA AVENUE; IVY STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; LOCUST STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH BENAMATI AVENUE; DOGWOOD STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; CEDAR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; HILLSIDE DRIVE FROM ITS INTERSECTION WITH WILSON STREET TO CITY LIMIT LINE; MAIN AVENUE, (CURB AND GUTTER), FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE.

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, constructing

sidewalks, and other wise permanently improving said streets or public ways and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways.

The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 11th day of July, 1961, at 8:00 o'clock P.M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of the City of Nitro on the 20th day of June, 1961.

CITY OF NITRO
BY: Grace Lewis
City Recorder

Said motion was duly seconded by Councilman Gewin, and upon a vote of the Council all members present voted in the affirmative. The Mayor declared the motion carried and was so ordered.

Councilman Hoke informed Council that he had been asked why property owners were assessed with paving of the intersections of streets since it was understood that the Parkway along 1st Avenue was owned by the Monsanto Chemical Company and pointed out that the abutting property (referred to as Parkway) was now being sold by the Monsanto Company to individuals. The attorney was instructed to check this matter.

The attorney presented a letter from Bibby & Good Law firm representing Mrs. Anna Thompson, concerning a \$600.00 settlement for Mrs. Thompson, who on December 12th 1960, had fallen on 22nd Street which was icy. The attorney advised Council to deny the settlement.

Thereupon, Councilman Dye moved, seconded by Councilman Hoke, that Council deny any liability in the case of Anna Mae Thompson, in that the Council feels that there was no negligence on the part of the City. Upon a vote, motion carried.

The Mayor and Attorney explained to the Council that in the last session of the Legislature a bill was enacted to cover all government employees with a retirement plan, the law providing that employees pay into the fund three and one-half percent of their wages and the City paying five percent of the total wages. The Mayor and Council discussed the retirement plan. Thereupon, Councilman Gewin moved, seconded by Councilman Woods, that City employees be canvassed as to their desire to become a part of the Public Employees Retirement Plan and that a special meeting be called to discuss the retirement plan further. Upon a vote, motion carried.

Mayor Alexander explained to the Council that the Sanitary Board planned to erect a garage at the plant site and that the Board was willing to rent a part of the garage to the City to house the garbage trucks and the Mayor asked Council to approve same.

Thereupon, Councilman Woods moved that the City enter into an agreement with the Nitro Sanitary Board to rent garage for \$35.00 per month. Councilman Clark seconded the motion. Upon a vote motion carried.

There being no further business to come before the Council at this time Councilman Hoke moved the meeting be recessed. Upon a vote motion carried.

W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

June 27, 1961

The City Council met in a recessed session June 27, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M.D., Thomas C. Reeves, William G. Spaulding and Robert M. Woods, members of the Council.

Mayor Alexander called the meeting to order and presented the call for the meeting, said call is to be made a part of the minutes.

Mayor Alexander presented petitions to the Council, said petitions signed by city employees with regard to Public Employees Retirement Plan. The said petitions signed by Seventeen (17) employees in favor of said Retirement Plan and Eight (8) employees against the Retirement Plan.

Mayor Alexander explained to the Council that of ~~the~~ eight employees signing against the retirement plan five signers were firemen and three were policemen. Explaining further that the majority of said departments sished a separate Retirement Plan.

C. M. McDaniel, Fire Chief, appeared before the Council to speak on behalf of the firemen, pointing out that the retirement plan they favored would pay the sum of one-half of their wages upon retirement and that the Public Employees Retirement Plan would not pay as much. That the Council could vote the favored retirement plan in action, however, that the plan was mandatory at a population 8,300.

In a discussion it was pointed out that the Social Security law states that Firemen and Ploice cannot be under a retirement plan and Social Security. However, the new Public Employees Retirement law provides that the retirement fund does not have any effect on payments into Social Security. That the Retirement Fund as favored by the Police and Firemen would be costly to operate in that a Board of Trustees would have to be

set up for both departments, that it would be necessary for the City to hold a special levy election for their part of contribution to the retirement fund in that this particular law provides that the City pay into the fund one-percent to three and one-half percent of the assessed valuation.

Thereupon, Councilman Dye moved, seconded by Councilman Gewin, the following resolution be adopted. Upon a vote motion carried.

R E S O L U T I O N

BE IT ORDAINED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA, THAT THE CITY OF NITRO BECOME A PARTICIPATING PUBLIC EMPLOYER UNDER THE PUBLIC EMPLOYEES RETIREMENT ACT AS ENACTED BY THE 1961 LEGISLATURE OF WEST VIRGINIA, AS OF THE 1ST DAY OF JULY, 1961.

Councilman Spaulding informed Council that he is leaving Nitro and it will be necessary that he resign as of July 31, 1961.

Councilman Woods informed Council that the Park Board members had met with officials of the Little League and Babe Ruth League and that solutions to the problems at the Park had been worked out.

There being no further business to come before the Council at this time a motion for recess until July 11th was made by Councilman Hoke. Motion carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

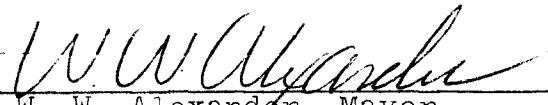
TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO:

W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER, MRS. JUANITA CLARK, EARL W. DYE, B. E. GEWIN, L. I. HOKE, M.D., THOMAS C. REEVES, WILLIAM G. SPAULDING AND R. M. WOODS, Members thereof.

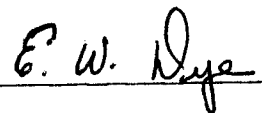
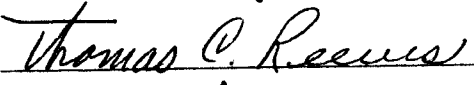
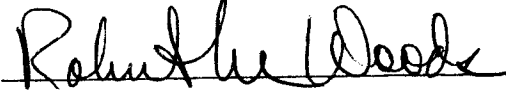

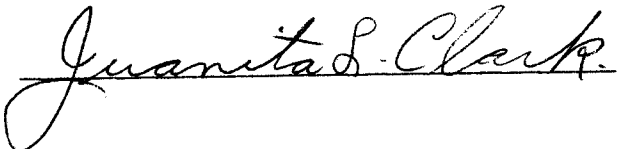
You, and each of you, will please take notice that a Special Meeting of the Council of The City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on the 27th day of June, 1961, at 8:00 o'clock, p.m., for the purposes following:

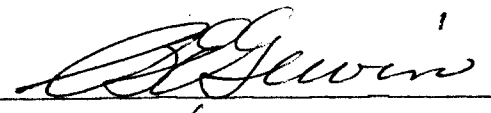
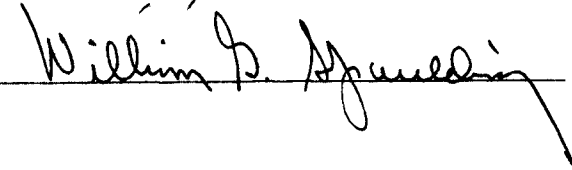
1. To consider and act upon the question of The City of Nitro becoming a member of the Public Employees Retirement Act.
2. To consider any and all other matters that may properly come before the Council.

Respectfully yours,


W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being both sufficient and timely:

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July 11, 1961

The Council of the City of Nitro met in a special session in the Council Chambers of the City Hall on the 11th day of July, 1961, pursuant to an order duly made on June 20, 1961, by said Council.

There were present : W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, and Robert M. Woods, members of the Council. Councilmen L. I. Hoke and W. G. Spaulding being absent.

Thereupon the Mayor announced that this was a duly called and advertised public meeting held for the purpose set forth in the legal notice for the hearing of objections and protests from property owners and other interested persons relative to the permanent improvements of the streets and portions of streets set out in the legal notice, copy of which was presented to the Council and which is hereinafter set out as a part of these minutes; and for which improvements the plans, specifications, profiles and estimates were on file and available for inspection by any interested persons.

Thereupon, the Recorder advised the Council that the notice to abutting property owners of the proposed permanent improvements had been duly published for three successive weeks in the Kanawha Valley Leader as directed by Council in an order made at a Regular Session on June 20, 1961.

Thereupon, Councilwoman Clark, made a motion that the Publishers Affidavit be made a part of minutes, said motion was seconded by Councilman Gewin, motion carried. Thereupon Councilman Dye, seconded by Councilman Reeves moved that the Notice, showing service on the New York Central Railroad be made a part of the minutes, motion carried.

Thereupon the City Attorney explained that assessment against N.I.C. for the parkway would not be proper since it appears that the public has a prescriptive right to the use of said parkway. Thereupon the Council proceeded to hear protest on the Paving Project which were as follows: See attached copy.

Thereupon the protest of New York Central Railroad was read wherein it protested any assessment being levied against it for Layne Avenue or Fredrick Avenue, said protest is attached hereto as part of the minutes.

Thereupon, all protest having been heard the Council recessed until July 17, 1961, at 8:00 o'clock P.M.



W. W. Alexander, Mayor



Grace Lewis, Recorder

NEW YORK CENTRAL SYSTEM

ROBERT H. C. KAY
LOCAL COUNSEL

CHARLESTON NATIONAL BANK BLDG.
CHARLESTON, W. VA.

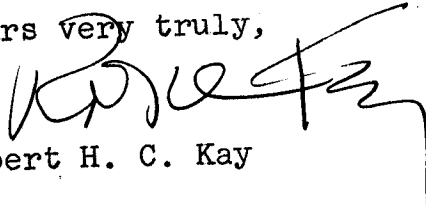
July 11, 1961

Mr. Winston Brown
Attorney for the City of Nitro
Nitro, West Virginia

Dear Sir:

I am enclosing and filing herewith a protest of The New York Central Railroad Company which you will please read at the protest meeting of the City Council tonight, pursuant to our agreement, when the Council considers protests to the proposed improvement to the streets of the City of Nitro.

Yours very truly,


Robert H. C. Kay

RHCK:kc

Enc.

NOTICE OF PROTEST

TO: THE CITY COUNCIL OF THE
CITY OF NITRO, KANAWHA COUNTY,
WEST VIRGINIA

The New York Central Railroad Company, owner of a certain right of way through the City of Nitro, over which it operates a certain railroad engaged in transporting property as a common carrier in interstate and intrastate commerce, protests and objects to the improving in a permanent manner, in accordance with certain plans, specifications, profiles and estimate prepared by the City of Nitro, of Frederick Avenue, Layne Avenue, Walker Street except where it crosses The New York Central Railroad Company tracks, Kapok Street except where it crosses The New York Central tracks, and West 19th Street except where it crosses The New York Central tracks, all within the City limits of the City of Nitro, Kanawha County, West Virginia, where the same abut on, are adjacent to and parallel with the right of way of The New York Central Railroad Company as aforesaid, which said avenues and streets are more particularly described in that certain notice served on the undersigned on the 11th day of July, 1961, a copy of which notice is attached hereto and made a part hereof, for the reasons and upon the grounds as follows:

1. That The New York Central Railroad Company will not or cannot possibly, in any way, be benefited by the paving of said streets and avenues.

2. That the right of way of The New York Central Railroad Company will not and cannot be specifically benefited by said proposed improvements as set out in said notice to any extent substantially

greater than that portion of the cost of such improvements to be assessed against such property, and, as a matter of fact, said property of this protestant will not be improved in any manner or the value thereof increased in any sum, and that the value of the right of way of this protestant's property will not be any greater immediately after the completion of said proposed improvements than it is now and immediately before the commencement of said proposed improvements.

3. That the proposed improvement of such streets and avenues and the assessment of the cost thereof to The New York Central Railroad Company amounts to the taking of private property without adequate or just compensation, and constitutes a confiscation thereof, which is prohibited by the Constitution of the State of West Virginia and the Constitution of the United States of America.

4. That the improving of said streets and avenues, and the assessment of the costs thereof to and against The New York Central Railroad Company without a showing of some special benefit to it constitutes an unreasonable and arbitrary exercise of the charter powers of the City of Nitro, and should a resolution be passed levying said assessment against this protestant, so far as it affects the property of this protestant, it would be void and of no effect, insofar as it would attempt to assess the property of The New York Central Railroad Company which abuts upon the streets and avenues proposed to be improved by said proposed resolution.

5. It is not conceivable that the right of way of The New York Central Railroad Company as it passes through the City of Nitro will be used for any purpose other than that of a railroad for a long period of time and longer than the life of said proposed improvements.

6. That if said streets and avenues are improved at the time and in the manner proposed, as a matter of common knowledge, they will have to be resurfaced or repaved within a short period of time, probably within ten or twenty years, and The New York Central Railroad Company will be required to pay the cost thereof without, in any way, being benefited thereby.

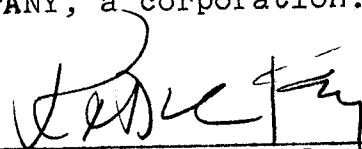
7. That said assessment of such costs to The New York Central Railroad Company constitutes an undue burden upon interstate commerce.

The undersigned, therefore, respectfully requests that the proposed ordinance before this Council be modified, and that there be deleted therefrom any and all reference to the streets and avenues upon which the property of The New York Central Railroad Company abuts, or in the alternative, that said ordinance be modified to the extent that the property of The New York Central Railroad Company shall not be liable for any part of the cost of improving said streets and avenues.

Respectfully submitted this 11th day of July, 1961.

THE NEW YORK CENTRAL RAILROAD
COMPANY, a corporation.

By


Robert H. C. Kay
Its Attorney

LEGAL NOTICE

TO: THE NEW YORK CENTRAL RAILROAD, A CORPORATION.

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: THIRD AVENUE FROM ITS INTERSECTION WITH 4TH STREET TO ITS INTERSECTION WITH 21ST STREET; FREDRICK AVENUE FROM ITS INTERSECTION WITH DUPONT STREET TO ITS INTERSECTION WITH WALKER STREET; FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; BAILLES DRIVE FROM ITS INTERSECTION WITH 40TH STREET TO ITS INTERSECTION WITH EAST 39TH STREET; FIFTH STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WASHINGTON AVENUE; LAYNE AVENUE FROM ITS INTERSECTION WITH LOCK STREET TO ITS INTERSECTION WITH APPALACHIAN STREET; KANON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; ONE STREET FROM ITS INTERSECTION WITH DUPONT AVENUE TO ITS INTERSECTION WITH MAIN AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 15TH STREET HILL TO ITS INTERSECTION WITH SHORT STREET, (FORMERLY 15TH STREET HILL ROAD); SHORT STREET, (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 15TH STREET HILL FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 15TH STREET WEST FROM ITS INTERSECTION WITH 1ST AVENUE TO END OF RAILROAD CROSSING EIGHT ON WAY; NITRO HEIGHTS ROAD FROM END OF PRESENT PAVEMENT TO CITY LIMIT LINE; BOUNDARY STREET FROM ITS INTERSECTION WITH BROADWAY AVENUE TO ITS INTERSECTION WITH LAYNE AVENUE; WALKER STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; WILSON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 19TH STREET TO ITS INTERSECTION WITH 21ST STREET; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 22ND STREET TO ITS INTERSECTION WITH 21ST STREET; TWENTY FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; ALLEY BETWEEN

20TH STREET AND CIDER STREET, FROM ITS INTERSECTION WITH 2ND AVENUE TO DEAD END; 19TH STREET WEST, TURN-AROUND AT END OF STREET; 19TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; PARK AVENUE FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH WEST 15TH STREET; PARK AVENUE, (SIDEWALK), FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH 15TH STREET WEST; 16TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; BIRCH STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; SMITH STREET FROM A POINT ON WASHINGTON STREET TO A POINT ON KANAWHA AVENUE; IVY STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; LOCUST STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH BRANFAX AVENUE; DOCK STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; CEDAR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; HILLSIDE DRIVE FROM ITS INTERSECTION WITH WILSON STREET TO CITY LIMIT LINE; MAIN AVENUE, (CURB AND GUTTER), FROM ITS INTERSECTION WITH RAPER STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE.

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, sidewalking, curbing, re-curbing, guttering, constructing sidewalks, and other wise permanently improving said streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways.

The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 11th day of July, 1961, at 8:00 o'clock P.M. at the City Building in said City of Nitro. Any

admitting camera or
pretest or be heard parties will be given opportunity to
Done by action eting or any adjournment thereof.

of June, 1961.

11 of the City Nitro on the 20th day

W. W. Alexander, Mayor

CITY OF NITRO
BY: W. W. ALEXANDER, MAYOR.

Bk 7, after pg 324

NEW YORK CENTRAL SYSTEM

ROBERT H. C. KAY
LOCAL COUNSEL

CHARLESTON NATIONAL BANK BLDG.
CHARLESTON, W. VA.

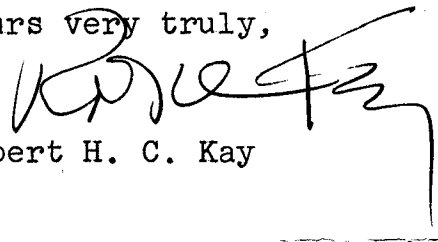
July 11, 1961

Mr. Winston Brown
Attorney for the City of Nitro
Nitro, West Virginia

Dear Sir:

I am enclosing and filing herewith a protest of The New York Central Railroad Company which you will please read at the protest meeting of the City Council tonight, pursuant to our agreement, when the Council considers protests to the proposed improvement to the streets of the City of Nitro.

Yours very truly,



Robert H. C. Kay

RHCK:kc

Enc.

2. That the right of way of The New York Central Railroad Company will not and cannot be specifically benefited by said proposed improvements as set out in said notice to any extent substantially

LEGAL NOTICE

TO: THE NEW YORK CENTRAL RAILROAD, A CORPORATION.

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ADJUTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: THIRD AVENUE FROM ITS INTERSECTION WITH 4TH STREET TO ITS INTERSECTION WITH 21ST STREET; FREDRICK AVENUE FROM ITS INTERSECTION WITH MAPLE STREET TO ITS INTERSECTION WITH WALKER STREET; FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; BAILLES DRIVE FROM ITS INTERSECTION WITH 40TH STREET TO ITS INTERSECTION WITH EAST 39TH STREET; FIR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WASHINGTON AVENUE; LAYNE AVENUE FROM ITS INTERSECTION WITH LOCK STREET TO ITS INTERSECTION WITH APPALACHIAN STREET; MAPLE STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; ONE STREET FROM ITS INTERSECTION WITH DUPONT AVENUE TO ITS INTERSECTION WITH MAIN AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 10TH STREET HILL TO ITS INTERSECTION WITH SHORT STREET, (FORMERLY 15TH STREET HILL ROAD); SHORT STREET, (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 10TH STREET HILL FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 10TH STREET WEST FROM ITS INTERSECTION WITH 1ST AVENUE TO END OF RAILROAD CROSSING RIGHT OF WAY; NITRO LIGHTS ROAD FROM END OF PRESENT PAVEMENT TO CITY LIMIT LINE; BOUNDARY STREET FROM ITS INTERSECTION WITH BROADWAY AVENUE TO ITS INTERSECTION WITH LAYNE AVENUE; WALKER STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; WILSON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 19TH STREET TO ITS INTERSECTION WITH 21ST STREET; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 22ND STREET TO ITS INTERSECTION WITH 21ST STREET; TWENTY FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; ALLEY BETWEEN

putting owners or interested parties will be given an opportunity to
protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of The City of Nitro on the 20th day
of June, 1962.

W. W. Alexander by Council
CITY OF NITRO
BY: W. W. ALEXANDER, MAYOR.

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abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of The City of Nitro on the 20th day of June, 1961.

W. W. Alexander by council

CITY OF NITRO

BY: W. W. ALEXANDER, MAYOR.

Service of the within Notice is this day accepted by The New York Central Railroad Company, a corporation, to have the same effect, and no other, as if legally served upon it by the Sheriff of Kanawha County, on a proper officer thereof, on this the 11th day of July, 1961.

Robert H. C. Kay

Robert H. C. Kay
Attorney for The New York
Central Railroad Company

LEGAL NOTICE

Printer's Fee \$ _____

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

Legal Notice

was duly published in said paper once a week for 3 successive weeks, commencing with the issue of the 23 day of June, 19 61 and ending with the issue of the 7 day of July, 19 61 and was posted at the Court House of Kanawha County on 19

CR Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 7 day of July, 19 61

Freda R. Yates
Notary Public for Kanawha County, West Virginia.

My commission expires 1-21-65).

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: THIRD AVENUE FROM ITS INTERSECTION WITH 4TH STREET TO ITS INTERSECTION WITH 21ST STREET; FREDRICK AVENUE FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH WALKER STREET; FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH BAILLES DRIVE FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH EAST 1ST STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WASHINGTON AVENUE; 1ST AVENUE FROM ITS INTERSECTION WITH 12TH STREET TO ITS INTERSECTION WITH APPALACHIAN AVENUE; 2ND STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 21; GUM STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH MAIN AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 15TH STREET HILL ROAD TO ITS INTERSECTION WITH SHORT STREET (FORMERLY 15TH STREET HILL ROAD); SHORT STREET (FORMERLY 15TH STREET HILL ROAD) FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 18TH STREET HILL FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 19TH STREET HILL; 19TH STREET WEST FROM ITS INTERSECTION WITH 1ST AVENUE TO END OF RAILROAD CROSSING; END OF WAY; NITRO HEIGHTS ROAD FROM END OF PRESENT PAVEMENT TO CITY LIMIT LINE; BOUNDARY STREET FROM ITS INTERSECTION WITH BROADWAY AVENUE TO ITS INTERSECTION WITH LAYNE AVENUE; WALKER STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 21; WILSON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 21; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 19TH STREET TO ITS INTERSECTION WITH 21ST STREET; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 21ST STREET TO ITS INTERSECTION WITH 22ND STREET; 22ND STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; ALLEY BETWEEN 2ND STREET AND 21ST STREET, FROM ITS INTERSECTION WITH 2ND AVENUE TO DEAD END; 12TH STREET WEST, TURN-AROUND AT END OF STREET; 19TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; PARK AVENUE FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH WEST 1ST STREET.

THIRD AVENUE

Mrs. C. E. Smith

Hills are slipping down on the highway. Need rock wall and then give us a street. Cannot afford it.

Maple Wilson

Should have a wall and a good drainage system. The people at the top of the hill will not be able to make the turn because they drive too fast.

Mrs. Ward

Husband died recently. Having financial difficulty.

Paul Willard

No benefit. Would start the hill to slip and stop drainage.

Don Mitchell

Ten or twelve foot street would not benefit anyone much. Would make a regular drag strip. Stop drainage. Would be more money than the people on 3rd Avenue could afford. Would be useless unless built wall. Slipping problem.

John Santrock

Always had to take care of drainage. Lot could be done that would help. Ditches have been full all year. We've had more water on 16th Street than before. It isn't fair for what the city and everyone uses. Someone should investigate if it should be paved. There are so many it would work a hardship on. If it would benefit anyone, I would be for it.

Mr. Ellis

Cannot put the street in for the estimate. Got no where to put the dirt.

Theodore Turley

Not fair to make property owners pay paving for the public.

Earl Moore

Drainage affects people on the street below. The property on 3rd Avenue is not worth as much as other property in Nitro.

LeRoy Miles

I cannot say that I'm in favor of it. I could do it. I am going to voice my opinion on what the ladies (widows) have already said.

O. J. Higginbotham

Three cars have come over the hill into the yard and would have come on into the house if I did not have a hedge. Even though I could pay for it, will go along with the ladies.

Joseph Leshon

Should have a good road. Should have a good bond issue before we get the road. Will take money and heavy equipment to make a good road.

Thomas Sanders

The business people of Nitro earn their living from the citizens of Nitro. Assuming that they get their living here, is it not fair that they should pay for the 90% that they use. They come past my house in either direction. I think the business people who use it should be taxed accordingly. Most of the ladies up there do not own or use a car. The road should go through undoubtedly. I'm not against the street, but against the private property owners paying for the road used by business.

FOURTH STREET

Mrs. Stanton

Will not pay for it. Will not pay one penny on something I do not own.

Mrs. Womack

Majority of people on the street are widows. Do not want the street paved. Why not leave it like it is.

BAILES DRIVE

Sam Dunn

Financial reason

NITRO HEIGHTS RD.

Mr. White

Supporting two families. Financial reasons.

KAPOK STREET

John Thompson

Is it necessary to get it paved. We do not see any pressing need. No houses on the street. Certainly we are not asking for any paving. I wonder if any other property owners are. I don't see that it would serve any purpose. I do not see what we are going to do with it unless we get it filled and properly drained. Certainly paving the street is not going to benefit the property at the present time. Why invest the money now when there is no need for it. Whenever we get something in there we will probably want to pave it ourselves. I can't see where it would benefit the city or other property owners. I am in favor of paving streets where it is needed.

Phil H. Hill

Biggest problem is sewage.

PENWOOD AVENUE

Mrs. Smith

Cannot sell it. Doesn't mean anything to me. Couldn't get any thing out of it. Should have had a sewer line up there a long time ago.

Mrs. H. Hill

Road not wide enough. Should be wider than ten feet.

BOUNDARY STREET

Herbert Dixon

It would be considerable cost to me, which I very seldom use. House sets facing Main Avenue and we seldom use that street. More or less dead end street. Don't have sufficient draining. Water went into my furnace. We are in a low spot and it is definitely going to be in our house. Faster traffic and noise. I cannot afford it. Just starting out.

ALLEY

Billy Wintz

Doesn't want alley right by my house. For the paving but not the money. Nice to have one through there for the other people. Don't want you to get the wrong impression that I am against good streets.

TWENTY FOURTH STREET

Glen Curtis
Nillie Stewart }
Mr. Foster }

Do not want it done. Don't think it is fair. Don't want it. Opposed to one way street.

SMITH STREET

Miller

Will go along as far as it doesn't come over to far on my property.

SIXTEENTH STREET

Dennis Jones

Its not going to benefit the property a bit. Don't think the appraiser would appraise it for any more. Just don't think it would benefit the street. Kanawha Street People are so anxious to have it paved. Let them pay for it.

Mrs. Smith

Its the people on Kanawha Street that want it. They are mad at some people on the street. It is wonderful to see all the children playing. I'm really going to battle this street.

Nelson Spencer

What is the Councils reason for paving the street. Why not let it go as it is now and let it go as a play area. Since we are paying additional taxes, the council should look at this and give us some relief at this particular time.

LOCUST STREET

Hansford Bailey

Would like a street as much as any body. Just get a pension.

DOGWOOD STREET

S. A. Frantz

Don't want it and are not about to afford it. Got enough burdens on our hands now. Some of the people cannot make ends met as it is.

CEDAR STREET

O. Hammons

Don't see the reason for paving the street. Cannot afford it. I'm already in debt \$4,000.

Fred Marshall

Children use as play ground. It is not needed and used so I am against it. Nice place to play. It would be alright in a couple of years. Haven't got the other half paid for yet.

July 17, 1961

The Council of the City of Nitro met in a recessed session in the Council Chambers of the City Hall on the 17th day of July, 1961, pursuant to an order duly made on June 20, 1961, and July 11, 1961, by said Council.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, William G. Spaulding and Robert M. Woods. Councilman L. I. Hoke being absent.

Thereupon the Mayor announced that this is a recessed meeting called for the purpose of considering and acting upon an ordinance regarding the improvement of the streets, alleys and sidewalks to which protests were legally heard by Council on July 11, 1961.

Thereupon the Mayor and Council proceeded to discuss the streets, proposed for paving, individually.

In discussion of Third Avenue, from 4th Street to 21st Street, question was asked if a 10 foot street was wide enough, that perhaps it may create a hazard for children walking to school, that the street would be made a one way street, that property would not be improved sufficient with paving, that the paving would work a hardship on some of the property owners, that basis of hardship was not good reason for deleting a street from a paving program, that the paving of Third Avenue would take care of the drainage of several sidewalks.

Thereupon Councilman Spaulding moved, that in view of protest of paving that Third Avenue be deleted from paving program, motion seconded by Councilman Clark. Upon a vote those voting in favor of motion were Councilman Spaulding and Clark, those voting against the motion, Councilmen Dye, Gewin, Reeves, Woods, Mayor Alexander and Grace Lewis, Recorder. The Mayor declared the motion defeated and was so ordered.

Thereupon the Council proceeded to discuss Fredrick Street. It was explained that the New York Central Railroad Company had refused to pay for their footage on this street and since there was a Supreme Court ruling governing this type of construction, it was advised that a 10 foot strip be installed on Fredrick Street.

Thereupon Councilman Gewin moved that the paving plans be changed to read 10 foot paving on individual property owner side. Motion seconded by Councilman Reeves. Upon a vote motion carried.

Thereupon the Council proceeded to discuss Fourth Street. There was no action by Council for deletion or change.

Thereupon the Council proceeded to discuss Bailes Drive. There was no action by Council for deletion or change.

Thereupon Council proceeded to discuss Fir Street. There was no action by Council for deletion or change.

Thereupon Council proceeded to discuss Layne Avenue. It was pointed out that this street was similar to Fredrick Street in that the New York Central Railroad Company owned all property abutting on one side of the street, however, it was also pointed out that Layne Avenue was a dead end street.

Thereupon Councilman Gwin moved Layne Avenue deleted from the program. Motion seconded by Councilman Dye. Upon a vote motion carried.

The Council proceeded to discuss Kapok Street.

Thereupon Councilman Reeves moved that a 20 foot street be installed on Kapok Street, from Main Avenue to new West Virginia Route No. 25. Motion seconded by Councilman Woods. Upon a vote motion carried.

The Council then proceeded to discuss Gum Street.

There was no action by Council for deletion or change.

The Council then proceeded to discuss Penwood Avenue, 18th Street Hill Road and 15th Street Hill road. It was brought out that the people felt that they needed a fire hydrant more than paving of the street. The Mayor informed that any property owner was less than 500 feet from fire hydrants. Width of intersection and one-way traffic was also discussed.

Thereupon Councilman Gewin moved that a 12 foot street be installed on Penwood Avenue. Motion seconded by Councilman Woods. Upon a vote motion carried.

The Council then proceeded to discuss West 19th Street crossing and were informed that the New York Central Railroad Company had agreed to pay for paving this particular area.

The Council then proceeded to discuss Nitro Heights Road. There was no action by Council for deletion or change.

The Council then proceeded to discuss Boundary Street. It was pointed out that the strip of Boundary from lower Main to Layne Avenue was not used, however the area from lower Main to Broadway was used by motor traffic. There was no action by Council for deletion or change.

The Council then proceeded to discuss Walker Street. The width of the street was discussed to some extent and also one way traffic. Thereupon Councilman Reeves moved seconded by Councilman Clark that 18 foot paving be installed on Walker Street. Upon a vote motion carried.

The Council then proceeded to discuss Wilson Street. Thereupon Councilman Clark moved, seconded by Councilman Woods, that 18 foot Street be installed on Wilson Street. Upon a vote motion carried.

The Council then proceeded to discuss the alley between 1st Avenue and 2nd Avenue, from 19th Street to 21st Street; alley between 1st Avenue to 2nd Avenue from 22nd Street to 21st Street; Alley between 20th

Street and 21st Street. There was no action by Council for deletion or change.

The Council then proceeded to discuss 24th Street. It was pointed out that the traffic survey had not been completed, however, Council feels that some action should be taken to eliminate the heavy flow of traffic from this street. There was no action by Council for deletion or change.

The Council then proceeded to discuss the turn-around on 12th Street West. The Mayor informed Council that this project was dropped from the program in that the people who had asked for it had now requested it be taken out of the program.

The Council then proceeded to discuss 19th Street. There was no action by Council for deletion or change.

The Council then proceeded to discuss Park Avenue. The Mayor informed Council that this portion of the program would be paid for by the Kanawha County School Board.

The Council then proceeded to discuss 16th Street. There was no action by Council for deletion or change.

The Council then proceeded to discuss Hickory Street. It was brought out that some sections of the curb and gutter would be replaced. There was no action by Council for deletion or change.

The Council then proceeded to discuss Smith Street. The Council was informed that the Tennessee Gas Transmission Company was willing for Smith Street to be paved if the paving was black top and had agreed that it be paved on their property and that they would pay the cost of the footage on the south side of the Street.

The Council then proceeded to discuss Ivy Street. It was pointed out, that street had not been used by motor traffic and was being used as playground for children. Thereupon Councilman Dye moved, seconded by

Councilman Clark, that Ivy Street be deleted from program. Upon a vote motion carried.

The Council then proceeded to discuss Locust Street. Councilman Reeves informed Council that Mr. Hansford Bailey had already paid over Eleven hundred dollars for paving and that this paving would increase his paving cost to approximately Twenty-five hundred dollars. Thereupon Councilman Reeves moved the deletion of Locust Street from the paving program. There was not a second to the motion. Motion was declared dead.

The Council then proceeded to discuss Dogwood Street. Councilman Dye moved that Dogwood Street be deleted for the program. There was no second to said motion. Motion was declared dead.

The Council then proceeded to discuss Cedar Street. It was pointed out that this street was also used in part by children as playground area and that there were several vacant lots on this street. Thereupon Councilman Dye moved that Cedar Street be deleted from paving program. Motion seconded by Councilman Clark. Upon a vote motion carried.

The Council then proceeded to discuss Hillside Drive. There was no Council action for deletion or change.

The Council then proceeded to discuss curb and gutter for Main Avenue, from Kapok Street to Blackwood Avenue. It was explained that this particular phase of the program would be done pending widening and re-surfacing of said street by the State Road Commission.

Thereupon the following ordinance was introduced to Council.

RESOLUTION OF THE COUNCIL OF THE CITY OF NITRO DECLARING THE NECESSITY AND CONVENIENCE OF PERMANENTLY IMPROVING CERTAIN DESIGNATED STREETS OR PORTIONS THEREOF IN THE CITY OF NITRO, WEST VIRGINIA; PROVIDING FOR THE PERMANENT IMPROVEMENT OF SAID STREETS OR PORTIONS THEREOF; APPROVING PLANS AND SPECIFICATIONS; PROVIDING FOR COMPETITIVE BIDS, CONTRACT AND SUPERVISION; PROVIDING FOR PAYMENT BY ASSESSING THE TOTAL COST ON ABUTTING PROPERTY AND THE ISSUANCE OF ASSESS-

MENT CERTIFICATES; ALL AS PROVIDED BY ARTICLE 8, CHAPTER 8 OF THE CODE OF WEST VIRGINIA, AS AMENDED BY THE ACTS OF THE LEGISLATURE OF 1949.

WHEREAS, The Council of the City of Nitro has caused notice to be given to abutting property owners as provided in Section 3, Article 8, Chapter 8 of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, by publication in the Kanawha Valley Leader, the only newspaper of general circulation in said City, once a week for three successive weeks, commencing on the 23rd day of June, 1961, and ending on the 7th day of July, 1961, that a public meeting would be held at the Municipal Building in said City on the 11th day of July, 1961, for the purpose of considering a resolution of ordinance declaring the necessity or convenience of the permanent improvement of certain streets and sidewalks or portions thereof in said City, and giving an opportunity to abutting owners and other interested persons to protest and be heard concerning the adoption or rejection of same, which streets and sidewalks or portions thereof are described as follows:

THIRD AVENUE FROM ITS INTERSECTION WITH 4TH STREET TO ITS INTERSECTION WITH 21ST STREET; FREDRICK AVENUE FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH WALKER STREET; FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; BAILLES DRIVE FROM ITS INTERSECTION WITH 40TH STREET TO ITS INTERSECTION WITH EAST 39TH STREET; FIR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WASHINGTON AVENUE; LAYNE AVENUE FROM ITS INTERSECTION WITH LOCK STREET TO ITS INTERSECTION WITH APPALACHIAN STREET; KAPOK STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; GUM STREET FROM ITS INTERSECTION WITH DUPONT AVENUE TO ITS INTERSECTION WITH MAIN AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 18TH STREET HILL TO ITS INTERSECTION WITH SHORT STREET, (FORMERLY 15 TH STREET HILL ROAD);

SHORT STREET, (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 18TH STREET HILL FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 19TH STREET WEST FROM ITS INTERSECTION WITH 1ST AVENUE TO END OF RAILROAD CROSSING RIGHT OF WAY; NITRO HEIGHTS ROAD FROM END OF PRESENT PAVEMENT TO CITY LIMIT LINE; BOUNDARY STREET FROM ITS INTERSECTION WITH BROADWAY AVENUE TO ITS INTERSECTION WITH LAYNE AVENUE; WALKER STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; WILSON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 19TH STREET TO ITS INTERSECTION WITH 21ST STREET; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 22ND STREET TO ITS INTERSECTION WITH 21ST STREET; TWENTY FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; ALLEY BETWEEN 20TH STREET AND 21ST STREET, FROM ITS INTERSECTION WITH 2ND AVENUE TO DEAD END; 19TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; PARK AVENUE FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH WEST 15 TH STREET, PARK AVENUE, (SIDEWALK), FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH 15TH STREET WEST; 16TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; HICKORY STREET, FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; SMITH STREET FROM A POINT ON WASHINGTON STREET TO A POINT ON KANAWHA AVENUE; IVY STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; LOCUST STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH BENAMATI AVENUE; DOGWOOD STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTER-

SECTION WITH KANAWHA AVENUE; CEDAR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; HILLSIDE DRIVE FROM ITS INTERSECTION WITH WILSON STREET TO CITY LIMIT LINE; MAIN AVENUE, (CURB AND GUTTER), FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE.

WHEREAS, prior to said public meeting there have been prepared plans, specifications and estimates of the proposed improvements by Municipal Engineering, for said City of Nitro, showing the proposed grade and sufficient data for any owner of abutting property to calculate approximately what proportionate part of the estimated cost thereof might be assessed against his property, and said plans, specifications and estimates have been on file with the Recorder of said City and open to the inspection of all interested persons; and

WHEREAS, a hearing was duly held pursuant to said notice, at which all abutting owners and interested persons were given an opportunity to protest and be heard concerning the adoption or rejection of said resolution or ordinance; and

WHEREAS, acting under the authority of the last paragraph of Section 2 of Article 8 of Chapter 8 of the Code of West Virginia, as amended in 1949, and regardless of the validity or invalidity of any petitions which may have heretofore been submitted to the Council, the Council by vote of more than three-fourths of its members, deems it advisable, necessary and convenient to provide for such improvements and to assess the entire cost thereof upon abutting property and the owners thereof;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

SECTION 1. That the certificate of publication of the notice of said meeting by the Kanawha Valley Leader, the only newspaper of general

circulation in said City of Nitro, and a copy of said notice be, and the same are hereby made a part of the minutes of the Council and the Recorder is hereby ordered to spread the same upon the record of said meeting.

SECTION 2. That following its own independent investigation and upon its own authority as provided by law, the Council by the affirmative vote of more than three-fourths of its members, hereby declares it to be necessary and convenient to permanently improve by grading, regrading, paving and re-paving, surfacing and re-surfacing, with base and drainage, and by building and renewing sidewalks and making other incidental permanent improvements in accordance with the plans, specifications and profiles heretofore filed, as modified and amended, the following described street and portions thereof in the City of Nitro as provided by said plans, specifications and profiles:

THIRD AVENUE FROM ITS INTERSECTION WITH 12TH STREET TO ITS INTERSECTION WITH 21ST STREET; FREDRICK AVENUE FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH WALKER STREET; FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; BAILES DRIVE FROM ITS INTERSECTION WITH 40TH STREET TO ITS INTERSECTION WITH EAST 39TH STREET; FIR STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WASHINGTON AVENUE; KAPOK STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; GUM STREET FROM ITS INTERSECTION WITH DUPONT AVENUE TO ITS INTERSECTION WITH MAIN AVENUE; PENWOOD AVENUE FROM ITS INTERSECTION WITH 18TH STREET HILL TO ITS INTERSECTION WITH SHORT STREET, (FORMERLY 15TH STREET HILL ROAD); SHORT STREET, (FORMERLY 15TH STREET HILL ROAD), FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 18TH STREET HILL FROM ITS INTERSECTION WITH PENWOOD AVENUE TO ITS INTERSECTION WITH 3RD AVENUE; 19TH STREET WEST FROM ITS INTERSECTION WITH 1ST AVENUE TO END OF RAILROAD CROSSING RIGHT OF WAY; NITRO HEIGHTS ROAD FROM END OF PRESENT PAVEMENT TO CITY LIMIT LINE; BOUNDARY STREET FROM ITS INTERSECTION WITH BROADWAY AVENUE TO ITS INTERSECTION WITH LAYNE AVENUE; WALKER STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; WILSON STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH WEST VIRGINIA ROUTE NO. 25; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 19TH STREET TO ITS INTERSECTION WITH 21ST STREET; ALLEY BETWEEN 1ST AVENUE AND 2ND AVENUE, FROM ITS INTERSECTION WITH 22ND STREET TO ITS INTERSECTION WITH 21ST STREET; TWENTY FOURTH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; ALLEY BETWEEN 20TH STREET AND 21ST STREET, FROM ITS INTER-

SECTION WITH 2ND AVENUE TO DEAD END; 19TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; PARK AVENUE FROM ITS INTERSECTION WITH WEST 11TH STREET TO ITS INTERSECTION WITH WEST 15TH STREET; PARK AVENUE, (SIDEWALK), FROM ITS INTERSECTION WITH WEST 11TH STREET TO A POINT 75 FEET S E FROM THE CENTER LINE OF WEST 13TH STREET; 16TH STREET FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH 2ND AVENUE; HICKORY STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; SMITH STREET FROM A POINT ON WASHINGTON AVENUE TO A POINT ON KANAWHA AVENUE; LOCUST STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH BENAMATI AVENUE; DOGWOOD STREET FROM ITS INTERSECTION WITH MAIN AVENUE TO ITS INTERSECTION WITH KANAWHA AVENUE; HILLSIDE DRIVE FROM ITS INTERSECTION WITH WILSON STREET TO CITY LIMIT LINE; MAIN AVENUE, (CURB AND GUTTER), FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE; AND

which said plans, specifications, profiles and estimates are on file with the City Recorder and are referred to in the recitals to the resolution; and the said plans, specifications, profiles and estimates are hereby approved and adopted for the permanent improvement of said streets and portions thereof, and said improvements are hereby authorized and shall be made under the supervision and direction of Municipal Engineering for said City.

SECTION 3. The grades of said streets and sidewalks or portions thereof shall be the same as shown on said plans.

SECTION 4. After independent investigation by the Council, each respective lot or parcel of real estate abutting on any part of any portion of said streets and public ways above described is hereby found and described to be specially benefited by the proposed improvements abutting such lot or parcel of real estate to an extent substantially greater than the costs to be assessed against such abutting lot or parcel of land.

SECTION 5. The total cost of the improvements, including the cost of improvements at and within intersections, and including all items of costs mentioned in Section 5, Article 8, Chapter 8 of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, shall be apportioned to and assessed against and borne by the lots or

parcels of land and other properties abutting upon the respective portions of streets or other public ways hereby authorized to be improved, and upon which said improvements shall have been made. Each lot or parcel of land so abutting said portions of streets or other public ways shall be assessed with that portion of the total cost of the improvements on the entire portions of any street or public way herein authorized to be improved, which is represented by the proportion which the abutting frontage in feet of said lot or parcel of land bears to the total abutting frontage in feet of all the assessable lots or parcels of land abutting on any respective portion of a street or public way herein authorized to be improved as provided by Chapter 8, Article 8 of said Code, as amended in 1949.

SECTION 6. The cost so apportioned shall be assessed against the respective abutting lots or parcels of land and shall be paid in ten (10) equal installments, the first to be and become due thirty (30) days after levying of the assessment for the improvements, and the other nine (9) installments to be and become due one (1) each year for nine (9) years thereafter, all at the rate of six per centum (6%) per annum from the date of the assessments, provided that on failure of the owner of the property assessed to pay any installment as and when due, and such default continuing for sixty (60) days, then at the option of the holder of the certificate evidencing any such assessment the entire balance thereof may be declared immediately due and payable, and the holder of the certificates may forthwith proceed to enforce the collection thereof.

SECTION 7. Certificates shall be issued evidencing said assessments and each installment of principal and interest payable. Said certificates shall be payable to the bearer and be signed by the Mayor and Recorder

and shall refer to the ordinance or resolution laying the assessment, and shall each show the amount and date of the assessment and describe the property against which the assessment is laid, describing the same as to the ownership, amount, frontage and briefly as to location. The property abutting the portion of the street, alley, easement or public way improved shall be subject to a lien, from the date of the ordinance or resolution laying the assessment, for the payment of the costs of the improvements assessed against said property, and said assessments shall be and constitute liens in the hands of the holders of said certificates upon the respective lots and lands assessed and shall have priority over all other liens except those for land taxes due the state, county and municipality and except liens for pre-existing special assessments; and the said assessments shall be levied and paid, with interest thereon, and said certificates shall be issued, enforceable and otherwise, in all respects, subject to the provisions of said Chapter 8, Article 8 of the Code of West Virginia, as amended by Acts of 1949. Each installment of said assessment on each certificate, which coupon shall evidence such installment, shall refer to the date of the resolution levying said assessment and the time when said installment is due, and shall be signed in the name of the City of Nitro, by the facsimile signature of the Mayor, attested by the facsimile signature of the Recorder.

SECTION 8. The Recorder shall forthwith advertise for bids for said improvements to be made in accordance with said plans and specifications therefore. Such advertisement shall be made by publication at least once a week for two successive weeks in The Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, but not necessarily published therein. The contract shall be let to the lowest responsible bidder, but the advertisement for bids shall reserve to the City the right to reject

any and all bids therefor. The work done under such contract, when let, shall be paid for by delivering to the contractor assessment certificates as above provided in lieu of cash.

SECTION 9. Upon the completion of the improvements, the City Engineer is hereby directed to prepare and submit to the Council his report showing the cost of such permanent improvements, the numbers and descriptions of the lots and parcels of land abutting other matters as may be necessary in order to levy an assessment against said abutting property in accordance with the provisions of Chapter 8, Article 8, of the Code of West Virginia, as amended by the Legislature of West Virginia, Regular Session 1949. Upon the filing of said Engineer's report with the Recorder, the Recorder, is hereby directed to give notice in the name of the City to the owners of the property to be assessed according to said Engineer's report that on or after date named in said notice an assessment may be laid against the property so improved as embodied in said Engineer's report. Said notice shall state that the owner or owners whose property is to be assessed, or other interested party, may on said date appear before the Council to move the revision or correction of such proposed assessment. Such notice shall be by publication once a week for two successive weeks in a newspaper of general circulation in the county and shall show the total cost of the improvement, the several frontages abutting thereon and respective amounts to be assessed against the abutting property, with a description of the respective abutting lots and lands as to ownership, frontage and location.

SECTION 10. The attorney for the City is hereby directed to prepare and submit to the Council thereof, such notices, ordinances and information as may be required by the Council for the laying of the assessments and issuance of the certificates as aforesaid.

Thereupon, Councilman Gewin moved, seconded by Councilman Woods, the adoption of the foregoing ordinance as amended, and upon a vote, there voting in favor of motion were Councilmen Dye, Gewin, Reeves, Spaulding, Woods, Mayor Alexander and Grace Lewis, Recorder. Councilman Clark did not vote. The motion was declared carried and so ordered.

Thereupon Councilman Gewin moved, seconded by Councilman Woods, that bids be received from contractors until 4:30 o'clock P. M. on August 1, 1961, and that contractors be required to deposit with his bid a certified check or bidders bond in the amount of five per centum of total contract, and that the bids be considered by Council at a Special Meeting to be held at 8:00 o'clock P.M. on August 1, 1961, in the Council Chambers in the City Hall of the City of Nitro and at any adjournment or recess thereof. Motion carried.

There being no further business a motion for adjournment by Councilman Woods carried.



W. W. Alexander, Mayor


Grace Lewis, Recorder

July 18, 1961

The City Council met in regular session Tuesday, July 18, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, William G. Sapulding and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Sapulding, to dispense with reading of the minutes for meetings held June 20th, June 27th, July 11th and July 17th. Upon a vote motion carried.

Councilman Woods moved, seconded by Councilman Reeves, the financial statement for the month of June be accepted. Motion carried.

Councilman Dye pointed out that the stop signs on Kapoc and Benamati Streets had not been changed. The Mayor informed that the Street crew would take care of this matter.

In a discussion of traffic on 24th Street, the Traffic Committee recommended that the heavy traffic sign at the head of 24th Street be placed at 22nd Street and Second Avenue.

Thereupon Councilman Woods moved the Council accept the recommendation of the Traffic Committee. Motion seconded by Councilman Clark. Upon a vote motion carried.

Councilman Woods asked why 23rd Street was made a One-way Street. The Mayor informed that this was done due to heavy traffic flow from business houses and doctor's offices on 23rd Street.

Regarding question on work of the Planning Commission, the Mayor informed Council that a committee was working on a master plan for the

town and ordinances and that it would probably be two months before this project was completed by the Planning Commission.

Councilman Dye asked if there was any pressure that could be brought to bear on the place commonly known as the "Pigs Ear", recently reopened as a private club, pointing out that he has had a number of complaints on the place. The Mayor informed that ^{it} ~~was~~ was necessary to secure a buy on the place in order to issue a warrant, that it was being policed outside heavily by our men and that a solution for closing the place was being worked on.

Councilman Woods asked why the City as an interested party could not force the issue of the ownership of the land known as the Parkway, situated along First Avenue from 7th Street to 41st Street. The Mayor informed Council that several years ago the State Road Commission had been working on this case with the City and all pieces of property adjacent to First Avenue was abstracted and it was our thought at that time that the State Road Commission in conjunction with the City would go into Court in an effort to clarify, but for some reason the State Road Commission has never asked that the case be docketed.

The City Attorney was instructed to check into the matter of the ownership of the Parkway.

Councilman Woods informed Council that he had been asked by a resident of Third Avenue below the paving about a fire hydrant for that area. Mayor Alexander informed that said area was within 1,000 feet of a fire hydrant.

In a discussion of the unpaved road of Pinegrove Addition, it was pointed out that paving certificates could not be sold on


property on one side of said road due to the hillside constantly slipping and that this was also a hinderance in trying to maintain the road.

The Street lighting committee was instructed to check the need of a street light on 39th Street, **East** and lower Hillside Drive.


Councilman Reeves informed Council that there seemed to be some confusion regarding the request made by the Post Office to designate the street from Walker Street to dead end as Hillside Drive, that this street is actually Oakie Avenue. Thereupon, Councilman Reeves moved, seconded by Councilman Dye that the street from Walker Street north to dead end be designated as Oakie Avenue. Motion carried.

Councilman Spaulding informed Mayor and Council that he was leaving Nitro and he was submitting his resignation as Councilman effective as of this date.

There being no further business to come before the Council, Councilman Woods moved the Council recess until August 1st. Motion carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

August 1, 1961

The City Council met in a recessed session in the Council Chambers in the City Hall of Nitro, West Virginia on the 1st day of August, 1961, at 8:00 o'clock P. M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, B. E. Gewin, L. I. Hoke, Thomas C. Reeves and R. M. Woods members of the Council.

The meeting was called and held pursuant to Ordinance adopted by Council on the 17th day of July, 1961, and also pursuant to advertisement for bids for permanent improvement of certain streets named in said advertisement which was duly published in the Kanawha Valley Leader, and by notice given to members of Council.

The meeting was called to order by Mayor Alexander.

Thereupon the Recorder reported that she had complied with direction of Council by Ordinance heretofore adopted and had duly advertised for bids on the permanent improvement of Third Avenue from its intersection with 12th Street to its intersection with 21st Street; Fredrick Avenue, from its intersection with Kapok Street to its intersection with Walker Street; Fourth Street from its intersection with 1st Avenue to its intersection with 3rd Avenue; Bailes Drive from its intersection with 40th Street to its intersection with East 39th Street; Fir Street from its intersection with Main Avenue to its intersection with

Washington Avenue; Kapok Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Gum Street from its intersection with Dupont Avenue to its intersection with Main Avenue; Penwood Avenue from its intersection with 18th Street Hill to its intersection with Short Street (formerly 15th Street Hill Road); Short Street (formerly 15th Street Hill Road), from its intersection with Penwood Avenue to its intersection with 3rd Avenue; 18th Street Hill from its intersection with Penwood Avenue to its intersection with 3rd Avenue; 19th Street West from its intersection with 1st Avenue to end of Railroad Crossing right of way; Nitro Heights Road from end of present pavement to City limit line; Boundary Street from its intersection with Broadway Avenue to its intersection with Layne Avenue; Walker Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Wilson Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Alley between 1st Avenue and 2nd Avenue, from its intersection with 19th Street to its intersection with 21st Street; Alley between 1st Avenue and 2nd Avenue, from its intersection with 22nd Street to its intersection with 21st Street; Twenty-fourth Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Alley between 20th Street and 21st Street, from its intersection with 2nd Avenue to dead end; 19th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Park Avenue from its intersection with West 11th Street

to its intersection with West 15th Street; Park Avenue, (sidewalk), from its intersection with West 11th Street to a point 75 feet S E from the Center Line of West 13th Street; 16th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hickory Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Smith Street from a point on Washington Avenue to a point on Kanawha Avenue; Locust Street from its intersection with Main Avenue to its intersection with Benamati Avenue; Dogwood Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Hillside Drive from its intersection with Wilson Street to City Limit Line; Main Avenue, (Curb and Gutter), from its intersection with Kapok Street to its intersection with Blackwood Avenue; in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, for two successive weeks as required by said Ordinance, and tendered Publisher's Affidavit of said publication.

Councilman Gewin moved, seconded by Councilman Woods, that the notice to contractors, notice asking for bids on said proposed improvements, together with Publisher's Affidavit of due publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein. All members of the Council, the Mayor and Recorder voted for this motion and was so ordered.

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, To-wit:

I Cecil R. Walker, Manager of Kanawha Valley Leader, a

BK7, pg ^{after} 344

Printer's Fee \$ _____

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE TO CONTRACTORS

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 21 day of July, 19 61 and ending with the issue of the 28 day of July, 19 61 and was posted at the Court House of Kanawha County on

, 19

C. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 28 day of July, 1961

James L. Yates
Notary Public for Kanawha County, West Virginia.

(My commission expires 1-21-65).

NOTICE TO CONTRACTORS

THE CITY OF NITRO will receive sealed proposals for the paving, re-paving, widening, surfacing, re-surfacing, grading, draining, curbing and guttering and otherwise permanently improving same and for the construction of sidewalks therein, upon and along Third Avenue from its intersection with 21st Street to its intersection with 12th Street; Fredrick Avenue from its intersection with Kapok Street to its intersection with Walker Street; Fourth Street from its intersection with 1st Avenue to its intersection with 3rd Avenue; Balle Drive from its intersection with 40th Street to its intersection with East 39th Street; Fir Street from its intersection with Main Avenue to its intersection with Washington Avenue; Kapok Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Gum Street from its intersection with Dupont Avenue to its intersection with Main Avenue; Penwood Avenue from its intersection with 18th Street Hill to its intersection with Short Street, (Formerly 15th Street Hill Road); Short Street, (Formerly 15th Street Hill Road), From its intersection with Penwood Avenue to its intersection with 3rd Avenue; 18th Street Hill from its intersection with Penwood Avenue to its intersection with 3rd Avenue; 19th Street West from its intersection with

1st Avenue to end of Railroad Crossing Right of Way; Nitro Heights Road from end of present pavement to City Limit Line; Boundary Street from its intersection with Broadway Avenue to its intersection with Layne Avenue; Walker Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Wilson Street from its intersection with Main Avenue to its intersection with West Virginia Route No. 25; Alley between 1st Avenue and 2nd Avenue, from its intersection with 19th Street to its intersection with 21st Street; Alley between 1st Avenue and 2nd Avenue, from its intersection with 22nd Street to its intersection with 21st Street; Twenty Fourth Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Alley between 20th Street and 21st Street, from its intersection with 2nd Avenue to Dead End; 19th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Park Avenue from its intersection with West 11th Street to its intersection with West 15th Street; Park Avenue, (Sidewalk), from its intersection with West 11th Street to a point 75 feet S. E. from the center line of West 13th Street; 16th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hickory Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Smith Street from a point

on Washington Avenue to a point on Kanawha Avenue; Locust Street from its intersection with Main Avenue to its intersection with Benamati Avenue; Dogwood Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Hillside Drive from its intersection with Wilson Street to City Limit Line; Main Avenue, (Curb and Gutter), from its intersection with Kapok Street to its intersection with Blackwood Avenue; and otherwise permanently improving said streets, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with Grace Lewis, City Recorder. Payment for said work will be made by certificates in the manner set out in the bid proposal forms. The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder on or before 4:30 o'clock, P. M. EST, August 1, 1961. Bids will be opened and publicly read at The City Hall, in the Council Chamber at a meeting of Council to be held on the 1st day of August, 1961, at 8:00 o'clock, P.M. EST. The City reserves the right to reject any and all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

GRACE LEWIS,
CITY RECORDER
CITY OF NITRO

Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE TO CONTRACTORS

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section with Main Avenue to its intersection with Kanawha Avenue; Hillside Drive from its intersection with Wilson Street to City Limit Line; Main Avenue, (Curb and Gutter), from its intersection with Kapok Street to its intersection with Blackwood Avenue; and otherwise permanently improving said streets, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with Grace Lewis, City Recorder. Payment for said work will be made by certificates in the manner set out in the bid proposal forms. The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder on or before 4:30 o'clock, P. M. EST, August 1, 1961. Bids will be opened and publicly read at the City Hall, in the Council Chamber at a meeting of Council to be held on the 1st day of August, 1961, at 8:00 o'clock, P. M., EST. The City reserves the right to reject any and all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

GRACE LEWIS,
CITY RECORDER
CITY OF NITRO

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of 21 day of July, 1961 and ending with the issue of the 28 day of July, 1961.

SS C. R. Walker
Manager
Kanawha Valley Leader.

Subscribed and sworn to before me this 28th day of July, 1961.

SS Zelda R. Yates
Notary Public for Kanawha County, West Virginia.

(My commission expires 1-21-65).

The Mayor announced that this was the meeting at which bids on the proposed improvements to streets and public ways in said City were to be opened and publicly read, and considered by the Council.

The Recorder reported that five contractors had submitted sealed bids for the proposed work, they being Charleston Concrete Floor Company, Andersons' Ins., Kenneth M. Dunn and H & B Inc., and Concrete Construction Company.

Council discussed the bids and attention was directed to Council that the bid of Concrete Construction Company was not received until 4:45, Councilman Hoke moved that the bid of Concrete Construction Company be accepted; motion died for want of second.

The City Attorney advised Council that the time for closing bids should be strictly complied with.

Whereupon Councilman Gewin, seconded by Councilman Woods moved that the bid of Concrete Construction Company be rejected; motion carried. Councilman Hoke voting against.

Whereupon, Council was informed by letter that Charleston Concrete Floor Company excluded Nitro Heights Road from their bid.

Whereupon, Council was informed that Black Rock, Inc. bid was subject to sale of certificates.

Whereupon, the bid of Kenneth M. Dunn and H & B COMPANY was discussed and considered because it did not cover all streets. The City Attorney advised that Council should consider that part of the bid which was not subject to sale of certificates.

Whereupon, O. K. Construction Company asked that their bid be considered as to that part which was not subject to sale of certificates.

Whereupon, Councilman Hoke, seconded by Councilman Woods, moved to consider that part of O. K. Construction Company bid which was not subject to sale of certificates. Motion carried.

Whereupon, Councilman Reeves presented a petition of property owners on Fredrick Avenue protesting a ten foot street said petition being duly considered and filed.

Whereupon, Mayor Alexander recommended to the Council that Ralph Wears replace William G. Spaulding as member of Council from Ward Number Two.

Whereupon, Councilman Clark seconded by Councilman Gewin, moved that Ralph Wears be appointed to Council for the unexpired term of William G. Spaulding, there being no further names placed in nomination the motion carried by unanimous vote.

Whereupon, Council was informed that George A. Saul
tendered his resignation from the Park Board as of September 1, 1961.

Whereupon, Councilman Gewin, seconded by Councilman Hoke, moved that Mr. Saul's resignation be accepted; motion carried.

Whereupon, Councilman Clark, seconded by Councilman Woods, moved that Kyle Dunlap be appointed to serve the unexpired term of Mr. Saul. Motion carried.

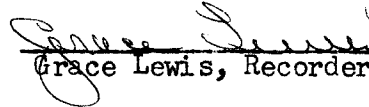
Whereupon, Councilman Clark stated the need of trash barrels for school and ball fields and that the High School students would paint and place them.

Whereupon, Councilman Hoke, seconded by Councilman Reeves, moved that the City purchase the necessary barrels. Upon a vote motion carried.

Whereupon, Councilman Hoke moved to recess until August 9, 1961 at 8:00 o'clock P. M. to allow time for Engineer to tabulate bids. Motion carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

August 9, 1961

The City Council met in a recessed session in the Council Chambers in the City Hall of Nitro, West Virginia on the 9th day of August, 1961, at 8:00 o'clock P. M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, Ralph Wears and Robert M. Woods members of the Council.

The meeting was called to order by W. W. Alexander, Mayor.

Whereupon Council proceeded to consider the 1961 paving program of the City of Nitro. The paving project was divided into Units for the purpose of contracting; said units being those as set forth by the City Engineer in the plans and specifications and numbered as follows: Units A-B-C-C1, - D - E and F.

Whereupon, the City Attorney advised Council that Charleston Concrete Floor Company accepts the proposed improvement of Nitro Heights Road, thus, making their bid complete on the total new construction units; namely, Units A-B-B- and C1.

Thereupon, The City Engineers tabulation and analysis of the contractor's bids was presented the total aggregate sums being:

Charleston Concrete Floor Company \$ 195,761.15

Kenneth M. Dunn & B & H Company \$199,143.55 (conditional and excluding certain Streets).

O. K. Construction Company Units B-C and C1 \$22,506.55

Black Rock Inc. Units D-E and F \$ 51,465.79.

Thereupon, Councilman Reeves stated that bids were in his opinion too high. A general discussion was held regarding the bids.

Whereupon, Councilman Gewin, seconded by Councilman Hoke, moved that the bid of Charleston Concrete Floor Company in aggregate sum of \$197,931.63 be accepted for Units A-B-C- and C1, it being the best and lowest bid for said permanent improvement, which said improvements had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with the plans, profiles and specifications; and further that the Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to Ordinance authorizing said improvements heretofore enacted. Upon a vote by the Council, motion carried. Councilman Reeves voting against.

Whereupon, Councilman Reeves seconded th Councilman Woods moved that the improvement of Smith Street be subject to approval of agreement of Tennessee Gas and Transmission Company; motion carried.

Whereupon a discussion was held regarding Units D E and F.

Whereupon Councilman Woods, seconded by Councilman Hoke, moved that Units D-E and F be readvertised for bids, since no competitive bid was received and said streets being 24th Street from its intersection with 1st Avenue to ~~its~~ intersection with 2nd Avenue; 19th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hickory Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Alley between 1st Avenue to 2nd Avenue, from its intersection with 22nd Street to its intersection with 21st Street; 16th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hillside Drive from its intersection with Wilson Street to Central Avenue; Main

Avenue (Curb and Gutter), from its intersection with Kapok Street to its intersection with Blackwood Avenue and the Recorder shall forthwith advertise for bids for said improvements to be made in accordance with said plans and specifications therefore. Such advertisement shall be made by publication at least once a week for two successive weeks in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, but not necessarily published therein. The contract shall be let to the lowest responsible bidder, but the advertisement for bids shall reserve to the City the right to reject any and all bids therefor. The work done under such contract, when let, shall be paid for by delivering to the contractor certificates as above provided in lieu of cash and further, that bids be received from Contractors until 4:00 o'clock P. M. on August 29, 1961, and that contractors be required to deposit with his bid a certified check or bidders bond in the amount of five per centum of total contract, and that the bids be considered by Council at a Special Meeting to be held at 8:00 o'clock P. M. on August 29, 1961, in the Council Chambers in the City Hall of the City of Nitro and at any adjournment or recess thereof. Motion carried.

Thereupon the Levy Estimate for the current year was presented to the Council and thereupon after due consideration Councilman Hoke moved, seconded by Councilman Woods, the proposed Levy Estimate be adopted. The motion carried and all members of the Council present proceeded to sign estimate as follows:

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM,
MUNICIPALITY OF NITRO, To-Wit:

At a recessed session of the council of the municipality of Nitro, held in the council chambers thereof, in the City Building on Wednesday, the 9th day of August, 1961 there were present:

W. W. Alexander, Mayor, Grace Lewis, Recording Officer and E. W. Dye, Thomas C. Reeves, Robert M. Woods, L. I. Hoke, James R. Wears and B. E. Gewin members of the Council of said municipality.

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 levy of taxes for the current fiscal year; and doth determine and estimate the several amounts to be 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.

Balance in hands of City Treasurer	\$ 10,934.84
Balance in hands of sheriff	2,364.77
Police fines and costs	8,000.00
Permits-building, street, sewer and other	2,000.00
Parking meters	1.00
Rents, Building and Concessions	420.00
Civic Benefits Association	24,000.00
Taxes: Gross Sales	45,500.39
Capitation and Dog	2,900.00
Franchise	100.00
Consumers' Sales (Liquor)	12,800.00
Amusement	300.00
Fees: Electrical, plumbing and other	1.00
Garbage	47,637.00
License:	
Electricians and plumbers	600.00
General	1,850.00
Miscellaneous	4,000.00
Total estimated receipts	<u>163,409.00</u>

ESTIMATED CURRENT EXPENDITURES:

1. Salary of Mayor	\$ 6,000.00
2. Salary of Recorder	5,400.00
3. Salary of Treasurer	1.00
4. Salary of Police Judge	2,400.00
5. Salary of City Attorney	500.00
7. Salaries of Councilmen	840.00
8. Salaries of Assistants and Clerks	4,100.00
9. Salaries of Chief and 4 Police	30,597.00

10. New Equipment Police Department	3,300.00
11. General Expenses Police Department	4,500.00
13. Salaries Jailor and expneses feeding prisoners	6,400.00
14. Salaries Chief and 5 Firemen	28,500.00
15. New Equipment Fire Department	500.00
16. General expenses Fire Department	2,500.00
18. Salaries Health Commissioner and Employees	1,150.00
20. General expenses Health Department	800.00
21. Salaries Garbage Employees	24,000.00
22. New Equipment Garbage Department	500.00
23. General expenses Garbage Department	6,000.00
24. Janitors' Salaries and Supplies	500.00
25. Repairs to Jail and City Buildings	200.00
26. Furniture, Fixture and Office machines	1,031.00
27. Stationery, office supplies and equipment	900.00
28. Postage	200.00
29. Water-fire protection, streets and sewers	7,200.00
30. Water - City Building and other purposes	125.00
31. Light for street lighting	5,700.00
32. Light - City Building, traffic lights, etc.	650.00
33. Repairs street and traffic lights	10.00
34. Fuel, heating City Building	900.00
35. Telephone and Telegraph (all Departments)	900.00
37. Legal Publications	600.00
38. Insurance on City Buildings and other property	2,000.00
39. Premiums, Policemen's and official bonds	170.00
40. Election expenses	1,020.00
41. Attorneys' fees, court costs and damages	1,500.00
42. Salaries, Engineering Department	1,000.00
43. General expenses, Engineering Department	1,000.00
44. Salaries and wages all street employees	9,800.00
45. New equipment, Street Department	11,050.00
46. Materials, supplies and expenses, Street Department	2,400.00
47. Maintenance of Sewers, salaries and supplies	100.00
48. Construction of new streets, sidewalks and sewers	100.00
49. Workmen's Compensation premiums	500.00
50. Audit by Tax Commissioner	200.00
51. Refunding erroneous payments	25.00
52. Municipal dues	69.00
53. Parks and playgrounds salaries, supplies and expenses	4,500.00
54. Expenses Planning Commission	275.00
55. Traveling and car expenses of city officials	100.00
56. Civilian Defense	100.00
58. Public Employees Retirement	5,600.00
59. Treasurer's fees	150.00
60. Social Security	3,300.00
61. Contingent expenses (Mandatory only)	1,000.00
62. Dog Pound Expenses	1,100.00
A- Total Current Expenses	\$ 193,963.00
Total Estimated Disbursements	193,963.00
Less estimated receipts	163,409.00
Net amount to be raised by levy	30,554.00

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 municipal purposes the amount of \$30,554.00 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:

Eleven cents (11 ¢) on Class No. I property,
 Twenty-two cents (22 ¢) on Class No. II property, and,
 Forty-two cents (44 ¢) on Class No. IV property,
 for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS Number I	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levied (Whole Dollars)
Personal property	\$ 554,080.00	4.75¢	6.25¢ 11¢	\$ 609.00
Public Utility Property	632,900.00	4.75¢	6.25¢ 11¢	696.00
Total Class No. I	1,186,980.00			1,305.00
Number II Real Estate	4,611,960.00	9.5 ¢	12.5¢ 22¢	10,146.00
Number IV Real Estate	2,091,600.00	19 ¢	25 ¢ 44¢	9,203.00
Personal Property	1,659,210.00	19 ¢	25 ¢ 44¢	7,301.00
Public Utility Property	1,362,100.00	19 ¢	25 ¢ 44¢	5,993.00
Total Class No. IV	5,112,910.00			22,497.00
TOTAL LEVY	10,911,850.00			33,948.00
Less Delinquent Taxes and Exonerations Estimated at 10%				3,394.00
Net amount to be raised by Levy				30,554.00

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	Original Amount of	Amount of Bonds Outstanding	Amount Required for		
Authorizing Issue	Issue		Sinking Fund	Interest	Total
10-20-38	\$ 16,000.	\$ 1,800.	\$ 900.	\$ 50.	\$ 950.
7-1-53	50,000.	34,500.	2,000.	1,035.	3,035.
5-5-55	95,000.	79,000.	3,000.	2,173.	5,173.
12-16-58	168,000.	164,000.	2,000.	6,150.	8,150.
Totals	329,000.	279,300.	7,900.	9,408.	17,308.
Delinquent Taxes and Exonerations Estimated at 10%					1,731.

Total Amount to be Raised by a Levy of Taxes \$19,039.
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

Seven & Three Quarters cents (7.75¢) on Class No. I property,
Fifteen and One half cents (17.5¢) on Class No. II property, and,
Thirty-one cents (31 ¢) on Class No. IV property,
for the purposes aforesaid, based upon the last assessment therein as
follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied (Whole Dollars)
Number I			
Personal Property	\$ 526,630.	7.75 ¢	\$ 408.00
Public Utility Property	632,900.	7.75 ¢	490.00
Total Class No. I	<u>1,159,530.</u>		<u>898.00</u>
Number II			
Real Estate	3,203,260.	15.5 ¢	4,965.00
Number IV			
Real Estate	1,494,200.	31 ¢	4,632.00
Personal Property	1,339,060.	31 ¢	4,151.00
Public Utility Property	<u>1,306,100.</u>	31 ¢	<u>4,049.00</u>
Total Class No. IV	<u>4,139,360.</u>		<u>12,832.00</u>
TOTAL LEVY	8,502,150.		18,695.00

Whereupon the Mayor explained to Council the necessity and need
of a position of sergeant be created in the Police Department at an
increase of salary of \$15.00 per month above the position of Patrolman
and that the Civil Service Board be requested to fill the vacancy as soon
as possible.

Whereupon, Councilman Hoke, seconded by Councilman Woods, moved
that Carl Sigman be appointed as custodian of Buildings at an increased
salary of \$20.00 per month, effective as of August 15, 1961. Motion carried.

Whereupon Councilman Hoke moved to adjourn. Motion carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

August 15, 1961

The City Council met in regular session Tuesday, August 15, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, and Ralph Wears members of the Council. Councilman Woods being absent.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Reeves, to dispense with reading of minutes of meetings held July 18th, August 1st and August 9th. Motion carried.

Councilman Clark moved the financial statement for the month of July be accepted. Motion seconded by Councilman Gewin. Motion carried.

Mr. John R. Planck presented to the Council a plot plan of subdivision fronting 110.94 feet on Main Avenue (Old West Virginia Route Number 25) and extending approximately 433.68 feet to Lee Avenue. The Mayor informed Council that the City Engineer had gone over the subdivision map and approved same and that it was necessary that Mr. Planck have the approval of the City Council in order to put the map on record at the Court house.

Thereupon Councilman Dye moved, seconded by Councilman Reeves, that council accept the plan for subdivision as set out on map presented by Mr. Planck. Upon a vote motion carried.

Mr. Lewis, resident of Dupont Avenue, appeared before the Council and protested the noise created by patrons of the Cotton Club, informing Council that the said patrons parked their cars on Dupont Avenue in front of homes and created a disturbance upon leaving the club in the early

morning hours, by gunning car motors and loud talking, also throwing beer cans and trash on peoples' lawns.

This matter was discussed by Mayor and members of the Council. The Mayor informed that the City officials and police department were doing everything possible to eliminate this situation.

The Street Lighting Committee recommended that 1000 lumen lights be installed at the following locations:

East 39th Street Pole Number 89A197

40th Street Road near City limit line Pole Number AEP 53-7289 89A32.

Hillside Drive Second Pole from North end of Street.

Councilman Dye moved, seconded by Councilman Reeves, that the foregoing street lights be ordered installed. Motion carried.

Mayor Alexander presented a letter from the Nitro Unified Schools Committee to the Putnam County Board of Education and informed Council that Councilman Woods was attending the School Board meeting in Putnam County. The Mayor also explained to council that he understood that since the recent flood that there had been some discussion of the school site for the new elementary school on 39th Street East and he felt that the council should go on record requesting that the Putnam County Board of Education to construct the school within the city limits of Nitro.

Thereupon, Councilman Dye moved, seconded by Councilman Clark, that the Council request the Putnam County Board of Education construct the Elementary School within the corporate limits of Nitro pursuant to their previous agreement and commitment. Upon a vote motion carried.

The Mayor and Councilman Reeves explained to Council that the Government Surplus properties had available three portable generators at a cost of One generator for \$75.00, two generators for \$100.00 or the three generators for \$120.00. That these units would be of great value to the city in case of a power failure during any type of disaster.

Thereupon after some discussion, Councilman Gewin moved, seconded by Councilman Wears, that the City purchase from the Government Surplus Properties the three units for \$120.00. Upon a vote motion carried.

Mayor Alexander informed council that Mrs. Jack Esteppe had resigned as member of the Board of Park Commissioners and he wished to offer Mrs. Dewey Mann's name as replacement on the Board.

Thereupon Councilman Gewin moved, seconded by Councilman Reeves, Mrs. Esteppe's resignation be accepted. Upon a vote motion carried.

Thereupon Councilman Clark moved, seconded by Councilman Hoke, that Mrs. Dewey Mann be appointed to the Board of Park Commissioners. Upon a vote motion carried.

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



W. W. Alexander, Mayor



Grace Lewis, Recorder

August 29, 1961

The City Council met in a recessed meeting August 29, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, L. I. Hoke, M. D., Ralph Wears and Robert M. Woods members of the Council. Councilmen Dye, Gewin and Reeves being absent.

Mayor Alexander called the meeting to order.

The meeting was called and held pursuant to Ordinance adopted by Council on the 17th day of July, 1961, and also motion duly entered in the records of Council on August 9, 1961 to readvertise for bids on Units D, E and F, and also pursuant to advertisement for bids for permanent improvement of certain streets named in advertisement which was duly published in the Kanawha Valley Leader, and by notice given to members of the Council.

Thereupon the Recorder reported that she had complied with direction of council by Ordinance and order heretofore adopted and had duly advertised for bids on the permanent improvement of 24th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; 19th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hickory Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Alley between 1st Avenue and 2nd Avenue from its intersection with 22nd Street to its intersection with 21st Street; 16th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hillside Drive from its intersection with Wilson Street to Central Avenue; Main Avenue (Curb and Gutter) from

Printer's Fee \$...

County of Kanawha, to-wit:

Manager of

gins, do solemnly swear that the annexed Publication

issue of the 25 day of August, 1961

Kanawha Valley Leader.
Subscribed and sworn to before me this 25 day of

Notary Public for Kanawha County West Virginia.
10-7-62
(My commission expires _____.)

10-10-68

THE CITY OF NITRO will be
have sealed proposals for the
erecting, re-paving, widening,
erecting, re-paving, grading,
drainage, curbing and guttering,
and otherwise permanently im-
proving same upon and along
both street from its intersection
with 1st Avenue to its intersec-
tion with 2nd Avenue; 16th
Street from its intersection with
1st Avenue to its intersection with
2nd Avenue; Hickory Street
from its intersection with Main
Avenue to its intersection with
Kanawha Avenue; Alley between
1st Avenue and 2nd Avenue,
from its intersection with 22nd
Street to its intersection with
21st Street; 16th Street from its
intersection with 1st Avenue to
its intersection with 2nd Ave-
nue; Hillside Drive from its in-
tersection with Wilson Street to
Central Avenue; Main Avenue,
(Curb and Gutter), from its in-
tersection with Kanopik Street to
its intersection with Blackwood
Avenue; and otherwise per-
manently improving said streets,
all in the City of Nitro, Kan-
sas and Putnam Counties, West
Virginia.
Proposals will be received only
on and in accordance with

Thursday, August
Staff Captain
having a call p

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Nov. 4th, 1958.
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its intersection with Kapoc Street to its intersection with Blackwood Avenue, in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, for two successive weeks as required by said Ordinance, and tendered Publisher's Affidavit of said publication.

Councilman Clark moved, seconded by Councilman Woods, that the notice to contractors, notice asking for bids on said proposed improvement together with Publisher's Affidavit of publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein. All members present, the Mayor and Recorder voted for this motion and was so ordered.

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, To-Wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed publication

NOTICE TO CONTRACTORS

The City of Nitro will receive sealed proposals for the paving, re-paving, widening, surfacing, re-surfacing, grading, draining, curbing and guttering and otherwise permanently improving same upon and along 24th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; 19th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hickory Street from its intersection with Main Avenue to its intersection with Kanawha Avenue; Alley between 1st Avenue and 2nd Avenue from its intersection with 22nd Street to its intersection with 21st Street; 16th Street from its intersection with 1st Avenue to its intersection with 2nd Avenue; Hillside Drive from its intersection with Wilson Street to Central Avenue; Main Avenue (Curb and Gutter) from its intersection with Kapok Street to its intersection with Blackwood Avenue; and otherwise permanently improving said streets, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on

file with Grace Lewis, City Recorder. Payment for said work will be made by certificates in the manner set out in the bid proposal forms. The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder on or before 4:00 o'clock P. M. EST, August 29, 1961. Bids will be opened and publicly read at the City Hall in the Council Chamber at a meeting of the Council to be held on the 29th day of August, 1961, at 8:00 o'clock P. M. EST. The City reserves the right to reject any and all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the office of Grace Lewis, City Recorder.

GRACE LEWIS,
CITY RECORDER
CITY OF NITRO

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 18th day of August, 1961 and ending with the issue of 25th day of August, 1961.

SS C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 25th day of August, 1961.

SS James Jeffers

Notary Public for Kanawha County, West Va.
(My Commission expires 10-7-62).

The Mayor announced that this was the meeting at which bids on the proposed improvements to streets and public ways in said city were to be opened and publicly read, and considered by Council.

The Recorder reported that two contractors had submitted sealed bids for the proposed work, they being Andersons' Black Rock Inc. and Concrete Construction Company.

Thereupon said bids were opened by members of the council and publicly read.

The Mayor recommended that since only four members of council were present, that the Engineer be given a week to tabulate the bids to determine the best and lowest bid.

The Recorder presented a letter to Council from the State Tax Commissioner, approving the Levy Estimate as submitted and the Recorder then presented the Levy Order forms and the members of the Council proceeded to sign the Levy Order as follows:

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM,
MUNICIPALITY OF NITRO, To-Wit:

At a recessed session of the council of the Municipality of Nitro, West Virginia, held in the council chamber thereof on Tuesday, the 29th day of August, 1961 Present: W. W. Alexander, Mayor, Recording Officer Grace Lewis, and Robert M. Woods, Leonard I. Hoke, James R. Wears, Juanita Clark 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 the regular municipal purposes will be \$33,948.00 according to the estimate made and entered of record on the 9th day of August, 1961, and said estimate having been published 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 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:

Eleven cents (11 ¢) on Class No. I property,

Twenty-two cents (22 ¢) on Class No. II property, and,

Forty-four cents (44 ¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy	Taxes Levied
Number I			
Personal Property	\$ 554,080.00	11 ¢	\$ 609.00
Public Utility Property	<u>632,900.00</u>	11 ¢	<u>696.00</u>
Total Class No. I	1,186,980.00		1,305.00
Number II			
Real Estate	4,611,960.00	22 ¢	10,146.00
Number IV			
Real Estate	2,091,600.00	44 ¢	9,203.00

Personal Property	1,659,210.00	44 ¢	7,301.00
Public Utility Property	<u>1,362,100.00</u>	44 ¢	<u>5,993.00</u>
Total Class No. IV	5,112,910.00		22,497.00
TOTAL LEVY	10,911,850.00		33,948.00

Municipal Bond Purposes - Interest and Sinking Fund Order

BOND ISSUES 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 and provide a sinking fund for the discharge of the principal of a bond issue of \$329,000.00 will be \$18,695.00 according to the estimate made and entered of record on the 9th day of August, 1961, and said estimate having been published as required by law and no one appearing to oppose the same or take exception 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

Seven and three quarters cents (7.75 ¢) on Class No. I property,
Fifteen and one-half cents (15.5 ¢) on Class No. II property, and,
Thirty-one cents (31 ¢) on Class No. IV property,
for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	Assessed Valuation	Total Rate of Levy	Taxes Levied
Number I			
Personal Property	\$ 526,630.00	7.75 ¢	\$ 408.00

Public Utility Property	<u>632,900.00</u>	7.75 ¢	<u>490.00</u>
Total Class No. I	1,159,530.00		898.00
Number II			
Real Estate	3,203,260.00	15.5 ¢	4,965.00
Number IV			
Real Estate	1,494,200.00	31 ¢	4,632.00
Personal Property	1,339,060.00	31 ¢	4,151.00
Public Utility Property	<u>1,306,100.00</u>	31 ¢	<u>4,049.00</u>
Total Class No. IV	4,139,360.00		12,832.00
TOTAL LEVY	8,502,150.00		18,695.00

The Mayor informed council that it was necessary that the Federal Government be given a resolution from the City of Nitro, thereby requesting federal aid sufficient to pay for damages caused by the recent flood.

Thereupon, Councilman Hoke moved, seconded by Councilman Wears, that the Mayor be authorized to submit a resolution to the Federal Government for federal aid for flood damages. Upon a vote motion carried.

There being no further business to come before the council a motion for recess until September 5th by Councilman Woods, seconded by Councilman Clark, carried.

W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

September 5, 1961

The City Council met in a recessed session Tuesday, September 5, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl. W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the council.

Mayor Alexander called the meeting to order.

Thereupon the Mayor presented the Engineer's tabulation and analysis of contractor's bids on Units D, E and F total aggregate sums being:

Concrete Construction Company	\$ 56,240.30
Andersons' Black Rock, Inc.	49,631.45

The Mayor and members of the council then proceeded to discuss the analysis of the bids as to cost per street.

Thereupon Councilman Gewin moved, seconded by Councilman Reeves, that the bid of Andersons' Black Rock, Inc. in the aggregate sum of \$49,631.45 be accepted for Units D, E and F, it being the best and lowest bid for said permanent improvement, which said improvement had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with the plans, profiles and specifications, and further that the Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to ordinance authorizing said improvements heretofore enacted. Upon a vote by the council, motion carried unanimously.

Mayor Alexander informed Council that the recent flood had caused damages to a surface drain on 21st Street, the present drain running from 21st Street through the property of M. V. Ridenour to Blake's Creek. That he and the Engineers had checked the damages and that the said line running under Mr. Ridenour's driveway and garage was completely collapsed. Explaining further that to replace the line in the same location would be costly, due to the concrete driveway, however, the Mayor informed council that Mr. Ridenour and Mr. Santrock, owner of the adjacent property, were willing to have the new drain line installed along their property line. The Mayor submitted bids from Roane Construction Company in the amount of \$754.00 for construction of a new drain line and bid for concrete head wall and catch basins in amount of \$642.60. The Mayor asked the council to grant permission for the Roane Construction Company to install the said drain line and masonry construction whenever funds were available for said work.

Thereupon Councilman Woods moved, seconded by Councilman Dye, that the drain line and masonry work be installed on 21st Street by Roane Construction Company at their bid prices when City funds were available. Upon a vote motion carried.

Mayor informed Council that the Federal Government would match funds with local governments to install up to date communication systems, explaining further that our present system will be obsolete and the city will not be able to secure Federal Communication license for the system within the next few years. The Mayor then submitted to the council a proposed OCDM Project application for the

City, covering the City's future two-way radio communication needs as prepared by Joe Holestin, Bill Lester and Harvey J. Helton, total cost being \$17,650.00, the application broken down for a period of three years, which application is to be submitted to the federal government and that when the city purchases the outlined two-way radio equipment the federal government will reimburse the city for one-half the cost of the OCDM, the Mayor explained further that this does not bind the city for purchase, that it makes it possible to secure matching funds in the event the city does purchase.

Thereupon Councilman Reeves moved, seconded by Councilman Woods, that OCDM project be approved and submitted. Upon a vote motion carried.

Mayor Alexander appointed Councilman Dye, Reeves and Wears to work with the Civilian Defense Council.

Councilman Dye moved, seconded by Councilman Clark that 1000 lumen lights be installed at the following locations:

Hillside Drive Pole Number 113B14 AEP

21st Street - light from Pole Number 68D132 to Pole Number 68D134.

Last Pole on the 1000 block of Kanawha Avenue.

Upon a vote motion carried.

Councilman Gewin moved, seconded by Councilman Dye, that the city purchase two air conditioners, cost not to exceed \$500.00.

Motion carried.

Mayor Alexander appointed Ray Stienberg of 201 Juniper Street as member of the Civil Defense Council.

Thereupon Councilman Gewin moved, seconded by Councilman Dye, the appointment be approved. Motion carried.

Councilman Woods asked if the Engineer had ever submitted any plans for a safe access to the school site on 39th Street East.

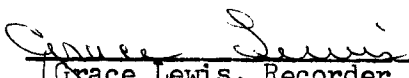
The Mayor informed that the Engineer had been given the information, but he had not submitted a plan.

Several places were reported as to high weeds, shrubs, bushes and trees, namely Lot on 22nd Street, Hickory Street, Lot on Main Avenue, also report was made of wrecked cars being parked on Benamati Avenue and old trucks of the Town Talk Bakery parked on back of their lot on Main Avenue. The Mayor informed that he would have these places checked in an effort to take care of the situations.

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



W. W. Alexander, Mayor



Grace Lewis, Recorder

September 19, 1961

The City Council met in regular session Tuesday, September 19, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M.D., Thomas C. Reeves, James R. Wears and Robert M. Woods, members of the Council.

Mayor Alexander called the meeting to order.

Councilman Clark moved, seconded by Councilman Dye, to dispense with reading of minutes of the meeting held August 15th and 29th and September 5th. Motion carried.

Councilman Woods moved the financial statement for the month of August be accepted. Motion seconded by Councilman Wears. Motion carried.

Mayor Alexander explained to the Council that the Sanitary Board in their meeting had duly entered a motion to increase the amount of bonds to be sold from \$ 75,000.00 to \$ 84,000.00. Said money to be used to complete all extensions, further explaining that the Sanitary Board recommend that the City Council enact any ordinances necessary to secure this amount of money through the sale of Revenue Bonds.

Thereupon, Councilman Clark moved, seconded by Councilman Hoke, that the City enter into an agreement with Seasingood and Mayer, bonding Company for the purchase of bonds in amount of \$ 84,000.00. Upon a vote motion carried unanimously.

The Recorder read a letter of invitation to members of the City Council to attend the dedication ceremonies of the new Post Office to be held October 7th.

The Recorder also read a request from the postal officials for a fifteen minute restriction of parking in the six parking spaces in front of the new Post Office. This request was discussed by members of the Council and was referred to the Traffic Committee for further study.

Councilman Hoke asked if it would be possible to restrict left hand turns at the traffic light between the hours of 7:00 to 8:00 A.M., 12:00 to 1:00 P.M. and 2:30 to 3:30 P.M. A criss cross walkway on 21st Street beneath the traffic light was discussed. Both matters were referred to the Traffic Committee for further study.

Council discussed the traffic situation on 1st Avenue between 22nd and 24th Streets. The idea of installing a raised curb in center of 1st Avenue would eliminate crossing of double lines while backing out of parking area.

Thereupon Councilman Dye moved, seconded by Councilman Clark, that a raised curb be installed on 1st Avenue between 22nd and 24th Streets by the State Road Commission. Motion carried.

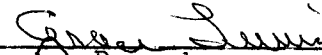
In a discussion of dredging of Blake's Creek, the Mayor informed Council that the Soil Conservation Committee was making a study of the water shed and would make their recommendation as to the needs in this area.

Regarding the matter of a safe entrance to the Elementary School on 39th Street East, the Mayor informed Council that the Engineer's recommendation was a sidewalk from Second Avenue at 39th Street across the creek to East 39th or an alternate of a sidewalk along 40th Street crossing the bridge to 3rd Avenue and along 3rd Avenue to East 39th Street. A question of financing was discussed by the Mayor and Council. Thereupon, the Mayor appointed a committee to make a study of this situation, the committee being Councilmen Woods, Chairman, Hoke and Gewin.

There being no further business to come before Council at this time a motion for adjournment by Councilman Hoke carried and was so ordered.



W. W. Alexander, Mayor



Grace Lewis, Recorder

October 17, 1961

The City Council met in regular session, Tuesday, October 17, 1961.

There were present; W. W. Alexander, Mayor, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves and Robert M. Woods, members of the Council. Grace Lewis, Recorder and James R. Wears, Councilman being absent.

Mayor Alexander called the meeting to order.

Councilman Hoke moved, seconded by Councilman Gewin to dispense with reading of minutes for meeting of September 19th. Motion carried.

Councilman Dye moved, seconded by Councilman Woods, the financial statement for the month of September be accepted. Motion carried.

Thereupon the following ordinance was presented to the Council:

ORDINANCE

AN ORDINANCE PROVIDING FOR LIMITED PARKING ON 21ST STREET AND PENALTY.

Be it ordained by the Common Council of the City of Nitro that three spaces on each side of 21st Street be designated as limited parking spaces, said spaces to be limited to 15 minutes. Provided further, if anyone violates this ordinance then the vehicle will be towed away at the owners expense and fined not less than \$5.00 nor more than \$25.00.

Curbs to be painted red and white. Proper signs to be installed showing limited parking from hours between 8:00 O'clock A. M. to 5:00 O'clock P. M. Effective date: October 17, 1961.

Thereupon after some discussion, Councilman Hoke moved, seconded by Councilman Reeves the foregoing ordinance be adopted. Motion carried.

Thereupon the following ordinance was presented for Council's consideration:

ORDINANCE

AN ORDINANCE PROVIDING FOR CONTROL OF TRAFFIC AT 21ST STREET AND 2ND AVENUE.

Be it ordained by the Common Council of the City of Nitro that the intersection of 21st Street and 2nd Avenue shall be marked and designated for diagonal cross-walking and that when deemed advisable by the Police Department of the City of Nitro there shall be no left hand turns made at said intersection of 21st Street and 2nd Avenue.

Anyone violating this ordinance shall be subject to a fine of not less than \$5.00 nor more than \$25.00.

Thereupon, Councilman Dye moved, seconded by Councilman Clark, the foregoing ordinance be adopted. Upon a vote motion carried.

Letter from the Muscular Dystrophy Association of America, Inc., was read to the Council, requesting permission to solicit funds for said Association on December 3, 1961.

Thereupon, Councilman Hoke moved, seconded by Councilman Clark, that permission to solicit funds be granted to the Muscular Dystrophy Association. Motion carried.

The Mayor then explained to the Council that it was necessary to secure permission from the State Tax Commissioner to transfer \$2,500.00 from item 10 of the City Budget to item 49 and \$1,000.00 from item 40 to item 49, explaining that we lacked sufficient funds in item 49 to take care of the increased rate of Workmen's Compensation for the current year.

Thereupon Councilman Woods moved, seconded by Councilman Reeves, that the City request permission from the State Tax Commissioner to transfer \$2,500.00 from item 10 to item 49 and \$1,000.00 from item 40 to item 49. Upon a vote motion carried.

Mayor Alexander requested Council's approval of the re-appointment of William R. Pritchard and Luke W. Michael as members of the Nitro Sanitary Board for a period of three years, effective as of August 1, 1961.

Thereupon Councilman Dye moved, seconded by Councilman Woods the foregoing appointments be approved. Upon a vote motion carried and was so ordered.

Councilman Clark moved, seconded by Councilman Dye, that Tuesday, October 31st, be designated as Trick or Treat night. Upon a vote motion carried.

BOND ORDINANCE

There was presented to this Council a petition by the Sanitary Board requesting enactment of an ordinance for extensions and improvements to the municipal sewage system of said city and the issuance of revenue bonds in connection therewith. Thereupon Councilman Clark introduced and caused to be read in full a proposed ordinance, next hereinafter set out, entitled:

"AN ORDINANCE making provisions for the issuance of Sewer Revenue Bonds, Series 1961, of the City of Nitro, West Virginia, for the purpose of defraying the cost not otherwise provided, of constructing extensions and improvements to the sewage system, setting forth the terms and conditions upon which said bonds and additional bonds ranking on a parity therewith are to be and may be issued and outstanding, and providing for the collection, segregation and distribution of available income and revenue from the operation of the sewage system of said City so as to pay said bonds and interest thereon."

Councilman Clark moved that all rules be suspended and said ordinance be adopted, seconded by Councilman Dye and after due consideration thereof by the Council the Mayor put the question and, upon the roll being called, the following voted:

Aye: Councilmen Clark, Dye, Gewin, Hoke, Reeves and Woods,
Mayor Alexander, Grace Lewis, Recorder.

Nay: None.

AN ORDINANCE making provisions for the issuance of Sewer Revenue Bonds, Series 1961, of the City of Nitro, West Virginia, for the purpose of defraying the cost, not otherwise provided, of constructing extensions and improvements to the sewage system, setting forth the terms and conditions upon which said bonds and additional bonds ranking on a parity therewith are to be and may be issued and outstanding, and providing for the collection, segregation and distribution of available income and revenues from the operation of the sewage system of said city so as to pay said bonds and interest thereon.

WHEREAS, the City of Nitro, in Kanawha and Putnam Counties, West Virginia, presently owns and operates the sewage system works and facilities (hereinafter in this ordinance referred to as "sewage system") supplying sewer service in and to a portion of said city and surrounding territory and in that said city has heretofore issued and presently has outstanding:

\$750,000 principal amount of 4-3/4%--4-7/8% Sewer Revenue Bonds dated September 1, 1959 maturing serially on September 1 of each of the years 1962 to 1999, inclusive, pursuant to an ordinance adopted July 7, 1959 which by their terms are payable from and secured by the net income and revenues of said municipal sewage system;

and;

WHEREAS, the Sanitary Board of said city has deemed it advisable and necessary in the public interest that said City construct extensions and improvements to the municipal sewage system, together with appurtenances necessary or useful, in connection therewith, all as contemplated and provided by the report dated October 10, 1961 of Robert R. Anderson, Consulting Engineer retained by said Board and generally described as follows:
Extending the presently existing sewage system of the City as follows:

Extending the 18th Street lateral sewer for approximately 3,500 feet;
Extending the Third Avenue lateral sewer at the south end approximately 700 feet; Extending the lateral sewer on Route 25 between Wilson and the Blackwood Section for approximately 2,200 feet;
Extending the lateral sewer on Oakie Avenue for a distance of approximately 700 feet;
Plus certain additional lateral sewers which may be connected to any or all of the above, so as to provide substantially 100% sewage to the City of Nitro and;

WHEREAS, the cost of said extensions and improvements, including financing, engineering, incidentals, and other pertinent costs has been estimated by the engineer aforesaid to be \$96,223.95, and said Sanitary Board has petitioned this Council to enact an ordinance ordering construction of such extensions and improvements and providing for the issuance of revenue bonds to pay the cost thereof not otherwise provided; and

WHEREAS, pursuant to the provisions of Article 13 of Chapter 16 of the West Virginia Code, said city is now authorized and permitted to issue revenue bonds for the purpose of paying the cost, not otherwise provided, of said extensions and improvements and it is necessary at this time that provision be made for the issuance of such bonds to the amount of \$84,000 for the purpose aforesaid and to set forth the conditions and restrictions upon which such bonds and any additional bonds ranking on a parity therewith are to be and may be issued and outstanding:

NOW, THEREFORE, Be It Ordained by the Council of the City of Nitro, West Virginia, as follows:

Section 1. That all proceedings heretofore taken relating to the creation and organization of the Sanitary Board of said City of Nitro and to the construction of extensions and improvements to the sewage system of said city, be and the same are hereby in all respects ratified

and confirmed.

Section 2. That the construction of the extensions and improvements referred to in the preamble of this ordinance with all necessary appurtenances is hereby ordered, and for the purpose of paying the cost thereof not otherwise provided, there be issued the bonds of said city to be known as "Sewer Revenue Bonds, Series 1961", in the principal amount of \$84,000, which bonds shall bear date of September 1, 1961, be of the denomination of \$1,000 each, numbered consecutively 1 to 84, inclusive, and mature in numerical order on September 1 of the respective years as follows:

<u>Year</u>	<u>Amount</u>
2000	\$41,000
2001	43,000

provide, however, said bonds shall be redeemable before maturity at the option of said city on September 1, 1971, and on any interest payment date thereafter in whole or from time to time in part in the inverse order of their maturities (less than all of a single maturity to be selected by lot) upon terms of par and accrued interest to the date fixed for redemption, plus a redemption premium of three per cent (3%) of the principal amount thereof; and in the event of such redemption said city will cause notice identifying the bonds to be redeemed to be given by publication at least once in a newspaper or financial journal of general circulation published in the City of New York, New York, not less than thirty days prior to such redemption date. All such bonds thus called for redemption, and for the payment of which funds are provided on the redemption date will cease to bear interest thereafter.

Said bonds shall bear interest at the coupon rate of six per cent (6%) per annum or at such lesser coupon rate or rates as may be fixed

by supplemental ordinance or ordinances prior to the delivery of said bonds to the purchaser in accordance with the provisions of the agreement for the sale of the bonds hereby authorized as hereinafter referred to in Section 11 of this ordinance. All interest as aforesaid shall be evidenced by proper interest coupons attached to each of said bonds and to be payable semi-annually on the first days of March and September in each year.

Both principal and interest shall be payable in lawful money of the United States at the office of the State Sinking Fund Commission of West Virginia, in the City of Charleston, West Virginia, or at the option of the holder of the respective bonds and interest coupons, at the principal office of The First National City Bank of New York in the City of New York, New York. Said bonds shall be signed by the Mayor and attested by the City Recorder of said city and sealed with its corporate seal, and the interest on said bonds shall be evidenced by coupons attached thereto, which shall be executed with the facsimile signatures of said Mayor and City Recorder, and said officials by the execution of said bonds shall adopt as and for their own proper signatures their respective facsimile signatures on said coupons. All of said bonds, and the interest thereon, together with any additional bonds ranking on a parity therewith issued under conditions and restrictions hereinafter set forth, shall be payable out of the special fund hereinafter referred to and the portion of the net revenues of the sewage system of said city pledged to said fund, all subject however, to the vested rights and priorities in favor of the security and payment from said new revenues of the presently outstanding Sewer Revenue Bonds dated September 1, 1959.

Section 3. That upon presentation at the office of the City Recorder of said city of any of said bonds same may be registered as to principal in the same of the owner on the books in his office, such registration to be noted on the reverse side of the bonds by the City

Recorder, and thereafter the principal of such registered bonds shall be payable only to the registered holder, his legal representatives or assigns. Such registered bonds shall be transferable to another registered holder, or back to bearer, only upon presentation to said City Recorder with a legal assignment duly acknowledged or proved. Registration of any of such bonds shall not affect the negotiability of the coupons thereto attached, but such coupons shall be transferable by delivery merely.

Section 4. That said bonds and coupons and provisions for registration shall be in substantially the following form, to wit:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF WEST VIRGINIA

COUNTIES OF KANAWHA AND PUTNAM

CITY OF NITRO

SEWER REVENUE BOND

SERIES 1961

No. _____

\$1,000

KNOW ALL MEN BY THESE PRESENTS: That the City of Nitro, in the Counties of Kanawha and Putnam and State of West Virginia, for value received, hereby promises to pay from the special fund provided therefor as hereinafter set forth, to the bearer or, if this bond be registered as to principal, to the registered holder hereof, on the first day of September_____, the sum of One Thousand Dollars(\$1,000) and from said special fund to also pay interest on said sum from the date hereof until paid at the rate of _____ per cent (____%) per annum semiannually on the first days of March and September in each year, except as the provisions hereinafter set forth with respect to redemption may become applicable

hereto, all such interest as may accrue on and prior to the maturity date hereof to be payable only upon presentation and surrender of the coupons hereto appertaining as they severally become due, both the principal of and interest on this bond being payable in lawful money of the United States of America, at the office of the State Sinking Fund Commission of West Virginia, in the City of Charleston, West Virginia, or at the option of the holder hereof, at the principal office of The First National City Bank of New York in the City of New York, New York.

This bond is one of a series of bonds numbered consecutively from 1 to 84, inclusive, issued by said city pursuant to ordinance duly enacted for the purpose of defraying the cost, not otherwise provided, of constructing extensions and improvements to its sewage system under and in full compliance with the Constitution and statutes of the State of West Virginia, including among others, Article 13 of Chapter 16 of the West Virginia Code.

The bonds of the series of which this bond is one shall be optional for redemption by said city prior to maturity on September 1, 1971, and on any interest payment date thereafter in whole or from time to time in part in the inverse order of their maturities (less than all of a single maturity to be selected by lot) upon terms of par and accrued interest to the date fixed for redemption, plus a redemption premium of three per cent (3%) of the principal amount thereof; and in the event of such redemption it is hereby agreed that notice identifying the bonds to be redeemed will be given by publication at least once in a newspaper or financial journal of general circulation published in the City of New York, New York, not less than thirty days prior to such redemption date. All such bonds thus called for redemption, and for the retirement of which funds are duly provided will cease to bear interest on the redemption date.

This bond and the series of which it is one, together with any additional bonds ranking on a parity therewith that may be issued and outstanding under the conditions and restrictions set forth in said ordinance, are payable only from and secured by net income and revenues to be derived from the operation of the municipal sewage system of said city, which shall be sufficient to pay the principal of and interest upon said bonds as and when the same become due and payable, and which shall be set aside as a special fund and are hereby pledged for that purpose, subject, however, to the vested rights and priorities in favor of the security and payment from the net income and revenues of said sewage system of the presently outstanding Sewer Revenue Bonds of said city dated September 1, 1959. This bond does not constitute a corporate indebtedness of the City of Nitro within the meaning of any constitutional or statutory provisions or limitations, nor shall said city be obligated to pay this bond or interest thereon from any other funds. Said city covenants it will fix such rates for service of said sewage system and will collect and account for income and revenues therefrom sufficient to promptly pay all expenses of operation, repair and maintenance thereof and the principal of and interest on this bond and the series of which it is one as the same will become due.

This bond is fully negotiable but may be registered as to principal only in the name of the holder on the books of said city in the office of its City Recorder, such registration to be evidenced by notation on the back hereof by the City Recorder, after which no transfer shall be valid unless made on said books and similarly noted hereon, but it may be discharged from such registration by being transferred to bearer, after which it shall be transferable by delivery but it may be again registered as before. The registration of this bond as to principal shall not restrain the negotiability of the coupons by delivery merely.

This bond is exempt from taxation by the State of West Virginia and any county or municipality therein.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this bond, have existed, have happened and have been performed in due time, form and manner as required by law, and that the amount of this bond, together with all other obligations of said city, does not exceed any limit prescribed by the Constitution or statutes of the State of West Virginia, and that subject to the vested rights and priorities in favor of said presently outstanding Sewer Revenue Bonds dated September 1, 1959, a sufficient amount of the net income and revenues of the sewage system of said city has been pledged to and will be set aside into said special fund by said city for the prompt payment of the principal of and interest on this bond and the series of which it is one.

IN WITNESS WHEREOF, the City of Nitro has caused this bond to be signed by its Mayor, attested by its City Recorder, and its corporate seal to be hereunto affixed, and the coupons hereto attached to be executed with the facsimile signatures of said Mayor and City Recorder, which officials by the execution of this bond do adopt as and for their own proper signatures their respective facsimile signatures appearing on said coupons, and this bond to be dated as of the first day of September, 1961.

Mayor

Attest:

City Recorder

(Form of Coupon)

No. _____ \$ _____

On the first day of _____, 19____, the
 City of Nitro, West Virginia, will pay to bearer _____
 _____ Dollars (\$ _____) out of the special fund provided
 therefor, at the office of the State Sinking Fund Commission of West Virginia,
 in Charleston, West Virginia, or at the option of the holder hereof, at the
 principal office of The First National City Bank of New York in the City of
 New York, New York, as provided in and for interest then due on its Sewer
 Revenue Bond, Series 1961, dated September 1, 1961, Number _____.

Mayor

Attest:

City Recorder

(Form for Registration to be printed on the back of each bond)

Date of Registration	In Whose Name Registered	Signature of City Recorder
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:

Section 5. That all proceedings preliminary to and in connection
 with the issuance of said presently outstanding Sewer Revenue Bonds dated
 September 1, 1959 whereby provision was made for the operation of the
 municipal sewage system of said city on a revenue basis and for the segregation,

allocation, custody and application of the income and revenues derived from the operation of said municipal sewage system and for the enforcement and payment of said bonds and except as in this ordinance otherwise provided, are hereby ratified and confirmed and shall continue in force and inure to the security and benefit of the bonds herein authorized to the same extent and with like force and effect as if such provisions and proceedings were herein set out in full.

Section 6. That from and after the issuance of any of the bonds herein authorized, the municipal sewage system of said City of Nitro shall continue to be operated as a revenue producing and self-liquidating undertaking and the revenues derived from the rates and charges for sewer services shall be set aside into the separate and special fund created in said ordinance adopted July 7, 1959 and designated as the "Sewer Revenue Fund" to be used (1) to pay the reasonable expenses of operation, repair and maintenance of the system; (2) to pay when due the interest on and principal of the bonds dated September 1, 1959 and the bonds hereby authorized and any additional bonds ranking on a parity therewith from time to time outstanding; and to pay the fiscal agency charges for paying all such interest and principal; and to accumulate and maintain a margin of safety and reserve for payment of all of said bonds and interest thereon; and (3) to provide proper funds for a depreciation account.

(1) The provisions of said ordinance adopted July 7, 1959 whereby there was created a special fund designated "Operation and Maintenance Fund", into which there shall be paid each month from said revenues the amount of the reasonable expenses of operation, repair and maintenance of the municipal sewage system of said city, are hereby in all respects ratified and confirmed and said special fund shall be used and disbursed only for that purpose.

(2) There is hereby created a special fund to be designated "Sewer Revenue Bond, Series 1961, Interest and Sinking Fund" (hereinafter sometimes referred to as the "1961 sinking fund") into which there shall be paid all or such portion of the balance of said revenues remaining after making the payments into the sinking fund for the outstanding Sewer Revenue Bonds dated September 1, 1959 as provided by the ordinance adopted July 7, 1959, as shall be sufficient to pay, when due, (a) the interest upon all of the bonds outstanding under the provisions of this ordinance including any bonds ranking on a parity with the bonds herein authorized, (b) the necessary fiscal agency charges for paying all of said bonds and interest thereon, (c) the principal amount of all of said bonds, and (d) to provide a margin for safety and reserve for the payment of all of said bonds and interest thereon, and it is hereby determined that the minimum amounts so to be paid into the 1961 sinking fund for account of the bonds herein authorized during the respective years shall be not less than as follows:

All sums received as accrued interest in the issuance and sale of the bonds hereby authorized shall be paid into said 1961 sinking fund. From and after the issuance of any of the bonds hereby authorized there shall be paid into said 1961 sinking fund each month an amount equal to at least (1) one-fifth of the amount of interest becoming due on the bonds hereby authorized then outstanding on the next succeeding interest payment date, plus (2) one-tenth of the amount of principal (if any) of the bonds hereby authorized then outstanding becoming due on the next succeeding September 1, provided that when there shall have been accumulated and maintained in said 1961 sinking fund sufficient moneys to pay the amount of interest and principal becoming due on said bonds then outstanding during the next succeeding twenty-four months then the amount to be so set aside

and paid into said 1961 sinking fund may be reduced to one-sixth of the amount of principal, as herein before otherwise provided. No further payments need be made into said 1961 sinking fund after and so long as such amount of the bonds shall have been retired that the amount then held in said 1961 sinking fund is equal to the entire amount required for the retirement of the bonds and to pay all interest that will have accrued and become due at the time of such retirement.

Whenever and to whatever extent additional bonds ranking on a parity with the bonds herein specifically authorized are hereafter issued under the conditions and restrictions hereinafter set forth provisions shall be made at or before the time of such issuance for additional monthly payments into said 1961 sinking fund for meeting the interest and principal requirements of such additional bonds, paying the additional fiscal agency charges thereon, and to accumulate and maintain a margin of safety and reserve therefor in like manner and proportion as such provisions are herein made for the bonds herein specifically authorized.

The amount by which any balance in said 1961 sinking fund exceeds the current interest and principal requirements shall be held in said 1961 sinking fund as a reserve for contingencies and used solely as herein provided. If in any month the city shall for any reason fail to pay into said 1961 sinking fund the respective minimum amounts, then an amount equivalent to such deficiency shall be set apart and paid into said fund from the first available revenues of the following month or months, as the case may be, and same shall be in addition to the amount otherwise herein provided to be so sep apart and paid during such succeeding month or months.

If for any reason the city shall fail to make any such payment into said 1961 sinking fund, as aforesaid, any sums then held as a reserve for contingencies shall be used for the payment of any portion of the interest on or principal of said bonds as to which there would otherwise be default, but such reserve shall be reimbursed therefor from the first available payments made into the 1961 sinking fund in the following month or months in excess of the required payments.

Such payments into said 1961 sinking fund shall be made on the first day of each month except that when the first day of any month shall be a Sunday or a legal holiday then such payments shall be made on the next succeeding secular day and all such payments shall be remitted to the State Sinking Fund Commission of West Virginia with appropriate instructions as to the custody, use and application thereof consistent with the provisions of this ordinance.

Said 1961 sinking fund shall be used solely and only and is hereby pledged for the purpose of servicing the bonds herein authorized to be issued and any additional bonds ranking on a parity therewith that may be issued and outstanding under the conditions and restrictions hereinafter set forth. No funds in said 1961 sinking fund shall be used to purchase or retire bonds in advance of maturity except that part in excess of actual principal and interest requirements for twenty-four months on bonds then outstanding unless all bonds then outstanding are to be so purchased or retired.

(3) The provisions of said ordinance adopted July 7, 1959 whereby there was created a special fund designated as "Depreciation Fund", are hereby in all respects ratified and confirmed and into which there shall next be set apart and paid from said Sewer Revenue Fund quarterly, after making the payments herein before specified into the operation and maintenance fund, the sinking fund for the bonds dated September 1, 1959 and the 1961

sinking fund, a sum equal to two and one-half per cent of the annual debt service on all outstanding bonds which by their terms are payable from the revenues of said sewage system until the amount in said fund shall equal ten per cent of the par value of all such outstanding bonds and whenever withdrawals are made from said fund so as to reduce the balance therein to less than said minimum balance the payments shall continue so as to restore the amount therein to at least said minimum balance. All funds in said Depreciation Fund shall be kept apart from all other municipal funds, or all or any part of said fund may be invested in bonds or other direct or fully guaranteed obligations of the United States of America maturing or being subject to retirement at the option of the holder within not more than ten years from the date of such investment. Withdrawals and disbursements may be made from said Depreciation Fund for renewals or replacements to the municipal sewage system or for improvements or extensions thereto, and provided also that withdrawals and disbursements shall be made from said Depreciation Fund to meet the payment of the interest on or principal of any bonds to whatever extent and if for any reason, funds in the sinking fund for the bonds dated September 1, 1959 or the 1961 sinking fund are insufficient for that purpose.

Any funds in the Depreciation Fund in excess of the minimum balance may be used to purchase or retire bonds payable from the revenues of said system in advance of maturity.

Whenever all of the required and provided transfers and payments from said Sewer Revenue Fund into the several special funds, hereinbefore provided, are current and there remains in said Sewer Revenue Fund a balance in excess of the estimated amounts required to be so transferred and paid into said Operation and Maintenance Fund during the succeeding

six months such excess may be transferred and paid into the sinking fund for the bonds dated September 1, 1959 or the 1961 sinking fund or may be withdrawn and used for extensions and improvements to the municipal sewage system, or to purchase or retire bonds payable from the revenues of said system in advance of maturity, and such excess shall not be subject to withdrawal for any other purpose.

In the event any excess funds in the 1961 sinking fund, Depreciation Fund or Sewer Revenue Fund are used to purchase bonds in advance of maturity as hereinbefore authorized no such purchase shall be made at a price exceeding the market price of said bonds nor exceeding the price at which such bonds may be redeemable on their next succeeding redemption date. All bonds so purchased or redeemed shall be cancelled and shall not again be issued.

All moneys as paid into said Sewer Revenue Fund or Depreciation Fund shall be deposited in a bank or banks which are members of the Federal Deposit Insurance Corporation.

Section 7. The rates for all services rendered by the sewage system of said city shall be reasonable and just, taking into account and consideration the cost and value of said system and the cost of maintaining, repairing and operating the same and the proper and necessary allowances for depreciation thereof and the amounts necessary for the retirement of all bonds and the accruing interest on all such bonds, and there shall be charged such rates and amounts as shall be adequate to meet the requirements of this and the preceding section thereof. Compensation for services, if any, rendered to said city shall in like manner be charged against the city and payment for same shall be made from its corporate funds. The proceeds or income from all charges and contracts for sewers and sewage service furnished by said sewage system within or outside the corporate limits of said city shall be included

and accounted for as other incomes and revenues of said system. No free services of said sewage system shall be allowed or permitted.

To the full extent permitted by law the city upon or prior to the date of completion of the extensions and improvements to the municipal sewage system as generally described in the preamble hereof shall adopt an appropriate ordinance requiring that all sanitary sewage drain pipes of buildings or structures of any kind situated upon lots abutting on a street, alley or easement in which a sewer line of said sewage system is located shall be connected to said sewer line and providing that the use of septic tanks or other methods of sewage disposal by such premises is unlawful and constitutes a nuisance.

In so far as consistent with the laws of West Virginia, said city agrees that so long as any of the bonds hereby authorized remain outstanding it will keep proper books of record and account, separate from all other municipal records and accounts, showing complete and correct entries of all transactions relating to said sewage system, and will cause such books of record and account to be audited annually by an independent certified public accountant. A copy of each such audit shall be furnished to the original purchaser of the bonds hereby authorized and copies thereof shall be made available for any bondholder requesting same. The holders of any of said bonds shall have the right at all reasonable times to inspect the system and all records, accounts and data relating thereto. The city hereby further agrees to furnish monthly to the original purchaser of the bonds hereby authorized a copy of each letter of transmittal from the city to the State Sinking Fund Commission accompanying the remittance of said city of its monthly payment into the 1961 sinking fund, as hereinbefore provided, but only if and to the extent the forms of such letter of transmittal are supplied by said purchaser.

It is hereby represented and certified that a sanitary board for said city has heretofore been lawfully created and organized and placed in charge of the operation of its municipal sewage system and that equitable rates or charges for the use of and service rendered by said sewage system have been heretofore established pursuant to a public hearing, all in the manner and form required by Section 1409 (30) of the West Virginia Code; that copies of such rates or charges so established are and will be continuously on file in the office of said Sanitary Board and in the office of the City Recorder, each of which copies will be open to inspection by all parties interested. The schedule of rates or charges shall at all times be adequate to produce gross revenues and income from said sewage system to pay the expenses of operation, repair and maintenance thereof and leave a balance of net revenues and income sufficient to make the prescribed payments into the sinking funds and depreciation fund as hereinbefore set forth. Such schedule shall be changed and readjusted whenever necessary so that the aggregate of the rates or charges will be sufficient for such purposes.

All rates or charges if not paid when due shall constitute a lien upon the premises served, and if not paid within thirty days after the same become due, the amount thereof, together with a penalty of ten per cent and reasonable attorney's fees may be recovered and shall be enforced by the Sanitary Board in a civil action in the name of the municipality, and as a part of such action the lien aforesaid shall be foreclosed in accordance with the laws relating to the enforcement of such liens all as permitted and provided by Section 1409 (30) of the West Virginia Code.

Section 8. The City of Nitro hereby covenants and agrees with the holders of the bonds herein authorized to be issued, or any of them, that it will faithfully and punctually perform all duties with reference to said sewage system required by the Constitution and laws of the State of West Virginia, including the making and collecting of reasonable and sufficient

rates for services rendered by said system, and will segregate the revenue therefrom and make application thereof consistent with and as provided by this ordinance; and said city hereby irrevocably covenants, binds and obligates itself not to sell, lease, mortgage or in any manner dispose of any integral part of said system, including any and all appurtenances thereto and extensions and additions that may be made thereto, until all the bonds herein authorized to be issued and any additional bonds ranking on a parity therewith shall have been paid in full, both principal and interest, or legal and sufficient provision for such payment shall have been made; provided, however, said city may dispose of any real or personal property which is no longer needed or useful in connection with the operation of said system provided said city has first obtained the written determination of an independent consulting engineer of recognized reputation for skill and experience in sewage system matters and not in the regular employ of said city that such property is no longer needed or useful in such operation and provided further that so long as any of the bonds dated September 1, 1959 are outstanding all proceeds received by the city in the disposal of such property shall be placed in the sinking fund for said bonds dated September 1, 1959 and used to the extent permissible to purchase or retire bonds payable from said fund in advance of maturity and thereafter all such proceeds shall be placed in the 1961 sinking fund and used to the extent permissible to purchase or retire bonds payable from said fund in advance of maturity. Said city further covenants and agrees with the holders of said bonds to maintain in good condition and continuously operate said system and appurtenances and to charge and collect such rates or charges for services rendered thereby so that the gross revenues will be sufficient at all times to provide for the payment of the operation, repair and maintenance of said system and leave net amounts to be paid into the sinking funds and Depreciation Fund as provided herein.

Said city further covenants and agrees that so long as any of the bonds dated September 1, 1959 and the bonds hereby authorized or permitted to be issued hereunder are outstanding it will keep all buildings and all machinery and equipment therein constituting a part of the municipal sewage system of said city insured against loss or damage by fire, lightning, windstorm, flood and collapse under a policy or policies of a responsible insurance company or companies authorized and qualified under the laws of West Virginia to assume such risks. Coverage of such insurance shall be for the full amount of the insurable value or the principal amount of said bonds dated September 1, 1959 and the bonds hereby authorized or permitted to be issued hereunder as may be outstanding whichever amount is the lesser. The city further covenants and agrees in like manner to carry public liability and property damage insurance covering such risks and for such amounts as the Sanitary Board of said city deems from time to time to be necessary or advisable by reason of the character and extent of the operations of the municipal sewage system. The proceeds of any and all such insurance, other than public liability and property damage, are hereby pledged as security for said bonds dated September 1, 1959 and the bonds hereby authorized or permitted to be issued hereunder until such proceeds are paid out in making good the loss or damage in respect of which such proceeds are received, by repairing or replacing the property damaged or destroyed. All expenses and costs of such insurance shall be an expense of operation and maintenance of the municipal sewage system.

SECTION 9. That any holder of said bonds or of any of the coupons may either at law or in equity, by suit, action, mandamus or other proceedings protect and compel performance of all duties imposed or required by this ordinance or the law pursuant to which said bonds are to be issued, including the making and collecting of sufficient rates and segregation of the income

and revenues and the application thereof. That upon the filing of said suit by any holder of said bonds or of any of the coupons, any court having jurisdiction of the action may appoint a receiver to administer said system on behalf of the city with power to charge and collect rates sufficient to provide for the payment of any bonds or obligations outstanding against said system and for the payment of the operating expenses, and to apply the income and revenues in conformity with this ordinance and the provisions of said statute laws of West Virginia aforesaid.

SECTION 10. The bonds authorized to be issued hereunder and from time to time outstanding shall not be entitled to priority one over the other in the application of the income and revenues of said system or with respect to the security for their payment, regardless of the time or times of their issuance, it being the intention that there shall be no priority among the bonds authorized or permitted to be issued under the provisions of this ordinance, regardless of the fact that they may be actually issued and delivered at different times.

Said city hereby reserves the right and privilege of issuing additional bonds payable from the "Sewer Revenue Bond, Series 1961, Interest and Sinking Fund", hereinbefore created and ranking on a parity with the bonds hereby authorized for the purpose of paying the cost of further extensions and improvements to the municipal sewage system; provided that before any such additional parity bonds are issued there shall have been procured and filed with the City Recorder a statement by an independent certified public accountant not in the regular employ of the city on a monthly salary basis reciting the opinion based upon the necessary investigation that the net operating income and revenues of said sewage system for twelve consecutive months out of the fourteen months immediately preceding the date of issuance of the bonds then proposed to be issued were equal to at least 1.20 times the maximum amount of principal and interest