

October 17, 1961 Continued

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. So long as any of the Sewer Revenue Bonds dated September 1, 1959 remain outstanding the annual principal and interest requirements for said bonds shall be included in the foregoing computation.

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 the maturities of any such additional parity bonds shall be so scheduled that the combined annual principal and interest requirements throughout the life of all bonds then outstanding including the bonds dated September 1, 1959 and the bonds when 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 be not 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 1961 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 11. 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 Seasingood & Mayor 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 September 27, 1961, 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 constructing the extensions and improvements to the sewage system of said city all as generally described and referred to in the preamble hereof. Simultaneously with the issuance of any of the bonds hereby authorized all sums received as accrued interest shall be set aside into the 1961 sinking fund. 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 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 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 1961 sinking fund aforesaid.

SECTION 12. 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 nor of said ordinance adopted July 7, 1959 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 13. 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 14. 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 15. 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 October 31, 1961, at 8:00 o'clock P. M., and then and there be heard as to the matters herein provided.

Adopted and approved October 17, 1961.

Mayor

Attest:

City Recorder

RECORDED: October 17, 1961

City Recorder

There being no further business to come before the Council at this time the meeting was recessed until October 31, 1961 at 8:00 O'clock P. M.

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

Grace Lewis
Grace Lewis, Recorder

October 31, 1961

The City Council met in a recessed session Tuesday, October 31, 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.

Absent: None

Mayor Alexander called the meeting to order.

The Mayor presented to the Council the minutes of the meeting of the Park Board whereby the Park Board requested the City to sell a plot (50' x 175.68') of the City Park to the West Virginia Water Company, subject to the agreement between the West Virginia Water Company and the Park Board for \$2500.00 for said plot. The Mayor and members of the Council discussed the sale of said plot to some extent, the Council agreed that moneys received should be placed in a special fund and be used for permanent improvement to the Park.

Thereupon the following ordinance was presented to the Council.

ORDINANCE

AN ORDINANCE AUTHORIZING AND DIRECTING THE SALE OF A PARCEL OF LAND TO THE WEST VIRGINIA WATER COMPANY.

Whereas, the West Virginia Water Company; a corporation, has offered to purchase a parcel of land hereinafter described and the City of Nitro is desires to sell said parcel;

Now Therefore be it ordained by the City Council of the City of Nitro, Kanawha and Putnam Counties West Virginia, that said City does hereby sell the property described in the following Deed to the West Virginia Water Company for the consideration of the sum of \$2,500.00:

THIS DEED, made this ____ day of _____, 19____, by and between CITY OF NITRO, a municipal corporation, party of the first part, and WEST VIRGINIA WATER COMPANY, a corporation, party of the second part,

WITNESSETH that whereas the said party of the second part in connection with improving its facilities for service to the public in and about the City of Nitro, Kanawha County and Putnam County, West Virginia, requires additional land adjacent to its filter plant on the Kanawha River and in or near said City for the installation of additional and improved facilities; and,

WHEREAS, the Council of the said City of Nitro, by resolution duly adopted on the ____ day of _____, 19____, authorized the sale to the party of the second part of the land hereinafter described and directed that the Mayor execute, acknowledge and deliver for and on behalf of said City a deed in the form hereof to the said party of the second part;

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00) cash in hand paid, the said party of the first part does hereby grant and convey unto the said party of the second part all that certain parcel of land situate in Poca District, Putnam County, West Virginia, bounded and described as follows:

Beginning at a point in the southerly line of approximately 12 acres of land owned by West Virginia Water Company and on which is situated its sedimentation basin, said point being located 80 feet south of the woutherly side of said sedimentation basin and N. 87° 04' E. 50 feet from a fence post at the southwesterly corner of the enclosed area of said West Virginia Water Company tract; thence S. 2° 56' E. 50 feet to a point; thence S. 87° 04' W. 171.63 feet to a point now below the surface of the Kanawha River; thence down the river N. 7° 34' W. 50.16 feet to a point; thence with the southerly line of said West Virginia Water Company tract, N. 87° 04' E. 175.68 feet to the beginning; containing

0.20 acre, more or less; being the same land shown on a map dated August, 1961, made by Gannett, Fleming, Corddry & Carpenter, Inc., Engineers, Harrisburg, Pa., a copy of which is attached hereto and made a part hereof; and being a part of a tract of about 15 acres heretofore conveyed unto City of Nitro, a municipal corporation, by Nitro Industrial Corporation, a corporation, by deed dated March 30, 1946, and of record in the office of the Clerk of the County Court of Putnam County, West Virginia, in Deed Book 85, page 321, reference to which map and deed is here made for a more particular description.

This conveyance is made subject to the following:

- (1) The right of repurchase reserved by Nitro Industrial Corporation, its successors or assigns, in the aforesaid deed to the party of the first part;
- (2) All utility and sewer easements or rights of way duly of record in said Clerk's office and affecting the real estate herein conveyed; and
- (3) The right and easement of United States of America to flood a portion of said real estate by virtue of a decree entered January 15, 1941, by the United States District Court for the Southern District of West Virginia in a case styled "United States of America v. Nitro Industrial Corporation, et al.," (Upon Condemnation No. 3712), a copy of which order is recorded in said Clerk's office in Deed Book 73, page 510.

Declaration of Consideration of Value: The grantor does hereby declare that the total consideration for the real estate transferred by this instrument is \$_____.

IN WITNESS WHEREOF, the said party of the first part has caused its name to be signed and its corporate seal to be affixed hereto by W. W. Alexander, its Mayor, all by the authority of its Council duly given.

CITY OF NITRO

(Corporate)
(Seal)

By _____
Its Mayor

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, To-wit:

I, _____, a Notary Public of said County, do hereby certify that W. W. Alexander, who signed the foregoing writing, bearing date the _____ day of _____, 19____, for City of Nitro, a municipal corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said municipal corporation.

Given under my hand this _____ day of _____, 19____.

My commission expires _____.

Notary Public within and for
Kanawha County, West Virginia

The Mayor of the City of Nitro, West Virginia is hereby ordered and directed to sign all necessary papers and Deed for the execution of this ordinance.

Provided however, no Deed shall be delivered or executed until the Nitro Industrial Corporation delivers a proper instrument agreeing to the sale of said property.

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

Thereupon Councilman Clark moved, seconded by Councilman Woods, that moneys received for the foregoing plot of land be placed in a special account under name of Park Permanent Improvement Fund and that the Mayor and City Treasurer be authorized to sign checks drawn on said account. Upon a vote motion carried.

Mayor Alexander presented to the Council a copy of Report of Preliminary Examination Five Water-Sheds-Kanawha County as prepared by Glen H. Baker, and informed Council that he wished to appoint a committee of persons living in the area affected by the recent flood to make a complete study of this problem and thereby named the following persons to serve on said committee. Dennis R. Knapp, B. E. Gewin, M. V. Ridenhour, Carl Bender, J. E. Hulshizer, R. M. Woods, and James Crewdson.

The Mayor asked Mr. Woods to call a meeting of said committee.

Mayor Alexander presented letters to Council from the Department of Commerce regarding the Disaster Recovery Program and informed the Council that we would follow through on the recommendation of the Department of Commerce.

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 Hoke 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 revenues from the operation of the sewage system of said city so as to pay said bonds and interest thereon."

Councilman Hoke moved that all rules be suspended and said ordinance be adopted, seconded by Councilman Gewin 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, Woods and Wears, Mayor Alexander, Grace Lewis, Recorder.

Nay: None

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

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 collections, 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 will 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 the 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 any of said bonds same may be registered as to principal in the name 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, 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, 20____, 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 apertaining 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 of 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 right 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 CERTIFIES, 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, 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 set aside and paid into said 1961 sinking fund may be reduced to one-sixth of the amount of interest and one-twelfth of the amount of principal, as hereinbefore 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 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 of which any balance in said 1961 sinking fund exceeds the current interest and principal requirement shall be held in said 1961 sinking fund as to 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, the same shall be in addition to the amount otherwise herein provided to be so set 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 foresaid, 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 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 herein-after 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 hereinbefore 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 twelve months and into said sinking fund for the bonds dated September 1, 1959 and the 1961 sinking fund and Depreciation Fund during the next 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 charge 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 income 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 transations 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 accompaying 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 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 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 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. So long as any of the Sewer Revenue Bonds dated September 1, 1959 remain outstanding the annual principal and interest requirements for said bonds shall be included in the foregoing computation.

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 the maturities of any such additional parity bonds shall be so scheduled that the combined annual principal and interest requirements throughout the life of all bonds then outstanding including the bonds dated September 1, 1959 and the bonds when 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 be not 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 1961 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 11. 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 Seasingood & Mayer 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 September 27, 1961, 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 constructing the extensions and improvements to the sewage system of said city all as generally described and referred to in

the preamble hereof. Simultaneously with the issuance of any of the bonds hereby authorized all sums received as accrued interest shall be set aside into the 1961 sinking fund. 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 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 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 1961 sinking fund aforesaid.

SECTION 12. 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 nor of said ordinance adopted July 7, 1959 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 13. 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 14. 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 15. 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 November 21, 1961, at 8:00 o'clock P.M., and then and there be heard as to the matters herein provided.

Adopted and approved October 31, 1961.

Mayor

Attest:

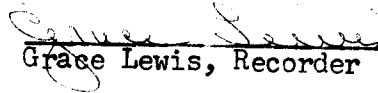
City Recorder

Recorded: October 31, 1961.

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

November 21, 1961

The City Council met in regular session Tuesday, November 21st, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, James R. Wears and Robert M. Woods members of the Council. Councilmen Clark and L. I. Hoke, M. D. being absent.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Gewin, that the reading of minutes for meetings held October 17th and October 31st be dispensed with. Motion carried.

Councilman Dye moved the financial statement for the month of October be accepted. Councilman Gewin seconded the motion. Motion carried.

Councilman Reeves moved, seconded by Councilman Wears, that the City accept as a City Street Secondary Road 25/2, from Kapoc Street to Blackwood Lane, at the South Corporation line and relieve the State Road Commission of all further responsibility, after said road has been improved by the State Road Commission resurfacing project. Upon a vote motion carried.

Councilman Woods moved, seconded by Councilman Dye, that the recently appointed Water Shed Committee be designated and known as the Blakes Creek-Nitro Water Shed Commission, thereby giving the Commission the authority to appoint members, who may reside outside the City limits.

Upon a vote motion carried.

Petition was presented to the Council from property owners of Bailes Drive, requesting Council to eliminate parking on said Street. After some discussion said petition was referred to the Traffic Committee to make a study of said situation and contact the said property owners.

Councilman Dye moved, seconded by Councilman Woods that the Appalachian Power Company be notified to install a 1000 lumen light on pole AEP 56-7106 located on Braodway Avenue. Motion carried.

Councilman Dye moved, seconded by Councilman Reeves, that the Appalachian Power Company officials be notified that the City Council intended to complain to the Public Service Commission unless the services of the Power Company improved. Motion carried.

Notice of Dr. J. L. Dunlap's intent to protest the payment of any portion of the cost of the improvement of 16th Street, which cost represents any of the expenditures for the improvement of the strip of land known as the Parkway, was presented to Council. The Mayor and Council discussed this matter to some extent, the City Attorney was instructed to make a study of said matter and give Council a report and course to follow.

A letter from Burl A. Sawyers, State Road Commissioner, was read to the Council, said letter requesting the Council enact the following Resolution:

A Resolution

TO APPOINT THE KANAWHA COUNTY PLANNING AND ZONING COMMISSION
TO ACT FOR THE MUNICIPALITY OF NITRO, WEST VIRGINIA, IN ALL
MATTERS RELATING TO CONDUCTING OF A TRAFFIC AND TRANSPORTATION
STUDY FOR KANAWHA COUNTY, WEST VIRGINIA

WHEREAS, it appears to be advantageous to the welfare of the Municipality of Nitro, West Virginia, that a Traffic and Transportation Study for Kanawha County, West Virginia, be undertaken,

Therefore,

BE IT RESOLVED: That the City Council of the Municipality of Nitro, West Virginia, hereby designate and authorize the Kanawha County Planning and Zoning Commission to act for the said Municipality of Nitro, West Virginia, in all matters relating to the conducting and undertaking of a Traffic and Transportation Study for Kanawha County.

BE IT FURTHER RESOLVED: That all resolutions in conflict herewith are hereby repealed. This resolution shall take effect immediately, the public welfare of the Municipality of Nitro requiring it.

APPROVED AND ADOPTED BY THE City Council of Nitro, West Virginia, this ____ day of _____, 1961.

After some discussion by Mayor and Council, Councilman Woods moved, seconded by Councilman Reeves, the Resolution be adopted with the following provision inserted in said Resolution:

PROVIDED HOWEVER: The City of Nitro by passage of this Resolution incurs no obligation for the expenditure of money by said City of Nitro, and no expenditure of City funds shall be made without express authorization by the City Council of the City of Nitro.

Upon a vote motion carried and was so ordered.

Mayor Alexander informed Council that the Kanawha County Board of Education had applied for a building permit for the new Junior High School, however, the Board had refused to pay the building permit fee. The Mayor and Council discussed this matter to some extent, it being pointed out that there is a great amount of inspecting to be done on such a structure, and that the Building Inspector could not be expected to do the necessary inspecting without compensation.

Thereupon Councilman Gewin moved, seconded by Councilman Woods, that neighboring cities be contacted regarding their practice and that the City's portion of the building permit fee be waived in event that other county cities waive their building permit fees for schools. Upon a vote motion carried.

Mayor Alexander informed Council that Seasingood and Mayer Investment Securities had advised that the City's interest rate on the \$84,000.00 Second Lein Bonds would be 4-3/4% and asked the Council's approval of said rate.

Thereupon Councilman Dye moved, seconded by Councilman Gewin, that the Council approve the interest rate of 4-3/4% per annum on the \$84,000.00 Second Lein Bonds. Upon a vote motion carried.

Councilman Earl W. Dye introduced and caused to be read in full an ordinance entitled:

AN ORDINANCE providing for the issuance and delivery of \$84,000 Sewer Revenue Bonds, Series 1961, of the City of Nitro, West Virginia; and fixing the coupon interest rates for said bonds.

WHEREAS the City of Nitro, West Virginia pursuant to an ordinance adopted by the Council of said city on October 31, 1961, has heretofore provided for the issuance of \$84,000 Sewer Revenue Bonds, Series 1961, of said city for the purpose of defraying the cost, not otherwise provided, of constructing extensions and improvements to the municipal sewage system; 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 11 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 \$84,000 principal amount of Sewer Revenue Bonds, Series 1961, of the City of Nitro, West Virginia as authorized by ordinance adopted October 31, 1961 and consisting of 84 bonds, numbered 1 to 84, inclusive, maturing on September 1 of each of the years 2000 and 2001, and bearing interest from the date thereof at the coupon interest rates as follows:

<u>Maturities</u>	<u>Interest Rate Per Annum</u>
\$41,000 on Sept. 1, 2000	4-3/4%
\$43,000 on Sept. 1, 2001	4-3/4%

shall be sold and delivered to Seasingood & Mayer 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 this ordinance is hereby declared to be supplemental to said ordinance adopted October 31, 1961 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.

Adopted and approved _____, 1961.

Mayor

Attest:

City Recorder

Recorded _____, 1961

City Recorder

It was moved by Councilman Earl W. Dye and seconded by Councilman Robert M. Woods 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: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Thomas C. Reeves, James R. Wears and Robert M. Woods, Councilmen.

Nay: None

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

Thereupon Councilman Gewin moved, seconded by Councilman Wears, the adoption of the following Resolution:

RESOLUTION

WHEREAS this Council, as the governing authority of the City of Nitro, West Virginia, did heretofore by ordinance duly adopted on October 31, 1961, authorized Sewer Revenue Bonds, Series 1961, of said city in the principal amount of \$84,000 and in and by said ordinance provided that any person 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 insofar 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 _____, 1961.

Mayor

Attest:

City Recorder

Recorded _____, 1961

City Recorder

Upon a vote all members of Council present voted in the affirmative and was so ordered.

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

W. W. Alexander

W. W. Alexander, Mayor

Grace Lewis

Grace Lewis, Recorder

December 5, 1961

The City Council met in a special session Tuesday, December 5, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Thomas C. Reeves and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Mayor Alexander informed Council that it had been requested that the City Council designate Cross walks on 21st Street from the Nitro High School to Kroger Store. The Mayor and Council discussed this matter to some extent and the Traffic Committee was asked to make a study of this request.

The Council requested that ordinances be drawn up eliminating parking on Bailes Drive, from 40th Street to City Limit Line, one foot off the paved surface.

Councilman Dye moved, seconded by Councilman Reeves, to eliminate parking on the North side of Kapoc Street, from Main Avenue to Kanawha Avenue. Motion carried.

Councilman Dye moved, seconded by Councilman Gewin, to designate Wilson Street One-Way, from Main Avenue to First Avenue South and the attorney prepare ordinance to cover same. Motion carried.

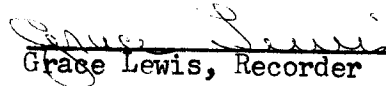
Councilman Gewin moved, seconded by Councilman Woods, to designate Third Avenue One-Way, from 21st Street feeding South, with Stop signs at 18th Street and 15th Street, Stop signs at foot of 18th Street Hill and 15th Street Hill and that necessary signs be erected. Upon a vote motion carried.

Councilman Reeves moved, seconded by Councilman Dye, that lots on Hillside Drive be numbered 100 to 223 as shown on map. 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

December 15, 1961

The City Council met in a special session December 15, 1961.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., James R. Wears and Robert M. Woods members of the Council.

Mayor Alexander called the meeting to order.

Mayor Alexander explained to the Council that the City owned an alley on Nitro Heights Road that divided the property owned by Leslie White, that said alley was of no use to the city and could never be of any particular value and submitted the following Resolution for Council's consideration:

RESOLUTION

Be It Resolved by the City Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that the Mayor is hereby authorized to sign all papers, deeds, etc, necessary to convey to Lesslie White the city's right title or interest in a certain alley way dividing his property on the Nitro Heights Road.

Thereupon Councilman Dye moved, seconded by Councilman Woods, that the foregoing Resolution be adopted. Motion carried and was so ordered.

The Mayor presented the following Resolution for Council's consideration:

RESOLUTION

BE IT RESOLVED, that the Nitro City Council endorse and urge approval of the application of the Capital Soil Conservation District and the Western Soil Conservation District for planning assistance and works of improvement for a watershed protection and flood prevention project on the Blakes Creek-Nitro Watershed under the provisions of Public Law 566.

AND BE IT FURTHER RESOLVED, that the Mayor of this Council be, and is hereby, authorized to sign said application for and on behalf of the City of Nitro, West Virginia and certify and authenticate the action of the City Council.

Done at an official meeting of the City Council held on the 15th day of December, 1961, at the Nitro City Hall, Nitro, West Virginia.

Attest:

Mayor

W. W. Alexander, Mayor City of
Nitro, West Virginia.

Thereupon Councilman Hoke moved, seconded by Councilman Wears, that the foregoing Resolution be adopted. Upon a vote motion carried and was so ordered.

Mayor Alexander explained to the Council that the Fire Department was in need of a Foam Outfit, the cost of same amounting to approximately \$180.00

Thereupon Councilman Dye, seconded by Councilman Woods, moved that the city purchase a Foam Outfit, six cans of foam and necessary adaptors. Upon a vote motion carried and was so ordered.

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

January 16, 1962

The City Council met in regular session January 16, 1962.

There were present: W. W. Alexander, Grace Lewis, Recorder, Juanita Clark, 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 Woods, to dispense with reading of minutes of meetings held November 21, 1961, December 5, 1961 and December 15, 1961. Upon a vote motion carried and was so ordered.

Councilman Clark moved, seconded by Councilman Woods, that financial statements for the months of November and December, 1961 be accepted. Motion carried.

The following ordinance was presented for Council's consideration.

ORDINANCE

Be it ordained by the City Council of the City of Nitro, West Virginia;

1. There shall be no parking on Bailes Drive from 40th Street to City limit line within one foot of the paved surface.

2. That there shall be no parking on the North side of Kapoc Street from Main Avenue to Kanawha Avenue.

3. That Wilson Street shall be One way from Main Avenue (old Route 25) to 1st Avenue (new Route 25).

4. That 3rd Avenue shall be one way feeding South from 21st Street to 4th Street, and stop signs be erected at North side of

18th Street and North side of 15th Street, and other signs be erected as deemed necessary.

5. Any person violating this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$25.00 or imprisoned for not more than 30 days or both fined and imprisoned.

Thereupon, after discussion, Councilman Reeves moved, seconded by Councilman Clark, the foregoing ordinance be adopted. Motion carried.

The following ordinance was presented for Council's consideration.

ORDINANCE

Be it ordained by the City Council of the City of Nitro, West Virginia:

1. Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle on a highway or street.

2. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

3. PENALTY: Any person violating this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$100.00 or imprisoned not more than 10 days or both fined and imprisoned.

Thereupon, after discussion of same, Councilman Woods moved,

seconded by Councilman Wears, the foregoing ordinance be adopted, Upon a vote motion carried and was so ordered.

The following ordinance was presented for Council's consideration.

ORDINANCE

An ordinance providing for certificate of inspection on Vehicles, Registration of Vehicles, and Drivers license in the City of Nitro.

Be it ordained by the City Council of the City of Nitro:

1. It is a misdemeanor for any owner or operator, or both owner and operator, of any vehicle required to be inspected under subsection (a), section four of the Code of West Virginia, to operate or permit to be operated such vehicle without having displayed thereon a current and valid certificate of inspection and approval or fail to produce same upon demand of any authorized person as designated under subsection (a) section Four of the Code of West Virginia, every person convicted of a misdemeanor for operating a vehicle without having displayed thereon a current and valid certificate of inspection and approval or for failure to produce such certificate upon demand of an authorized person shall be punished by a fine of not more than One Hundred Dollars.

2. No person shall operate, nor shall an owner knowingly permit to be operated, upon any highway or street any vehicle required to be registered hereunder unless there shall be attached thereto and displayed thereon or shall be in the possession of the operator when and as required by this chapter a valid registration card and registration plate or plates issued therefor by the

department for the current registration year except as otherwise expressly permitted in Chapter 17 of the Code of West Virginia. Any violation of this section is a misdemeanor.

3. No person, except those hereinafter expressly exempted shall drive any motor vehicle upon a highway or in this city unless such person has a valid license as an operator or chauffeur under the provisions of Chapter 17 of the West Virginia Code. No person shall drive a motor vehicle as a chauffeur unless he holds a valid chauffeur's license. No person shall receive a chauffeur's license unless and until he surrenders to the department any operator's license issued to him or an affidavit that he does not possess an operator's license.

Any person holding a valid chauffeur's license hereunder need not procure an operator's license.

Any person licensed as an operator or chauffeur hereunder may exercise the privilege thereby granted upon all streets and highways in this city and except as otherwise provided by law shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board, or body having authority to adopt local police regulations.

PENALTY: Any person violating this provision shall be guilty of a misdemeanor and fined not more than \$500.00 or imprisoned for not more than six months or both fined and imprisoned.

Thereupon, after discussion, Councilman Woods, seconded by Councilman Wears, moved the adoption of the foregoing ordinance. upon a vote motion carried.

The Street Numbering Committee presented a map of the 18th Street Hill area as prepared by the Committee. Thereupon Councilman Wears moved, seconded by Councilman Hoke, that Pennwood Avenue be numbered on the East side, from 2 to 24 inclusive, on West side 1 to 9 inclusive, and from 1836 to 1848 inclusive on West side as shown on map. Motion carried.

Councilman Hoke moved, seconded by Councilman Wears, that Fredrick street, from Kapoc Street to Walker Street, be numbered on the East side 201 to 321. Upon a vote motion carried.

Councilman Wears moved, seconded by Councilman Hoke, that First Avenue south, Block north of Kapoc, be numbered as 100 Block on the West side, Kapoc Street to Walker Street 200 and 300 Blocks, area between Walker Street and Wilson Street 400 Block, and Wilson Street to Center Street as 500 Block and numbers be assigned as designated on map. Upon a vote motion carried.

The Mayor and Council then entered a discussion on numbering the business area of 21st Street, between Bank Street and Third Avenue. This matter was referred to the Committee to make a study and recommendations be made to Council at their next meeting.

Councilman Wears requested that ordinances be prepared to restrict parking on the South side of Fir Street and the West side of Oakie Avenue.

Councilman Wears presented the low bids received on a new animal ambulance by the Dog Pound Committee composed of Councilmen from South Charleston, St. Albans, Dunbar and Nitro. Thereupon

the School Board helping on the expenses of the sidewalk construction and also authority to receive any financial assistance that the School Board may be able to give on said expenses.

Motion was seconded by Councilman Dye. Motion carried.

Mayor Alexander informed Council that the Monsanto Chemical Company had recently contacted him, seeking permission for the company to use the city dump.

Councilman Gewin moved, seconded by Councilman Dye, that the Mayor be given permission to negotiate with the Monsanto Chemical Company to use the city dump and paying for such privilege on a monthly comparative basis of other industries presently using the dump. Upon a vote motion carried.

Councilman Hoke moved that the City Council go on record as to their willingness to go along with the Committee of property owners from the West side in their efforts to secure usage of continuation of Park Avenue to Park Road, which is to be paved by Kanawha County School Board and that the Council petition the School Board, that upon completion of the Road from the North end of Park Avenue to the City Park Road, as planned by the Kanawha County Board of Education be opened for use by the public. Motion seconded by Councilman Woods. Upon a vote motion carried.

Councilman Dye moved, seconded by Councilman Reeves, that the Appalachian Power Company be instructed to install a 2500 lumen street light on the corner of Minor Avenue at Lock Street. Upon a vote motion carried.


The Street Numbering Committee presented a map of 21st Street designating numbers as follows: From Bank Street to Wintz Avenue, lots to be numbered 101 to 112 inclusive, from Wintz Avenue to Second Avenue, lots to be numbered 201 to 216 inclusive, from Second Avenue to Third Avenue lots to be numbered 301 to 318 inclusive.

Thereupon, after considerable discussion, Councilman Hoke moved that the recommendation of the Street Numbering Committee, of Numbering 21st Street business area from Bank Street to Third Avenue be accepted and that re-numbering of the residential area of 21st Street be referred to the Committee for further study. Upon a vote motion carried.

Councilman Hoke in commenting on Duncan's garage on Main Avenue, stated that the owner should not be permitted to use the lot as a junk yard. Other areas causing trouble in connection with business is Childers Motor Sales. Both problems were referred to the Traffic Committee for a solution and a report to Council on their action at the next meeting.

Report was made in the progress of the Water Shed Committee.

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

February 20, 1962

The City Council met in regular session Tuesday, February 20, 1962.

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 Woods moved, seconded by Councilman Gewin, to dispense with reading of minutes of meetings held January 16th and February 5th. Motion carried.

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

Mrs. Imogene Whited introduced to the Council, members of Girl Scout Troop Number 197. Mayor Alexander welcomed Mrs. Whited and the Troop members to the meeting, explaining that this was their city government, also explaining that all citizens of Nitro were welcome to attend the council meetings.

Mayor Alexander presented the Engineer's estimate of \$5,275.00 for a sidewalk from Second Avenue, along 40th Street Road and Third Avenue to the new elementary school on 39th Street East. The Mayor also informed council that he had contacted Mr. Roy McClanahan, Superintendent of Putnam County Schools on the matter of the Putnam County School Board participating in the cost of said project. To date the City

has not received any word as to the intentions of the School Board. Mayor Alexander informed the council that he would be willing to go before the School Board with regard to this matter.

Councilman Woods requested the Mayor to secure cost estimates on constructing a turn-around on 39th Street East.

Mayor Alexander reported to the Council that Mr. Lovenstein of the Kanawha County School Board had requested a map of the proposed extension of Park Avenue and that Engineers were preparing the map.

Mayor Alexander informed Council that Childers Chevrolet Company had agreed to install a parking area between the highway and railroad from 39th Street to 41st Street, at their expense.

Councilman Hoke moved, seconded by Councilman Clark, that the Mayor be granted permission to work out the best possible solution to eliminate the parking problem at Childers Chevrolet Company on 41st Street and 1st Avenue. Motion carried.

A letter was read to Council from the Workmens Compensation Commissioner, stating that W. M. Kelly had been granted, by the Commission, a fifteen percent disability in addition to the twenty per cent disability which he had collected. Said letter giving the city of Nitro thirty days to make a protest of Commission's ruling.

Thereupon, Councilman Gewin moved, seconded by Councilman Dye, that the City of Nitro appeal the case of W. M. Kelly, asking that Mr. Kelly be examined by a Doctor of the City's choice. Upon a vote motion carried.

Petitions were presented to the Council, from residents of area lying South of the Nitro City limit line, beginning at the South


side of Blackwood Avenue, extending South to the Road South of Turner's Sub-station, extending West, to the Jefferson District Line (Middle of Kanawha River) and extending East Approximately 200 feet from old County Road, requesting the City Council to submit to the voters of Nitro and the voters of the said unincorporated area, lying south of City Limit Line, the question of annexing the foregoing contiguous territory - there being 231 signed for annexation and 65 against. The Mayor and members of the Council discussed this request to some extent, pointing out that in the event said area was incorporated and made a part of Nitro that improvements to said area could only be made from moneys received from said area. Sewers for said area were also discussed as to the possibility of the property owners in said area being assessed for installing sewers.

Thereupon, Councilman Clark moved, seconded by Councilman Woods, that the City Engineer make a survey of the foregoing contiguous territory and that petitions requesting that an election on the annexation of foregoing area be circulated among the inhabitants of the City of Nitro. 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

March 20, 1962

The City Council met in regular session Tuesday, March 20, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Ear W. Dye, B. E. Gewin, Thomas C. Reeves, James R. Wears, and Robert M. Woods, members of the Council. Councilman Hoke being absent.

Mayor Alexander called the meeting to order.

Councilman Dye moved seconded by Councilman Gewin to dispense with reading of the minutes for meeting held February 20, 1962. Upon a vote motion carried.

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

Thereupon Mayor Alexander called upon the spokesman of a group of attorneys present at the meeting.

Thereupon Homer A. Holt attorney for Union Carbide Corporation introduced to the Council Robert C. Kay, Ernest K. Jones and Mr. Carter, and thereupon Mr. Holt presented to the Mayor and Council a protest and request for hearing upon the question of the proposed annexation to the City of Nitro of some 572 acres, said petition outlining their reasons of the protest and said protest signed by the attorneys for Union Carbide Corporation, Goodrich Gulf Chemicals Company, The Franklin Real Estate Company, Appalachian Power Company, Industrial Warehouse, Inc., The New York Central Railroad Company, Kelly Realty Company, The Bowemont Corporation and Anderson's Black Rock, Inc., all owning property situated in the 572 acres proposed to be annexed to and made a part of city limits of the City of Nitro. Mr. Holt further requested that the said protest and request for hearing be made a part of the minutes of these minutes.

Wm. M. Kelly appeared before the Council and requested the Council to withdraw their appeal of the case of Wm. M. Kelly, whereby the Workmen's Compensation Commission had granted to Mr. Kelly a fifteen per cent disability in addition to the twenty per cent disability which Mr. Kelly has collected; the City's appeal requesting that Mr. Kelly be examined by a Doctor of the City's choice.

The Mayor, Council and Mr. Kelly discussed this matter to some length.

Thereupon, the Council informed Mr. Kelly that Dr. Randolph Anderson had been selected to make an examination of him (Mr. Kelly) on April 3, 1962, and in the event that Dr. Anderson's report substantiates Dr. Kuhn's finding, then the Council would be willing to withdraw their request of an appeal on said case.

The following ordinance was presented and introduced to the Council.

ORDINANCE

AN ORDINANCE PROVIDING FOR LIMITED PARKING ON FIR STREET AND OAKIE AVENUE:

Be it ordained by the Common Council of the City of Nitro that there shall be no Parking on the South side of Fir Street from Main Avenue to Washington Avenue and there shall be no Parking on the West side of Oakie Avenue.

If anyone violates this ordinance the vehicle will be towed away at the owner's expense and fined not less than \$5.00 nor more than \$25.00.

Thereupon, Councilman Gewin moved, seconded by Councilman Reeves that the foregoing ordinance be adopted. Motion carried.

The Mayor and members entered into a discussion of a request by the West Virginia Water Company of the Public Service Commission for an increase in water rates.

Thereupon Councilman Dye moved, seconded by Councilman Reeves, that the City Council go on record as protesting the increase of water rates and that a resolution of protest be filed with the Public Service Commission of West Virginia. Upon a vote motion carried.

Councilman Woods presented to the Council the following recommendation of the Fire Department Committee:

RECOMMENDATION

NITRO CITY COUNCIL RECOMMENDATION OF FIRE DEPT. COMMITTEE

Since income from a special levy is necessary to provide sufficient funds for a Firemans' pension and Relief Fund we recommend that such a Levy be put to a vote of the people at such time as the Council deems proper.

March 20, 1962

ss Robert M. Woods, Chairman
James R. Wears
B. E. Gewin
E. W. Dye

Councilman Dye moved, seconded by Councilman Clark, that a 6000 lumen street light be installed on Wintz Avenue by the Ben Franklin Store. Motion carried.

Thereupon the Recorder presented for the Council's consideration the Levy Estimate for the fiscal year 1962-63. Thereupon Councilman Gewin moved, seconded by Councilman Woods, the Levy Estimate for the fiscal year 1962-63 be approved 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 regular session of the council of the municipality of Nitro held in the council chambers thereof, in the City building on the 20th day of March, 1962, there were present W. W. Alexander Mayor, Grace Lewis Recording Officer, and E. W. Dye, Thomas C. Reeves, Robert M. Woods, James R. Wears, Juanita L. Clark, 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 MINICIPAL PURPOSES
ESTIMATE

Estimate Form No. 1

ESTIMATED RECEIPTS:

(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 (Estimated).....	\$ 5,500.00
Balance in hands of Sheriff (Estimated).....	2,400.00
Police fines and costs	5,500.00
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.....	48,017.00
Capitation and Dog.....	2,900.00
Franchise.....	100.00
Consumers' Sales (Liquor).....	12,800.00
Amusement	500.00
Fees: Electrical, Plumbing and other.....	1.00
Crematory and Garbage.....	47,650.00
Licenses:	
Electricians and Plumbers.....	650.00
General.....	1,850.00
Miscellaneous.....	3,500.00
Total Estimated Receipts to Page 6.....	\$157,789.00

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. Salary of Councilmen.....	840.00
8. Salaries of assistants and clerks	4,000.00
9. Salaries of Chief and 4 Police.....	30,597.00
10. New Equipment Police Department.....	2,300.00
11. General expenses Police Department.....	4,000.00
13. Salaries Jailer and Expenses Feeding Prisoners.....	6,400.00
14. Salaries of Chief and 5 Firemen.....	28,500.00
15. New Equipment Fire Department.....	500.00
16. General expense Fire Department.....	2,200.00

18. Salaries Health Commissioner and Employees.....	1,150.00
20. General expense Health Department.....	800.00
21. Salaries Crematory and Garbage employees.....	24,000.00
22. New equipment Crematory and Garbage Department.....	200.00
23. General expense Crematory and Garbage Department.....	6,000.00
24. Janitors salaries and supplies.....	500.00
25. Repairs to Jail and City Buildings.....	200.00
26. Furniture, fixtures and office machines.....	1,000.00
27. Stationery, office supplies and equipment.....	600.00
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.....	6,000.00
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 Building and other property.....	2,000.00
39. Premiums, Policemen's and official bonds.....	170.00
40. Election expenses.....	1,000.00
41. Attorneys' fees, court costs and damages.....	1,500.00
42. Salaries - Engineering Department.....	1,000.00
43. General expense-Engineering Department.....	1,000.00
44. Salaries and Wages all Street Employees.....	9,800.00
45. New Equipment Street Department.....	7,500.00
46. Materials, Supplies and expenses, Street Department.....	2,700.00
47. Maintenance of Sewers, salaries and supplies.....	100.00

48. Construction of new streets, sidewalks and sewers.....	300.00
49. Workmen's Compensation premiums.....	2,500.00
50. Audit by Tax Commissioner.....	300.00
51. Refunding erroneous payments.....	50.00
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
59. Treasurer's Fees.....	150.00
60. Social Security.....	3,100.00
60A. Public Employees Retirement.....	5,500.00
61. Contingent expenses (Mandatory Only).....	1,000.00
62. Dog Pound Expenses.....	1,100.00
A--Total Current Expenses.....	\$190,487.00
Total estimated disbursements.....	190,487.00
Less estimated receipts brought forward from page 4	157,789.00
Net amount to be raised by levy (page 7).....	\$ 32,698.00

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 \$ 32,698.00 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 and one quarter cents (11.25 c) on Class No. I property,
 Twenty-two and one half cents(22.5 c) on Class No. II property,
 Forty five cents (45 c) 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 Levied (Whole Dollars)
Number I				
Personal Property	\$ 683,300.00	5¢ 6.25c	11.25c	\$ 769.00
Public Utility Prop.	632,900.00	5¢ 6.25c	11.25c	712.00
Total Class No. I	1,316,200.00			1,481.00
Number II				
Real Estate	5,065,270.00	10¢ 12.5c	22.5c	11,397.00
Number IV				
Real Estate	2,129,230.00	20¢ 25 c	45 c	9,582.00
Personal Property	1,781,760.00	20¢ 25 c	45 c	8,017.00
Public Utility Prop.	1,300,900.00	20¢ 25 c	45 c	5,854.00
Total Class No. IV	5,211,890.00			23,453.00
TOTAL LEVY	\$ 11,593,360.00			\$ 36,331.00
Less Delinquent Taxes and Exonerations Estimated at 10 %				3,633.00
Net amount to be raised by Levy.....				\$ 32,698.00

MUNICIPAL BOND PURPOSES-INTEREST AND SINKING FUND
ESTIMATE

Estimate Form No. 3

The council proceeded to make an estimate of the amount necessary to be raised by a levy of taxes for the current fiscal year for interest, sinking fund and amortization requirements of bonded indebtedness, legally incurred by a vote of the people as provided by law, since the adoption of the tax limitation amendment, owing by said municipality, as follows:

BOND ISSUES AUTHORIZED SINCE NOVEMBER 8, 1932

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
10-20-38	\$ 16,000.	\$ 900.00	\$ 900.00	\$ 25.00	\$ 925.00
7-1-53	50,000.	32,500.00	2,500.00	975.00	3,475.00
5-5-55	95,000.	76,000.00	3,000.00	2,090.00	5,090.00
12-16-58	168,000.	162,000.00	2,000.00	6,075.00	8,075.00
Totals	329,000.	271,400.00	8,400.00	9,165.00	17,565.00
Delinquent Taxes and Exonerations Estimated at 10 %					1,757.00

Total Amount to be Raised by a Levy of Taxes.....\$ 19,322.00

and to provide for said amount the following levies are proposed to be laid on each one hundred dollars valuation of each class of property, viz:

AUTHORIZED RATES

Seven and one half cents (7.5 c) on Class No. I property,
 Fifteen cents (15 c) on Class No. II property,
 Thirty cents (30 c) 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	\$ 650,650.00	7.5¢	\$ 488.00
Public Utility Property	632,900.00	7.5¢	475.00
Total Class No. I	1,283,550.00		963.00
Number II			
Real Estate	3,592,770.00	15¢	5,389.00
Number IV			
Real Estate	1,540,980.00	30¢	4,623.00
Personal Property	1,332,210.00	30¢	3,997.00
Public Utility Property	1,300,900.00	30¢	3,902.00
Total Class No. IV	4,174,090.00		12,522.00
TOTAL LEVY	\$ 9,050,410.00		\$ 18,874.00

Thereupon the Recorder presented for the Council's consideration the Levy Estimate for the fiscal year 1962-63. Thereupon Councilman Gewin moved, seconded by Councilman Woods, the Levy Estimate for the fiscal year 1962-63 be approved and all members of the Council proceeded to sign Levy Estimate as follows:

Council Gewin moved the meeting be recessed. Motion seconded by Councilman Reeves. Motion carried.

W. W. Alexander, Mayor

Grace Lewis
 Grace Lewis, Recorder

April 17, 1962

The City Council met in regular session Tuesday, April 17, 1962.

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 City Council.

Mayor Alexander called the meeting to order.

Councilman Woods moved, seconded by Councilman Reeves, to dispense with reading of minutes for meeting held March 20, 1962. Motion carried.

Councilman Gewin moved, seconded by Councilman Clark, the financial statement for the month of March be accepted. Upon a vote motion carried.

Members of the Junior Civic Club were present at the meeting. Mayor Alexander called upon the spokesman for the group, and thereupon Shirley Townsend presented to the Council pictures of six lots the group constituted an eye sore to the town and requested the City Council to attempt to enforce the offenders to clean up their lots. The Mayor and members of the Council discussed this matter to some length with members of the Civic League and it was decided that the city request the six lot owners to clean up said lots.

Councilman Dye moved, seconded by Councilman Reeves that three (3) 1000 lumen street lights be installed on Fenton Circle. Upon a vote motion carried.

Mayor Alexander informed Council that he had met with Mr. Hedrick and Mr. Costello, representatives of the Appalachian Power Company and made a survey of street lights on 21st Street, which survey was presented for Council's consideration as follows:

1. C & P 21/9 2500 Lumen to replace 1000 Lumen on 88D 132.
2. 1000 Lumen to 2500 Lumen 88D 137 transferred from 88D 136.
3. 88D 140 install 2500 Lumen.
4. 88D 147 upgrade from 1000 Lumen to 2500 Lumen.
5. 88D 134 install 2500 Lumen.

Thereupon Councilman Woods moved, seconded by Councilman Clark, that the Appalachian Power Company be notified to install lights on 21st Street per their recommendations. Upon a vote motion carried.

The Mayor and Council discussed the need of street lights on 18th Street Hill area. Mr. Hedrick will be notified to make a survey of said area with Councilman Wears.

Mayor Alexander presented a letter from L. K. Lovenstein, Superintendent of Kanawha County School Board, offering to sell to the city the right of way for street extending from Park Avenue to Plant Road at a cost of \$ 1,260.00. Mayor Alexander informed Council that he had discussed this matter by phone with Mr. Lovenstein, informing Mr. Lovenstein that the city could not purchase the right of way. The Mayor and Council discussed this matter to some extent, it was pointed out that the two schools located on Park Avenue would benefit more from the street extension than anyone else. That the schools were allowed to use the City Park facilities as referred to in Mr. Lovensteins letter, that such permission should come from the Board of Park Commissioners. Mayor Alexander informed Council that he planned to meet with the Board of Education of Kanawha County on May 10th in an effort to work out some means of getting the extension of Park Avenue opened up for traffic travel.

Mayor Alexander presented a letter from Dr. Cleary of Thomas Hospital relative to the physical condition of Mrs. Mabel Norvell of 809 Kanawha Avenue, the letter stating that he was of the opinion that

the noise of children playing at a basketball court located on Ivy Street was causing Mrs. Norvell to be emotionally disturbed and that said noise was deleterious to Mrs. Norvell's health. The Mayor and Council discussed this matter and Council decided to table the matter.

The Recorder presented to the Council a letter of approval from the State Tax Commissioner of the City Levy Estimate for the year 1962-63. Thereupon Councilman Gewin moved, seconded by Councilman Dye, the Levy order be adopted and all members of the Council proceed to sign his name to levy order as follows. Motion carried.

LEVY ORDER

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM
MUNICIPALITY OF NITRO , To-wit:

At a regular session of the council of the Municipality of Nitro, West Virginia, held in the council chamber thereof on Tuesday, the 17th day of April, 1962 Present W. W. Alexander, Mayor, Recording Officer, Grace Lewis and B. E. Gewin, Juanita L. Clark, James R. Wears, L. I. Hoke, Robert M. Woods, Thomas C. Reeves, E. W. Dye 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 \$36,331.00, according to the estimate made and entered of record on the 20th day of March 1962, and said estimate having been published as required by law, and on 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 & one quarter cents (11.25c) on Class No. I property.

Twenty-two & one half cents (22.5c) on Class No. II property.

Forty-five cents (45c) on Class No. IV property.

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

CLASS Number I	Assessed Valuation	Total Rate of Levy	Taxes Levied (Whole Dollars)
Personal Property.....	\$683,300.00	11.25c	\$ 769.00
Public Utility Property	632,900.00	11.25c	712.00
Total Class No. I	1,316,200.00		1,481.00
Number II			
Real Estate.....	5,065,270.00	22.5c	11,397.00
Number IV			
Real Estate.....	2,129,230.00	45c	9,582.00
Personal Property...	1,781,760.00	45c	8,017.00
Public Utility Prop..	1,300,900.00	45c	5,854.00
Total Class No. IV	5,211,890.00		23,453.00
TOTAL LEVY	11,593,360.00		36,331.00

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 \$18,874.00 according to the estimate made and entered of record on the 20th day of March 1962 and said estimate having been published as required by law and on 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 & one half cents (7.5c) on Class No. I property,

Fifteen cents (15c) on Class No. II property,

Thirty cents (30c) 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.....	\$650,650.00	7.5c	\$ 488.00
Public Utility Property	632,900.00	7.5c	475.00
Total Class No. I	1,283,550.00		963.00
Number II			
Real Estate.....	3,592,770.00	15c	5,389.00
Number IV			
Real Estate.....	1,540,980.00	30c	4,623.00
Personal Property.....	1,332,210.00	30c	3,997.00
Public Utility Property	1,300,900.00	30c	3,902.00
Total Class No. IV	4,174,090.00		12,522.00
TOTAL LEVY	\$ 9,050,410.00		\$ 18,874.00

The Mayor and Council discussed the metes and bounds of the proposed area to be annexed to the city of Nitro. The Mayor pointed out that there were only about ten private homes beyond Cleveland Avenue and the balance of the property was owned by industries and that in the event said area was annexed to the city, that the process of extending sewers to the ten homes beyond Cleveland Avenue would be a costly matter and advised the boundary line be cut back to Cleveland Avenue or there about. Thereupon councilman Dye moved seconded by Councilman Woods, that the boundary line of the proposed area to be annexed to the city of Nitro be 200 feet beyond Cleveland Avenue and that the city Engineer be instructed to make a new survey of said boundary line. Upon a vote motion carried.

Mayor Alexander informed the Council that it was necessary to write a letter to the State Tax Commission requesting permission to transfer \$1,000.00 from Budget item 49 to Budget item 40, said \$1,000.00 having been transferred from item 40 to item 49 last October and upon an audit the Treasurer anticipates that the \$1,000.00 will not be needed in item 49, however, it will be needed in item 40. Thereupon Councilman Dye moved, seconded by Councilman Clark, that a letter of request to transfer \$1,000.00 from item 49 to item 40, be written to the State Tax Commissioner. Upon a vote motion carried.

The Mayor and members of the Council entered into a discussion of the Parkway located along 1st Avenue from 3rd Street to 41st Street, as to the ownership and assessment for street paving. It was pointed out that the Nitro Industrial Corporation within the last year had been selling strips of the Parkway to abutting property owners.

Thereupon Councilman Dye moved that on the basis of recommendation of the City Attorney that the city assess the Nitro Industrial Corporation for paving on abutting property. Motion seconded by Councilman Hoke. Upon a vote all members present voted in favor of motion, except Councilman Woods who voted against the said motion. The Mayor declared the motion carried and was so ordered.

It was advised that the City would paint a section of curb on Fir Street to keep cars from being parked and causing a hazard on entering Main Avenue.

There being no further business to come before the Council at this time a motion to recess said meeting was made by Councilman Dye, seconded by Councilman Woods. Motion carried and was so ordered.



W. W. Alexander, Mayor



Grace Lewis, Recorder

May 15, 1962

The City Council met in regular session Tuesday, May 15, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Dye, to dispense with reading of minutes of meeting held April 17th. Motion carried.

Councilman Woods moved, seconded by Councilman Wears, the financial statement for the month of April be accepted. Motion carried.

Mayor informed Council that he had met with the Kanawha County Board of Education with regard to the extension of Park Avenue Road to the Park Road, that the said Board had voted to open up said Park Avenue to the public and that said extension be paved same width as the present Park Avenue, all providing that the Board's legal counsel approved said action.

The following ordinance was presented to the Council.

(ORDINANCE - ANNEXATION)

AN ORDINANCE AND ORDER PROVIDING FOR A VOTE OF QUALIFIED VOTERS TO BE HAD AND AN ELECTION TO BE HELD IN THE CITY OF NITRO AND IN THE UNINCORPORATED TERRITORY CONTIGUOUS TO SAID CITY COMMONLY KNOWN AS A PART OF SATTES, KINDERS LANE AND RIVERDELL ACRES, ON THE QUESTION OF THE ANNEXATION OF SAID UNINCORPORATED CONTIGUOUS TERRITORY COMMONLY KNOWN AS A PART OF SATTES, KINDERS LANE AND RIVERDELL ACRES TO THE CITY OF NITRO, AT SPECIAL ELECTIONS TO BE HELD THEREIN ON THE 19th DAY OF June, 1962, ESTABLISHING VOTING PLACES FOR AND PROVIDING FOR THE CONDUCTING AND HOLDING OF SAID ELECTIONS, THE APPOINTMENT OF OFFICIALS TO CONDUCT THE SAME, AND ALL OTHER MATTERS AND THINGS NECESSARY AND INCIDENT THERETO AND IN CONNECTION THEREWITH.

WHEREAS, a petition in writing signed by Blanche C. Barrickman and some 840 other persons has been filed with the Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, setting forth by metes and bounds the unincorporated territory proposed to be annexed to said City of Nitro and asking that a vote be taken upon the proposed annexation; and

WHEREAS, it appears to the Council, and the Council so finds, that said petition is in due form, properly executed by more than ten per cent (10%) of the inhabitants of the City of Nitro and complies with the provisions of Section 21, Article 6, Chapter 8A of the Code of West Virginia; and

WHEREAS, responsive to said petition it is the duty of this Council, under the law in such cases made and provided, to order a proper vote to be taken upon said proposed annexation in the City of Nitro and in the said territory contiguous thereto, popularly and generally known as part of Sattes, Kinders Lane and Riverdell Acres, proposed to be annexed to said City:

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

1. (a) A special election shall be held in the City of Nitro, Kanawha and Putnam Counties, West Virginia on Tuesday, the 19th day of June, 1962, and (b) a special election shall be held on the unincorporated territory contiguous to the City of Nitro popularly and generally known as a part of Sattes, Kinders Lane and Riverdell Acres, and hereinafter described accurately by metes and bounds, on Tuesday, the 19th day of June, 1962, and a vote of the qualified voters shall be taken upon the proposed annexation, for the purpose of submitting to the qualified voters of the said City of Nitro and to all the qualified

voters residing in said contiguous territory and to all of the qualified voters owning any part of such territory whether resident thereon or not, the question whether the unincorporated area consisting of the territory popularly and generally known as a part of Sattes, Kinders Lane and Riverdell Acres situate in Union District, Kanawha County, West Virginia, and being more accurately described by metes and bounds as follows, to-wit:

"Beginning at the northeast corner of the City of Nitro Corp. Line at a point in the center of Blackwood Lane Extended, said point being N. $36^{\circ} 42'$ E., 530 feet from the centerline of W. Va. Route 25; thence paralleling W. Va. Route 25 and 530 feet therefrom S. $53^{\circ} 37'$ E., 977 feet, more or less; thence S. $77^{\circ} 01'$ E., 4,062 feet to a point 530 feet from W. Va. Route 25; thence N. $29^{\circ} 35'$ E., 31 feet; thence S. $76^{\circ} 39'$ E., 150 feet; thence S. $17^{\circ} 54'$ E., 41 feet to a point in the East line of Red Oak Street; thence S. $64^{\circ} 07'$ E., 150 feet to a point 530 feet north of the centerline of W. Va. Route 25; thence S. $25^{\circ} 53'$ W., 530 feet to a point in the centerline of W. Va. Route 25 at the place where Gabberts Branch crosses said W. Va. Route 25; thence with the centerline of W. Va. Route 25, N. $64^{\circ} 07'$ W., 170 feet; thence leaving W. Va. Route 25, S. $12^{\circ} 37'$ W., 1,100 feet to a point in the center of Kanawha River at the Union-Jefferson District Line; thence down the Kanawha River and the centerline thereof with the Union-Jefferson District Line, 5,780 feet, more or less, to a point at the southeast corner of the Nitro Corporation line; thence with the easterly Nitro Corporation Line and the centerline of Blackwood Lane, N. $36^{\circ} 42'$ E., 1,900 feet, to the place of beginning, containing 198 Acres, more or less."

shall be annexed to and thence forth become a part of the City of Nitro, a municipal corporation created and existing under the laws of the State of West Virginia.

2. The form of ballot for such elections shall be substantially as follows:

MAP

Territory of part of Sattes,
Kinders Lane and Riverdell Acres Area
Proposed to be annexed to the City of Nitro.

Shall the territory indicated on the map, 'Territory of a part of Sattes, Kinders Lane, Riverdell Acres Area proposed to be Annexed', be annexed to and become a part of the City of Nitro?

For Annexation ()

Against Annexation ()

3. The voting precincts within the City of Nitro as arranged, adopted and fixed by the Council of said City and by the County Courts of Kanawha County and Putnam County, West Virginia, and the boundaries thereof and places of voting within the same for the State and County General Election held on November 8, 1960, except as herein otherwise provided are hereby adopted and shall be the precincts within the boundaries there and the places of voting therein, respectively, in the City of Nitro.

The voting precinct in said unincorporated contiguous territory comprising the area popularly and generally known as part of Sattes, Kinders Lane and Riverdell Acres Area, hereinbefore described and proposed to be annexed, shall be and is described as follows, namely:

' A PART OF SATTES, KINDERS LANE AND RIVERDELL ACRES AREA
PRECINCT NO. 1' - "Beginning at the northeast corner of the City of Nitro Corp. Line at a point in the center of Blackwood Lane Extended, Said point being N. $36^{\circ} 42'$ E., 530 feet from the centerline of W. Va. Route 25; thence paralleling W. Va. Route 25 and 530 feet therefrom, S. $53^{\circ} 37'$ E., 977 feet, more or less; thence S. $77^{\circ} 01'$ E., 4,062 feet to a point 530 feet from W. Va. Route 25; thence N. $29^{\circ} 35'$ E., 31 feet; thence S. $76^{\circ} 39'$ E., 150 feet; thence S. $17^{\circ} 54'$ E., 41 feet to a point in the East line of Red Oak Street; thence S. $64^{\circ} 07'$ E., 150 feet to a point 530 feet north of the centerline of

W. Va. Route 25; thence S. $25^{\circ} 53'$ W., 530 feet to a point in the centerline of W. Va. Route 25 at the place where Gabberts Branch crosses said W. Va. Route 25; thence with the centerline of W. Va. Route 25, N. $64^{\circ} 07'$ W., 170 feet; thence leaving W. Va. Route 25, S. $12^{\circ} 37'$ W., 1,100 feet to a point in the center of Kanawha River at the Union-Jefferson District Line; thence down the Kanawha River and the centerline thereof with the Union-Jefferson District Line, 5,780 feet, more or less, to a point at the southeast corner of the Nitro Corporation line; thence with the easterly Nitro Corporation Line and the centerline of Blackwood Lane, N. $36^{\circ} 42'$ E., 1,900 feet, to the place of beginning, containing 198 Acres, more or less," - which said area includes and is within the territory proposed to be annexed as described herein by metes and bounds, and which said area includes and consists of parts of Kanawha County Precinct No. 272.

The places of voting in each of said precincts shall be as follows:

CITY OF NITRO:

- Kanawha County Precinct No. 282 - Baker Elementary School
Park Avenue
- Kanawha County Precinct No. 305 - Fred Phillips' Residence
307 Juniper Street
- Kanawha County Precinct No. 260 - 8th Street Grocery
8th Street 1st Avenue
- Kanawha County Precinct No. 261 - Nitro Elementary School
19th St. 2nd Avenue
- Kanawha County Precinct No. 283 - Nitro High School
21st Street
- Kanawha County Precinct No. 306 - West Sattes School
Valentine Circle & Lee Ave.
- Putnam County Precinct No. 22 - UMW Union Hall
29th St. 1st Avenue

AREA OF PART OF SATTES, KINDERS LANE AND RIVERDELL ACRES:

Precinct No. 1 - N. C. Cloud's Residence
707 1st Avenue South

4. The commissioners and clerks for holding said elections shall be and are hereby appointed in each of the precincts in the City of Nitro and in the area of part of Sattes, Kinders Lane and Riverdell Acres Area, respectively, as follows:

Kanawha County Precinct No. 282 - Baker Elementary School
Park Avenue

Commissioners: Mildred H. Conaway, Ruby F. Craig and
Golda N. Roark.

Clerks: Bessie Boggess, Sadie Wright.

Kanawha County Precinct No. 305 - Fred Phillips' Residence
307 Juniper Street

Commissioners: Claude Williams, Howard D. Wilson and
Norma Harrison.

Clerks: Eileen Agee and Audrey Fields.

Kanawha County Precinct No. 260 - 8th Street Grocery
8th Street, 1st Avenue

Commissioners: Goldie Harris, Myrtle Adkins and
Mary Miller.

Clerks: Vida Bailey and Ernesteen Evans.

Kanawha County Precinct No. 261 - Nitro Elementary School
19th Street, 2nd Avenue

Commissioners: Velma Kinder, Mrs. John Perry and
F. B. Kenworthy.

Clerks: Isabelle Hudnall and Ruby Gillispie.

Kanawha County Precinct No. 283 - Nitro High School
21st Street

Commissioners: Edith Kautz, Grace L. Peck and
Kathryn Ingram.

Clerks: Helen Colcord and Dessie Hawkins.

Kanawha County Precinct No. 306 - West Sattes School
Valentine Circle and Lee Ave.

Commissioners: Juanita Hastings, Audria Steele and
Gertrude Deem.

Clerks: Nina Walters and Rosalie Drennan

Putnam County Precinct No. 22 - UMW Union Hall
29th Street, 1st Avenue

Commissioners: Marie Hedrick, Hazel Townsend and
Mrs. W. B. Hinkle.

Clerks: Mary Michael and Belva Peaker.

Part of Sattes, Kinders Lane and Riverdell Acres Area

Precinct No. 1 - Mrs. N. C. Cloud's Residence.
707 1st Avenue South

Commissioners: Amy Yates, Sue Goodwin and Eleanor O'Neil.

Clerks: Ann Kessell and Vesta Arman.

5. The registration of voters and the use of registration books shall be governed by the Permanent Registration Law of the State of West Virginia, and the City of Nitro hereby adopts the registration lists of Kanawha and Putnam Counties, West Virginia as amended and corrected according to law, as the official registration list of voters in the area of part of Sattes, Kinders Lane and Riverdell Acres Area proposed to be annexed, the latter including that portion of the qualified voters residing in Kanawha County Precinct No. 272, who reside within area popularly and generally known as part of Sattes, Kinders Lane and Riverdell Acres Area proposed to be annexed as hereinbefore bounded and described, and there shall also be permitted to vote all of the qualified voters owning any part of such of a part of Sattes, Kinders Lane and Riverdell Acres Area territory as hereinbefore bounded and described, whether resident thereon or not, as provided for

in Code, W. Va., 8A-6-21; and all pertinent and applicable provisions of the Election laws of the State of West Virginia concerning general, primary, special or municipal elections shall apply to this election, and also including all applicable charter provisions and ordinances of the City of Nitro.

6. Notice of the calling of such elections shall be given by the publication of this ordinance and orders in a newspaper of general circulation in the City of Nitro and in the unincorporated contiguous territory generally known as part of Sattes, Kinders Lane and Riverdell Acres Area proposed to be annexed, once a week for two successive weeks, the first publication to be at least fourteen days prior to said 19th day of June, 1962.

7. The City Recorder of the City of Nitro shall forthwith furnish an attested copy of this ordinance and orders to the Circuit Court or Judge of the Circuit Court of Kanawha County, West Virginia, the county wherein the portion of said City of Nitro greatest in population lies, and the county wherein the portion of said Area or part of Sattes, Kinders Lane and Riverdell Acres Area proposed to be annexed thereto greatest in Area and population lies, for his information to enable the Judge of said Court to comply with the requirements of Section 23, Article 6, Chapter 8A of the Code of the State of West Virginia. The City Recorder shall also perform the further duties in respect to said election as are imposed upon her by all applicable laws.

Enacted by Council on May 15, 1962

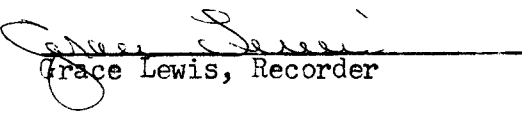
Dunlap & Osbornes' Esso. The Mayor informed that the Sanitary Board was securing bids to repair said sewer.

The Mayor and Council entered into a discussion of vacations for the fire department personnel, it was pointed out that the firemen did not seem to understand the set up on vacations. Thereupon the Fire Department Committee was requested to work up a list of rules regarding the firemen's vacation and post same at the fire station.

It was also brought out that the firemen thought they should have air conditioning in their sleeping quarters. This request was discussed to some length, it being pointed out that the city was not in financial condition to purchase the requested air conditioning.

There being no further business to come before the Council at this time a motion by Councilman Hoke for a recess carried.

W. W. Alexander, Mayor


Grace Lewis, Recorder

June 5, 1962

The City Council met in a recessed session Tuesday, June 5, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves and James R. Wears members of the Council.

Mayor Alexander called the meeting to order.

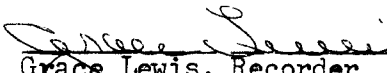
Mayor Alexander asked the Council's permission to buy necessary rock for Third Avenue, from 40th Street Road to East 39th Street.

Thereupon, Councilman Hoke moved, that the City purchase the necessary rock for Third Avenue, from 40th St. Road to East 39th Street, providing the funds were available. Motion seconded by Councilman Gewin. Upon a vote motion carried.

There being no further business to come before the Council at this time a motion for recess by Councilman Hoke, seconded by Councilman Reeves carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

2NFB3

June 13, 1962

The City Council met in a recessed session Wednesday, June 13, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, 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, report of Municipal Engineering Corporation, by C. B. Holsclaw, Engineer, was presented to Council, reporting that the improvements authorized by ordinances of Council adopted on the 17th day of July 1961, and as hereinafter set out in full, had been completed in accordance with the plans, specification, paving Ordinances and contracts with T. R. Pauley, D B A, Charleston Concrete Floor Company and Andersons' Inc., which said reports are in form and figures as follows: to-wit:

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, CURBING ASSESSMENTS, DRAINING 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 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; 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; :ENWOOD 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; 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 CENTER STREET; MAIN AVENUE (CURB & GUTTER) FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE; 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 17th day of July, 1961, 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 street 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 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; 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; 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 CENTER STREET; MAIN AVENUE (CURB & GUTTER) FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE, 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 permanent improvement of 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; 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; 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 Center Street; Main Avenue (Curb and Gutter) from its intersection with Kapok Street to its intersection with Blackwood Avenue; 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 \$302,460.80, 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 amounts 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 11th day of July, 1961, and in accordance with the specifications, plans, bids 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:

THIRD AVENUE
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Kanawha County Board of Education	Parcel	565.00	9.798	\$ 5,535.87
Joe Angell and Goldie Angell	1938	65.00	9.798	636.87
Jack Stephens and Reba Stephens	1837	65.75	9.798	644.22
Lawrence R. Craft and Hattie R. Craft	1836	65.00	9.798	636.87
Alfred L. Layton and Louise Layton	1735	65.04	9.798	637.26
Stella Sayre	1736	65.61	9.798	642.85
Park L. Lawson and Icey Lawson	1635	65.96	9.798	646.28

continued

THIRD AVENUE
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
J. F. Santrock	1636	66.05	9.798	\$ 647.16
Freda Ingram	1535	66.76	9.798	654.11
Hilda Kilgore	1538	65.30	9.798	639.81
Daniel H. Carper and Launa E. Carper	1435	66.10	9.798	647.65
Vernice E. Townsend & Opal S. Townsend	1436	66.61	9.798	652.64
Jesse Thacker and wife	1335	65.03	9.798	637.16
James F. Quickle and Avis S. Quickle	1338	65.92	9.798	645.88
Leroy Miles	1239	65.92	9.798	645.88

(EAST SIDE)

Sylvia Gunnoe & State of West Virginia	Parcel	188.04	9.798	1,842.42
Lula Smith	Parcel	406.78	9.798	3,985.63
Anna Carrier	19 & 18 Crescent City Addition	40.00	9.798	391.92
N. F. Perry	17 & 16 Crescent City Addition	40.00	9.798	391.92
Anna Carrier	15, 14, 13, 12, 11 & 10 Crescent City Addition	120.00	9.798	1,175.76
J. R. Alexander & Dorothy Alexander	Pt. Lots 9, 8, 7, 6, 5, 4, 3, 2 & 1 Crescent City Addition	188.40	9.798	1,845.94
John R. Reynolds	43 Crescent City Addition	31.80	9.798	311.58
I. E. Ellis	Parcel	136.00	9.798	1,332.53
Luigi Lemma	Parcel	492.77	9.798	4,828.16

TOTAL PROPERTY OWNER FRONT FOOTAGE 3,128.84

TOTAL COST PER PROPERTY OWNER FRONT FOOT 9.798

TOTAL COST.....(THIRD AVENUE) \$ 30,656.37

FREDRICK AVENUE
(NORTH SIDE)

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Ottie Rhodes	1, Block E, North St. Albans	120.00	12.897	\$ 1,547.64
Luigi Lemma	7, Block E, North St. Albans	40.00	12.897	515.88
S. A. O'Neil	8, Block E, North St. Albans	40.00	12.897	515.88
State of West Virginia & A. D. McCormick	9, Block E, North St. Albans	40.00	12.897	515.88
R. P. Walters & Nina L. Walters	10, 11, & 12, Block E, North St. Albans	120.00	12.897	1,547.64
State of West Virginia	13, Block E, North St. Albans	40.00	12.897	515.88
C. O. Crouse & N. S. Crouse	14, Block E, North St. Albans	40.00	12.897	515.88
E. T. England & R. D. Stud	15 & 16, Block E, North St. Albans	80.00	12.897	1,031.76
Emma Carte	1 & 2, Block D, North St. Albans	80.00	12.897	1,031.76
Bessie Massey	3 & 4, Block D, North St. Albans	80.00	12.897	1,031.76
S. A. O'Neil	5, Block D, North St. Albans	40.00	12.897	515.88
State of West Virginia	6, Block D, North St. Albans	40.00	12.897	515.88
Freeman Bailey & Louise K. Bailey	7, Block D, North St. Albans	40.00	12.897	515.88
W. H. Crites & R. M. Crites	8 & 9 Block D, North St. Albans	80.00	12.897	1,031.76
Mervin S. Gibson & Ruth Gibson	10, Block D, North St. Albans	40.00	12.897	515.88
M. W. Twyman	11, Block D, North St. Albans	<u>74.00</u>	12.897	<u>954.38</u>
TOTAL PROPERTY OWNER FRONT FOOTAGE			\$	994.00
COST PER PROPERTY OWNER FRONT FOOTAGE				12.897
TOTAL COST			\$	12,819.62

2NHER

4TH STREET
(SOUTH SIDE)

Name of Owner	Lot number or other description	Frontage	Rate	Total Assessment
Nitro Industrial Corporation	Parcel	22.00	13.8572	304.86
Verna Staton	402, 404, & 406	158.55	13.8572	2,197.06
Maple Wilson	408 & 410	114.41	13.8572	1,585.40

(NORTH SIDE)

Nitro Industrial Corporation	Parcel	22.00	13.8572	304.86
Ray Hammond	403	61.87	13.8572	857.34
Lula Smith	405	40.00	13.8572	554.29
Virgil Lovejoy	407, 409 & 411	120.00	13.8572 \$ 1,662.86	
Ray Hammond	413	40.00	13.8572	554.29
Leon Eastes	415	68.17	13.8572	944.65

TOTAL FRONT FOOTAGE	647.00
TOTAL COST PER PROPERTY OWNER FRONT FOOTAGE	\$ 13.8572
TOTAL COST .....(4TH STREET)	\$ 8,965.61

FIR STREET
(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 Wilkes	1, Block Y	100.00	13.892	\$ 1,389.20
John Conley	25, Block Y	100.00	13.892	1,389.20
Dorothy Shamblin	1, Block Z	100.00	13.892	1,389.20
Kyle L. Hayzlett	29, Block Z	100.00	13.892	1,389.20

(NORTH SIDE)

Lula Smith	17, Block Q	100.00	13.892	1,389.20
Charles Adkins	18, Block Q	100.00	13.892	1,389.20
John W. Cox	17, Block R	100.00	13.892	1,389.20
Woodrow Shamblin	18, Block R	100.00	13.892	1,389.20

TOTAL PROPERTY OWNER FRONT FOOTAGE	800.00
TOTAL COST PER PROPERTY OWNER FRONT FOOT	\$ 13.892
TOTAL COST .....(FIR STREET)	\$ 11,113.60

KAPOK 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>
Clayton Conway	Parcel	107.00	17.531	\$ 1,875.82
Phil Hill, et al	Parcel	230.00	17.531	4,032.13

(SOUTH SIDE)

J. W. Honaker	12	117.00	17.531	2,051.13
M. W. Twyman	11	120.00	17.531	2,103.72
M. W. Twyman	22	80.00	17.531	1,402.48

TOTAL PROPERTY OWNER FRONT FOOTAGE	654.00
COST PER PROPERTY OWNER FRONT FOOT	\$ 17.531
TOTAL COST.....(KAPOK STREET)	\$ 11,465.28

GUM 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>
Charles E. Grady	13, Block Y	102.65	13.3984	\$ 1,375.35
Robert R. Fields	12, Block Y	101.15	13.3984	1,355.25

(SOUTH SIDE)

Paul Bleau	1	100.65	13.3984	1,348.55
Charles Caldwell	14	100.65	13.3984	1,348.55

TOTAL PROPERTY OWNER FRONT FOOTAGE	405.10
COST PER PROPERTY OWNER FRONT FOOT	\$13.3984
TOTAL COST..... (GUM STREET)	\$ 5,427.70

PENWOOD 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>
Effie Skeen	87 Crescent City Addition	37.00	8.496	\$ 314.35
V. S. Sigman & Marie Sigman	86, 85 & 84 Crescent City Addition	60.00	8.496	509.77
R. M. Hornish & Hazel Hornish	83, 82, & 81 Crescent City Addition	60.00	8.496	509.77
Harry L. Paxton	80 Crescent City Addition	20.00	8.496	169.92
Virginia Mostella	79 & 78 Crescent City Addition	40.00	8.496	339.84
Teddie H. Phipps	77, 76 & 75 Crescent City Addition	60.00	8.496	509.77
Harry L. Paxton	74 Crescent City Addition	20.00	8.496	169.92
May Cook	73, 72 & 71 Crescent City Addition	60.00	8.496	509.77
George R. Cook	70, 69 & 68 Crescent City Addition	60.00	8.496	509.77
G. R. Cook & Macel Cook	67 & 66 Crescent City Addition	40.00	8.496	339.84
Harry L. Paxton	65 Crescent City Addition	20.00	8.496	169.92
Levi C. Roush & A. E. Roush	64 & 63 Crescent City Addition	40.00	8.496	339.84
J. E. Terry & C. L. Terry	62, 61 & 60 Crescent City Addition	60.00	8.496	509.77
Nitro Land Company & State of West Virginia	59 Crescent City Addition	20.00	8.496	169.92
W. K. Casto	58 & 57 Crescent City Addition	40.00	8.496	339.84
Anna Carrier	56, 55 & 54 Crescent City Addition	95.5	8.496	811.37

PENWOOD AVENUE (Cont'd)
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ray Garverick, et al	42, 41, 40 & 39 Crescent City Addition	106.8	8.496	\$ 907.37
Enoch Dolin & F. M. Dolin	38, 37 & 36 Crescent City Addition	60.00	8.496	509.76
Nitro Land Co. & State of W. Va.	35 Crescent City Addition	20.00	8.496	169.92
K. A. Maynard & State of W. Va.	34 Crescent City Addition	20.00	8.496	169.92
Jas. Wears & Helen D. Wears	33 & 32 Crescent City Addition	40.00	8.496	339.84
Beecher Hill	31, 30 & 29 Crescent City Addition	60.00	8.496	509.77
H. A. Hill and Leola Hill	28, 27, 26 & 25 Crescent City Addition	80.00	8.496	679.68
Anna Carrier	24, 23, 22 & 21 Crescent City Addition	80.00	8.496	679.68
Anna Carrier	19 & 18 Crescent City Addition	40.00	8.496	339.84
N. F. Perry & C. Perry	17 & 16 Crescent City Addition	40.00	8.496	339.84
Anna Carrier	15, 14, 13, 12, 11 & 10 Crescent City Addition	120.00	8.496	1,019.52
Gomer Martin & Wanda Martin	9, 8, 7, 6, 5, 4 & 3 Crescent City Addition	132.10	8.496	1,122.32
TOTAL PROPERTY OWNER FRONT FOOTAGE @				1,531.40
TOTAL COST PER PROPERTY OWNER FRONT FOOT				\$ 8.496
TOTAL COST....(PENWOOD AVENUE)				\$13,010.84

SHORT STREET
FORMERLY
15TH STREET HILL

(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 R. Reynolds	43 & 44	105.10	7.969	837.54
Ada T. Jamison	45, 46 & 47	64.30	7.969	512.41

(NORTH SIDE)

Gomer E. Martin & Wanda Martin	Pt. 3 & 2	33.64	7.969	268.08
J. R. Alexander & Dorothy Alexander	Pt. 1 & 2	80.00	7.969	637.52

TOTAL PROPERTY OWNER FRONT FOOTAGE	283.04
COST PER PROPERTY OWNER FRONT FOOT	\$7.969
COST .....(15TH STREET HILL)	\$2,255.55

18TH STREET ROAD
(EAST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ray Garverick	42, 41, 40 & 39	135.60	7.694	\$ 1,043.31
Enoch Dolin & F. M. Dolin	38, 37 & 36	66.40	7.694	510.88
Nitro Land Co. & State of W. Va.	35	20.00	7.694	153.88
K. A. Maynard & State of W. Va.	34	20.00	7.694	153.88
Jas. R. Wears & Helen D. Wears	33 & 32	40.00	7.694	307.76
Beecher Hill	31, 30 & 29	60.00	7.694	461.64
H. A. Hill	28, 27, 26 & 25	80.00	7.694	615.52
Anna Carrier	24, 23, 22 & 21	80.00	7.694	615.52

(WEST SIDE)

Lula Smith	Parcel	270.00	7.694	2,077.38
Sylvia Gunnoe & State of W. Va.	Parcel	188.45	7.694	1,449.93

TOTAL PROPERTY OWNER FRONT FOOTAGE	960.45
TOTAL COST PER PROPERTY OWNER FRONT FOOT	\$7.694
TOTAL COST (18TH STREET ROAD)	\$ 7,389.70

19TH STREET, WEST
(NORTH SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
New York Central Railroad Company	Parcel	126.90	17.849	\$ 2,265.04

(SOUTH SIDE)

New York Central Railroad Company	Parcel	136.90	17.849	2,443.53
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TOTAL PROPERTY OWNER FRONT FOOTAGE	263.80
TOTAL COST PER PROPERTY OWNER FRONT FOOT	17.849
TOTAL COST ...(19TH STREET, WEST)	\$4,708.57

NITRO HEIGHTS 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>
Walter Lett	Parcel	48.00	7.732	371.14
Cecil Lemma	Parcel & 3, 4, 5, 6, 7, 8, 9 & Pt. of 10	627.45	7.732	4,851.44
W. Va. Water Service	Pt. of 10	25.00	7.732	193.30
James Orville Morrison	11	80.00	7.732	618.56
J. Mack Hanna	12	162.00	7.732	1,252.58
Terry, S. W.	13	60.00	7.732	463.92
Della Terry	14	60.00	7.732	463.92
H. Spence	15	60.00	7.732	463.92
Cecil Lemma	16	3.00	7.732	23.20

(SOUTH SIDE)

Kermit Ball	Parcel	67.00	7.732	518.04
Leslie E. White	1 & 2	345.00	7.732	2,669.54
L. W. Carr	Parcel	226.47	7.732	1,751.07
Hattie P. Camp	Parcel	75.00	7.732	581.45
Newman L. Hanna	Parcel	73.59	7.732	569.00
Newman L. Hanna	Parcel	87.50	7.732	676.55
Nitro Industrial Corporation	Parcel	262.00	7.732	2,025.78

TOTAL PROPERTY OWNER FRONT FOOTAGE	2,262.21
COST PER PROPERTY OWNER FRONT FOOT	7.732
TOTAL COST ....(NITRO HEIGHTS ROAD)	\$17,491.41

BOUNDARY 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>
United Fuel Gas Co.	Parcel	477.80	13.297	\$ 6,353.31

(SOUTH SIDE)

Mary Frazier Tinsley	89	77.50	13.297	1,030.52
Herbert Dixon & Janet Dixon	39	130.50	13.297	1,735.26
Victor Wise	38	88.50	13.297	1,176.78
Ellen Collins Wyant	1	124.08	13.297	1,649.89

TOTAL PROPERTY OWNER FRONT FOOTAGE	898.38
COST PER PROPERTY OWNER FRONT FOOT	13.297
TOTAL COST.....(BOUNDARY STREET)	\$11,945.76

WALKER STREET

(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Kanawha Block Co.	Parcel	94.00	16.496	\$ 1,550.62
F. H. Sattes, Heirs	Parcel	200.00	16.496	3,299.20
New York Central Railroad Company	Parcel	42.00	16.496	692.83

(NORTH SIDE)

Betty Ann Kelly	Parcel	95.00	16.496	1,567.12
Lydia Fox	Parcel	30.00	16.496	494.89
State of W. Va.	Parcel	40.00	16.496	659.85
Dianna B. Pauley	Parcel	40.00	16.496	659.85
Ottie Rhodes	Parcel	75.40	16.496	1,243.80
New York Central Railroad Company	Parcel	42.00	16.496	692.83

TOTAL PROPERTY OWNER FRONT FOOTAGE	658.40
TOTAL COST PER PROPERTY OWNER FRONT FOOTAGE	16.496
TOTAL COST....(WALKER STREET)	\$ 10,860.99

ALLEY (2nd Avenue to a Dead End)
(NORTH SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Henry Witry	Parcel	80.39	10.612	853.10
P. R. Walker & C. S. Walker	Parcel	35.00	10.612	371.42
Earl Comstock	Parcel	53.00	10.612	562.44
J. E. Temple & Inez Temple	Parcel	50.77	10.612	538.77

(SOUTH SIDE)

City of Nitro	Parcel	150.00	10.612	1,591.80
Earl Comstock	Parcel	69.16	10.612	733.93

TOTAL PROPERTY OWNER FRONT FOOTAGE

438.32

COST PER PROPERTY OWNER FRONT FOOT

10.612

TOTAL COST ... (ALLEY)

\$ 4,651.46

16TH 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>
Nitro Industrial Corporation	Parcel	22.00	10.723	235.91
Sylvia Gunnoe	1603	78.00	10.723	836.39
Damon Lett	1605	50.00	10.723	536.15
Berry Hudnall & Caroline Hudnall	1607	50.00	10.723	536.15
E. G. White & S. L. White	1609	50.00	10.723	536.15
Dr. J. L. Dunlap, Sr.	1611	50.00	10.723	536.15
Dr. J. L. Dunlap, Sr.	1613	50.00	10.723	536.15
G. C. Alderson	1615	50.00	10.723	536.15

(SOUTH SIDE)

Nitro Industrial Corp.	Parcel	22.00	10.723	235.91
Paul W. Durnell & Myra R. Durnell	1602	70.06	10.723	751.25
Mary Murrock	1604	50.00	10.723	536.15
Denver J. Carte & Wilma Carte	1606	50.00	10.723	536.15
G. L. Wise & B. M. Wise	1608	50.00	10.723	536.15
Florence Jividen	1610	50.00	10.723	536.15
Kenneth B. Mathes	1612	50.00	10.723	536.15
J. E. Casebolt & P. E. Casebolt	1614	<u>50.00</u>	10.723	<u>536.15</u>

TOTAL PROPERTY OWNER FRONT FOOTAGE	792.06
TOTAL COST PER PROPERTY OWNER FRONT FOOT	10.723
TOTAL COST .....(16TH STREET)	\$ 8,493.26

19TH STREET

(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Nitro Industrial Corporation	Parcel	22.00	3.974	\$ 87.43
Luigi Lemma	1902	42.50	3.974	168.90
Homer Putney	1904	50.00	3.974	198.70
Rufina Jividen & R. O. Jividen	1906	50.00	3.974	198.70
Thelma P. Johnson	1908	50.00	3.974	198.70
Marie Betz	1910	50.00	3.974	198.70
P. A. Munday & Genevieve Munday	1912	50.00	3.974	198.70
J. B. Wilson	1914	50.00	3.974	198.70
Wm. Hopper	1916	50.00	3.974	198.70
R. M. Harrison & Eva Harrison	1918	50.00	3.974	198.70

(NORTH SIDE)

Nitro Industrial Corporation	Parcel	22.00	3.974	87.43
Dr. George W. Hogshead	Parcel	120.00	3.974	476.88
W. L. Wintz	Parcel	180.00	3.974	715.32
Trustees of Nitro Lodge No. 170, Ancient Free & Accepted Masons of Nitro	Parcel	55.00	3.974	218.57
Clarence L. Watt	Parcel	80.00	3.974	317.92

TOTAL PROPERTY OWNER FRONT FOOTAGE 921.50

TOTAL COST PER PROPERTY OWNER FRONT FOOT \$3.974

TOTAL COST(19TH STREET) \$3,662.05

WILSON STREET

(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Arthur Stapleton	Parcel	116.00	\$ 16.388	\$ 1,901.01
Ray Newman	Parcel	110.00	16.388	1,802.68

(NORTH SIDE)

Ralph Lowe	Parcel	126.00	16.388	2,064.89
Hubert Bonner	Parcel	112.00	16.388	1,835.46

TOTAL PROPERTY OWNER FRONT FOOTAGE	464.00
COST PER PROPERTY OWNER FRONT FOOTAGE	16.388
TOTAL COST ---WILSON STREET	7,604.04

HILLSIDE DRIVE
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
F. H. Sattes	7, 8 & 9	276.06	13.885	\$ 3,833.09

(EAST SIDE)

F. H. Sattes	13, 12, 11 & 10	212.28	13.885	2,947.51
Woodrow & Kattie McComas		95.50	13.885	1,326.02

TOTAL PROPERTY OWNER FRONT FOOTAGE 583.84

TOTAL COST PER PROPERTY OWNER FRONT FOOT 13.885

TOTAL COST \$ 8,106.62

PARK 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>
Kanawha Co. Board of Education	Parcel Street Widening	1,273.50	\$ 16.989	\$21,635.49
Kanawha County Board of Education	Parcel Sidewalk	615.00	6.445	3,963.68

LOCUST STREET
(NORTH SIDE)

Boyd & Hazel Martin	Pt. 1 & 2	65.00	13.374	869.31
Ira Stone	Pt. 1 & 2	55.00	13.374	735.57

(SOUTH SIDE)

Hansford Bailey	16	120.00	13.374	1,604.88
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TOTAL PROPERTY OWNER FRONT FOOTAGE	240.00
COST PER PROPERTY OWNER FRONT FOOT	13.374
TOTAL COST (LOCUST STREET)	\$ 3,209.76

MAIN AVENUE

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Toney Romeo, Jr. & Wilmouth Romeo	11C. - Block B North St. Albans	33.00	8.873 \$	292.81
Okey McDonald & Meda L. McDonald	11B. - Block B North St. Albans	40.00	8.873	354.92
Everett H. Alley & Margaret J. Alley	Pt. Lot 10, Block B North St. Albans	40.00	8.873	354.92
Carrie Barker	Lot 9, Block B North St. Albans	40.00	8.873	354.92
Emory C. Burgess & Emma. Alma Burgess	Lots 7 & 8, Block B North St. Albans	80.00	8.873	709.84
Ira L. Clendenin & Rheda Clendenin	Lots 5 & 6 Block B North St. Albans	80.00	8.873	709.84
Donald R. Jarrett & Lena Jarrett	Pt. Lots 2, 3, & 4 Block B, North St. Albans	100.00	8.873	887.30
Boyd Martin & Hazel Martin	Pt. Lots 1 & 2, Block B North St. Albans	60.00	8.873	532.38
Hansford Bailey & Ursa Bailey	Lots 15 & 16, Block C North St. Albans	80.00	8.873	709.84
Mrs. Thomas H. Browning	Lots 14 & 13, Block C North St. Albans	80.00	8.873	709.84
Sherman C. Gibbs & E. E. Gibbs	Lot 12, Block C North St. Albans	40.00	8.873	354.92
Mildred Hill	Lot 11, Block C North St. Albans	40.00	8.873	354.92
Mildred Hill	Lot 10, Block C North St. Albans	40.00	8.873	354.92
LeRoy Beach & Denney Ann Beach	Lot 9, Block C North St. Albans	40.00	8.873	354.92
Thurman Stanley	Lot 8, Block C North St. Albans	40.00	8.873	354.92
Howard Lanham & Kathryn Lanham	Lot 7, Block C North St. Albans	40.00	8.873	354.92
G. W. Conway, Jr.	Lot 3 & Pt. of 2, Block C, North St. Albans	120.00	8.873	1,064.76

MAIN AVENUE
(Continued)

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gravelly Tractors, Inc.	Lot 11, Lee's Ferry Acres	104.75	8.873	\$ 929.45
Robert B. McIntosh & Naomi G. McIntosh	So. Pt. Lots 9 & 10 Lee's Ferry Acres	50.00	8.873	443.65
Neal W. Clark & M. B. Clark	No. Pt. Lots 9 & 10, Lee's Ferry Acres	50.00	8.873	443.65
Rollings Lumber Co.	Pt. of Lots 9 & 10, Lee's Ferry Acres	100.00	8.873	887.30
O'Dell Frazier	Pt. of Lot 8 Lee's Ferry Acres	50.00	8.873	443.65
John A. MacCleery & Myrdith MacCleery	Pt. of Lot 8 Lee's Ferry Acres	50.00	8.873	443.65
Ida M. Dunbar	Pt. of Lot 7 Lee's Ferry Acres	50.00	8.873	443.65
Harry M. Higgins & Kathleen D. Higgins	Pt. of Lot 7 Lee's Ferry Acres	50.00	8.873	443.65
Rollings Lumber Co.	Pt. of Lot 6 Lee's Ferry Acres	50.00	8.873	443.65
Rou McCune & Ora M. McCune	Pt. of Lot 6 Lee's Ferry Acres	50.00	8.873	443.65
James E. Allison & Patricia Allison	Pt. of Lot 5 Lee's Ferry Acres	43.00	8.873	381.54
S. F. Lee, Heirs	Parcel	13.00	8.873	115.35
Charles K. Jones & Mary M. Jones	Pt. of Lot 5 Lee's Ferry Acres	44.00	8.873	390.41
Cyril Rollings & Ellen Rollings	Lot 4 Lee's Ferry Acres	100.00	8.873	887.30
Della Mae Ogburn	Pt. of Lot 3 Lee's Ferry Acres	50.23	8.873	445.69
A. L. Markham & Gladys Markham	Lots 2-A & 2-B Lee's Ferry Acres	100.66	8.873	893.16
John R. Planck & Hazel Planck	Parcel, Sec. 5 Sattes	110.75	8.873	982.68

MAIN AVENUE
(Continued)

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
William D. Gibson & Betty C. Gibson	Lot 1, Sec. 5 Sattes	77.50	8.873	\$ 687.66
Walter C. Finley & Lula S. Finley	Lot 40, Sec. 5 Sattes	66.72	8.873	592.01
J. F. Mollohan & V. L. Mollohan	Lot 39, Sec. 5 Sattes	60.00	8.873	532.38
Lee Poindexter, Jr. & Doney Poindexter	Lot 38, Sec. 5 Sattes	60.00	8.873	532.38
Clarence W. Buffington & Kathleen G. Buffington	Lot 37, Sec. 5 Sattes	60.00	8.873	532.38
Emory Hedrick & Donna Hedrick	Lot 36, Sec. 5 Sattes	60.00	8.873	532.38
Bruce Bradley & Chessie Bradley	Lot 35, Sec. 5 Sattes	60.00	8.873	532.38
Roy E. Knapp & May Knapp	Lot 34, Sec. 5 Sattes	60.00	8.873	532.38
John J. Klein & Gladys S. Klein	Lot 33, Sec. 5 Sattes	60.00	8.873	532.38
J. G. Turley & Georgia E. Turley	Lot 32, Sec. 5 Sattes	60.00	8.873	532.38
J. S. Johnson & McGonna Johnson	Lot 31, Sec. 5 Sattes	60.00	8.873	532.38
M. R. Samples & B. D. Samples	Lot 30, Sec. 5 Sattes	60.00	8.873	532.38
William H. Gardner & Mary Gardner	Lot 29, Sec. 5 Sattes	82.90	8.873	735.57

HOLLEY AVENUE

James K. Williams & Va. E. Williams	Lot 14, Sec. 1, Sattes	75.83	8.873	672.84
James D. Teel & E. L. Teel	Lot 13, Sec. 1 Sattes	60.00	8.873	532.38
William Skeens & Helen Skeens	Lot 12, Sec. 1 Sattes	60.00	8.873	532.38

MAIN AVENUE
(Continued)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Roy L. McClain & Norma McClain	Lot 11, Sec. 1 Sattes	60.00	8.873	532.38
Robert G. Miller, et ux	Lot 10, Sec. 1 Sattes	60.00	8.873	532.38
John W. Taylor & N. L. Taylor	Lot 9, Sec. 1 Sattes	60.00	8.873	532.38
Eugene Carney & Virginia C. Carney	Lot 8, Sec. 1 Sattes	60.00	8.873	532.38
R. F. Cavender & E. W. Cavender	Lot 7, Sec. 1 Sattes	60.00	8.873	532.38
B. J. Gibson & Shirley V. Gibson	Lot 6, Sec. 1 Sattes	60.00	8.873	532.38
H. L. Dickey & A. A. Dickey	Lot 5, Sec. 1 Sattes	60.00	8.873	532.38
Barney B. Dunlap & Virginia Dunlap	Lot 4, Sec. 1 Sattes	60.00	8.873	532.38
Helen E. Burkhart	Lot 3, Sec. 1 Sattes	60.00	8.873	532.38
Mary R. Ruby & Lucille McVey	Lot B & Pt. of C Sec. 4, Sattes	121.65	8.873	1,079.40
F. H. Sattes, Heirs	Pt. of Lot C Sec. 4, Sattes	71.65	8.873	635.75
William E. Harris & Drema Harris	Pt. of Lot D Sec. 4, Sattes	61.20	8.873	543.03
F. H. Sattes, Heirs	Pt. of Lot D Sec. 4, Sattes	75.80	8.873	672.57
Daisy Blackwood	31, 32 & Parcel Sec. 4, Sattes	200.00	8.873	1,774.60

TOTAL PROPERTY OWNER FRONT FOOTAGE	4,152.64
TOTAL COST PER PROPERTY OWNER FRONT FOOT	8.873
TOTAL COST ....(MAIN AVENUE)	\$ 36,846.38

HICKORY 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>
Kenton Williamson	26, Block D Crawford City	100.64	7.598	764.66
Harvey Roberts	13, Block D Crawford City	100.64	7.598	764.66
Chester R. Wright	26, Block C Crawford City	100.64	7.598	764.66
Chester R. Wright	13, Block C Crawford City	100.64	7.598	764.66
David Oldaker	26, Block B Crawford City	100.64	7.598	764.66
Paul McCoy	13, Block B Crawford City	100.64	7.598	764.66

(SOUTH SIDE)

Kyle Dunlap	14, Block H Crawford City	100.64	7.598	764.66
Robert R. Carney	1, Block H Crawford City	100.64	7.598	764.66
Parker Martin	14, Block G Crawford City	100.64	7.598	764.66
Earl Comstock, Jr.	1, Block G Crawford City	100.64	7.598	764.66
Gladys Yates	14, Block F Crawford City	100.64	7.598	764.66
Laura Little	1, Block F Crawford City	100.64	7.598	764.66

TOTAL PROPERTY OWNER FRONT FOOTAGE	1,207.68
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TOTAL COST PER PROPERTY OWNER FRONT FOOT	7.598
TOTAL COST....(HICKORY STREET)	\$ 9,175.92

DOGWOOD STREET
(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Brady Duncan	Parcel	100.00	13.873	\$ 1,387.30
State of W. Va.	Parcel	100.00	13.873	1,387.30
State of W. Va.	Parcel	100.00	13.873	1,387.30
Farold A. Fairlaine	Parcel	100.00	13.873	1,387.30
S. A. Frontz	Parcel	100.00	13.873	1,387.30
Hugh A. Kitts	Parcel	100.00	13.873	1,387.30

(NORTH SIDE)

	Parcel	100.00	13.873	1,387.30
C. A. Porterfield	Parcel	100.00	13.873	1,387.30
Marshall Properties, Inc.	Parcel	100.00	13.873	1,387.30
R. W. Edmonds	Parcel	100.00	13.873	1,387.30
C. A. Arbaugh	Parcel	100.00	13.873	1,387.30
Virgil A. Farmer	Parcel	100.00	13.873	1,387.30

TOTAL PROPERTY OWNER FRONT FOOTAGE	1,200.00
COST PER PROPERTY OWNER FRONT FOOT	13.873
TOTAL COST.....(DOGWOOD STREET)	\$16,647.60

HILLSIDE DRIVE
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
F. H. Sattes	1	65.60	9.9892	655.29
Charles E. Turley & M. L. Turley	2	60.00	9.9892	599.35
F. H. Sattes	3	60.00	9.9892	599.35
Henry L. Keenan & Rose Ann Keenan	4	60.00	9.9892	599.35
Morley Shamblen	5	60.00	9.9892	599.35
F. H. Sattes	6 & 7	80.00	9.9892	799.13

(EAST SIDE)

F. H. Sattes	20, 19, 18, 17, 16, 15, 14, & 13	409.79	9.9892	4,093.46
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TOTAL PROPERTY OWNER FRONT FOOTAGE	795.39
TOTAL COST PER PROPERTY OWNER FRONT FOOT	9.9892
TOTAL COST.....(HILLSIDE DRIVE)	\$ 7,945.28

BAILES DRIVE
(EAST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Samuel E. Reed	30 Saunders Addition	50.00	13.6847 \$	684.24
R. W. Saunders	31 Saunders Addition	50.00	13.6847	684.24
Homer Sayre	32 Saunders Addition	124.30	13.6847	1,701.01

(WEST SIDE)

Hazel Finch heirs & Scott Jones	29 Saunders Addition	50.00	13.6847	684.24
Wayne T. Phelps	28 Saunders Addition	50.00	13.6847	684.24
Samuel Dunn & Augusta Dunn	1 Saunders Addition	120.00	13.6847	1,642.16

TOTAL PROPERTY OWNER FRONT FOOTAGE	444.30
COST PER PROPERTY OWNER FRONT FOOT	\$ 13.6847
TOTAL COST.....(BAILES DRIVE)	\$ 6,080.13

ALLEY (19TH TO 20TH ST.)

(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Dr. George W. Hogshead		40.00	10.592	423.68
Bank of Nitro		158.45	10.592	1,678.30
Lillian Cook & K. K. Pauley		60.00	10.592	635.52

(EAST SIDE)

W. L. Wintz		89.05	10.592	943.22
Trustees, Saint Paul's Methodist Church		68.70	10.592	727.67
C & P Telephone Company		100.00	10.592	1,059.20

TOTAL PROPERTY OWNER FRONT FOOTAGE	516.20
TOTAL COST PER PROPERTY OWNER FRONT FOOT	10.592
TOTAL COST	\$ 5,467.59

ALLEY BETWEEN 21ST & 20TH STREETS

(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Bank of Nitro	Parcel	25.00	11.518	287.95
W. W. Alexander, et al	Parcel	45.00	11.518	518.31
O. F. Daubenspeck	Parcel	27.50	11.518	316.75
W. W. Alexander	Parcel	46.00	11.518	529.83
A. W. Cox Dept. Store	Parcel	114.00	11.518	1,313.05

(EAST SIDE)

Oscar Bastiani	Parcel	124.20	11.518	1,430.54
Dr. J. E. Temple & Inez Temple	Parcel	133.30	11.518	1,535.35

TOTAL PROPERTY OWNER FRONT FOOTAGE	515.00
TOTAL COST PER PROPERTY OWNER FRONT FOOT	11.518
TOTAL COST	\$ 5,931.78

ALLEY (21st to 22nd St.)

(WEST SIDE)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Eastview Land Company	Parcel	160.35	3.896	624.72
W. L. Wintz & G. C. Alderson	Parcel	97.15	3.896	378.50

(EAST SIDE)

Cecil Lemma	Parcel	127.50	3.896	496.74
W. Va. Water Service Co.	Parcel	130.00	3.896	506.48

TOTAL PROPERTY OWNER FRONT FOOTAGE

515.0

TOTAL COST PER PROPERTY OWNER FRONT FOOT

3.896

TOTAL COST

\$ 2,006.44

TWENTY FOURTH 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>
Nitro Industrial Corporation	Parcel	22.00	3.927	86.39
John A. Stewart	2401	50.83	3.927	199.61
John A. Stewart	2403	50.00	3.927	196.35
Cecil L. Lemma	2405	50.00	3.927	196.35
Blanche Baumgartner	2407	50.00	3.927	196.35
Elsie Jones	2409	50.00	3.927	196.35
Nellie L. Stewart	2411	50.00	3.927	196.35
C. E. Foster & Nina Foster	2413	50.00	3.927	196.35

(SOUTH SIDE)

Nitro Industrial Corporation	Parcel	22.00	3.927	86.39
C. G. Earles	2402	50.83	3.927	199.61
Dessie B. Hawkins	2404	50.00	3.927	196.35
Virginia C. Roberts	2406	50.00	3.927	196.35
Douglas Walker	2408	50.00	3.927	196.35
Woodie Hively	2410	50.00	3.927	196.35
G. M. Curtis	2412	50.00	3.927	196.35
Frank A. Fish	2414	50.00	3.927	196.35

TOTAL PROPERTY OWNER FRONT FOOTAGE 745.66

TOTAL COST PER PROPERTY OWNER FRONT FOOTAGE 3.927

TOTAL COST \$ 2,928.20

GRANT TOTAL OF CERTIFICATES - NITRO STREET
PROJECT.....\$302,466.68

Given under my hand this 5th day of June, 1962.

CITY ENGINEER,
MUNICIPAL ENGINEERING CORPORATION

By:

Charles B. Holsclaw
Engineer

And said Council having inspected said reports, upon motion by Councilman Gewin, seconded by Councilman Wears, and adopted unanimously said reports, provided corrections be made, 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 3rd day of July, 1962, 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.

The Mayor and Council entered into a discussion in regard to the offer of the Kanawha County School Board to sell the Park Avenue right of way to the City of Nitro for a stipulated sum of One Hundred (\$100.00) Dollars.

Thereupon Councilman Hoke moved, seconded by Councilman Woods, that the City accept the foregoing offer of the Kanawha County Board of Education. Upon a vote motion carried.

Mayor Alexander explained to the Council that it was necessary to have a commitment from the City, and the Kanawha and Putnam Courts to furnish money for amintenance of proposed dams and channel maintenance on Blake's Creek Water Shed Program before federal government will proceed with construction work on the said Water Shed Program.

Thereupon, Councilman Woods moved, seconded by Councilman Reeves, that the City go on record assuming responsibility of up to Five Hundred (\$500.00) Dollars for maintenance of Water Shed projects. Upon a vote motion carried.

The Mayor and Council then proceeded to consider replacements of election officials, who were unable to participate in the annexation election to be held June 19, 1962, as follows.

Precinct No. 306 - Kanawha County
Nina Walters, Receiving Clerk, to be replaced by Virginia Williams.

Precinct No. 305 - Kanawha County
Claude E. Williams, Receiving Commissioner, to be replaced by Lucille Callihan.
Norma Harrison, Receiving Commissioner, to be replaced by Marie Dye.
Audry Fields, Receiving Clerk, to be replaced by Norma Harrison.
Howard D. Wilson, Receiving Commissioner, to be replaced by Mrs. Fred Phillips.

Precinct No. 282 - Kanawha County
Ruby F. Craig, Receiving Commissioner, to be replaced by Opal Miller.

Precinct No. 260 - Kanawha County
Myrtle Adkins, Receiving Commissioner, to be replaced by Ethel Bailey.

Precinct No. 283 - Kanawha County
Helen Colcord, Receiving Clerk, to be replaced by Edith Bender.

Precinct No. 22 - Putnam County
Mrs. W. B. Hinkle, Receiving Commissioner, to be replaced by Imogene Whited.

Belva Peaker, Receiving Clerk, to be replaced by Wilma M. Lucas.

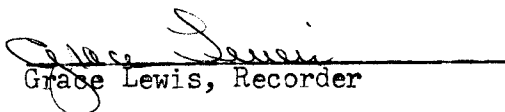
Thereupon Councilman Hoke moved, seconded by Councilman Gewin, the foregoing persons be named as replacements of election officials for the annexation Election being held June 19, 1962. Upon a vote motion carried.

Councilman Hoke informed Mayor and Council that he had had a number of complaints of the contractor building the service station on the corner of 21st Street and Second Avenue, parking his equipment on the sidewalk on 21st Street, thereby blocking foot traffic and keeping the sidewalk area muddy. The Mayor informed that the contractor would be given orders to move said equipment from sidewalk area.

There being no further business to come before the Council at this time a motion for a recess by Councilman Hoke carried and was so ordered.



W. W. Alexander, Mayor



Grace Lewis, Recorder

June 26, 1962

The City Council met in a recessed session Monday, June 26, 1962. There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council.

Mayor Alexander called the meeting to order. Councilman Gewin resolved the Council into a Board of Canvassers to canvass the Special Annexation Election held June 19, 1962. Motion seconded by Councilman Clark. Motion carried. Thereupon the Recorder laid before the Board the Tally Books as tallied by the Kanawha County Court for Precincts as follows:

Precinct No. 22 - Putnam County

For Annexation	50
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Against Annexation	8
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Precinct No. 306 - Kanawha County

For Annexation	26
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Against Annexation	16
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Precinct No. 305 - Kanawha County

For Annexation	37
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Against Annexation	5
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Precinct No. 282 - Kanawha County

For Annexation	44
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Against Annexation	4
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Precinct No. 283 - Kanawha County

For Annexation	44
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Against Annexation	4
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Precinct No. 261 - Kanawha County

For Annexation 54

Against Annexation 1

Precinct No. 260 - Kanawha County

For Annexation 31

Against Annexation 1

Precinct No. 272 (1) - Kanawha County

For Annexation 112

Against Annexation 88

The total results of the election being:

In the City of Nitro:

For Annexation 286

Against Annexation 39

In the area proposed to be annexed:

For annexation 112

Against Annexation 88

Councilman Gewin moved the City Treasurer be authorized to pay all election expenses. Motion seconded by Councilman Woods. Motion carried.

Councilman Gewin moved, seconded by Councilman Clark, that the Board of Canvassers be dissolved. Motion carried. Thereupon the Mayor and Council entered into a discussion of the delay of the Kanawha County Court certifying the results of the said election to the Judge of the Circuit Court. It was pointed out that by law the Court is required to furnish the City with locked and sealed ballot boxes for this type of election, that the ballot boxes had been

supplied by the Kanawha County Court and that said boxes had double yale locks on them, the Kanawha County Court having retained the keys to the said locks in their possession, that the boxes containing the voted ballots had been returned to Kanawha County Court the night of the election and that when the ballots were to be counted by the court - Mr. Grover Smith, President of the Kanawha County Court had raised the question of the boxes not having a seal on them. This question being the reason the Court had not certified the results.

Thereupon Councilman Hoke moved, seconded by Councilman Woods, that the City Attorney be authorized to take any legal action to mandamus the Kanawha County Court to certify the results of the Special Annexation Election to the Judge of the Circuit Court of Kanawha County. Upon a vote motion carried and was so ordered.

There being no further business to come before the Council at this time Councilman Hoke moved, seconded by Councilman Wears, the Council recess until July 3, 1962. Motion carried, and was so ordered.


W. W. Alexander, Mayor


Grace Lewis, Recorder

Aug 15 6 30 PM 1962

July 3, 1962

At a recessed session of the Council of the City of Nitro, regularly and duly called on the 3rd day of July, 1962, there were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods, members of the Council. Councilmen Clark and Dye 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 notice to property owners as published in the Kanawha Valley Leader under dates of June 22, 1962 and June 29, 1962. He further announced that meeting was open for any revision or corrections 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 July 17, 1961, by publication 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.

Thereupon, upon motion by Councilman Woods, seconded by Councilman Reeves, 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 taken of members of Council present and the Mayor and Recorder all voted in the affirmative. The Mayor declared the motion carried.

HOUSING AND HOME FINANCE AGENCY
OFFICE OF THE REGIONAL ADMINISTRATOR

April 8, 1963

Widener Building
Philadelphia 7, Pennsylvania

Honorable W. W. Alexander
Mayor, City of Nitro
20th Street
Nitro, West Virginia

Dear Mayor Alexander:

Subject: Project No. P-WVA-3066
Sanitary Sewers
The City of Nitro
Kanawha and Putnam Counties, West Virginia

I am pleased to enclose two copies of an Agreement For Public Works Plan Preparation for the subject project. The Acceptance and Certificate on the last page should be executed on both copies pursuant to an appropriate resolution of your governing body adopted at a meeting held following your receipt of this letter.

The Acceptance should be signed by the chief executive official of the Applicant. If the authorizing resolution referred to above designates a different official to sign the Acceptance, please submit two certified copies of such resolution.

Kindly have your seal impressed where indicated in the Certificate. Also, please print or type immediately below their signatures the names of the officials who sign the Acceptance and Certificate.

Following the above, please return the original counterpart of the Agreement to this office. The copy is for your records.

Kindly note the Agreement must be accepted, if at all, within 60 days from this date. The contemplated plan preparation must be submitted within 130 days from the date the Agreement is accepted.

Please communicate with this office should you have any question.

Sincerely yours,

Joseph P. Rosko
Acting Regional Director, CF
Cornelius J. Daly
Regional Director of
Community Facilities

PROGRAM OF ADVANCES FOR PUBLIC WORKS PLANNING

TERMS AND CONDITIONS

February 1, 1962

1. The applicant shall not use the advance, or any portion thereof, to defray the cost of any part of the plan preparation which, prior to the date borne by the offer to which these Terms and Conditions related, has been performed or has been included in any contract in which the applicant has agreed to finance such plan preparation with any specific funds other than those to be supplied by the Government.
2. The plan preparation to be paid for with the advance shall be limited to the project for which the advance is made, and the applicant shall cause the plan preparation to be such as will permit of the construction of the work contemplated thereby at a cost which is within its ability to finance and which bears a reasonable relation to the estimate of cost therefor contained in its application for an Advance for Public Works Planning.
3. If data obtained during plan preparation indicate that unforeseen conditions will increase the cost of the public work substantially beyond the original estimate, the applicant shall suspend plan preparation and notify the Government as soon as possible.
4. The applicant shall not perform the plan preparation with its own forces except (A) as shown in its application, or (B) as may be approved by the Government at the applicant's request prior to performance of the work.
5. In the event the Government has approved the use of the applicant's own employees to accomplish the plan preparation, only those costs incurred by the applicant for the plan preparation which would not have been incurred except for the undertaking of the plan preparation shall be paid from the Government's advance.
6. The applicant shall keep accurate accounting records of all costs involved in connection with each advance. The accounts and records of the applicant, together with all supporting documents, must be open at all times to inspection by authorized representatives of the HHFA, and copies furnished when requested. The applicant shall furnish a copy of any contract entered into in connection with plan preparation immediately upon execution thereof.
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8. The advance may be requisitioned when plan preparation is completed and presented to the Government, together with evidence of the applicant's approval thereof, including specifically the then estimated cost of constructing the public work contemplated by plan preparation, and any other approvals required by Federal, State or local law. Upon receipt of such data, in satisfactory form, and if the Government is satisfied that the applicant has complied with all its obligations under the said Agreement, the full advance but not exceeding the actual plan preparation cost will be paid.

Interim payments may be made if the Government finds such interim payments are justified to insure prompt completion of plans.

9. The Government may elect to terminate all or any of its obligations under the said Agreement:

- (a) If any representation of the applicant, in its application or in any supplement thereto or amendment thereof, or in any documents submitted to the Government by the applicant in connection with such application, shall be incorrect or incomplete in any material respect;
- (b) If the applicant shall fail to commence promptly or complete the plan preparation within the time provided therefor in the Agreement or within the limits of any extension of time as may be approved by the Government, or if the applicant shall fail otherwise in the performance or fulfillment of any of its obligations to be performed or fulfilled under the Agreement;
- (c) If the applicant shall fail to submit or cause to be submitted to the Government any reports, data, plans, drawings, specifications, contracts, estimates, approvals, or other documents pertaining to the plan preparation contemplated by the Agreement, that may be requested by the Government;
- (d) If any official of the applicant shall become directly or indirectly interested personally in any contract or subcontract in connection with the aforesaid plan preparation.

If the Government terminates its obligations the applicant will be liable for immediate refund of any funds advanced by the Government.

- 10. In the event the applicant has employed or shall employ any person, firm, or corporation, excepting bona fide employees and persons, firms, or corporations employed under a bona fide contract to render professional or technical services only, to solicit or secure the advance covered by the Agreement to which these Terms and Conditions relate, or any other contract right under such Agreement, upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, the Government shall have the right to annul said Agreement without liability or in its discretion to deduct from the advance otherwise payable under the Agreement the full amount of such commission, percentage, brokerage, or contingent fee.
- 11. The advance shall be repaid promptly upon the start of construction of the public work contemplated in the planning report. Construction shall be considered as undertaken or started when the first construction contract is awarded or the applicant begins construction with its own forces. If construction of only a portion of the planned work is undertaken, repayment is required of such proportionate amount of the advance related to the work as the Administrator determines to be equitable.
- 12. In the event the applicant should, for any reason, fail to repay promptly the advance in full in accordance with its obligation under this Agreement, whether such obligation shall arise by operation of law or under the said Agreement, such unpaid sum shall bear interest at the rate of four per centum per annum from the date of the Government's demand to the applicant for the repayment to the date of payment thereof by the applicant.
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16. If the estimated cost of the proposed public work is changed by 15 percent or more from that designated in the application, or if the scope of the proposed public work is changed from that described in the application, the applicant, before proceeding with the preparation of the final plans, shall submit to the Government for its review the preliminary plans. Upon receipt of the Government's approval of the said preliminary plans, the applicant may proceed with the final plans. Where neither of the foregoing changes has occurred, the applicant shall submit the preliminary plans together with the final plans for approval by the Government.

HOUSING AND HOME FINANCE AGENCY
COMMUNITY FACILITIES ADMINISTRATION
AGREEMENT FOR PUBLIC WORKS PLAN PREPARATION

GFA-420
(2/62)

Project No. P-WVA-3066

TO: The City of Nitro
(Legal Corporate Name of Applicant)

Kanawha and Putnam Counties, West Virginia
(Address of Applicant)

Pursuant to the provisions of Public Law 560, 83rd Congress, as amended, and your application, as modified and supplemented, and subject to the Terms and Conditions, dated February 1, 1962, attached hereto and made a part hereof, the UNITED STATES OF AMERICA, acting by and through the Housing and Home Finance Administrator, hereby offers to ~~make~~ you an advance of not to exceed \$14,850 to aid you in financing the cost of plan preparation, to consist of preliminary and final planning for the proposed construction of improvements to creek channels and new relief storm sewers for the City of Nitro in Kanawha and Putnam Counties. Said improvements to the creek channels shall include the deepening and widening of these channels.

By the acceptance of this offer, you agree to submit the above-described plan preparation with 130 days from the date of your acceptance hereof and covenant that you will repay the advance when required to do so under the provisions of said Law and Terms and Conditions.

This offer must be accepted, if at all, within sixty (60) days from the date hereof.

This 8th day of APRIL, 1963.

UNITED STATES OF AMERICA
Housing and Home Finance Administrator

By Joseph P. Rosko
Title Acting Regional Director of Community
Facilities

ACCEPTANCE

The foregoing offer is hereby accepted this 16th day of April, 1963.

The City of Nitro
(Legal Corporate Name of Applicant)

By W. W. Alexander,
Mayor City of Nitro, West Va.
(Title)

CERTIFICATE

I, the undersigned, HEREBY CERTIFY that I am the official custodian of the records and proceedings of the governing body of the above-identified Applicant; and that such records and proceedings show that, pursuant to proceedings of said governing body had and adopted on the 16th day of April, 1963, the foregoing offer of the United States of America has been unqualifiedly and duly accepted by said Applicant.

The 17th day of April, 1963.

Grace Lewis,
Recorder, City of Nitro, West Va.
(Title)

(SEAL)

HOUSING AND HOME FINANCE AGENCY
OFFICE OF THE REGIONAL ADMINISTRATOR

April 8, 1963

Widener Building
Philadelphia 7, Pennsylvania

Honorable W. W. Alexander
Mayor, City of Nitro
20th Street
Nitro, West Virginia

Dear Mayor Alexander:

Subject: Project No. P-WVA-3066
Sanitary Sewers
The City of Nitro
Kanawha and Putnam Counties, West Virginia

I am pleased to enclose two copies of an Agreement For Public Works Plan Preparation for the subject project. The Acceptance and Certificate on the last page should be executed on both copies pursuant to an appropriate resolution of your governing body adopted at a meeting held following your receipt of this letter.

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Cornelius J. Daly
Regional Director of
Community Facilities

PROGRAM OF ADVANCES FOR PUBLIC WORKS PLANNING

TERMS AND CONDITIONS

February 1, 1962

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If the Government terminates its obligations the applicant will be liable for immediate refund of any funds advance by the Government.

10. In the event the applicant has employed or shall employ any person, firm, or corporation, excepting bona fide employees and persons, firms, or corporations employed under a bona fide contract to render professional or technical services only, to solicit or secure the advance covered by the Agreement to which these Terms and Conditions relate, or any other contract right under such Agreement, upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, the Government shall have the right to annul said Agreement without liability or in its discretion to deduct from the advance otherwise payable under the Agreement the full amount of such commission, percentage, brokerage, or contingent fee.

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HOUSING AND HOME FINANCE AGENCY
COMMUNITY FACILITIES ADMINISTRATION
AGREEMENT FOR PUBLIC WORKS PLAN PREPARATION

CFA-420
(2/62)

Project No. P-WVA-3066

TO: The City of Nitro
(Legal Corporate Name of Applicant)

Kanawha and Putnam Counties, West Virginia
(Address of Applicant)

Pursuant to the provisions of Public Law 560, 83rd Congress, as amended, and your application, as modified and supplemented, and subject to the Terms and Conditions, dated February 1, 1962, attached hereto and made a part hereof, the UNITED STATES OF AMERICA, acting by and through the Housing and Home Finance Administrator, hereby offers to ~~make~~ you an advance of not to exceed \$14,850 to aid you in financing the cost of plan preparation, to consist of preliminary and final planning for the proposed construction of improvements to creek channels and new relief storm sewers for the City of Nitro in Kanawha and Putnam Counties. Said improvements to the creek channels shall include the deepening and widening of these channels.

By the acceptance of this offer, you agree to submit the above-described plan preparation with 130 days from the date of your acceptance hereof and covenant that you will repay the advance when required to do so under the provisions of said Law and Terms and Conditions.

This offer must be accepted, if at all, within sixty (60) days from the date hereof.

This 8th day of APRIL, 1963.

UNITED STATES OF AMERICA
Housing and Home Finance Administrator

By Joseph P. Rosko
Title Acting Regional Director of Community
Facilities

ACCEPTANCE

The foregoing offer is hereby accepted this 16th day of April, 1963.

The City of Nitro
(Legal Corporate Name of Applicant)

By W. W. Alexander,
Mayor City of Nitro, West Va.
(Title)

CERTIFICATE

I, the undersigned, HEREBY CERTIFY that I am the official custodian of the records and proceedings of the governing body of the above-identified Applicant; and that such records and proceedings show that, pursuant to proceedings of said governing body had and adopted on the 16th day of April, 1963, the foregoing offer of the United States of America has been unqualifiedly and duly accepted by said Applicant.

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OFFICE OF THE REGIONAL ADMINISTRATOR

April 8, 1963

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Philadelphia 7, Pennsylvania

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Mayor, City of Nitro
20th Street
Nitro, West Virginia

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Regional Director of
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February 1, 1962

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HOUSING AND HOME FINANCE AGENCY
COMMUNITY FACILITIES ADMINISTRATION
AGREEMENT FOR PUBLIC WORKS PLAN PREPARATION

CFA-420
(2/62)

Project No. P-WVA-3066

TO: The City of Nitro
(Legal Corporate Name of Applicant)

Kanawha and Putnam Counties, West Virginia
(Address of Applicant)

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This 8th day of APRIL, 1963.

UNITED STATES OF AMERICA
Housing and Home Finance Administrator

By Joseph P. Roake
Title Acting Regional Director of Community
Facilities

ACCEPTANCE

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Recorder, City of Nitro, West Va.
(Title)

(SEAL)

CHAPTER 176 1963 ACTS

ENROLLED

COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 171

(Passed March 9, 1963; in effect from passage.)

AN ACT to amend and reenact section twenty-six, article eight, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to further amend said article eight by adding thereto two new sections, designated sections fourteen-b and twenty-six-a, relating to unlawful expenditures by local fiscal bodies; casual deficits; the levying of a new or increased municipal tax, the effective date thereof, and the inclusion of such new or increased tax in the levy estimate; and the revision of levy estimates.

Be it enacted by the Legislature of West Virginia:

That section twenty-six, article eight, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, and that said article eight be further amended by adding thereto two new sections, designated sections fourteen-b and twenty-six-a, all to read as follows:

SECTION 26 - UNLAWFUL EXPENDITURES BY LOCAL FISCAL

BODY - Except as provided in sections fourteen-b, twenty-five-a and twenty-six-a of this article, a local fiscal body shall not expend money or incur obligations:

- (1) In an unauthorized manner;
- (2) For an unauthorized purpose;
- (3) In excess of the amount allocated to the fund in the levy order;
- (4) In excess of the funds available for current expenses.

Notwithstanding the foregoing and any other provision of law to the contrary, a local fiscal body or its duly authorized officials shall not be penalized for a casual deficit which does not exceed its approved levy estimate by more than three per cent, provided such casual deficit be satisfied in the levy estimate for the succeeding fiscal year.

SECTION 14-b - LEVY OF ADDITIONAL TAX

The governing body of any municipality may impose any tax not theretofore levied, or may increase any tax theretofore levied, and may make said tax or increase effective as of the date of the adoption of the ordinance imposing or increasing said tax, or as of any date thereafter specified in the ordinance regardless of whether or not said tax or the increase thereof is included within the levy estimate for the current or ensuing fiscal year, provided for in section fourteen of this article: Provided, That when said tax or increase is not included within such levy estimate, such tax or increase shall not be imposed until such levy estimate is revised in accordance with the provisions of section twenty-six-a hereof. If such tax or increase is continued in effect during subsequent years, it shall thereafter be included in the levy estimate. (Emphasis Supplied)

SECTION 26-a - REVISION OF LEVY ESTIMATE

The tax commissioner shall, by uniform regulations, provide for the revision of the levy estimate of a county court, or municipality to permit expenditures for purposes for which no appropriation or an insufficient appropriation was made in the annual levy estimate as approved by the tax commissioner. The revision shall be made only with the prior written approval of the tax commissioner. (Emphasis Supplied)

February 17, 1965

State Tax Commissioner
Capital Building
Charlottesville, West Virginia

Attention: Mr. Fairfax Brown

Dear Sir:

The City Council wishes to transfer funds as follows:

Six Hundred Dollars (\$600.00) from Item 3 to Item 1.

Six Hundred Dollars (\$600.00) from Item 3 to Item 2.

One Thousand Two Hundred Fifty Dollars (\$1,250.00) from Item 49 to Item 60.

In May, 1964, the City Council voted an increase of Six Hundred Dollars (\$600.00) per year for the Mayor and Recorder (Items 1 and 2), effective July 1, 1964.

I believe you are familiar with our problem of Social Security coverage of the city policemen and firemen and the order from the State Auditor directing the City to cover the said policemen and firemen with Social Security for the year 1964 and the current year. We have complied with the Auditor's orders regarding coverage for the year 1964 and we are maintaining Social Security from their wages as of January 1, 1965. We want to point out that the requested amount to be transferred from Item 49 to Item 60 is not sufficient to take care of the City's portion in Social Security for the remainder of this fiscal year, however, we trust the amount will take care of the current quarter and by April or May we will be in position to transfer funds to take care of the quarter ending June 30, 1965.

We are enclosing copy of City Ordinance increasing our postage fee from Two Dollars (\$2.00) to Three Dollars (\$3.00) per month, effective

February 17, 1965

-2- continued

January 1, 1965. The additional funds will be applied to the retirement of Revenue Bonds for the purchase of land and construction of a swimming pool and the purchase of a fire truck and garbage truck.

Thank you for your kind cooperation.

Very truly yours,

Grace Lewis, Recorder

CITY OF NITCO, WEST VIRGINIA

el/da

MUNICIPAL COUNCIL

LEVY ESTIMATE

PRESCRIBED BY

TAX COMMISSIONER

STATE OF WEST VIRGINIA

FISCAL YEAR 1964-1965

..... Niagara **Municipality**

..... Kanawha & Putnam **County** 125

THE LEVY ESTIMATE shall be made on this form between March 7th and March 28th, 1964 and two certified copies thereof forwarded to the State Tax Commissioner, Charleston.

MUNICIPAL COUNCIL—LEVY ESTIMATE

CHAPTER 142 REGULAR SESSION, 1961

Section 9. **Meetings of Local Levying Bodies.** "Each Local Levying Body shall hold a meeting or meetings between the seventh and twenty-eighth days of March for the transaction of business generally and particularly for the business herein required."

Section 14. **Levy Estimate by Municipality; Certification to Tax Commissioner and Publication.** "A municipal governing body shall, at the session provided for in section nine ascertain the fiscal condition of the corporation, and make an itemized statement setting forth:

- (1) The amount due and the amount that will become due and collectible from every source during the current fiscal year except from the levy of taxes to be made for the year;
- (2) The interest, sinking fund and amortization requirements for the fiscal year of bonded indebtedness, legally incurred upon a vote of the people as provided by law, prior to the adoption of the Tax Limitation Amendment;
- (3) Other contractual indebtedness, not bonded, legally incurred prior to the adoption of the tax limitation amendment, owing by the municipality;
- (4) All other expenditures to be paid out of the receipts of the municipality for the current fiscal year with proper allowance for delinquent taxes, exonerations, and contingencies;
- (5) The total amount necessary to be raised by the levy of taxes for the current fiscal year;
- (6) The proposed rate of levy in cents on each one hundred dollars assessed valuation of each class of property;
- (7) The separate and aggregate assessed valuation of real, personal, and public utility property in each class in the municipality.

The recording officer of the municipality shall forward immediately a certified copy of the statement to the tax commissioner, and shall publish the statement forthwith. The session shall then stand adjourned until the third Tuesday in April at which time it shall reconvene."

Section 32. **Publication or Posting.** "The requirement of publication under this article shall be met by publication twice in two newspapers of general circulation and of opposite politics, published in the taxing unit. If only one newspaper is published in the taxing unit, publication shall be made therein. If the taxing unit be a municipality and no newspaper is published therein publication shall be made in two newspapers of general circulation and of opposite politics, published in the county wherein said municipality is located; if two such newspapers of general circulation and of opposite politics are not published in said county then publication may be made in only one newspaper of general circulation published therein. If no newspaper is published in the county a true copy of the statement required to be published shall be posted by the clerk or secretary at the front door of the court house, or in the case of a municipality, the municipal building, and at a public place in each subdivision of the taxing unit, not less than three days after the adjournment of the session provided for by section nine of this article."

Section 2, Article 1, Chapter 11, Code of 1931, provides: "It shall be the duty of the Tax Commissioner to see that the laws concerning the assessment and collection of all taxes and levies, whether of the State or of any county, district or municipal corporation thereof, are faithfully enforced."

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE TAX COMMISSIONER

REVISION OF LEVY ESTIMATES

RULES AND REGULATIONS

(Chapter 11, Article 8 of the Code)

Effective
August 29, 1964

G. Thomas Battle
State Tax Commissioner

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
State Tax Commissioner

Chapter 11-8
(1964)

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS
State Tax Commissioner

Chapter 11-8
Series IX
(1964)

Subject: Revision of Levy Estimates

Section 1. General

1.01. Scope.--These regulations establish general operating procedures for the revision of Levy Estimates.

1.02. Authority.--These regulations are issued under authority of West Virginia Code, Chapter 11, Article 8, Sections 14b, 26 and 26a.

1.03. Effective Date.--These regulations are promulgated on June 29, 1964, and become effective 60 days thereafter.

1.04. Filing Date.--These regulations were filed in the Office of the Secretary of State on June 29, 1964.

1.05. Certification.--These regulations are certified authentic by the State Tax Commissioner by certification number

Section 2. County Courts.--The Levy Estimate of a County Court may be revised subsequent to approval by the State Tax Commissioner by submitting a written request for such revision, setting forth the items to be revised or added.

Surplus revenues not anticipated in the original Levy Estimate may be expended by submitting a written request to the State Tax Commissioner, setting forth the surplus amounts and a schedule of proposed expenditures.

In any revision of a Levy Estimate subsequent to approval by the State Tax Commissioner of the original Levy Estimate, revenues and expenditures must be kept in balance.

Such revision shall not be final unless, and until, the revisions are approved in writing by the State Tax Commissioner.

Section 3. Municipalities.--The Levy Estimate of a municipality may be revised subsequent to approval by the State Tax Commissioner by submitting a written request for such revision. The written request shall set forth the items to be revised or added. In the event of the imposition of a new or additional non ad valorem tax, a copy of the adopted ordinance and a statement setting forth the amount of estimated revenue, along with a schedule of expenditures, shall be enclosed with the written request for revision.

Surplus revenues not anticipated in the original Levy Estimate may be expended by submitting a written request to the State Tax Commissioner, setting forth the surplus amounts and a schedule of proposed expenditures.

In any revision of a Levy Estimate subsequent to approval by the State Tax Commissioner of the original Levy Estimate, revenues and expenditures must be kept in balance.

Such revisions shall not be final unless, and until, the revisions are approved in writing by the State Tax Commissioner.

FILING OF ADMINISTRATIVE REGULATIONS

References are to sections in W. Va. Adm. Reg. 11-8, Series IX

Authority, This Regulation § 1.02

County Courts, § 2

Effective Date, This Regulation, § 1.03

Filing Date, This Regulation, § 1.04

Municipalities, § 3

(NOTE: Much needless delay may be avoided if forms are carefully read before being filled out.)

MAXIMUM RATES OF LEVIES

Levies authorized by the Tax Limitation Amendment to the State Constitution, voted at the general election November 8, 1932, as apportioned and fixed by Section 6, Chapter 67, Acts of the Second Extraordinary Session of the Legislature of 1933, (House Bill 234) amending Section 6, Article 8, Chapter 11 of the Code of West Virginia, 1931, as amended by sections 2, 6-b, 6-c and 6-d (House Bill 179) Regular Session 1949, as amended by Section 6-c (Senate Bill No. 121).

PURPOSES	CLASSES OF PROPERTY AND RATES THEREON			
	CLASS NO. I	CLASS NO. II	CLASS NO. III	CLASS NO. IV
	Rate on Each One Hundred Dollars Valuation			
STATE CURRENT .....	.25	.5	1	1
COUNTY CURRENT	11.9	23.8	47.6	47.6
COUNTY DEBT .....	.25	.5	1	1
DISTRICT DEBT	2.15	4.3	8.6	8.6
SCHOOL CURRENT	21.1	42.2	84.4	84.4
SCHOOL DEBT .....	.35	.7	1.4	1.4
SCHOOL PERMANENT IMPROVEMENT	1.5	3	6	6
MUNICIPAL CURRENT	11	22		44
MUNICIPAL DEBT	1.5	3		6
TOTALS	50c	\$1.00	\$1.50	\$2.00

TO DETERMINE RATES OF LEVY NECESSARY TO RAISE ANY GIVEN AMOUNT OF TAXES, YOU WILL FIND THE FOLLOWING SUGGESTIONS HELPFUL

Multiply the assessed valuation of class number one property by 1c, number two property by 2c, numbers three and four property by 4c. Divide the amount of taxes to be raised by the sum of taxes at the rates of 1c, 2c and 4c; this will give the new rate on class number one property; multiplying this by two will give the rate on class number two property, and multiplying the rate on class number one property by four will give the rate on classes three and four property. The rates used must be in exact multiples of 1, 2 & 4.

Extend taxes in whole dollars.

In your tables of classified assessed valuation, do not combine property in different classes or combine the classes. List each class separately. This is very important.

STATE OF WEST VIRGINIA,
COUNTY OF Manawha & 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 of Nitro building on the 23rd day of
March, 1964, there were present

Mr. E. R. Hamilton Mayor,
Robert L. Wood Recording Officer, and A. G. Groom

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**

Estimate Form No. 1

ESTIMATED RECEIPTS:

(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 (Estimated)	\$ <u>3,600.00</u>
Balance in Hands of Sheriff (Estimated)	<u>2,550.00</u>
Redemption and Sale of Delinquent Lands	<u>1.00</u>
Police Fines and Costs	<u>6,300.00</u>
Permits—Building, Street, Sewer and Other	<u>1,500.00</u>
Parking Meters	<u>1.00</u>
Paving and Sewer Assessments (Advanced from General Fund)	<u>—</u>
Federal Housing	<u>—</u>
Rents, Buildings and Concessions	<u>420.00</u>
Sale of Cemetery Lots <u>Civic Benefits Association</u>	<u>24,000.00</u>
Taxes: Gross Sales	<u>53,200.00</u>
Capitation and Dog	<u>2,500.00</u>
Franchise	<u>100.00</u>
Consumers' Sales (Liquor)	<u>18,000.00</u>
Amusement	<u>400.00</u>
Fees: Electrical, Plumbing and Other	<u>1.00</u>
Cemetery and Garbage	<u>50,700.00</u>
Airport	<u>—</u>
Parking Lot	<u>—</u>
Library	<u>10.00</u>
Market House	<u>—</u>
Licenses:	
Electricians and Plumbers	<u>500.00</u>
Drivers	<u>—</u>
General	<u>1,700.00</u>
Miscellaneous	<u>4,000.00</u>
Total Estimated Receipts to Page E-6	\$ <u>116,948.00</u>

ESTIMATED CURRENT EXPENDITURES:

1. Salary of Mayor	\$ 6,000.00
2. Salary of Recorder or Clerk	5,400.00
3. Salary of Treasurer	1.00
4. Salary of Police Judge	2,400.00
5. Salary of City Attorney	500.00
6. Salary of City Auditor	—
7. Salary of Councilmen or Commissioners	840.00
8. Salaries of Assistants and Clerks	4,700.00
9. Salaries of Chief and ⁵ Police	32,800.00
10. New Equipment Police Department	2,000.00
11. General Expenses Police Department	4,500.00
12. Policemen's Pension Fund	1,956.00
13. Salaries ^{7 Jailor} and Expenses Feeding Prisoners	7,350.00
14. Salaries of Chief and ⁵ Firemen	31,100.00
15. New Equipment Fire Department	5,000.00
16. General Expense Fire Department	3,200.00
17. Firemen's Pension Fund	1,356.00
18. Salaries Health Commissioner and Employees	1,200.00
19. New Equipment Health Department	—
20. General Expenses Health Department	775.00
21. Salaries, Crematory and Garbage Employees	28,300.00
22. New Equipment Crematory and Garbage Department	200.00
23. General Expenses Crematory and Garbage Department	8,000.00
24. Janitors' Salaries and Supplies	600.00
25. Repairs to Jail and City Buildings	225.00
26. Furniture, Fixtures and Office Machines	1,000.00
27. Stationery, Office Supplies and Equipment	600.00
28. Postage	300.00
29. Water—Fire Protection, Streets and Sewers	7,525.00
30. Water—City Building and Other Purposes	200.00
31. Light for Street Lighting	6,600.00
32. Light—City Building, Traffic Lights, Etc.	850.00
33. Repairs, Street and Traffic Lights	10.00
34. Fuel—Heating City Building	950.00
35. Telephone and Telegraph (All Departments)	1,000.00
36. Rents—City Hall and Other Buildings	—
37. Legal Publications	600.00

38. Insurance on City Building and Other Property	2,300.00
39. Premiums on Policemen's and Official Bonds	180.00
40. Election Expenses <i>Transferred 454.49 to Item 48</i>	2,000.00
41. Attorneys' Fees, Court Costs and Damages	1,500.00
42. Salaries, Engineering Department	2,000.00
43. General Expense, Engineering Department	1,000.00
44. Salaries and Wages all Street Employees	11,500.00
45. New Equipment Street Department	700.00
46. Materials, Supplies and Expenses, Street Department	3,300.00
47. Maintenance of Sewers, Salaries and Supplies	200.00
48. Construction of New Streets, Sidewalks and Sewers	1,000.00
49. Workmen's Compensation Premiums	2,500.00
50. Audit by Tax Commissioner	425.00
51. Refunding Erroneous Payments	50.00
52. Parking Meters, Salaries, Supplies and Expenses <i>Municipal Police</i>	67.00
53. Parks and Playgrounds, Salaries, Supplies and Expenses	5,000.00
54. Cemetery Salaries, Supplies and Expenses <i>Planning Commission</i>	275.00
55. Traveling and Car Expenses of City Officials	100.00
56. Parking Lot, Salaries, Supplies and Expenses <i>Commission Defense Expense</i>	100.00
57. Market House, Salaries, Supplies and Expenses	
58. Airport, Salaries, Supplies and Expenses <i>Insurance Fee</i>	150.00
59. Library, Salaries, Supplies and Expenses	1,010.00
60. Social Security	3,200.00
60A. Public Employees Retirement	4,419.00
61. Contingent Expenses (Mandatory Only)	1,000.00
62. <i>Dog Pound Expense</i>	1,300.00
63.	
64.	
65.	

A—Total Current Expenses \$ 213,316.00

Estimated Former Year's Obligations:

Orders Outstanding \$ _____

Unpaid Bills _____

Estimated total former year's obligations _____

B—Amount of unpaid obligations to be paid from current levy..... _____

(NOTE: If contractural debt levy is proposed, do not include in above any items covered by said levy).

Total estimated disbursements (A+B) 213,316.00

Less estimated receipts brought forward from page E-4 \$ 169,483.00

Net amount to be raised by levy (page E-7) \$ 43,833.00

TOTAL RECEIPTS \$ 213,316.00

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 net amount of \$ 43,833.00 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:

Twelve & Three-Fourth cents (12.75) c on Class No. I property,
Twenty-five and one-half cents (25.5) c on Class No. II property,
Fifty-one cents (51) c 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 Levied (Whole Dollars)
Number I				
Personal Property.....	\$ <u>1,113,750.00</u>	6.5 ^{12.75} 6.25 c	<u>12.75</u> c	\$ <u>1,420.00</u>
Public Utility Property.....	<u>661,500.00</u>	6.5 ^{12.75} 6.25 c	<u>12.75</u> c	<u>843.00</u>
Total Class No. I.....	<u>1,775,250.00</u>			<u>2,263.00</u>
Number II				
Real Estate.....	<u>5,366,010.00</u>	13 ^{25.5} 22 c	<u>25.5</u> c	<u>13,683.00</u>
Number IV				
Real Estate.....	<u>2,377,640.00</u>	26 ⁵¹ 44 c	<u>51</u> c	<u>12,126.00</u>
Personal Property.....	<u>1,784,660.00</u>	26 ⁵¹ 44 c	<u>51</u> c	<u>9,101.00</u>
Public Utility Property.....	<u>2,260,800.00</u>	26 ⁵¹ 44 c	<u>51</u> c	<u>11,530.00</u>
Total Class No. IV.....	<u>6,423,100.00</u>			<u>32,757.00</u>
TOTALS	\$ <u>13,564,360.00</u>			\$ <u>48,703.00</u>
Less Delinquent Taxes and Exonerations Estimated at <u>10</u> %				\$ <u>4870.00</u>
Net amount to be raised by Levy				\$ <u>43,833.00</u>

Do not use levy rates in excess of two decimal places.

1,356.44 ~~44~~ 44 Paid & Forwarded Person for you

NOTE: Levy for Bonds issued Since November 8th, 1932, on page E-9.

Estimate Form No. 2

**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, prior to the adoption of the tax limitation amendment, owing by said municipality, as follows:

BOND ISSUES AUTHORIZED PRIOR TO NOVEMBER 8, 1932, INCLUDING REFUNDING BONDS

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
Totals	\$	\$	\$	\$	\$
Delinquent Taxes and Exonerations Estimated at _____ % \$					

Total Amount to be Raised by a Levy of Taxes \$
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

(See Page E-3)

_____ cents (_____ c) on Class No. I property,
_____ cents (_____ c) on Class No. II property,
_____ cents (_____ c) on Class No. IV property,

(DO NOT INCLUDE EXCESS RATES HERE)

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

CLASS	Assessed Valuation	Authorized Rates.	Excess Rates	Total Proposed Rates	Taxes Levied (Whole Dollars)
Number I					
Personal Property.....	\$	1.5c	_____ c	_____ c	\$
Public Utility Property.....		1.5c	_____ c	_____ c	
Total Class No. I.....					
Number II					
Real Estate.....		3 c	_____ c	_____ c	
Number IV					
Real Estate.....		6 c	_____ c	_____ c	
Personal Property.....		6 c	_____ c	_____ c	
Public Utility Property.....		6 c	_____ c	_____ c	
Total Class No. IV.....					
TOTALS	\$				\$

The council having determined that the authorized rates will not produce sufficient taxes to cover the requirements for the above purposes, doth hereby propose to lay the following additional or excess rates of levy on each one hundred dollars valuation of each class of property, based upon the last assessment therein as given in the above table, viz:

EXCESS RATES

(Must be in Ratio of 1, 2 and 4)

_____ cents (_____ c) on Class No. I property,
_____ cents (_____ c) on Class No. II property,
_____ cents (_____ c) on Class No. IV property,

(DO NOT INCLUDE AUTHORIZED RATES HERE)

Do not use levy rates in excess of two decimal places.

**MUNICIPAL BOND PURPOSES—INTEREST AND SINKING FUND
ESTIMATE**

The council proceeded to make an estimate of the amount necessary to be raised by a levy of taxes for the current fiscal year for interest, sinking fund and amortization requirements of bonded indebtedness, legally incurred by a vote of the people as provided by law, since the adoption of the tax limitation amendment, owing by said municipality, as follows:

BOND ISSUES AUTHORIZED SINCE NOVEMBER 8, 1932

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
7-1-53	\$ 50,000.	\$ 27,000.	\$ 2,500.	\$ 825.	\$ 3,325.
5-5-55	\$ 95,000.	\$ 70,000.	\$ 3,000.	\$ 1,925.	\$ 4,925.
12-16-58	\$ 168,000.	\$ 157,000.	\$ 3,000.	\$ 5,888.	\$ 8,888.
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
Totals	\$ 313,000.	\$ 254,000.	\$ 8,500.	\$ 8,638.	\$ 17,138.
Delinquent Taxes and Exonerations Estimated at 10 %					\$ 1,714.

Total Amount to be Raised by a Levy of Taxes \$ 18,852.
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
(Must be in Ratio of 1, 2 and 4)**

Six cents (6) on Class No. I property,
Twelve cents (12) on Class No. II property,
Twenty-four cents (24) 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.....	\$ 1,095,650.00	6 c	\$ 657.00
Public Utility Property.....	661,500.00	6 c	397.00
Total Class No. I.....	1,757,150.00		1,054.00
Number II			
Real Estate.....	3,765,310.00	12 c	4,518.00
Number IV			
Real Estate.....	1,716,740.00	24 c	4,120.00
Personal Property.....	1,355,460.00	24 c	3,253.00
Public Utility Property.....	1,291,000.00	24 c	5,237.00
Total Class No. IV.....	5,254,300.00		12,610.00
TOTALS	\$ 10,776,760.00		\$ 18,182.00

Do not use levy rates in excess of two decimal places.

EXCESS LEVY
If Not Included On Page E-7

Estimate Form No. 4

And the Council doth levy for purposes provided in newspaper notice of levy election dated.....
the following levies on each \$100.00 valuation of each Class of property, viz:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied (Whole Dollars)
Number I			
Personal Property.....	\$.....	.....c	\$.....
Public Utility Property.....c	.....
Total Class No. I.....
Number II			
Real Estate.....c	.....
Number IV			
Real Estate.....c	.....
Personal Property.....c	.....
Public Utility Property.....c	.....
Total Class No. IV.....
TOTALS	\$.....		\$.....
Less Delinquent Taxes and Exonerations Estimated at.....%			\$.....
Net Amount to be Raised by Levy			\$.....

Notice of special levy election and certified copy of canvass of votes
must be on file with the State Tax Department.

STATE OF WEST VIRGINIA,

COUNTY OF ¹⁰³ Monroe & Raleigh,

MUNICIPALITY OF Union, TO-WIT:

I, James S. Searcy, Recording officer of said municipality, do hereby certify that the foregoing are true copies from the record of orders made and entered by the council of said municipality on the 23rd day of March, 1964.

Given under my hand this 23rd day of March, 1964.

James S. Searcy
Recorder
(Official Title)

PUBLISHERS AFFIDAVIT

Thereupon the Mayor inquired if there were any persons present who desired to move correction or revision of the proposed assessment and there were no revisions, however, there were a number of property owners present who desired information and some property owners from Main Avenue, who were protesting the cost of the curb and gutter and widening of Main Avenue. Mr. Ally, a property owner of Main Avenue was the spokesman for the group from Main Avenue, he asked a number of questions on the engineering of said street, which questions were answered by Mr. Gandee, of Municipal Engineering Corporation. In answer to the question of why the City accepted Main Avenue as a City Street from the State Road Commission - Mayor Alexander explained the minute order of the State Road Commission, which order abandoned the said street as a State highway. The method of paying the assessment was explained to the group. The method of advertising the paving program was also explained. On the question of the stone used for base - stone met the specifications of the State Road Commission and had a higher grade been used the cost of improvement would have been more. Mr. Harvey, a property owner on Main Avenue objected to the widening of said street.

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

ORDINANCE

AN ORDINANCE ASSESSING ABUTTING PROPERTY AND THE OWNERS THEREOF WITH THE COST OF THE PERMANENT IMPROVEMENT OF 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; 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; 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 CENTER STREET; MAIN AVENUE (CURB & GUTTER) FROM ITS INTERSECTION WITH KAPOK STREET TO ITS INTERSECTION WITH BLACKWOOD AVENUE; 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 COUNTIES, WEST VIRGINIA.

WHEREAS, the Council of the City of Nitro on the 17th day of July, 1961, adopted an ordinance for the permanent improvement of 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; 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; 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 Center Street; Main Avenue (Curb and Gutter) from its intersection with Kapok Street to its intersection with Blackwood Avenue; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, paving, re-paving, widening, 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 June 13, 1962, 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 July 3rd, 1962 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 Engineers 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 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 Clerks 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.

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

Thereupon, no further business to come before the Council a motion for adjournment by Councilman Gewin carried.

The meeting was adjourned.



W. W. Alexander, Mayor



Grace Lewis, Recorder

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(Printed in U.S.A.) MU

This Agreement, made this **1st** day
of **November, 1961**, **IX**, between **THE NEW YORK CENTRAL RAILROAD COMPANY**

, hereinafter called First Party, and **CITY OF NITRO, WEST VIRGINIA, a
municipal corporation**

hereinafter called Second Party,

Witnesseth, that the parties hereto, in consideration of the covenants and
agreements hereinafter contained, covenant and agree as follows:

First Party hereby licenses and permits, but without warranty, the Second Party, to **install,
maintain, and use an eight inch (8") cast iron sewer pipe encased in a fifteen inch
(15") steel pipe having a wall thickness of 1/4", across and under First Party's
right-of-way and tracks at val. sta. 15658/92 at Nitro, West Virginia, as indicated
on print of plan No. 7086-111-53 dated October 19, 1961.**

which is hereto attached and hereby made a part of this instrument, all of which is hereinafter referred
to as the "WORK," upon the following terms and conditions, all of which Second Party covenants and
agrees to keep, abide by and perform:

FIRST: Said WORK shall be done at such time or times, in such manner, with such material
and under such general conditions as shall be satisfactory to and approved by the Chief Engineer
of First Party, or his duly authorized agent, and as will not interfere with the proper and safe use,
operation, and enjoyment of the property and railroad of First Party. Second Party shall after
the doing of said WORK restore the premises of First Party to the same or as good a condition
as they were in prior to the commencement of the doing of said WORK.

SECOND. All the work to be done by Second Party, or by the contractors, agents or servants of Second Party, in connection with the doing of said WORK, or in connection with the repair, renewal or maintenance thereof, shall be done at the sole risk and expense of Second Party, and the cost of all work done by First Party in connection therewith, the checking of plans and the wages of any inspectors or watchmen which, in the judgment of the said Chief Engineer of First Party, may be required during the doing of said WORK, or in connection with the repair, renewal, maintenance or use thereof, for the proper and safe protection of the property, traffic and business of First Party, shall be paid to First Party by Second Party, upon bills being rendered therefor. **Second Party shall in no instance be relieved from making such payments by any third party or parties agreeing in any manner to assume or pay same.**

THIRD: First Party may, at its election, do all the work within the exterior lines of its lands in connection with or necessary for the doing of said WORK, or in connection with the repair, renewal, maintenance or use thereof, through its lands and across its roadway and tracks, and all said WORK shall be paid for by Second Party as hereinbefore provided.

FOURTH. Second Party shall, if requested so to do by First Party, advance to First Party the estimated cost of said WORK, and upon the completion of said WORK, the unexpended balance, if any, shall be returned to Second Party, or if the sum advanced by Second Party to First Party is insufficient to pay for the cost of said WORK, then Second Party shall pay to First Party such additional sum as was necessary to complete said WORK, upon being furnished by First Party with a detailed statement of the amount and cost of such additional work.

FIFTH: Whenever it may be necessary to make any repairs to or renewals of said WORK in or upon the premises of First Party, such repairs or renewals shall be made under the supervision and control of said Chief Engineer of First Party, or his duly authorized agent, at the sole expense of Second Party, in such a manner as to interfere as little as possible with the premises, property and business of First Party, and Second Party shall, at the cost and expense of Second Party, restore the premises of First Party to the same or as good a condition as they were in prior to the making of such repairs or renewals; or First Party may, at its election, make such repairs or renewals, and the expense thereof shall be paid to it by Second Party, as hereinbefore provided.

~~**SIXTH:** Second Party shall at all times hereafter assume all liability for, and pay and indemnify and save harmless First Party from and against any and all damages, losses, claims, demands, suits, costs, or expenses which First Party may suffer, sustain, or be subject to, directly or indirectly, caused either wholly or in part by reason of the location, construction, maintenance, use, presence or removal of said WORK, regardless of whether or not caused or contributed to by the negligence of First Party, its agents, or employees.~~

SEVENTH: This agreement and the license and privilege it confers may be revoked and terminated at the option of First Party at any time by giving thirty (30) days' written notice to Second Party or by posting such notice in a conspicuous place where said WORK has been done; and upon the expiration of said thirty (30) days after service of said notice, this agreement and the license and privilege hereby granted shall be absolutely terminated and extinguished; and thereupon, Second Party shall remove said WORK from the premises of First Party and restore same to their former condition at the expense of Second Party, or on the failure of Second Party so to do, First Party may remove said WORK at the expense of Second Party, which the latter hereby expressly agrees to pay on demand.

EIGHTH: It is understood and agreed by and between the parties hereto that if, at any time or times hereafter, First Party shall desire to make any changes in its tracks, structures, roadbed or other facilities at the point of crossing, or make any changes whatever in, to, upon, over or under the premises owned, controlled or leased by said First Party, and crossed or in any way affected by the WORK of Second Party under this agreement, then Second Party shall, at its own cost and expense, upon thirty (30) days' notice in writing to that effect from First Party make such changes in the location or construction of its said WORK, as in the judgment of the Chief Engineer of First Party may be necessary to accommodate any future construction, improvements or changes of said First Party.

NINTH: It is agreed that in no event shall any wires, pipes, or other structures, except those herein mentioned and shown on the blueprint hereto attached be strung or placed across the tracks or upon the property of First Party, without express permission so to do, in writing from said First Party, to that effect; and that in that event, all the terms and conditions of this agreement shall immediately, upon the giving of such permission for the stringing and placing of such additional wires, pipes or other structures, apply to and cover the same with the same effect as if the right to string or place them had been incorporated in this agreement.

TENTH: It is understood and agreed by and between the parties hereto, that if at any time during the continuance of this agreement, Second Party hereto removes, abandons or discontinues the use of the WORK hereinabove referred to, this agreement and all rights hereby conferred upon said Second Party shall be deemed to be abrogated and determined as of the date of such removal, abandonment or discontinuance, without further action on the part of either party; and Second Party covenants and agrees that, in case said WORK hereinabove referred to is at any time during the continuance of this agreement discontinued or abandoned, said Second Party shall, within sixty (60) days after the abandonment or discontinuance of said WORK, actually remove said WORK from the premises of First Party hereto, or cause it to be removed, and if, after the expiration of said sixty (60) days the said WORK is not actually removed, it is understood that First Party hereto may forthwith remove the same at the risk and expense of Second Party, and without being in any manner liable to said Second Party for such removal, and Second Party covenants and agrees to pay to First Party hereto the cost of such removal upon the receipt of bill therefor rendered to Second Party.

ELEVENTH: Second Party shall pay to First Party, (1) upon delivery to Second Party of executed copy hereof, the sum of Twenty-Five Dollars (\$25.00), and (2) as rental for the privilege herein granted, the sum of Thirteen Dollars (\$13.00) per annum, beginning on the first day of November, 1961, and annually in advance thereafter, during the term and continuance of this permit, not subject to pre-rata refund for any period less than the annual term.

TWELFTH: It is understood and agreed by and between the parties hereto, that the wall thickness of 1/4" for the fifteen inch (15") encasement pipe is the minimum for steel having a yield point of 33,000 pounds per square inch or more with no allowance made for corrosion or deterioration, and is permitted only with the understanding that the Second Party (the owner of the pipe line) assumes full and complete responsibility for maintaining the full wall thickness and strength of the encasement pipe until its use is terminated, at which time Second Party shall remove the carrier pipe and compactly fill with sand the encasement pipe.

THIRTEENTH: The City of Nitro, West Virginia is authorized to enter into this agreement by Resolution/Ordinance No. _____ of its _____ adopted July 17, 1962.

The covenants and agreements herein contained shall be binding upon, and shall inure to the benefit of the ~~heirs, executors, administrators, successors and assigns~~ of the parties hereto respectively.

In Witness Whereof, the parties hereto have duly executed this instrument in duplicate, the day and year first above written.

THE NEW YORK CENTRAL RAILROAD COMPANY

Approved as to Form:

General Attorney

By

C. E. Defendorf
Chief Engineer

CITY OF NITRO, WEST VIRGINIA, a municipal corporation

By

W. W. Alexander
Its Mayor

STATE OF
COUNTY OF

} ss.

On this
before me personally came

day of

to me personally known and known to me to be the same person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same.

STATE OF
COUNTY OF

} ss.

On this
before me personally came

day of

July, 1962

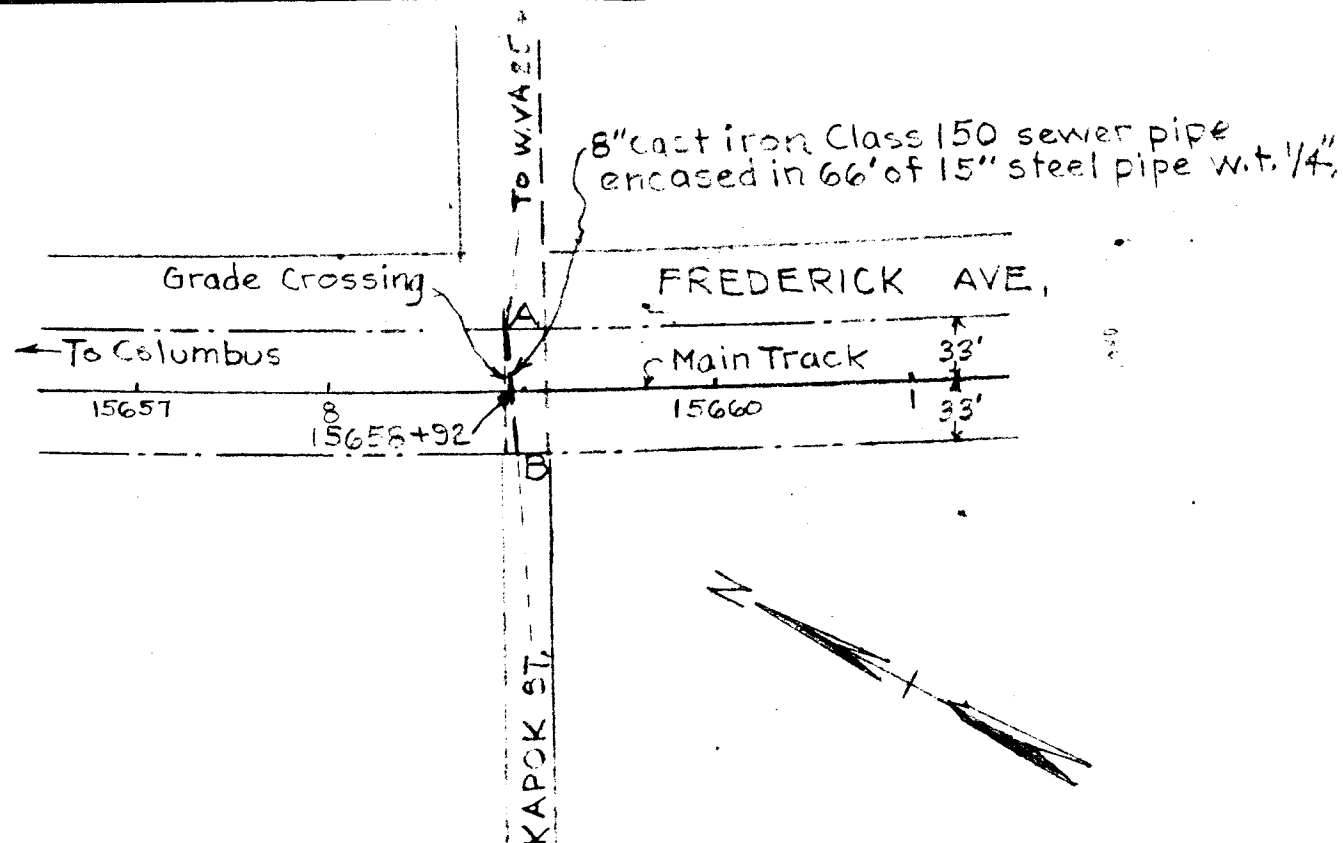
W. W. Alexander, to me known, who, being duly sworn, did depose and say that he resides in Nitro, West Virginia; that he is the Mayor of the City of Nitro, West Va.

the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said is such corporate seal; that it was so affixed by authority of the Board of Directors of said corporation, and that he signed his name thereto by like authority.

James Lewis
Notary Public

my Commission expires

Nov. 6, 1969.



Pipe crossing marked AB.

V308
22

N.Y.C.R.R. - SOUTHERN DISTRICT		
OFFICE OF DIV. ENGR.	OHIO CENTRAL DIV.	COLUMBUS, OHIO
Sanitary sewer pipe crossing of CITY OF NITRO, W.VA.		
Nitro, W.Va.		
SCALE: 1"=100'	Oct. 19, 1961	7086-III-53

July 17, 1962

The City Council met in regular session Tuesday, July 17, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Juanita Clark, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., James R. Wears and Robert M. Woods, members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Clark moved, seconded by Councilman Woods to dispense with reading of minutes for meetings held May 15th, June 5th, June 26th and July 3rd. Motion carried.

Councilman Woods moved, seconded by Councilman Clark, the financial statements for months of May and June be accepted. Motion carried.

Thereupon, the following Resolution and Agreement was introduced and upon motion by Councilman Clark, seconded by Councilman Gewin, that said Resolution and Agreement be adopted and executed as of this date and upon a vote by the members of the Council present, the motion was so passed and adopted.

R E S O L U T I O N

WHEREAS, The New York Central Railroad Company has prepared a contract or agreement bearing date of November 1st 1961, which reads as follows:

Agreement attached hereto

NOW, THEREFORE be it resolved that the above agreement be accepted by the City Council of the city of Nitro this 17th day of July 1962, and the Mayor is hereby ordered and directed to sign the

said agreement on behalf of the City of Nitro and attach its seal thereto.

State of West Virginia
Counties of Kanawha and Putnam
City of Nitro, To-wit

I, Grace Lewis, recorder of the City of Nitro do hereby certify the foregoing contract or agreement and resolution were duly adopted in regular session of the Nitro City Council on the 17th day of July 1962.

Given under my hand this 18th day of July 1962.

Grace Lewis, Recorder
City of Nitro, West Virginia

A letter was presented to the Council from the Nitro Lions Club requesting permission for Cavalcade of Amusements, Inc. to operate their rides and concessions on the Nitro Industrial Corporation property adjacent to the Nitro City Park property within the corporate limits from and including Tuesday, August 7 thru Sunday, August 12, 1962. Letter explaining further that the Nitro Lions Club is doing said project in order to raise funds to install lights on the Little League Field at the park.

Thereupon Councilman Clark moved, seconded by Councilman Dye, the Nitro Lions club be granted the foregoing request, providing

that the city reserves the right to close any undersirable concession and that the Cavalcade of Amusements, Inc., collect and pay to the city, amusement tax on all tickets sold. Upon a vote motion carried and was so ordered.

Councilman Dye moved, seconded by Councilman Wears, that the Appalachian Power Company be requested to install an additional 2500 lumen street light near 105 Kanawha Avenue on pole number A E P 50-7286, 112 C 258. Upon a vote motion carried.

The Mayor and Council entered into a discussion of the installation of the side walk leading to the new Elementary School on 39th Street, East. Mayor informed Council that he understood that the State Road Commission officials hope to have their part of the sidewalk installed by the time this fall school term begins and the Mayor explained to the Council that he desired the City to have their section of sidewalk installed by the beginning of the School term and requested permission of the City Council to work out the most reasonable means for the City to install their share of the sidewalk, suggesting that he felt that the city crew could install said walkway most reasonable.

Thereupon Councilman Woods moved, seconded by Councilman Gewin, that permission be granted to the Mayor to install the sidewalk from Second Avenue to the 40th Street Bridge and from the Bridge to Third Avenue, the most reasonable way as possible. Upon a vote motion carried.

The Traffic Committee was requested to make a study of the best solution to traffic on Bailes Drive and East 39th Street and also traffic problems on Second Avenue, between 40th Street and 41st Street.

The Mayor requested permission of the Council to obtain an Electric Timer at no cost to the city, to be used as a means for curbing the speeding of cars on city streets. The Council granted permission to the Mayor.

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



W. W. Alexander, Mayor


Grace Lewis, Recorder

August 21, 1962

The City Council met in regular session Tuesday, August 21, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Reeves moved, seconded by Councilman Dye, to dispense with reading of minutes of meeting held on July 17th.

Motion carried.

Councilman Dye moved the financial statement for the month of July be accepted. Motion seconded by Councilman Reeves. Motion carried.

There were two property owners present at meeting, who were protesting the recent restriction of City Council of parking on left hand side of Second Avenue, between 40th and 41st Streets, pointing out that such restrictions worked a hardship on the residents in said area, in that there were no private driveways and the difficulty of parking on 40th Street due to heavy traffic on said street. The protestants suggested painting a larger area from corner which would leave them spaces for parking. Councilman Woods informed Council that he had checked this matter and found the protest valid.

Thereupon Councilman Woods moved that the parking restriction be removed and that the curb be painted as suggested, however, if this means does not solve the problem of safety for School children, that the Council go back to the parking restriction. Motion seconded by Councilman Dye. Motion carried.

Mayor Alexander presented to the Council statements of E. H. Alley in amount of \$15.59, for damages to Mr. Alleys automobile, such damages Mr. Alley claims, were done to his car by the new curb on Main Avenue being too high.

After some discussion, Councilman Gewin moved, seconded by Councilman Wears, that no action be taken on this matter. Upon a vote motion carried.

The Traffic Committee was requested to make a study of Stop Signs on 22nd Street and Second Avenue.

Councilman Dye presented a corrected list of Streets, which needed "Stop Signs", and the Street Department will put up the signs on listed streets.

The Traffic Committee was also requested to make a study of Stop Signs in the Central City area.

The Council discussed the speed on 40th Street Road near the new Elementary School and asked that the speed be reduced in said area.

Councilman Hoke moved, seconded by Councilman Woods, that City Engineer be requested to work up preliminary plans for the paving of the continuation of Park Avenue to the Park property and from Park property to Plant Road (19th Street West) and that construction of sidewalks for said area be included in project. Upon a vote motion carried.

Councilman Dye moved, seconded by Councilman Woods, the City Engineer be requested to work up preliminary plans for resurfacing of Dupont Avenue, between Hickory and Gum Streets. Upon a vote motion carried.

Councilman Wears moved, seconded by Councilman Hoke, the City Engineer be requested to work up preliminary plans for resurfacing of 18th Street from Second Avenue to Third Avenue. Motion carried.

Councilman Dye moved, seconded by Councilman Gewin, that the City Engineer be requested to work up preliminary plans for installing curb and gutter on Main Avenue from Center Street to Wilson Street. Motion carried.


Mayor Alexander explained to the Council that he had met with officials of the New York Central Railroad Company on the matter of crossings at Wilson and Kapoc Streets. The Mayor informed that officials asked him to give them two weeks to get approval from the company to install the crossings, which installation had previously been agreed upon by Company Engineer, Mr. Crowley.

The resignation of Mrs. Juanita Clark as a member of the City Council was presented to Council. ✓

Thereupon Councilman Hoke moved, seconded by Councilman Woods, Mrs. Clark's resignation be accepted. Upon a vote motion carried.

Councilman Dye moved, seconded by Councilman Reeves, that Mrs. E. R. Hamilton be appointed to replace Mrs. Clark as Councilman at Large. Upon a vote motion carried. ✓

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


W. W. Alexander, Mayor


Grace Lewis, Recorder

September 18, 1962

The City Council met in regular session Tuesday, September 18, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods, members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Reeves, the minutes for meeting held August 21st be approved, motion carried.

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

The Street Committee reported that a study had been made of traffic on 22nd Street and Second Avenue. Thereupon Councilman Dye moved, seconded by Councilman Reeves that the Stop Signs be erected on Second Avenue at 22nd Street facing north. Motion carried.

Councilman Gewin reported that he had received complaints of persons parking their cars too close to the corner of 12th Street and 13th Street at Third Avenue, thereby blocking the view of motorists entering Third Avenue and suggested that the curbs be painted yellow on the side streets entering Third Avenue.

The Traffic Committee was requested to check Washington, Dupont and Kanawha Avenues as to alternating Stop signs on the side street in order to avoid creating a Speedway of the Avenues.

The City Attorney reported to the Council that he had made a check of the land books and found that the old golf course area was not being taxed as a part of the city and that the assessed valuation was low. The Council instructed the Attorney to write a letter to the

Kanawha County Assessor and request that said property be placed on the land books of the city. The City Attorney advised Council that he had all necessary information on the recent annexation election and that he would file a mandamus on September 19th in the Circuit Court.

The Mayor appointed the following as members of the Planning Commission: William Henson - 1460 Sattes Circle and Curtis Wood - 806 Washington Avenue. Thereupon Councilman Dye moved seconded by Councilman Woods the appointments of the Mayor be approved. Motion carried.

The Mayor appointed Robert Wright, 1327 Valentine Circle to replace P. T. Arbuckle as a member of the Firemen's Civil Service Commission. Thereupon Councilman Reeves moved, seconded by Councilman Gewin the appointment be approved. Motion carried.

The following ordinance was presented to the Council

ORDINANCE

AN ORDINANCE DEFINING HAZARDOUS DRIVING AND PROVIDING FOR THE PUNISHMENT OF PERSONS FOUND GUILTY THEREOF WITHIN THE CITY LIMITS OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

Be it ordained by the Common Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, that:

(A) Any person who operates a vehicle within the City of Nitro in such a manner that said operation of vehicle constitutes a hazard to the safety of persons or property, is guilty of hazardous driving.

(B) Every person convicted of hazardous driving may be punished upon first conviction by imprisonment for a period of not less than 5 days, nor more than ninety days; or by fine of not less than \$10.00 or more than \$ 100.00, or by both such fine and imprisonment; and on a second or subsequent conviction, may be punished by imprisonment of not less than 10 days nor more than 6 months, or by a fine of not less than \$25.00 or more than \$500.00; or by both such fine and imprisonment.

Thereupon after a discussion Councilman Gewin moved, seconded

by Councilman Hamilton that the foregoing ordinance be adopted.

Motion carried.

The following ordinance was presented to the Council.

ORDINANCE

AN ORDINANCE PROVIDING FOR SPECIAL SPEED RESTRICTIONS AND PROVIDING FOR THE PUNISHMENT OF PERSONS FOUND GUILTY THEREOF, WITHIN THE CITY LIMITS OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

Be it ordained by the Common Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia that:

(A) No person shall drive a vehicle on a street or highway within the city limits of Nitro at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards, then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highways in compliance with legal requirements and the duty of all persons to use due care.

(B) The driver of every vehicle shall, consistent with the requirements of paragraph (a), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

PENALTY...Every person convicted for a violation of this ordinance shall for the first conviction thereof be punished by a fine of not more than one hundred dollars or by imprisonment for not more than 10 days; for a second conviction within one year thereafter such persons shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than twenty days or by both such fine and imprisonment; upon a third or subsequent conviction such person shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months or both such fine and imprisonment.

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

The Mayor advised the Council of the possibility of the City obtaining Public Works Funds from the Federal Government for major improvement such as storm drains, recreation, and municipal building,

and the Mayor further requested the permission of the Council to authorize the Municipal Engineering Corporation to work up the survey for such projects in order that the city could make application to the Federal Government for such funds, explaining further that compensation for such work would be based on funds forth coming from the Federal Government.

Thereupon, Councilman Woods moved the Municipal Engineering Corporation be authorized to make the necessary survey for major improvements for the City, providing for compensation for such work to be based on whether the City obtained funds from the Federal Government and further that the City make application to Federal Government for Public Works Funds. Motion seconded by Councilman Dye. Motion carried.

Councilman Gewin moved, seconded by Councilman Hoke, that the City Attorney prepare a resolution authorizing the Municipal Engineering Corporation to proceed with survey for major improvements for the City, without compensation, unless money is forthcoming from the Federal Government. Upon a vote motion carried.

Councilman Woods reported to Council of meeting of the Fire Department Committee with officers of the Firemen's Association, stating further that said officers had informed the Committee of several needs of the Fire Department such as tires, 400 feet of $1\frac{1}{2}$ inch fire hose, bunker suits for volunteer firemen and hose dryer. In a discussion by the Council, it was brought out that these needs of the department were all necessary and would be purchased as funds are available.

Councilman Woods moved, seconded by Councilman Reeves, that the Engineer be instructed to work up preliminary plans for widening and

sidewalks on West 11th Street as per agreement of Kanawha School Board and City Government. Upon a vote motion carried.

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



W. W. Alexander, Mayor



Grace Lewis, Recorder

October 16, 1962

The City Council met in regular session Tuesday, October 16, 1962.

There were present W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dye moved, seconded by Councilman Hamilton, the minutes for meeting held September 18th be approved. Motion carried.

Councilman Dye moved, seconded by Councilman Woods, the financial statement for the month of September be accepted. Motion carried.

Thereupon, the Council proceeded to consider and discuss the request, proposals and petitions of the abutting property owners for grading, re-grading, draining, paving, repaving, surfacing, resurfacing, widening, curbing, re-curbing and guttering, and otherwise improving the following named Streets: Park Avenue continuation to the Park property and from Park property to Plant Road (19th Street West, Dupont Avenue, from its intersection with Hickory Street to its intersection with Gum Street, 18th Street, from its intersection with Second Avenue to its intersection with Third Avenue, Main Avenue from its intersection with Center Street to its intersection with Wilson Street, Broadway Avenue, from its intersection with Boundary Street to its intersection with West 11th Street, Hillside Drive, from end of present paving South to its intersection with Blackwood Avenue, and West 11th Street from its intersection with First Avenue to its intersection with Park Avenue.

Thereupon, the Mayor and Council proceeded to discuss the foregoing streets for permanent improving.

Thereupon, Councilman Hoke moved, seconded by Councilman Reeves, that Hillside Drive, from end of present paving, South to its intersection with Blackwood Avenue and Main Avenue from its intersection with Center Street to its intersection with Wilson Street be deleted from the paving program. Upon a vote by the Council motion carried.

Councilman Gewin moved, seconded by Councilman Wears, that all street right of way plus five foot of the property owned by the Kanawha County Board of Education on West 11th Street, from its intersection with Park Avenue, be used for Street and Sidewalk improvement. Upon a vote motion carried.

Councilman Hoke moved, seconded by Councilman Woods, that the continuation of Park Avenue from its intersection with Park Avenue to Park property and from Park property to its intersection with Plant Road (19th Street West) be constructed at the same width as the present Park Avenue plus a five foot sidewalk. Upon a vote motion carried.

Councilman Hoke moved, seconded by Councilman Hamilton, the construction of a five foot sidewalk on Broadway Avenue, from its intersection with Boundary Street to its intersection with 11th Street West, adjacent to property owned by the United Fuel Gas Company. Upon a vote motion carried.

Thereupon Councilman Hamilton moved, seconded by Councilman Dye, that Council accept above named petitions for said improvements of above named Streets, and moved that the City proceed to grade, re-grade, drain, pave, re-pave, surface, re-surface, widen, curb, re-curb, gutter and

installation of sidewalks on 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 November 27, 1962, 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, PUBLIC WAYS OR ON PROPOSED EXTENSION OF PARK AVENUE, IN THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA, EXTENSION OF PARK AVENUE BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD: PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST); BROADWAY AVENUE (SIDEWALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET; DUPONT AVENUE FROM ITS INTERSECTION WITH GUM STREET TO ITS INTERSECTION WITH HICKORY STREET; EIGHTEENTH STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25).

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 County, West Virginia, by grading, regrading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, constructing sidewalks, and otherwise 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 27th day of November, 1962, 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 16th day of October, 1962.

CITY OF NITRO

BY: Grace Lewis
City Recorder

Thereupon, upon a vote by the Council all members voted in the affirmative. The Mayor declared the motion carried, and was so ordered.

The following Resolution was introduced for the Council's consideration:

RESOLUTION
RESOLUTION OF THE COUNCIL OF THE CITY
OF NITRO PROVIDING FOR THE CORRECTION
AND REASSESSMENT OF CERTAIN IRREGULAR
AND ERRONEOUS ASSESSMENTS FOR STREET
IMPROVEMENTS IN SAID CITY PURSUANT TO
THE PROVISIONS OF WEST VIRGINIA CODE
CHAPTER 8, AS AMENDED.

WHEREAS, the Council of the City of Nitro, West Virginia, by resolution adopted on the 3rd day of July, 1962, laid and levied special assessments against properties abutting upon Dogwood Street, among other streets, and public ways in the City of Nitro, completed on the 3rd day of July, 1962, all as authorized and provided by the Code of West Virginia, Chapter 8, Article 8, as amended, and,

WHEREAS, the said Council is now advised that certain of said assessments, as laid, were irregular and erroneous, that is to say, that said assessment was made against Marshall Properties, Incorporated, for a Parcel on the North side of Dogwood Street, fronting 100 feet on said

Street, that Marshall Properties, Incorporated, did not own real estate on said Dogwood Street, but that the property intended to be assessed was Lot Twenty (20) of Block G, of the Baker-Myer Subdivision, fronting 100 feet on the north side of Dogwood Street, owned and in the name of Richard Francis Gainer and Allene G. Gainer, his wife, and,

WHEREAS, this said Council is required by West Virginia Code Chapter 8, Article 8, as amended, to, within ten years after the completion of such permanent improvements, to correct such irregular, erroneous or omitted assessments as might have been made and to lay and levy proper and additional assessments of the costs of such improvements against abutting properties, and,

WHEREAS, the said Richard Francis Gainer and Allene G. Gainer, have expressly waived in writing, all right of protest to said correction and re-assessment and have agreed to the findings by said Council, hereinafter set put.

NOW THEREFORE, BE IT RESOLVED:

1. That the notice of waiver executed by Richard Francis Gainer and Allene G. Gainer, be received and filed and the Recorder shall attach the same in the minutes of this meeting.

2. Based upon its own independent investigation and after public hearing as required by law, this Council finds that certain of the special assessments, as laid by resolution of the Council adopted the 3rd day of July, 1962, were irregular and erroneous, that is to say, that said assessment was made against Marshall Properties, Incorporated, for a Parcel on the North side of Dogwood Street, fronting 100 feet on said street; that Marshall Properties, Incorporated, did not own real estate on said Dogwood Street, but that the property intended to be assessed was Lot No. Twenty (20) of Block G, of the Baker-Myer Subdivision, fronting 100 feet on the northside of Dogwood Street, owned

and in the name of Richard Francis Gainer and Allene G. Gainer, his wife.

3. The lot or parcel of land hereinafter described as to ownership, frontage and location is respectively hereby assessed in the amount respectively set forth hereinafter, and said assessment is hereby found to contain the true and actual location, frontage and ownership and to include the proper amount chargeable and assessable according to law, as shown in said assessment roll, as follows:

Name of Owner:	Description	Front Footage	Rate	Total Assessment
Richard Francis Gainer Allene G. Gainer	Lot 20 Block G, Baker-Myer Subd. Northside of Dogwood Street	100	13.873	\$1387.30

and, after independent investigation said lot is hereby found to be specially benefited by said improvement, as completed on the 3rd day of July, 1962, substantially beyond the respective amount of said assessment.

4. The Mayor is hereby authorized to issue proper assessment certificate representing said assessment as authorized by this resolution, and the Mayor and Recorder are hereby authorized to sign the same and deliver the said certificate to the Contractor, Charleston Concrete Floor Co. or its designee or assignee upon the surrender of the certificate previously issued by said City evidencing such erroneous or irregular assessment as is corrected hereby.

5. Said Assessment and the assessment certificate shall be and constitute a lien in the hands of the holder of said assessment certificate on the respective property herein assessed to the extent of the amount respectively shown hereinabove against such lot, and interest therein at the rate of six percent (6%) per annum, from the 3rd day of July, 1962, which is the date upon which said improvements were completed, until paid, and shall have priority over all other liens except those

for land taxes due the state, county and municipality, and except those for pre-existing special assessments, and the holder thereof, shall have all the rights, powers and privileges as provided by Article 8, Chapter 8, of the Code of West Virginia, as amended.

6. The City Recorder is further authorized and directed to prepare and certify a notice of the lien of said assessment, referring to the assessing resolution and setting forth a list of the property assessed, described respectively as to the amounts of assessment, frontage, location and ownership of the property, and shall certify the same to the Clerk of the County Court, of Kanawha County, West Virginia, where the same shall be recorded in a proper Trust Deed Book and indexed in the name of each owner of abutting property assessed.

Adopted this 16th day of October, 1962, upon motion of Councilman Earl W. Dye, seconded by Councilman Thomas C. Reeves.

W. W. Alexander
Mayor

Grace Lewis
Recorder

Thereupon after due consideration and discussion by members of the City Council, Councilman Dye, moved, seconded by Councilman Reeves, the foregoing Resolution be adopted. Upon a vote by the Council motion carried and the Mayor declared the motion carried and so ordered.

Councilman Woods moved, seconded by Councilman Hoke, the Appalachian Power Company be instructed to install a 6000 lumen light on pole located Third Avenue and 39th Street, East, and also instructed to replace the 1000 lumen with 2500 lumen light on pole located in front of the new Elementary School on 39th Street, East. Upon a vote motion carried.

Councilman Woods asked that the finance committee hold a meeting to discuss the means of purchasing the necessary items of the Fire Department, and Councilman Woods also suggested that two new tires be bought for fire equipment.

The Mayor informed the Council that he had checked with the Compensation Commission and had been informed that the volunteer firemen could not be covered in line of duty by Workmen's Compensation, in that they were not classified as regular employees of the City. The Mayor and Council then entered into a discussion of increasing the insurance Coverage on the Firemen and Volunteer Firemen. Councilman Woods presented to the Council the present policy the City was carrying and an increased coverage as follows:

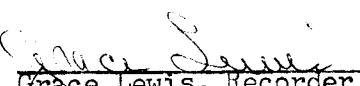
Death or Dismemberment Per Week		Medical & Hospital
Present: \$3,000.	\$25.00 for 16 weeks	\$500.00
Increased 5,000.	50.00 for 52 weeks	\$1,000.00

The present policy premium being \$180.00 and the increased coverage \$265.00 per year.

Thereupon after due consideration, Councilman Gewin moved, seconded by Councilman Woods, ~~moved~~ that the City increase the insurance coverage on the Firemen and Volunteer Firemen as outlined above. Upon a vote by the Council, 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 Hoke carried.


W. W. Alexander, Mayor

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Grace Lewis, Recorder

November 20, 1962

The City Council met in regular session Tuesday, November 20, 1962.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council.

Councilman Reeves moved, seconded by Councilman Gewin, to dispense with reading of the minutes of meeting held October 16, 1962. Motion carried.

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

Mayor Alexander explained to the Council that the attorney had advised procedure to be used in an effort to have the New York Central Railway Company to complete the crossings at Wilson Street and Kapoc Street - mandamus the Railway Company on the crossing at Kapoc Street and condemnation procedure on the crossing at Wilson, explaining further that there could be some cost involved on the crossing at Wilson Street.

Mayor Alexander informed the Council that he had appointed Luke W. Michael as City Attorney, replacing Winston C. Brown, effective as of October 1, 1962. Councilman Hoke moved, seconded by Councilman Woods, the Mayor's appointment of Luke W. Michael as City Attorney be approved. Motion carried.

The Mayor recommended Curtis Woods as a member of the Nitro Sanitary Board to replace Luke W. Michael. Thereupon Councilman Gewin

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moved, seconded by Councilman Reeves, that Curtis Woods be appointed as member of the Nitro Sanitary Board. Upon a vote motion carried.

The Mayor appointed the following as members of the Library Commission:

Four Year Terms

Dennis R. Knapp
Mrs. E. Robert Hamilton
Geo. W. Hogshead, M. D.

Three Year Terms

Mrs. O. G. Facemeyer
Mrs. John Merical
Preston Russell

Two Year Terms

Mrs. David A. McKinley
Rev. Ronald Casto
Mrs. F. E. Perkins

Thereupon Councilman Reeves moved, seconded by Councilman Wears, the foregoing appointments of the Mayor be approved. Motion carried.

The Mayor appointed the following as members of the Centennial Committee: T. N. Clark, Ivan Hunter, W. D. Wintz, George A. Saul, Mrs. John Selby, Mrs. Carl Chapman, H. K. Miller, R. V. Allen, Mrs. Harry D. Barrickman, Mrs. Preston Russell, Mrs. George Hogshead and Max Galloway.

Thereupon Councilman Woods moved, seconded by Councilman Reeves, the Mayor's appointment be approved. Upon a vote motion carried.

Councilman Hamilton moved, seconded by Councilman Hoke, the West Virginia Heart Association be granted permission to solicit funds in Nitro for the West Virginia Heart Association during the month of February, 1963. Motion carried.

Councilman Woods moved, seconded by Councilman Reeves, the following Resolution be adopted by the Council. Upon a vote motion carried.

OASI CERTIFICATION

At a meeting of the Nitro City Council held on November 20, 1962, action was taken to verify the existing coverage of all employee groups (governmental and nongovernmental functions, (e. g. Sanitary Board, recreation boards, etc.,) under the jurisdiction of this body. Further action was taken to authorize the coverage of employee groups which may be established or acquired in the future.

Mayor

Recorder

November 21, 1962

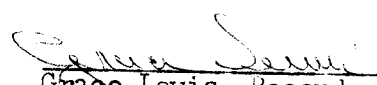
City of Nitro
Nitro, West Virginia

Councilman Woods suggested that the Fire Chief and M. C. Humphreys make a survey in the business area of town and list the business places that do not have proper fire proof trash containers.

There being no further business a motion for recess of the meeting until November 27th by Councilman Hoke carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

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November 27, 1962

The City Council of the City of Niota met in a recessed session in the Council Chambers of the City Hall on the 27th day of November, 1962, pursuant to an order made on October 16, 1962, by said Council.

There were present : W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council. Councilman B. E. Gewin 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 October 16, 1962.

Thereupon, Councilman Dye, made a motion that the Publishers affidavit be made a part of minutes, said motion was seconded by Councilman Woods. Motion carried.

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 three successive weeks, commencing with the issue of the 26th day of Oct., 1962 and ending with the issue of the 9th day of Nov., 19 62 and was posted at the Court House of Kanawha County on _____, 19 _____

Manager, *C. R. Walker*

Kanawha Valley Leader.

Subscribed and sworn to before me this 9th day of

Nov, 19 62

E. Barnett Huffman

Notary Public for Kanawha County, West Virginia.

(My commission expires June 11, 1972).

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS, PUBLIC WAYS OR ON PROPOSED EXTENSION OF

PARK AVENUE, IN THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA, EXTENSION OF PARK AVENUE BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD; PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST); BROADWAY AVENUE (SIDEWALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET; DUPONT AVENUE FROM ITS INTERSECTION WITH GUM STREET TO ITS INTERSECTION WITH HICKORY STREET; EIGHTEENTH

STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25).

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 County, West Virginia, by grading, regrading, draining, paving, re-paving, surfacing, resurfacing, widening, curbing, re-curbing, guttering, constructing sidewalks, and otherwise 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 27th day of November, 1962, 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 16th day of October, 1962.

CITY OF NITRO

BY: Grace Lewis
City Recorder

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LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS, PUBLIC WAYS OR ON PROPOSED EXTENSION OF PARK AVENUE, IN THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA, EXTENSION OF PARK AVENUE BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD; PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST); BROADWAY AVENUE (SIDEWALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET; DUPONT AVENUE FROM ITS INTERSECTION WITH GUM STREET TO ITS INTERSECTION WITH HICKORY STREET; EIGHTEENTH STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25).

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 County, West Virginia, by grading, regrading, draining, paving, re-paving, surfacing, resurfacing, widening, curbing, re-curbing, guttering, constructing sidewalks, and otherwise 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 27th day of November, 1962, 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 16th day of October, 1962.

CITY OF NITRO

BY: Grace Lewis
City Recorder

The Council then proceeded to consider the permanent improvement of extension of Park Avenue beginning with the intersection of Park Avenue and West Fifteenth Street at the end of existing pavement and extending in a northerly direction to its intersection with Park Road; Park Road from its intersection with Park Avenue extending to its

intersection with Plant Road.

There were no protest registered, however, Mr. Payne a property owner on said street inquired of the high cost of the paving, the Mayor explained cost was due to width, drainage and excavation.

The Council then proceeded to consider the permanent improvement of West Eleventh Street from its intersection with Park Avenue to its intersection with First Avenue.

The Mayor presented a protest entered by attorney for the New York Central Railroad Company, however, the Mayor informed Council that after talking with the attorney that the attorney, had withdrawn the protest since the improvement was being done as a safety measure for the school children.

The Council then proceeded to consider the permanent improvement of sidewalk on Broadway Avenue from its intersection with Boundary Street to its intersection with West Eleventh Street.

There were no protests registered on this improvement.

The Council then proceeded to consider the permanent improvement of Dupont Avenue from its intersection with Gum Street to its intersection with Hickory Street. A petition of protest was presented to the Council signed by all property owners except one on Dupont Avenue.

The Council then proceeded to consider the permanent improvement of Eighteenth Street from its intersection with Second Avenue to its intersection with Third Avenue. There were no protests registered, however, Mr. Oldham and Mr. Woodyard property owners on said street stated that the street was not in bad shape.

The member of Council then proceeded to discuss the condition of Dupont Avenue, from Gum to Hickory. Councilman Dye pointed out that cost of the re-surfacing street may be higher later on. Mr. Bleau, one of the protestants informed Council that storm sewers had caused a lot of damage to the Street and also street had been damaged when Gum Street had been installed.

Thereupon, Councilman Dye moved that Dupont Avenue, from Gum to Hickory Street be deleted from the paving program. Motion seconded by Councilman Hoke. Upon a vote motion carried.

Thereupon the following ordinance was introduced to Council:

ORDINANCE

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 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 26th day of October, 1962, and ending on the 9th day of November, 1962, that a public meeting would be held at the Municipal Building in said City on the 27th day of November, 1962, 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:

EXTENSION OF PARK AVENUE BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD; PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD OR NINETEENTH STREET WEST; BROADWAY AVENUE (SIDEWALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET; DUPONT AVENUE FROM ITS INTERSECTION WITH GUM STREET TO ITS INTERSECTION WITH HICKORY STREET; EIGHTEENTH STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25).

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 or 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 renewing sidewalks and making other incidental permanent improvements in accordance with the plans, specifications and profiles heretofore filed, as modified and amended, the following describes streets and portions thereof in the City of Nitro as provided by said plans, specifications and profiles:

EXTENSION OF PARK AVENUE BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION FOR A DISTANCE OF 725 FEET MORE OR LESS, TO ITS INTERSECTION WITH PARK ROAD, WITH A WIDTH OF 30 FEET AND 5 FOOT SIDEWALK ON EAST SIDE; PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED FOR A DISTANCE OF 325 FEET, MORE OR LESS, TO ITS INTERSECTION WITH PLANT ROAD OR NINETEENTH STREET WEST, WITH A WIDTH OF 30 FEET AND A 5 FOOT SIDEWALK ON THE SOUTH SIDE; BROADWAY AVENUE (5 FOOT SIDEWALK ON EAST SIDE) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET; EIGHTEENTH STREET (RE-SURFACING) FROM ITS INTERSECTION WITH SECOND AVENUE TO ITS INTERSECTION WITH THIRD AVENUE; WEST ELEVENTH STREET (15 FOOT WIDENING WITH 5 FOOT SIDEWALK ON NORTH SIDE) FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25); 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 Company 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) 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 Hoke 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, Councilman Hoke moved, seconded by Councilman Woods, that bids be received from contractors until 1:00 O'clock P. M. on December 18, 1962, and that contractors be required to deposit with his bid a certified check or bidders bond in the amount of five percent of total contract, and that the bids be considered by Council at a Regular meeting to be held at 8:00 O'clock P. M. on December 18, 1962 in the Council Chambers in the City Hall of the City of Nitro and at any adjournment or recess thereof. Motion carried.

Councilman Woods suggested that the city obtain an opinion from the Attorney General on legality of volunteer firemen being covered by Workmens Compensation while on fire call for the City.

There being no further business, a motion for recess by Councilman Hoke carried.



W. W. Alexander, Mayor


Grace Lewis, Recorder

December 18, 1962

The City Council met in a regular session Tuesday, December 18, 1962.

There were present : W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves and Robert M. Woods, members of the City Council. Councilmen Dye and Wears being absent.

Mayor Alexander called the meeting to order.

Councilman Reeves moved, seconded by Councilman Woods, to dispense with reading of the minutes for meeting held November 20th and November 27th. Motion carried.

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

Mayor Alexander announced that this meeting was called and held pursuant to ordinance adopted by Council on the 27th day of November 1962, 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.

Thereupon the Recorder reported that she had complied with direction of Council by Ordinance heretofore adopted and had duly advertised for bids for the permanently improveing and construction of sidewalks upon and along the extension of Park Avenue, beginning with the intersection of Park Avenue and West Fifteenth Street at the end of existing pavement and extending in a northerly direction for a distance of approximately one thousand fifty (1050) feet, more or less, to its intersection with Park Road; Park Road from its intersection with Park Avenue extended to its intersection with Plant Road (or Nineteenth Street West); Broadway Avenue from its

intersection with Boundary Street to its intersection with West Eleventh Street; Eighteenth Street from its intersection with Second Avenue to its intersection with Third Avenue; West Eleventh Street from its intersection with Park Avenue to its intersection with First Avenue (known as West Virginia Route No. 25), 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 Hoke moved, seconded by Councilman Gewin, that the notice to contractors, notice asking for bids on said proposed improvements, together with Publishers Affidavit of due publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein. All members of Council 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, 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

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 the construction of sidewalks thereon, upon and along the extension of Park Avenue, beginning with the intersection of Park Avenue and West Fifteenth Street at the end of existing pavement and extending in a northerly direction for a distance of approximately One Thousand Fifty (1050) feet, more or less, to its intersection with Park Road; Park Road from its intersection with Park Avenue extended to its intersection with Plant Road (or Nineteenth Street West); Broadway Avenue from its intersection with Boundary Street to its intersection with West Eleventh Street; Eighteenth Street from its intersection with Second Avenue to its intersection with Third Avenue; West Eleventh Street from its intersection with Park Avenue to its intersection with First Avenue (known as West

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 two successive weeks, commencing with the issue of the 30th day of November, 1962 and ending with the issue of the 7th day of December, 1962 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 11th day of Nov, 1962.

E. Garnet Huffman

Notary Public for Kanawha County, West Virginia.

(My commission expires June 11, 1972).

Plans, specifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

GRACE LEWIS,
CITY RECORDER
CITY OF NITRO

11302tc

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 the construction of sidewalks thereon, upon and along the extension of Park Avenue, beginning with the intersection of Park Avenue and West Fifteenth Street at the end of existing pavement and extending in a northerly direction for a distance of approximately One Thousand Fifty (1050) feet, more or less, to its intersection with Park Road; Park Road from its intersection with Park Avenue extended to its intersection with Plant Road (or Nineteenth Street West); Broadway Avenue from its intersection with Boundary Street to its intersection with West Eleventh Street; Eighteenth Street from its intersection with Second Avenue to its intersection with Third Avenue; West Eleventh Street from its intersection with Park Avenue to its intersection with First Avenue (known as West Virginia Route No. 25), and otherwise improving said streets, all in the City of Nitro, Kanawha County, 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 1:00 O'Clock P.M. EST, December 18, 1962. 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 18th day of December, 1962, at 2:00 O'Clock P.M. EST. The City Recorder.

The Recorder reported that four contractors had submitted sealed bids for the proposed work, they being Charleston Concrete Floor Company, H and B. Inc., Andersons' Black-Rock, Inc. and M. and M Construction Company.

Thereupon the foregoing Contractor's bids were listed.

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 Jess Gandee, of Municipal Engineering Corporation, presented a tabulation and analysis of the contractor's bids, total aggregate sum being: Unit A: Charleston Concrete Floor Company \$ 44,208.00, H and B Construction Company \$ 41,497.95, M and M. Construction Company \$ 48,559.50. Unit B: Andersons' Black Rock, Inc. \$ 3,204.50

Thereupon Councilman Hoke moved, seconded by Councilman Gewin, that the bid of H and B Construction Company in the aggregate sum of \$ 41,497.95 be accepted for Unit A, it being the best and lowest bid for said improvements, 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, specifications and profiles; 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 and was so ordered.

Thereupon the Mayor and members of the Council considered the bid on Unit B. Mayor Alexander informed Council that in his opinion that since there was only one bid, that of Andersons' Black-Rock, Inc., on said Unit B

and that this bid was approximately 17% higher than the Engineer's estimate. The Mayor requested Council not to consider the bid of Andersons' Black-Rock, Inc. and that the resurfacing of 18th Street, between Second Avenue and Third Avenue be held in abeyance until such time that other black topping was to be considered. Thereupon Councilman Hoke moved, seconded by Councilman Reeves, that the bid of Andersons' Black-Rock, Inc., be rejected and that ~~the~~ 18th Street, between Second Avenue to Third Avenue be deleted from the program. Upon a vote motion carried.


Councilman Reeves moved, seconded by Councilman Gewin, the following Stop Signs be installed; Stop Sign on Gum Street and Main Avenue, Stop Sign on Fir Street and Main Avenue, Stop Sign on Dogwood Street and Main Avenue, Stop Sign on Washington Avenue and Ash Street, Stop Sign on Dupont Avenue and Ash Street, Stop Sign on Kanawha Avenue and Ash Street North, Stop Sign on Kanawha Avenue and Ash Street South, Stop Sign on West Washington Avenue and Ash Street. Upon a vote motion carried and was so ordered.

Councilman Gewin recommended that all street markers in old section of town be repainted.

Councilman Gewin moved, seconded by Councilman Hoke, that the City offices be closed December 24th and December 31st. Upon a vote 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

January 15, 1963

The City Council met in regular session Tuesday, January 15, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., James R. Wears and Robert M. Woods, members of the Council.

Councilman Woods moved, seconded by Councilman Hamilton, the minutes for meeting held December 18, 1962 be approved. Motion carried.

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

The Mayor and Council entered into a discussion of the condition of the old golf course road. It was decided that said road should be closed to traffic and that signs should be erected to that effect.

The Mayor informed Council that he had talked to the contractor regarding street construction and that the contractor will start to work as soon as the weather permits.

The Mayor and Council entered into a discussion of Park Avenue in front of the Baker Elementary and the new Junior High School. It was pointed out that it may be necessary to eliminate parking on the School side of Park Avenue. The Traffic Committee was asked to make a study of Park Avenue traffic and make their recommendations to the Council.

Mayor Alexander informed Council that the attorney had entered all necessary papers to the Supreme Court of Appeals regarding the annexation election and that we were waiting for the Supreme Court to set the date for hearing on the matter.

The Mayor presented the resignation of Bernard Estep as member of the Board of Park Commissioners and submitted the name of Jimmie Jones

of Juniper Street as replacement for Mr. Estep. Thereupon Councilman Woods moved, seconded by Councilman Hoke, that Jimmie Jones be appointed as a member of the Board of Park Commissioners. 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

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February 19, 1963

The City Council met in a regular session, Tuesday, February 19, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, 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 Dye moved, seconded by Councilman Hamilton, the minutes for meeting held January 15, 1963 be approved. Motion carried.

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

Earl Comstock, Jr., owner of the Planland, was present at the meeting and asked the members of the Council for names of persons, who had made complaints to them regarding his place of business. Councilman Woods informed Mr. Comstock that the Official Board of the Methodist Church had discussed the Playland in a recent business session as to the disturbance of worship and beer bottles on the church lawn. Councilman Woods said that members of the Official Board had been advised that it was necessary for one of them to sign a complaint regarding the disturbance of worship service. Mr. Comstock informed Council that he would like to control the noise outside his place of business, however, it was impossible for him to do so and take care of the business inside. Council

members informed Mr. Comstock that a lot of people were concerned and disturbed about the Playland. Mr. Comstock informed Council that complaints were false and said he would like to file a complaint against the persons complaining about his place of business. Mayor Alexander informed Mr. Comstock that it would be impossible for him to secure such warrants and that names of persons making complaints to the City would not be divulged to him.

The Traffic Committee submitted a list of "Stop Signs" to be erected. The list be as follows:

- Install stop sign on Juniper Street at Kanawha Avenue.
- Remove stop signs on Juniper Street at Washington Avenue.
- Remove stop signs on Dupont Avenue at Juniper Street.
- Remove stop signs on Dupont Avenue at Hickory Street.
- Remove stop signs on Hickory Street at Washington Avenue.
- Install stop sign on Hickory Street at Kanawha Avenue.
- Install stop sign on Gum Street at Dupont Avenue.
- Install stop sign on Gum Street at Main Avenue.
- Install stop sign on Dupont Avenue at Fir Street.
- Remove stop sign on Fir Street at Dupont Avenue.
- Install stop sign on Fir Street at Main Avenue.
- Install stop sign on Fir Street at Kanawha Avenue.
- Install stop sign on Dogwood Street at Dupont Avenue.
- Remove stop sign on Dupont Avenue at Dogwood Street.
- Install stop sign on Washington Avenue at Dogwood Street.
- Install stop sign on Dogwood Street at Kanawha Avenue.

Install stop sign on Dogwood Street at Main Avenue.

Install stop sign on Beech Street at Washington Avenue.

Remove stop sign on Washington Avenue ~~at~~ Beech Street.

Remove stop sign on Beech Street at Dupont Avenue.

Install stop sign on Dupont Avenue at Beech Street.

Install stop sign on Washington Avenue at Ash Street.

Install stop sign on Dupont Avenue at Ash Street.

Install ~~stop~~ sign on Kanawha Avenue at Ash Street North.

Install stop sign on Kanawha Avenue at Ash Street South.

Install stop sign on W. Washington Avenue at Ash Street.

Install stop sign on Kapoc Street at Dupont Avenue.

Install stop sign on Boundary Street at Broadway Avenue.

Install stop sign on Boundary Street at Main Avenue.

Install stop sign on Layne Avenue at Lock Street.

Install stop sign on Broadway Avenue at West 11th Street.

Install stop sign at Church on Valentine Circle and Holly Street.

Install stop sign on 40th Street at First Avenue.

Install stop sign on 19th Street at First Avenue.

Install stop sign on 11th Street at First Avenue.

Install No Parking signs on North side of Kapoc Street.

Thereupon, Councilman Dye moved, seconded by Councilman Reeves, that the "Stop Signs" be erected as listed. Upon a vote motion carried.

The Mayor and Council discussed the request for a street light on Fir Street at Dupont Avenue. The Street lighting committee was requested to check the need for a light in this area.

Councilman Dye suggested that the Curfew law be amended to 18 years of age. In a discussion it was pointed out that all towns should have the same restrictions and that a check should be made with the Juvenile Council. Councilman Dye and Councilman Reeves were requested to gather all information possible on this matter and report at the next council meeting.

The Mayor and Council discussed the distance that the truck should travel for fire calls. It was pointed out that a new policy should be formulated for the distance of fire calls and the Fire Department Committee was requested to make a study of this matter.

Councilman Reeves reported to council that he had received complaints from home owners South of the St. Albans,- Nitro Bridge regarding large tank trucks parking in front of their homes for a long period of time. It was suggested that the police check with the owner of the Shamrock Drive In in an effort to eliminate this problem and the attorney was asked to check the law on prohibiting trucks from parking in residential area.

The attorney was asked to prepare ordinance to cover a thirty day notice be given the city in case of personal injury and an ordinance requiring pedestrians to cross streets only at intersections.

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



W. W. Alexander, Mayor



Grace Lewis, Recorder

March 19, 1963

The City Council met in regular session, Tuesday, March, 19, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, L. I. Hoke, M. D., Mrs. E. Robert Hamilton, Thomas C. Reeves and Robert M. Woods, members of the Council. B. E. Gewin, Councilman being absent.

Mayor Alexander called the meeting to order.

Councilman Reeves, seconded by Councilman Dye, moved to dispense with reading of minutes for meeting held February 19, 1963. Motion carried.

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

The traffic committee was asked to check the need of a stop sign on DuPont Avenue at Elm Street.

Councilman Dye moved, seconded by Councilman Woods, the Appalachian Power Company be requested to install street light (1000 lumen) on alley located on DuPont Avenue at Fir Street. Motion carried.

Councilman Dye reported to Council that in making a survey of the members of the Student Councils of local schools and talking to a number of local parents that he moved to recommend the curfew law be changed as follows: Age be raised from sixteen years to eighteen years. The hours being 10:00 O'Clock P. M. Sunday thru Thursday and 11:00 O'Clock P. M. Friday and Saturday. The penalty Five Dollars to Twenty-Five Dollars be imposed on parents or guardians. That/^a provision be included to cover employment and emergencies. Councilman Reeves seconded the motion.

Upon a vote motion carried and was so ordered.

Councilman Reeves reported to Council the complaints he was receiving from residents of upper Main Avenue regarding heavy trucks and tractor trailers parking for long period of time with motors running on Main Avenue adjacent to homes. Thereupon, after considerable discussion, Councilman Reeves moved, seconded by Councilman Dye, the Attorney draft an ordinance eliminating parking of heavy trucks and trailer trucks on Main Avenue, from Center Street, South to Blackwood Avenue. Motion carried.

Councilman Dye reported to Council that there were several unlicensed cars parked on the city streets and that the police department should be instructed to notify the owners to move said vehicles from city streets.

The Mayor and Council discussed the deterioration of Main Avenue, which had been installed by Anderson's Black Rock, Inc. last summer. The Mayor informed Council that it was the opinion of the City Engineers that inferior rock base had been installed in this work and further that Anderson's Black Rock, Inc. had been instructed to take care of this condition at no cost to City or abutting property owners.

The Mayor and Council entered into a discussion of City finances. The Mayor explained the increases in expenditures of the City budget for the year 1963-64 such as, salary increases, new radio equipment and the possibility of the necessity of a new fire truck.

Thereupon, Councilman Dye moved, seconded by Councilman Hamilton to re-enact the City Gross Sales Ordinance, increasing

rates on public utilities and including small loan companies. Upon a vote, motion carried.

Councilman Woods moved, seconded by Councilman Reeves, the city impose three cents sales tax on whiskey in compliance with law enacted by the 1963 session legislature. Upon a vote, motion carried.

Councilman Hoke moved, seconded by Councilman Dye, that pay increases be granted to city employees as follows: Fifteen Dollars per month to salaried employees. Five cents per hour to hourly employees. Twenty dollars per month to Desk Sargents of the Police Department. Increases to become effective July 1, 1963. Motion carried.

Councilman Dye moved that bids be secured on new police radio system, delivery to be made after July 1, 1963. Motion seconded by Councilman Hamilton. Upon a vote, motion carried.

Councilman Woods moved, seconded by Councilman Dye that the following items of equipment be purchased for the Fire Department from the current year budget: Six tires for #2 Fire Truck. 400 feet $1\frac{1}{2}$ " fire hose. 12 Complete bunker suits. Upon a vote, motion carried.

The Recorder presented to Council the budget for the year 1963-64 as follows:

STATE OF WEST VIRGINIA,

COUNTIES 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 the 19th day of March 1963, 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 Mrs. E. R. Hamilton, members of the Council of said municipality.

In accordance with Section 114, 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 Form No. 1

ESTIMATE

ESTIMATED RECEIPTS:

(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 (Estimated).....	\$ 4,000.00
Balance in hands of Sheriff (Estimated).....	2,450.00
Redemption and sale of delinquent lands.....	1.00
Police fines and costs.....	5,000.00
Permits-Building, Street, Sewer and other.....	2,000.00
Parking Meters.....	1.00
Rents, Buildings and Concessions.....	420.00
Civic Benefits Association.....	24,000.00
Taxes: Gross Sales.....	52,500.00
Capitation and Dog.....	2,900.00
Franchise.....	100.00
Consumers' Sales (Liquor).....	19,000.00
Amusement.....	500.00
Fees: Electrical, Plumbing and other.....	1.00
Garbage.....	50,800.00
Licenses:	
Electricians and Plumbers.....	650.00

General.....	1,850.00
Miscellaneous.....	3,500.00
Total Estimated Receipts to Page E-6.....	\$169,673.00

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. Salary of Councilmen.....	840.00
8. Salaries of assistants and clerks.....	4,500.00
9. Salaries of Chief and five Police.....	31,600.00
10. New Equipment Police Department.....	4,300.00
11. General expenses Police Department.....	4,000.00
13. Salaries Jailor and Expenses Feeding Prisoners.....	7,000.00
14. Salaries of Chief and five Firemen.....	30,000.00
15. New Equipment Fire Department.....	7,300.00
16. General expense Fire Department.....	2,200.00
18. Salaries Health Commissioner and Employees.....	1,150.00
20. General expense Health Department.....	800.00
21. Salaries Garbage employees.....	26,000.00
22. New equipment Garbage Department.....	200.00
23. General expense Garbage Department.....	6,000.00
24. Janitors' supplies.....	500.00
25. Repairs to Jail and City Buildings.....	200.00
26. Furniture, fixtures and office machines.....	1,000.00
27. Stationery, office supplies and equipment.....	600.00

28. Postage.....	300.00
29. Water - fire protection, streets and sewers.....	7,200.00
30. Water - city building and other purposes.....	150.00
31. Light for street lighting.....	6,234.00
32. Light - City Building, traffic lights, etc.....	675.00
33. Repairs, street and traffic lights.....	10.00
34. Fuel - Heating City Building.....	950.00
35. Telephone and telegraph (all departments).....	900.00
37. Legal publications.....	600.00
38. Insurance on City Building and other property.....	2,300.00
39. Premiums, Policemen's and official bonds.....	170.00
40. Election expenses.....	3,000.00
41. Attorneys' fees, court costs and damages.....	1,500.00
42. Salaries - Engineering Department.....	2,000.00
43. General expense - Engineering Department.....	1,000.00
44. Salaries and Wages all street Employees.....	10,500.00
45. New Equipment Street Department	700.00
46. Materials, Supplies and expenses, Street Department.....	2,700.00
47. Maintenance of Sewers, salaries and supplies.....	100.00
48. Construction of New streets, sidewalks and sewers.....	300.00
49. Workmen's Compensation premiums.....	2,500.00
50. Audit by Tax Commissioner.....	400.00
51. Refunding erroneous payments.....	50.00
52. Municipal Dues.....	69.00
53. Parks and Playgrounds, salaries, supplies and expenses...	4,500.00
54. Planning Commission.....	275.00
55. Traveling and car expenses of city officials.....	100.00
56. Civilian Defense Expense.....	100.00

59. Treasurer's Fees.....	150.00
60. Social Security.....	4,500.00
60A. Public Employees Retirement.....	7,400.00
61. Contingent expenses (Mandatory Only),.....	1,000.00
62. Dog Pound Expense.....	1,200.00
A - Total Current Expenses.....	<u>\$ 206,024.00</u>
Total estimated disbursements.....	<u>\$ 206,024.00</u>
Less estimated receipts brought forward.....	<u>\$ 169,673.00</u>
Net amount to be raised by levy.....	<u>\$ 36,351.00</u>

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$36,351.00 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 & Three Quarters Cents (11.75 c) on Class No. I property,
 Twenty-Three & one-half cents (23.5 c) on Class No. II property,
 Forty-Seven cents (47 c) 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 Levied (Whole Dollars)
Number I				
Personal Property.....	\$1,092,950.00	5.5 6.25c	11.75c	\$ 1,284.00
Public Utility Property.	804,300.00	5.5 6.25c	11.75c	945.00
Total Class No. I....	<u>\$1,897,250.00</u>			<u>\$ 2,229.00</u>
Number II				
Real Estate.....	\$ 5,256,210.00	11 12.5c	23.5c	\$12,352.00

CLASS	Assessed Valuation	Authorized Rates	Proposed Rates	Taxes Levied (Whole Dollars)
Number IV				
Real Estate	2,306,490.00	22 25c	47c	10,841.00
Personal Property	1,749,090.00	22 25c	47c	8,221.00
Public Utility Property	1,435,500.00	22 25c	47c	6,747.00
Total Class No. IV	<u>5,491,080.00</u>			<u>25,809.00</u>
TOTAL LEVY	<u>\$12,644,540.00</u>			<u>\$40,390.00</u>
Less Delinquent Taxes and Exonerations Estimated at 10%				<u>\$ 4,039.00</u>
Net amount to be raised by Levy				<u>\$36,351.00</u>

MUNICIPAL BOND PURPOSES - INTEREST AND SINKING FUND
ESTIMATE

Estimate Form No. 3

The Council proceeded to make an estimate of the amount necessary to be raised by a levy of taxes for the current fiscal year for interest, sinking fund and amortization requirements of bonded indebtedness, legally incurred by a vote of the people as provided by law, since the adoption of the tax limitation amendment, owing by said municipality, as follows:

BOND ISSUES AUTHORIZED SINCE NOVEMBER 8, 1932

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
7-1-53	\$ 50,000.	\$ 30,000.	\$ 2,500.	\$ 900.	\$3,400.
5-5-55	\$ 95,000.	\$ 73,000.	\$ 3,000.	\$2,008.	\$5,008.
12-16-58	<u>\$168,000.</u>	<u>\$160,000.</u>	<u>\$ 3,000.</u>	<u>\$6,000.</u>	<u>\$9,000.</u>
TOTALS	\$313,000.	\$263,000.	\$8,500.	\$8,908.	\$17,408.
Delinquent Taxes and Exonerations Estimated at 10%					<u>\$ 1,741.</u>

Total Amount to be Raised by a Levy of Taxes.....\$19,149.
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 cents (7c) on Class No. I property,

Fourteen cents (14c) on Class No. II property,

Twenty-eight cents (28c) 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.....	\$1,054,800.00	7 c	\$ 738.00
Public Utility Property.....	804,300.00	7 c	563.00
Total Class No. I.....	<u>\$1,859,100.00</u>		<u>\$ 1,301.00</u>
Number II			
Real Estate.....	\$3,721,560.00	14 c	\$5,210.00
Number IV			
Real Estate.....	\$1,553,490.00	28 c	\$4,350.00
Personal Property.....	1,358,090.00	28 c	3,803.00
Public Utility Property.....	1,363,600.00	28 c	3,818.00
Total Class No. IV.....	<u>\$4,275,180.00</u>		<u>\$11,971.00</u>
TOTAL LEVY.....	<u>\$9,855,840.00</u>		<u>\$18,482.00</u>

Thereupon, Councilman Hamilton moved, seconded by Councilman Reeves, the said budget be accepted. Upon a vote motion carried and was so ordered.

Councilman Woods suggested that an ordinance be prepared on vacation and sick leave for City employees.

There being no further business to come before the Council at this time, Councilman Hoke moved the Council recess until the 9th day of April and was so ordered.

W. W. Alexander, Mayor

Grace Lewis, Recorder

April 9, 1963

The City Council met in recessed session Tuesday 9, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods, members of the Council. Councilman Dye being absent.

Mayor Alexander called the meeting to order.

The Mayor and Council entered into a discussion of the proposed changes in Business and Occupation Ordinance (Section 3 (D) and Section 3 (F) as proposed to by Council in session March 19, 1963. The attorney explained to the Council that in checking the statute he had found that in 1955 the State Legislature had increased the rate on public utilities, however, the said law prohibited cities increasing their rate on public utilities and stated further that he recommended the Council recind their action of March 19th regarding public utilities. The attorney further informed Council that he wished to make further study regarding the section on Small Loans.

Thereupon, Councilman Hamilton moved, seconded by Councilman Hoke, that Council recind their action on proposed amendment to the Gross Sales Ordinance. Upon a vote motion carried.

Councilman Reeves moved, seconded by Councilman Gewin, the following ordinance be adopted. Upon a vote by Council, motion carried.

AN ORDINANCE IMPOSING A TAX ON
PURCHASES OF INTOXICATING LIQUORS
AT RETAIL IN THE CITY OF NITRO.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

There shall be levied and collected a tax upon all purchases of intoxicating liquors at retail within the City. The tax shall be

be equal to but not exceed the tax levied by the State upon a similar sale or the same sale, which rate shall be three percent of said sales. A copy of this ordinance shall be certified by the Mayor of the City of Nitro, to the West Virginia Liquor Control Commission who shall provide for the collection of such tax and for distribution thereof to said City. This ordinance is authorized by section thirteen-a, article four, Chapter eight of the Code of West Virginia, one thousand nine hundred thirty-one as amended. This ordinance shall become effective as of July 1, 1963

Councilman Reeves moved, seconded by Councilman Hoke, the following ordinance be adopted. Upon a vote by Council, motion carried.

AN ORDINANCE TO AMEND ORDINANCE
NO 31, PROHIBITING ANY PERSON
UNDER THE AGE OF SIXTEEN YEARS
TO BE ON ANY PUBLIC ROAD, STREET
OR ALLEY WITHIN THE CITY OF NITRO,
AT ANY TIME BETWEEN THE HOURS OF
NINE-THIRTY O'CLOCK P. M. AND SIX
O'CLOCK A. M. AND PROVIDING A
PENALTY FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NITRO,
THAT ORDINANCE NO. 31, BE AMENDED TO READ AS FOLLOWS:

It shall be unlawful, from and after the date of the passage of this ordinance, for any person under the age of eighteen years, to be upon or remain upon any of the public roads, streets or alleys within the City of Nitro, at any time between the hours of Ten O'Clock P. M. and Six O'Clock A. M. of the following day from Sunday through Thursday of each week, and on Friday and Saturday between the hours of Eleven O'Clock P. M. and Six O'Clock A. M. of the following day, unless such child shall be accompanied at all times upon such public roads, streets or alleys, within said City, by a parent or parents of

said child, under the age of Eighteen years, or by someone who has legal custody and control of such child under the age of Eighteen years. Any person who shall violate any of the foregoing provisions of this ordinance may be fined not more than Fifteen Dollars.


It shall be unlawful for the parent, guardian or any other person having legal custody and control of any child under the age of eighteen years, to suffer or permit such child to be and remain upon any of the public roads, streets or alleys within the City of Nitro, at any time between the hours of Ten O'Clock P. M. to Six O'Clock A. M. the following day from Sunday through Thursday of each week, and on Friday and Saturday from Eleven O'Clock P. M. to Six O'Clock A. M. the following day, unless such child is accompanied at all times while remaining on such road, street or alley by a parent or parents of said child under the age of Eighteen years, or by someone who has legal custody and control of such child under the age of Eighteen years. Any parent, or parents, or legal guardian, who shall violate any of the foregoing provisions of this ordinance, upon conviction, shall be fined not less than Five Dollars, (\$5.00) nor more than Twenty-Five Dollars, (\$25.00).

Any person who is gainfully employed under the age of eighteen years, going to and from such employment, or any such person under the age of eighteen years, who due to any emergency, is required to be upon such street, road or alley of said City, shall be exempt from this ordinance.

This ordinance shall be effective as of the 9th day of April, 1963.

The Mayor and Council discussed the proposed ordinance to prohibit heavy trucks parking on Main Avenue from Center Street, South to Blackwood Avenue. Points brought out in discussion - should the ordinance apply to all residential areas, should gross vehicular weight be included in ordinance, and the fact that passage of ordinance may impose a hardship on a person who earned his living by truck hauling. The Council decided that this matter should be given further study.

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

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April 16, 1963

City Council met in regular session, Tuesday, April 16, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, E. W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears, and Robert M. Woods, members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Reeves, seconded by Councilman Woods, moved to dispense with reading of the minutes for March 19, 1963 and April 9, 1963 Motion carried.

Councilman Woods, seconded by Councilman Dye, moved the financial statement for the month of March be accepted. Motion carried.

The recorder presented letter from the State Tax Commissioner regarding budget passed by City Council on March 19, 1963, said letter stating no exceptions to budget. Thereupon, Councilman Dye moved, seconded by Councilman Hoke that the following Levy Order be approved and copies of same be forwarded to the State Tax Commissioner and the State Auditor. Upon a vote, motion carried and members of Council proceeded to sign their signatures to the Levy Order as follows:

STATE OF WEST VIRGINIA

COUNTIES OF KANAWHA AND PUTNAM

MUNICIPALITY OF NITRO, To-wit:

At a regular session of the Council of the Municipality of Nitro, held in the Council Chamber thereof on Tuesday, the 16th day of April, 1963. Present: W. W. Alexander, Mayor, Recording Officer, Grace Lewis and E. W. Dye, Thomas C. Reeves, Robert M. Woods, L. I. Hoke, James R. Wears, Mrs. E. Robert Hamilton 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 \$40,390.00, according to the estimate made and entered of record on the 19th day of March, 1963, 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:

Eleven and Three-Quarters cents (11.75 c) on Class No. I property,

Twenty-Three and one-half cents (23.5 c) on Class No. II property,

Forty-Seven cents (47 c) 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.	\$ 1,092,950.00	11.75 c	\$ 1,284.00
Public Utility Property.	804,300.00	11.75 c	945.00
Total Class No. I.	1,897,250.00		2,229.00
Number II			
Real Estate. . . . .	.5,256,210.00	23.5 c	12,352.00

CLASS	ASSESSED VALUATION	TOTAL RATE OF LEVY	TAXES LEVIED (WHOLE DOLLARS)
Number IV			
Real Estate.	\$2,306,490.00	47 c	\$10,841.00
Personal Property.	1,749,090.00	47 c	8,221.00
Public Utility Property. . .	1,435,500.00	47 c	6,747.00
Total Class No. IV. . .	<u>\$5,491,080.00</u>		<u>\$25,809.00</u>
TOTAL LEVY.	<u>\$12,644,540.00</u>		<u>\$40,390.00</u>

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 \$313,000.00 will be \$18,482.00 according to the estimate made and entered of record on the 19th day of March 1963 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 cents (7 c) on Class No. I property,

Fourteen cents (14 c) on Class No. II property,

Twenty-eight cents (28 c) on Class No. IV property,

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



HOUSING AND HOME FINANCE AGENCY
OFFICE OF THE REGIONAL ADMINISTRATOR

April 8, 1963

Widener Building
Philadelphia 7, Pennsylvania

Honorable W. W. Alexander
Mayor, City of Nitro
20th Street
Nitro, West Virginia

Dear Mayor Alexander:

Subject: Project No. P-WVA-3066
Sanitary Sewers
The City of Nitro
Kanawha and Putnam Counties, West Virginia

I am pleased to enclose two copies of an Agreement For Public Works Plan Preparation for the subject project. The Acceptance and Certificate on the last page should be executed on both copies pursuant to an appropriate resolution of your governing body adopted at a meeting held following your receipt of this letter.

The Acceptance should be signed by the chief executive official of the Applicant. If the authorizing resolution referred to above designates a different official to sign the Acceptance, please submit two certified copies of such resolution.

Kindly have your seal impressed where indicated in the Certificate. Also, please print or type immediately below their signatures the names of the officials who sign the Acceptance and Certificate.

Following the above, please return the original counterpart of the Agreement to this office. The copy is for your records.

Kindly note the Agreement must be accepted, if at all, within 60 days from this date. The contemplated plan preparation must be submitted within 130 days from the date the Agreement is accepted.

Please communicate with this office should you have any question.

Sincerely yours,
Joseph P. Rosko
Joseph P. Rosko
Acting Regional Director, CF
Cornelius J. Daly
Regional Director of
Community Facilities

Enclosures - 2

HOUSING AND HOME FINANCE AGENCY
COMMUNITY FACILITIES ADMINISTRATION

CFA-420
(2/62)

AGREEMENT FOR PUBLIC WORKS PLAN PREPARATION

Project No. P-374-3066

TO: The City of Nitro
(Legal Corporate Name of Applicant)

Kanawha and Putnam Counties, West Virginia
(Address of Applicant)

Pursuant to the provisions of Public Law 560, 83rd Congress, as amended, and your application, as modified and supplemented, and subject to the Terms and Conditions, dated February 1, 1962, attached hereto and made a part hereof, the UNITED STATES OF AMERICA, acting by and through the Housing and Home Finance Administrator, hereby offers to make you an advance of not to exceed \$ 14,000 to aid you in financing the cost of plan preparation, to consist of preliminary and final planning

for the proposed construction of improvements to creek channels and new relief storm sewers for the City of Nitro in Kanawha and Putnam Counties. Said improvements to the creek channels shall include the deepening and widening of these channels.

By the acceptance of this offer, you agree to submit the above-described plan preparation within 130 days from the date of your acceptance hereof and covenant that you will repay the advance when required to do so under the provisions of said Law and Terms and Conditions.

This offer must be accepted, if at all, within sixty (60) days from the date hereof.

This 8th day of April, 19 62.

UNITED STATES OF AMERICA
Housing and Home Finance Administrator

By Joseph P. Rock
Acting Regional Director of
Title Community Facilities

- (c) If the applicant shall fail to submit or cause to be submitted to the Government any reports, data, plans, drawings, specifications, contracts, estimates, approvals, or other documents pertaining to the plan preparation contemplated by the Agreement, that may be requested by the Government;
- (d) If any official of the applicant shall become directly or indirectly interested personally in any contract or subcontract in connection with the aforesaid plan preparation.

If the Government terminates its obligations the applicant will be liable for immediate refund of any funds advance by the Government.

10. In the event the applicant has employed or shall employ any person, firm, or corporation, excepting bona fide employees and persons, firms, or corporations employed under a bona fide contract to render professional or technical services only, to solicit or secure the advance covered by the Agreement to which these Terms and Conditions relate, or any other contract right under such Agreement, upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, the Government shall have the right to annul said Agreement without liability or in its discretion to deduct from the advance otherwise payable under the Agreement the full amount of such commission, percentage, brokerage, or contingent fee.

11. The advance shall be repaid promptly upon the start of construction of the public work contemplated in the planning report. Construction shall be considered as undertaken or started when the first construction contract is awarded or the applicant begins construction with its own forces. If construction of only a portion of the planned work is undertaken, repayment is required of such proportionate amount of the advance related to the work as the Administrator determines to be equitable.

12. In the event the applicant should, for any reason, fail to repay promptly the advance in full in accordance with its obligation under this Agreement, whether such obligation shall arise by operation of law or under the said Agreement, such unpaid sum shall bear interest at the rate of four per centum per annum from the date of the Government's demand to the applicant for the repayment to the date of payment thereof by the applicant.

13. The Government shall not be obligated or liable under the Agreement to any party other than the applicant.

14. No member of or delegate to the Congress of the United States of America or resident commissioner shall be admitted to any share or part of the Government's advance or in any benefit arising therefrom.

15. The applicant may terminate the Agreement at any time prior to the Government's payment of any portion of the advance by written notice to the Government of such termination. In such event, the Government will be relieved of all its obligations under the Agreement. If the applicant terminates the Agreement after receiving any portion of the advance, it shall promptly refund to the Government the portion of the advance that has been paid by the Government unless the abandonment is concurred in by the Government.

16. If the estimated cost of the proposed public work is changed by 15 percent or more from that designated in the application, or if the scope of the proposed public work is changed from that described in the application, the applicant, before proceeding with the preparation of the final plans, shall submit to the Government for its review the preliminary plans. Upon receipt of the Government's approval of the said preliminary plans, the applicant may proceed with the final plans. Where neither of the foregoing changes has occurred, the applicant shall submit the preliminary plans together with the final plans for approval by the Government.

HOUSING AND HOME FINANCE AGENCY
COMMUNITY FACILITIES ADMINISTRATION

CFA-420
(2/62)

AGREEMENT FOR PUBLIC WORKS PLAN PREPARATION

Project No. P-WA-3066

TO: The City of Nitro
(Legal Corporate Name of Applicant)

Kanawha and Putnam Counties, West Virginia
(Address of Applicant)

Pursuant to the provisions of Public Law 560, 83rd Congress, as amended, and your application, as modified and supplemented, and subject to the Terms and Conditions, dated February 1, 1960, attached hereto and made a part hereof, the UNITED STATES OF AMERICA, acting by and through the Housing and Home Finance Administrator, hereby offers to make you an advance of not to exceed \$ 25,000 to aid you in financing the cost of plan preparation, to consist of preliminary and final planning

for the proposed construction of improvements to creek channels and new relief storm sewers for the City of Nitro in Kanawha and Putnam Counties. Said improvements to the creek channels shall include the deepening and widening of these channels.

By the acceptance of this offer, you agree to submit the above-described plan preparation within 120 days from the date of your acceptance hereof and covenant that you will repay the advance when required to do so under the provisions of said Law and Terms and Conditions.

This offer must be accepted, if at all, within sixty (60) days from the date hereof.

This 8th day of April, 19 60.

UNITED STATES OF AMERICA
Housing and Home Finance Administrator

By Joseph P. Rock
Acting
Title Regional Director of
Community Facilities

- (c) If the applicant shall fail to submit or cause to be submitted to the Government any reports, data, plans, drawings, specifications, contracts, estimates, approvals, or other documents pertaining to the plan preparation contemplated by the Agreement, that may be requested by the Government;
- (d) If any official of the applicant shall become directly or indirectly interested personally in any contract or subcontract in connection with the aforesaid plan preparation.

If the Government terminates its obligations the applicant will be liable for immediate refund of any funds advance by the Government.

10. In the event the applicant has employed or shall employ any person, firm, or corporation, excepting bona fide employees and persons, firms, or corporations employed under a bona fide contract to render professional or technical services only, to solicit or secure the advance covered by the Agreement to which these Terms and Conditions relate, or any other contract right under such Agreement, upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, the Government shall have the right to annul said Agreement without liability or in its discretion to deduct from the advance otherwise payable under the Agreement the full amount of such commission, percentage, brokerage, or contingent fee.

11. The advance shall be repaid promptly upon the start of construction of the public work contemplated in the planning report. Construction shall be considered as undertaken or started when the first construction contract is awarded or the applicant begins construction with its own forces. If construction of only a portion of the planned work is undertaken, repayment is required of such proportionate amount of the advance related to the work as the Administrator determines to be equitable.

12. In the event the applicant should, for any reason, fail to repay promptly the advance in full in accordance with its obligation under this Agreement, whether such obligation shall arise by operation of law or under the said Agreement, such unpaid sum shall bear interest at the rate of four per centum per annum from the date of the Government's demand to the applicant for the repayment to the date of payment thereof by the applicant.

13. The Government shall not be obligated or liable under the Agreement to any party other than the applicant.

14. No member of or delegate to the Congress of the United States of America or resident commissioner shall be admitted to any share or part of the Government's advance or in any benefit arising therefrom.

15. The applicant may terminate the Agreement at any time prior to the Government's payment of any portion of the advance by written notice to the Government of such termination. In such event, the Government will be relieved of all its obligations under the Agreement. If the applicant terminates the Agreement after receiving any portion of the advance, it shall promptly refund to the Government the portion of the advance that has been paid by the Government unless the abandonment is concurred in by the Government.

16. If the estimated cost of the proposed public work is changed by 15 percent or more from that designated in the application, or if the scope of the proposed public work is changed from that described in the application, the applicant, before proceeding with the preparation of the final plans, shall submit to the Government for its review the preliminary plans. Upon receipt of the Government's approval of the said preliminary plans, the applicant may proceed with the final plans. Where neither of the foregoing changes has occurred, the applicant shall submit the preliminary plans together with the final plans for approval by the Government.

ACCEPTANCE

The foregoing offer is hereby accepted this 16th day of April, 1963.

The City of Nitro

(Legal Corporate Name of Applicant)

By W. W. Alexander
W. W. Alexander,
Mayor City of Nitro, West Va.
(Title)

CERTIFICATE

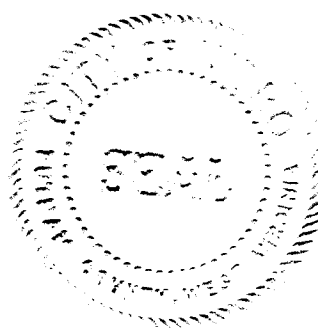
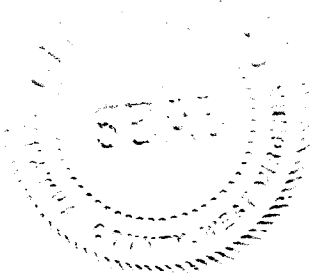
I, the undersigned, HEREBY CERTIFY that I am the official custodian of the records and proceedings of the governing body of the above-identified Applicant; and that such records and proceedings show that, pursuant to proceedings of said governing body had and adopted on the 16th day of April, 1963, the foregoing offer of the United States of America has been unqualifiedly and duly accepted by said Applicant.

This 17th day of April, 1963.

Grace Lewis
Grace Lewis,

Recorder, City of Nitro, West Virginia
(Title)

(SEAL)



PROGRAM OF ADVANCES FOR PUBLIC WORKS PLANNING

TERMS AND CONDITIONS

February 1, 1968

1. The applicant shall not use the advance, or any portion thereof, to defray the cost of any part of the plan preparation which, prior to the date borne by the offer to which these Terms and Conditions related, has been performed or has been included in any contract in which the applicant has agreed to finance such plan preparation with any specific funds other than those to be supplied by the Government.
2. The plan preparation to be paid for with the advance shall be limited to the project for which the advance is made, and the applicant shall cause the plan preparation to be such as will permit of the construction of the work contemplated thereby at a cost which is within its ability to finance and which bears a reasonable relation to the estimate of cost therefor contained in its application for an Advance for Public Works Planning.
3. If data obtained during plan preparation indicate that unforeseen conditions will increase the cost of the public work substantially beyond the original estimate, the applicant shall suspend plan preparation and notify the Government as soon as possible.
4. The applicant shall not perform the plan preparation with its own forces except (A) as shown in its application, or (B) as may be approved by the Government at the applicant's request prior to performance of the work.
5. In the event the Government has approved the use of the applicant's own employees to accomplish the plan preparation, only those costs incurred by the applicant for the plan preparation which would not have been incurred except for the undertaking of the plan preparation shall be paid from the Government's advance.
6. The applicant shall keep accurate accounting records of all costs involved in connection with each advance. The accounts and records of the applicant, together with all supporting documents, must be open at all times to inspection by authorized representatives of the HHFA, and copies furnished when requested. The applicant shall furnish a copy of any contract entered into in connection with plan preparation immediately upon execution thereof.
7. The applicant shall establish a separate planning account into which shall be placed all Federal funds estimated to be required for plan preparation, together with any of the applicant's own funds to cover that portion of the plan preparation cost not covered by the Federal advance.
8. The advance may be requisitioned when plan preparation is completed and presented to the Government, together with evidence of the applicant's approval thereof, including specifically the then estimated cost of constructing the public work contemplated by plan preparation, and any other approvals required by Federal, State or local law. Upon receipt of such data, in satisfactory form, and if the Government is satisfied that the applicant has complied with all its obligations under the said Agreement, the full advance but not exceeding the actual plan preparation cost will be paid.

Interim payments may be made if the Government finds such interim payments are justified to insure prompt completion of plans.

9. The Government may elect to terminate all or any of its obligations under the said Agreement:
 - (a) If any representation of the applicant, in its application or in any supplement thereto or amendment thereof, or in any documents submitted to the Government by the applicant in connection with such application, shall be incorrect or incomplete in any material respect;
 - (b) If the applicant shall fail to commence promptly or complete the plan preparation within the time provided therefor in the Agreement or within the limits of any extension of time as may be approved by the Government, or if the applicant shall fail otherwise in the performance or fulfillment of any of its obligations to be performed or fulfilled under the Agreement;

CLASS	ASSESSED VALUATION	TOTAL RATE OF LEVY	TAXES LEVIED (WHOLE DOLLARS)
Number I			
Personal Property	\$ 1,054,800.00	7 c	\$ 738.00
Public Utility Property	804,300.00	7 c	563.00
Total Class No. I.	<u>1,859,100.00</u>		<u>1,301.00</u>
Number II			
Real Estate.	3,721,560.00	14 c	5,210.00
Number IV			
Real Estate.	1,553,490.00	28c	4,350.00
Personal Property.	1,358,090.00	28 c	3,803.00
Public Utility Property. . . .	1,363,600.00	28 c	3,818.00
Total Class No. IV.	<u>4,275,180.00</u>		<u>11,971.00</u>
TOTAL LEVY.	<u>\$ 9,855,840.00</u>		<u>\$18,482.00</u>

Mayor Alexander presented to the Council a copy of an agreement for public plan preparation in the amount of \$14,850.00 Federal Funds to aid in the cost of plan preparation to consist of pliminary final planning of Sanitary sewers and storm sewers within the City limits. Thereupon, after some discussion, Councilman Woods moved, seconded by Councilman Hamilton, to let the City Of Nitro enter into contract agreement with the Federal Government and that a copy of the contract be attached to the minutes herewith. Upon a vote, motion carried unanimously.

Mayor Alexander informed Council that the C. & P. Telephone Company has given the City of Nitro Civil Defense Department a used truck explaining further that the Civil Defense Department wishes to use said truck on emergency calls such as forrest fires and so forth and further

that the Civil Defense Department hopes to obtain emergency equipment from the Federal Government, said equipment to be installed on this truck. The Mayor and Council discussed this matter to some extent. The Mayor pointing out that since this truck was City property, that the Council should make a restriction providing that only a City employee operate the vehicle. Thereupon, Councilman Woods moved the City accept the used truck from the C. & P. Telephone Company and that the truck was to be operated by a City employee at all times. Motion seconded by Councilman Wears, motion carried.

Mayor Alexander informed members of the Council that on Sunday last, Moody Humphreys was operating the City Payloader at the City Dump and the Payloader caught fire. The damage to the Payloader is extensive in that the wiring is lost and one of the large tires burned up. Stating further that the Payloader has been transported to Risk Equipment Company for estimate of cost for repairing damages.

Councilman Woods moved to establish Special Charter Study Committee of the City Council. Motion seconded by Councilman Hoke. Details of motion set out as follows:

MOTION TO ESTABLISH SPECIAL CHARTER STUDY COMMITTEE

By: R. M. Woods

I move that Mayor Alexander be authorized and instructed to appoint a special council committee designated "Charter Study Committee" and that this committee be instructed to proceed as follows:

1. Study the charter and ordinances of the City of Nitro as granted under Chapter 8A of the Code of West Virginia and amended under Articles 4, 5, and 6 of Chapter 8A providing for Municipal Home Rule and further amended under Section 15A, Article 2, Chapter 8A of the Code of West Virginia dividing the City into wards, and other changes.

2. Develop a functional organization chart of the City government as constituted under said charter and ordinances with sufficient accompanying data enumerating and defining the authorities and responsibilities of the City Council, all elected or appointed City officials, committees, boards of commissioners, and all other permanent boards, committees, and commissions properly established under said charter and ordinances.

3. Compare the charter, ordinances, and functional organization of the City of Nitro with the charters, ordinances, and functional organizations of neighboring cities where such information can be obtained.

4. Contact the City of South Charleston and secure copies, if possible, of the proposed changes in the city government which have been developed by the Charter Board which was created by a mandate of the citizens. Analyze these changes and compare the functional organization of the South Charleston City government as modified by these proposed changes with the functional organization of the City of Nitro.

5. Upon completion of this study, submit a written report for council consideration evaluating the present charter, ordinances and organization structure of the city government, giving proper consideration to current and projected geographical area, population and city needs. Include recommended changes, if any, in charter, ordinances, and organizational structure which the committee believes would better enable the city government to function under the current and projected considerations listed above.

JUSTIFICATION FOR THIS COMMITTEE

I have information that leads me to believe that changes, if any, in city government charters, ordinances, and organizational structure which may be in the best interest of the city are best accomplished through appropriate action by the city council. While it may be that our present city government is satisfactory in all respects and will adequately take care of the needs of the city for many years to come, it would be wise, I believe, for the council to make a thorough study and evaluation.

Prior to the last city election we had a relatively strong organization working towards a city charter election. While this group is inactive at the present time, it could become active again and, if successful, a city charter election could result in a study, evaluation, and proposed changes being developed at considerable expense to the City and with the probability of a considerable amount of confusion, bickering, disunity, and hard feelings among members of the elected charter board, council members, and other interested citizens. I understand that the City of South Charleston is an example of this which can be cited. Your support and vote for this motion will be appreciated.

R. M. Woods

Upon a vote, motion carried.

Thereupon, Mayor Alexander appointed Councilman Gewin, Reeves, Dye, and Woods, Councilman Woods as the Chairman of the Committee. The Mayor as an exofficio member of the Committee and Committee to work with the City Attorney on the study.

Councilman Reeves moved, seconded by Councilman Dye that the Attorney prepare an ordinance prohibiting tractor trailers or tractors parking on residential streets except for loading or unloading. Upon a vote, motion carried.

Councilman Woods suggested the City Attorney draft an ordinance regarding control of Junk Yards within City limits.

In a discussion of New York Central Railroad Crossings at Kapoc Street and Wilson Street not being completed by the Railroad Company, the City Attorney informed Council that condemnation proceedings on such a matter would be costly to the City and that it might be wise to take the case directly to the State Supreme Court, however, the Supreme Court may not hear such a case in that the evidence provided at Supreme Court was mostly factual and even taking this case to the Supreme Court would be costly to the City. They Mayor advised Council that he and the City Attorney would meet with H. C. Robert Kay, Attorney for the New York Central Railroad Company in another effort to have crossings completed by the Railroad Company.


There being no further business to come before the Council at this time, motion by Councilman Hoke to adjourn carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder



May 21, 1963

City Council met in regular session, Tuesday, May 21, 1963.

There were present: W. W. Alexander, Mayor, E. W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods, members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dye, seconded by Councilman Woods, moved to dispense with the reading of the minutes for April 16, 1963. Motion Carried.

After a discussion, Councilman Dye, seconded by Councilman Hoke, moved the Financial Statement for the month of April be accepted, motion carried.

The Mayor and Council entered into a discussion regarding out-of-town fire calls made by the City Fire Department. The ~~itms~~ brought forward were the costs of these calls and if the firemen and fire fighting equipment are covered under insurance when on these calls. Councilman Hoke, seconded by Councilman Hamilton, moved the Fire Committee put a boundary line between Nitro and out of town areas. Motion carried.

Mayor Alexander brought before the Council the estimate for repairs of the Payloader, which caught fire on April 14, 1963, from Rish Equipment Company in the amount of \$1,437.98.

Councilman Reeves moved, seconded by Councilman Woods, that Ordinance presented to Council by Luke Michael, City Attorney, be accepted with a fine not less than \$10 and not more than \$100 to become effective as of April 16, 1963. The following Ordinance was requested at Council meeting on April 16, 1963.

AN ORDINANCE TO PROHIBIT PARKING
OF TRACTORS, TRACTOR TRAILERS AND
TANK TRUCKS ON RESIDENTIAL STREETS
IN THE CITY OF NITRO.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

It shall be unlawful, from and after the date of the passage of this ordinance, for any person, firm, partnership or corporation, either as a driver or owner of such vehicle to cause to be parked or permitted to be parked, any tractor, tractor trailer, or tank truck, on any street in the City of Nitro zoned as a "Residential Area", except for loading and unloading.

Any person, firm, partnership or corporation who shall violate the provisions of this ordinance shall be fined not less than \$10, nor more than \$100.

This ordinance shall be effective as of the 16th day of April, 1963.

Mayor Alexander read his letter written to Mr. G. O. Fortney, Chief Engineer, Department of Sanitary Engineering, State Department of Health, on May 15, 1963. This letter pertained to the Cross Lanes Project treatment plants and he asked what provisions have been made to prevent gross pollution of the stream along East 39th and 40th Streets in the event of a breakdown or inadequate operation. A suggestion made by Mayor Alexander was to run a line from 40th Street Road to our own line. The Council is awaiting a reply from Mr. Fortney on this matter.

Mayor Alexander asked the Council that they consider favorably in purchasing the following fire fighting Equipment:

- 1) 6 tires for the #2 fire truck - estimated cost \$600.00
- 2) 400 feet of 1½ inch fire hose - estimated cost \$600.00
- 3) 12 Complete Bunker Suits - estimated cost \$800.00

And also the need for a Police Cruiser which amounts approximately \$2,000.00. After a discussion, Councilman Dye, seconded by Councilman Wears, moved the purchase of this equipment be accepted. Motion carried.

Mayor Alexander requested the Police Committee to meet April 22, 1963

at 8:30 P.M. to discuss the purchase of the new Cruiser and the sale of the old Cruiser.

The Mayor announced the Ordinance imposing a tax on purchases of intoxicating liquors at retail in the City of Nitro will go into effect July 1st, 1963.

Velmer Knapp, Attorney for the Fire Department, along with Clarence McDaniel and K. K. King, representatives of the Fire Department expressed their views of the pension plan which the Firemen are requesting. Council is awaiting answers to some pertinent legal questions.

Councilman Woods mentioned he noticed ties & gravel at the railroad crossing at Kapoc Street and wanted to know what is being done about it. He also mentioned if there would be an amusement tax on the new Bowling Alley being constructed. These items will be looked in to.

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

June 4, 1963

City Council met in special session, Tuesday, June 4, 1963.

There were present: W. W. Alexander, Mayor, L. I. Hoke, M. D., B. E. Gewin, Mrs. E. Robert Hamilton, Thomas C. Reeves, James R. Wears, and Robert M. Woods, members of the City Council. Absent: Earl W. Dye.

Mayor Alexander called the meeting to order.

Mayor Alexander asked the Council to forego reports from the Committees. Motion made by Councilman Hoke and seconded by Councilman Hamilton. Motion carried.

Under unfinished business, Mayor Alexander presented letter received from Mr. Fortney, Chief Engineer, Department of Sanitary Engineering, State Department of Health, regarding the Cross Lanes Project treatment plants. A copy of the letter was sent to Bob Anderson requesting him to check this situation and give us his suggestions. Council is awaiting recommendations from Mr. Anderson.

Next item was the tires for the Fire Truck. The Mayor told Council that two members of the Volunteer Fire Department gave estimates for six (6) 920 tires with tubes mounted on truck for \$556.00 and \$436.58.

The Police Committee met with Captain Palmer and discussed the purchase of the new Police Cruiser. Forms were sent to various automobile dealers requesting estimates on a 220 horsepower V-8 Ford with police package. Estimates received were from Cargill Motors, Inc. in the amount of \$1,349.00 and Holman's Motor Sales in the amount of \$2,076.65. These prices are after the trade in and tax exemption are deducted.

Councilman Woods suggested that the City write a letter to the State Road Commission regarding a divider on First Avenue in front of the business district. This divider was requested about one-year ago and refused.

Councilman Reeves made a motion to accept the bid from Cargill Motors, Inc. with recommendations to change the tires from 15670 to 15710 and vinelle covered seats. Councilman Woods seconded. Motion carried. So ordered.

Mayor Alexander brought before the Council information he had obtained on the Radio Equipment. Estimates on two Base Stations were \$690 and \$794 from Motorola. Mayor Alexander suggested the City purchase the \$690 model since it is adequate. Councilman Gewin, seconded by Councilman Wears, moved we purchase the \$690 less expensive Base Station. Motion carried. Total cost of Equipment is \$2,261.50. The Fire Truck will be changed over to the wave band instead of installing a new one.

Mayor Alexander told Council that Mr. Martin would like for the City to assume the cost of the street light which is located on his property. Councilman Wears and the Street Light Committee are checking on this matter.

Councilman Woods asked about the fire hose and the bunker suits. Mayor Alexander announced they have the sizes for the regular firemen but needed sizes for the Volunteer firemen and that the suits would be ordered this week.

Councilman Woods asked if Council had heard from the Attorney representing the firemen regarding their pension plan. The Council has not yet heard anything. Luke Michael, City Attorney is still checking on this matter.

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

June 18, 1963

The City Council met in regular session Tuesday, June 18, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves and James R. Wears, members of the Council. Councilman Woods being absent.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Dye, to dispense with reading of minutes held May 21st and June 4th. Motion carried.

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

The Street Lighting Committee reported to the Council on their survey of a light located on property owned by Mr. Martin. The Committee did not recommend that the City assume the cost of said street light, nor did they recommend that the light be relocated on Lee Street. Thereupon, Councilman Dye moved, seconded by Councilman Hamilton, that Mr. Martin's request be denied. Upon a vote, motion carried.

Mayor Alexander presented a survey made by Alfred Paul Company, Inc. on a Blanket Insurance Coverage for City equipment at a saving of \$189.00 as to individual policy for each vehicle. The Mayor and Council entered into a discussion of blanket coverage, Mutual and Stock Insurance Companies. Thereupon, Councilman Dye moved the City accept the Blanket Coverage as quoted by Alfred Paul Company, Inc. for one year and that ninety days prior to expiration of policy, that the City ask for bids from other Insurance Companies. Motion seconded by Councilman Reeves. Upon a vote, Motion carried.

Mayor Alexander presented a letter from Eugene Sadd of the Town and County Recreation Association, Inc., owners of a proposed bowling alley being erected on First Avenue, South. Said letter requesting a fire hydrant within 250 feet of proposed building, stating that West Virginia Rating Bureau had advised same in order that proposed building and property receive the full benefit of the Nitro Town Class Rate. The Mayor and Council entered into a discussion on this matter and it was decided that the City follow the same pattern as in the past, by requesting the West Virginia Rating Bureau to make a survey of said area, then report their findings to the City.

Councilman Gewin moved, seconded by Councilman Dye, the City Hall be closed "West Virginia Day" Thursday, June 20th. Upon a vote, motion carried.

Thereupon, report of Municipal Engineering Corporation, by C. B. Holsclaw, Engineer, was presented to Council, reporting that the improvements authorized by ordinance of Council adopted on the 27th day of November, 1962, and as hereinafter set out in full, had been completed in accordance with the plans, specifications, paving ordinance and contracts with F. L. Bolin, D/B/A H. & B. Inc. Which said report is in form and figures as follows: To-wit:

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF EXTENSION OF PARK AVENUE, BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD: PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST) BROADWAY AVENUE (SIDE-WALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET: WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25).

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

I hereby certify that the cost of permanent improvement of Extension of Park Avenue, beginning with the intersection of Park Avenue and West Fifteenth Street at the end of existing pavement and extending in a northerly direction to its intersection with Park Road; Park Road from its intersection with Park Avenue extended to its intersection with Plant Road (or Nineteenth Street West); Broadway Avenue (side-walk) from its intersection with Boundary Street to its intersection with West Eleventh Street; West Eleventh Street from its intersection with Park Avenue to its intersection with First Avenue (known as West Virginia Route No. 25), all in the City of Nitro, Kanawha County, West Virginia, by grading, paving, re-paving, draining, curbing, sewerage, guttering, constructing sidewalks, and otherwise improving the same, was \$48,166.81, 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 amounts assessed against each of the said owners and the property 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 27th day of November, 1962; and in accordance with the specifications, plans, bids and contract therefor; and that said improvements have 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:

PARK AVENUE - BEGINNING WITH THE INTERSECTION
OF PARK AVENUE AND WEST FIFTEENTH STREET AT
THE END OF EXISTING PAVEMENT AND EXTENDING
IN A NORTHERLY DIRECTION TO ITS INTERSECTION
WITH PARK ROAD.

PARK AVENUE - PAVING STREET WIDTH 30 FEET

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
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EAST SIDE

The Board of Education of the County of Kanawha	Parcel	178.43	\$14.77143	\$2,635.67
Monsanto Chemical Company	Parcel	542.57	14.77143	8,014.53

WEST SIDE

Ernest L. Payne and Lillian P. Payne	1513 W. Lt	118.70	14.77143	1,753.37
The Board of Education of the County of Kanawha	Parcel	407.50	14.77143	6,019.36
City of Nitro	Parcel City Park	194.83	14.77143	2,877.92

Total Property Owner Front Footage	1,442.03
Cost of Property Owner Front Foot	14.77143
Total Cost (Park Avenue 30 Foot Street)	\$21,300.85

PARK AVENUE - BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

PARK AVENUE - SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost per Front Foot	Total Assessment
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EAST SIDE

The Board of Education of the County of Kanawha	Parcel	178.43	\$4.46141	\$796.05
Monsanto Chemical Company	Parcel	542.57	4.46141	2,420.63

TOTAL PROPERTY OWNER FOOTAGE	721.00
Cost of Property Owner Front Footage	4.46141
Total Cost (Park Avenue Sidewalk)	\$3,216.68

PARK ROAD FROM ITS INTERSECTION WITH
PARK AVENUE TO ITS INTERSECTION WITH
PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD - PAVING STREET WIDTH 30 FEET

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
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SOUTH SIDE

Monsanto Chemical Company	Parcel	329.69	\$14.77143	\$4,869.99
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NORTH SIDE

City of Nitro	Parcel City Park	341.00	14.77143	5,037.06
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Total Property Owner Front Footage 670.69
Cost of Property Owner Front Foot 14.77143
Total Cost (Park Road 30 Foot Street \$9,907.05

PARK ROAD FROM ITS INTERSECTION WITH
PARK AVENUE EXTENDED TO ITS INTERSECTION
WITH PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD - SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
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SOUTH SIDE

Monsanto Chemical Company	Parcel	329.69	\$4.46141	\$1,470.88
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Total Property Owner Front Footage 329.69
Cost of Property Owner Front Foot 4.46141
Total Cost (Park Road Sidewalk) \$1,470.88

WEST ELEVENTH STREET FROM ITS INTERSECTION
WITH PARK AVENUE TO ITS INTERSECTION WITH
FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE
NO. 25)

WEST 11th STREET SIDEWALK
NORTH SIDE

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
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The Board of Education of the County of Kanawha	Parcel	293.30	\$4.50036	\$1,319.96
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New York Central Railroad Company	Parcel	105.50	4.50036	474.79
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City of Nitro	Parcel	12.00	4.50036	54.00
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Total Property Owner Front Footage 410.80
 Cost of Property Owner Front Foot 4.50036
 Total Cost (West 11th Street Sidewalk) \$1,848.75

WEST ELEVENTH STREET FROM ITS INTERSECTION
 WITH PARK AVENUE TO ITS INTERSECTION WITH
 FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE
 NO. 25)

WEST ELEVENTH STREET - WIDENING 15 FEET

on NORTH SIDE

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
The Board of Education of the County of Kanawha	Parcel	293.30	\$18.33819	\$5,378.59
New York Central Railroad Company	Parcel	105.50	18.33819	1,934.68
City of Nitro	Parcel	12.00	18.33819	220.06

Total Property Owner Front Footage 410.80
 Cost of Property Owner Front Foot 18.33819
 Total Cost (West 11th Street-Widening) \$7,533.33

BROADWAY AVENUE FROM ITS INTERSECTION
 WITH BOUNDARY STREET TO ITS INTERSECTION
 WITH WEST ELEVENTH STREET

BROADWAY AVENUE - SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
Lemma Realty Co., Inc.	Parcel	125.00	\$5.37468	\$671.84
United Fuel Gas Company	Parcel	412.57	5.37468	2,217.43

Total Property Owner Front Footage 537.57
 Cost of Property Owner Front Foot 5.37468
 Total Cost (Broadway Avenue Sidewalk) \$2,889.27

Grand Total of Assessments
 Nitro Street Project \$48,166.81


Respectfully Submitted

Charles B. Holsclaw, Engineer
Municipal Engineering Corporation

And said Council having inspected said report, upon motion by Councilman Hoke, seconded by Councilman Gewin, and adopted unanimously said report 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 9th Day of July, 1963, 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 report, 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, while said notice is to be filed with the minutes and made a part hereof.

Councilman Reeves asked about the progress being made with the New York Central Railroad Company on getting the corssing completed at Wilson. Mayor Alexander informed that the Engineers had sent all pertinent information regarding said corssing to the New York Central Company, also informing that said Company had completed the crossing on Kapoc Street.

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


W. W. Alexander, Mayor


Grace Lewis, Recorder

AUDIT 6-30-63 JLB

July 9, 1963

At a special session of the Council of the City of Nitro, called on the 9th day of July, 1963, there were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears, and Robert M. Woods, members of the Council.

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 notice to property owners as published in the Kanawha Valley Leader under dates of June 21, 1963 and June 28, 1963. He further announced that meeting was open for any revision or corrections 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 November 27, 1962 by publication 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.

Thereupon, upon motion made by Councilman Reeves, 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 taken of members of Council present and the Mayor and Recorder all voted in the affirmative. The Mayor declared the motion carried.

BK 8, after pg 222

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 two successive weeks, commencing with the issue of the 21st day of June, 19 63 and ending with the issue of the 28th day of June, 19 63 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 28th day of

June, 19 63
E. Garnet Huffman

Notary Public for Kanawha County, West Virginia.

(My commission expires June 11, 1972).

Kanawha Valley Leader, Nitro, W. Va. June 21, 1963 — Page 6

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, CURBING ASSESSMENTS, DRAINAGE ASSESSMENTS, SEWERING ASSESSMENTS, OUTLETING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON EXTENSION OF PARK AVENUE, BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST NINETEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD: PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH BLANT ROAD (OR NINETEENTH STREET WEST) BROADWAY AVENUE (SIDE-WALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET: WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 20).

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 11th day of November, 1962, providing for the permanent improving 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 costs thereof against property abutting thereon, as provided by Chapter 8, Article 8, of the Code of West Virginia, 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 and the total costs as follows:

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

PARK AVENUE — BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTH-ERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

PARK AVENUE — PAVING STREET WIDTH 30 FEET

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
EAST SIDE				
The Board of Education of the County of Kanawha	Parcel	178.43	\$14.77143	\$ 2,635.67
Monsanto Chemical Company	Parcel	542.57	14.77143	8,014.53
WEST SIDE				
Ernest L. Payne and Lillian P. Payne	1513 W.	118.70	14.77143	1,753.37
The Board of Education of the County of Kanawha	Parcel	407.50	14.77143	6,019.36
City of Nitro	Parcel City Park	194.83	14.77143	2,877.92
	Total Property Owner Front Footage			1,442.03
	Cost of Property Owner Front Foot			14.77143
	Total Cost (Park Avenue 30 Foot Street)			\$21,300.85

PARK AVENUE — BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTH-ERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

PARK AVENUE — SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
EAST SIDE				
The Board of Education of the County of Kanawha	Parcel	178.43	\$ 4.46141	\$ 795.05
Monsanto Chemical Company	Parcel	542.57	4.46141	2,420.00
	Total Property Owner Footage			721.00
	Cost of Property Owner Front Footage			4.46141
	Total Cost (Park Avenue Sidewalk)			\$ 3,215.68

PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD — PAVING STREET WIDTH 30 FEET

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
SOUTH SIDE				
Monsanto Chemical Company	Parcel	329.89	\$14.77143	\$ 4,869.99
NORTH SIDE				
City of Nitro	Parcel City Park	341.00	14.77143	5,037.06
	Total Property Owner Front Footage			670.69
	Cost of Property Owner Front Foot			14.77143
	Total Cost (Park Road 30 Foot Street)			\$ 9,997.05

PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD — SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
SOUTH SIDE				
Monsanto Chemical Company	Parcel	329.89	\$ 4.46141	\$ 1,470.88
	Total Property Owner Front Footage			339.00
	Cost of Property Owner Front Foot			4.46141
	Total Cost (Park Road Sidewalk)			\$ 1,470.88

WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25)

WEST ELEVENTH STREET — WIDENING 15 FEET

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
on NORTH SIDE				
The Board of Education of the County of Kanawha	Parcel	293.30	\$18.33819	\$ 5,378.59
New York Central Railroad Company	Parcel	105.50	18.33819	1,934.68
City of Nitro	Parcel	12.00	18.33819	220.06
	Total Property Owner Front Footage			410.80
	Cost of Property Owner Front Foot			18.33819
	Total Cost (West 11th Street-Widening)			\$ 7,533.33

WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25)

WEST 11TH STREET SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
NORTH SIDE				
The Board of Education of the County of Kanawha	Parcel	293.30	\$ 4.50036	\$ 1,319.96
New York Central Railroad Company	Parcel	105.50	4.50036	474.79
City of Nitro	Parcel	12.00	4.50036	54.00
	Total Property Owner Front Footage			410.80
	Cost of Property Owner Front Foot			4.50036
	Total Cost (West 11th Street Sidewalk)			\$ 1,848.75

BROADWAY AVENUE FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET

BROADWAY AVENUE — SIDEWALK

Name of Owner	Lot Number or Description	Footage Assessed	Cost Per Front Foot	Total Assessment
EAST SIDE				
Lemna Realty Co., Inc.	Parcel	135.00	\$ 5.37468	\$ 671.84
United Fuel Gas Company	Parcel	412.57	5.37468	2,217.43
	Total Property Owner Front Footage			537.57
	Cost of Property Owner Front Foot			5.37468
	Total Cost (Broadway Avenue Sidewalk)			\$ 2,889.27
	GRAND TOTAL OF ASSESSMENTS			
	NITRO STREET PROJECT			\$48,166.81

Notice is hereby given to persons owning property abutting on the above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at 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 9th day of July, 1963, 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 9th day of July, 1963, 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 9th day of July, 1963, 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

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, TO-WITH:

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 two successive weeks, commencing with the issue of the 21st day of June, 1963 and ending with the issue of the 28th day of June, 1963.

C. R. WALKER s/s
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 28th day of June, 1963.

E. GARNET HUFFMAN s/s
Notary Public for Kanawha County, West Virginia.

(My commission expires June 11, 1972).

N O T I C E

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, CURBING ASSESSMENTS, DRAINING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON EXTENSION OF PARK AVENUE, BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD: PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST) BROADWAY AVENUE (SIDEWALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET: WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25).

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 27th day of November, 1962, providing for the permanent improving 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 costs thereof against property abutting thereon, as provided by Chapter 8, Article 8, of the Code of West Virginia, 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 street 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 costs as follows:

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

PARK AVENUE - BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

<u>PARK AVENUE - PAVING STREET WIDTH 30 FEET</u>				
<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>EAST SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	178.43	\$14.77143	\$ 2,635.67
Monsanto Chemical Company	Parcel	542.57	14.77143	8,014.53
<u>WEST SIDE</u>				
Ernest L. Payne and Lillian P. Payne	1513 W.	118.70	14.77143	1,753.37
The Board of Education of the County of Kanawha	Parcel	407.50	14.77143	6,019.36
City of Nitro	Parcel-City Park	194.83	14.77143	2,877.92

Total Property Owner Front Footage	\$ 1,442.03
Cost of Property Owner Front Foot	14.77143
Total Cost (Park Avenue 30 Foot Street)	\$21,330.85

PARK AVENUE - BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

PARK AVENUE - SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>EAST SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	178.43	\$4.46141	\$ 796.05
Monsanto Chemical Company	Parcel	542.57	4.46141	2,420.63
Total Property Owner Footage				721.00
Cost of Property Owner Front Footage				4.46141
Total Cost (Park Avenue Sidewalk)				\$ 3,216.68

PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD - PAVING STREET WIDTH 30 FEET

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>SOUTH SIDE</u>				
Monsanto Chemical Company	Parcel	329.69	\$14.77143	\$ 4,869.99
<u>NORTH SIDE</u>				
City of Nitro	Parcel-City Park	341.00	14.77143	5,037.06
Total Property Owner Front Footage				670.69
Cost of Property Owner Front Foot				14.77143
Total Cost (Park Road 30 Foot Street)				\$ 9,907.05

PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD - SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>SOUTH SIDE</u>				
Monsanto Chemical Company	Parcel	329.69	\$4.46141	\$ 1,470.88

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
Total Property Owner Front Footage				329.69
Cost of Property Owner Front Foot				4.46141
Total Cost (Park Road Sidewalk)				\$1,470.88

WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25)

WEST ELEVENTH STREET - WIDENING 15 FEET

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>on NORTH SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	293.30	\$18.33819	\$ 5,378.59
New York Central Railroad Company	Parcel	105.50	18.33819	1,934.68
City of Nitro	Parcel	12.00	18.33819	220.06
Total Property Owner Front Footage				410.80
Cost of Property Owner Front Foot				18.33819
Total Cost (West 11th Street-Widening)				\$ 7,533.33

WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25)

WEST 11th STREET SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>NORTH SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	293.30	\$ 4.50036	\$ 1,319.96
New York Central Railroad Company	Parcel	105.50	4.50036	474.79
City of Nitro	Parcel	12.00	4.50036	54.00
Total Property Owner Front Footage				410.80
Cost of Property Owner Front Foot				4.50036
Total Cost (West 11th Street Sidewalk)				\$ 1,848.75

BROADWAY AVENUE FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET

BROADWAY AVENUE - SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>EAST SIDE</u>				
Lenma Realty Co., Inc.	Parcel	125.00	\$5.37468	\$ 671.84
United Fuel Gas Company	Parcel	412.57	5.37468	2,217.43
Total Property Owner FrontFootage				537.57
Cost of Property Owner Front Foot				5.37468
Total Cost (Broadway Avenue Sidewalk)				\$ 2,889.27
GRAND TOTAL OF ASSESSMENTS NITRO STREET PROJECT				\$48,166.81

Notice is hereby given to persons owning property abutting on the above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at 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 9th day of July, 1963, 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 9th day of July, 1963, 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 9th day of July, 1963, 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

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 Hamilton, 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 EXTENSION OF PARK AVENUE, BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD; PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSECTION WITH PLANT ROAD (OR NINETEENTH STREET WEST) BROADWAY AVENUE (SIDE-WALK) FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET; WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25) ALL IN THE CITY OF NITRO, KANAWHA COUNTY, WEST VIRGINIA.

WHEREAS, the Council of the City of Nitro on the 27th Day of November, 1962, adopted an ordinance for the permanent improvement of Extension of Park Avenue, beginning with the intersection of Park Avenue and West Fifteenth Street at the end of existing pavement and extending in a northerly direction to its intersection with Park Road; Park Road from its intersection with Park Avenue extended to its intersection with Plant Road (or Nineteenth Street West) Broadway Avenue, (side-walk) from its intersection with Boundary Street to its intersection with West Eleventh Street; West Eleventh Street from its intersection with Park Avenue to its intersection with First Avenue (known as West Virginia Route No. 25) all in the City of Nitro, Kanawha County, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing

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 June 18, 1963, 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 July 9, 1963, 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 certificate 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 percent (6%) per annum from the date of the 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, West Virginia, to be recorded in said 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 Clerk of the County Court shall index the same in the names of each lot or land owner mentioned therein.

PARK AVENUE - BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

PARK AVENUE - PAVING STREET WIDTH 30 FEET

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>EAST SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	178.43	\$14.77143	\$ 2,635.67
Monsanto Chemical Company	Parcel	542.57	14.77143	8,014.53
<u>WEST SIDE</u>				
Ernest L. Payne and Lillian P. Payne	1513 W.	118.70	14.77143	1,753.37
The Board of Education of the County of Kanawha	Parcel	407.50	14.77143	6,019.36
City of Nitro	Parcel-City Park	194.83	14.77143	2,877.92
Total Property Owner Front Footage				\$ 1,442.03
Cost of Property Owner Front Foot				14.77143
Total Cost (Park Avenue 30 Foot Street)				\$ 21,330.85

PARK AVENUE - BEGINNING WITH THE INTERSECTION OF PARK AVENUE AND WEST FIFTEENTH STREET AT THE END OF EXISTING PAVEMENT AND EXTENDING IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH PARK ROAD.

PARK AVENUE - SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>EAST SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	178.43	\$4.46141	\$ 796.05
Monsanto Chemical Company	Parcel	542.57	4.46141	2,420.63
Total Property Owner Footage				721.00
Cost of Property Owner Front Footage				4.46141
Total Cost (Park Avenue Sidewalk)				\$3,216.68

PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH
PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD - PAVING STREET WIDTH 30 FEET

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>SOUTH SIDE</u>				
Monsanto Chemical Company	Parcel	329.69	\$14.77143	\$ 4,869.99
<u>NORTH SIDE</u>				
City of Nitro	Parcel-City Park	341.00	14.77143	5,037.06
Total Property Owner Front Footage				670.69
Cost of Property Owner Front Foot				14.77143
Total Cost (Park Road 30 Foot Street)				\$9,907.05

PARK ROAD FROM ITS INTERSECTION WITH PARK AVENUE EXTENDED TO ITS INTERSEC-
TION WITH PLANT ROAD (OR NINETEENTH STREET WEST)

PARK ROAD - SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>SOUTH SIDE</u>				
Monsanto Chemical Company	Parcel	329.69	\$4.46141	\$ 1,470.88
Total Property Owner Front Footage				329.69
Cost of Property Owner Front Foot				4.46141
Total Cost (Park Road Sidewalk)				\$1,470.88

WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTER-
SECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25)

WEST ELEVENTH STREET - SIDENING 15 FEET

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>on NORTH SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	293.30	\$18.33819	\$ 5,378.59
New York Central Railroad Company	Parcel	105.50	18.33819	1,934.68

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
City of Nitro	Parcel	12.00	\$18.33819	\$ 220.06
Total Property Owner Front Footage				410.80
Cost of Property Owner Front Foot				18.33819
Total Cost (West 11th Street-Widening)				\$7,533.33

WEST ELEVENTH STREET FROM ITS INTERSECTION WITH PARK AVENUE TO ITS INTERSECTION WITH FIRST AVENUE (KNOWN AS WEST VIRGINIA ROUTE NO. 25)

WEST 11TH STREET SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>NORTH SIDE</u>				
The Board of Education of the County of Kanawha	Parcel	293.30	\$ 4.50036	\$ 1,319.96
New York Central Railroad Company	Parcel	105.50	4.50036	474.79
City of Nitro	Parcel	12.00	4.50036	54.00
Total Property Owner Front Footage				410.80
Cost of Property Owner Front Foot				4.50036
Total Cost (West 11th Street Sidewalk)				\$1,848.75

BROADWAY AVENUE FROM ITS INTERSECTION WITH BOUNDARY STREET TO ITS INTERSECTION WITH WEST ELEVENTH STREET

BROADWAY AVENUE - SIDEWALK

<u>NAME OF OWNER</u>	<u>LOT NUMBER OR DESCRIPTION</u>	<u>FOOTAGE ASSESSED</u>	<u>COST PER FRONT FOOT</u>	<u>TOTAL ASSESSMENT</u>
<u>EAST SIDE</u>				
Lemma Realty Co., Inc.	Parcel	125.00	\$5.37468	\$ 671.84
United Fuel Gas Company	Parcel	412.57	5.37468	2,217.43
Total Property Owner Front Footage				537.57
Cost of Property Owner Front Foot				5.37468
Total Cost (Broadway Avenue Sidewalk)				\$2,889.27
GRAND TOTAL OF ASSESSMENTS NITRO STREET PROJECT				\$48,166.81

The Mayor presented letter from West Virginia Rating Bureau regarding Council's request for survey of property between Walker and Wilson Streets, location of proposed new bowling alley. Said letter containing a sketch of the Bureau's recommendation for two hydrants in said area allowing seventh class protection providing one hydrant is not over 200 feet to the proposed building and the other hydrant is not over 300 feet to the proposed building.

The Mayor and Council discussed the recommendation and studied the sketch. Councilman Hoke questioned the City spending funds for hydrants for one individual. The Mayor informed that this procedure was customary and that cost of installation of new hydrants was prorated over a period of years.

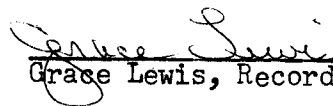
Thereupon, Councilman Reeves moved, seconded by Councilman Dye, the Council accept the West Virginia Rating Bureau's recommendation to install two hydrants between Walker and Wilson Streets. Upon a vote, motion carried and was so ordered.

Mayor Alexander informed Council that an Engineer from the State Road Commission was here last week making a survey relative to Council's request of the Commission to install a divider on First Avenue (West Virginia Route No. 25) from 18th Street to 25th Street. The Engineer had suggested crossbar painting (as is now being used in front of Bank). The Mayor informed Council that he had immediately vetoed this suggestion, and had pointed out to the Engineer that such system is not effective and would not alleviate our problem. The State Road Engineer had told Mayor that he would recommend the divider to the Commission and that it would be thirty to sixty days before any action would be taken.

There being no further business to come before the Council, a motion for adjournment by Councilman Hoke, carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

July 16, 1963

The City Council met in regular session Tuesday,
July 16, 1963.

There were present: W. W. Alexander, Mayor,
Grace Lewis, Recorder, B. E. Gewin, L. I. Hoke, M. D.,
Thomas C. Reeves, James R. Wears and Robert M. Woods members
of the Council. Councilmen Dye and Hamilton being absent.

The meeting was called to order by Mayor Alexander.

Councilman Hoke, seconded by Councilman Wears, moved
to dispense with reading of minutes of meetings held June 18th
and July 9th. Motion carried.

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

Mayor Alexander explained that our Engineer, Robert
Anderson, was meeting with a member of the State Health Department
making a survey of the plans of the new sewage disposal unit for
Cross Lanes Area being constructed near the city limits of Nitro,
relative to question of the possible pollution of Armours Creek.

Mayor Alexander explained to the Council that in
regard to injunction proceeding against Roy Smith, owner of present
dump site, in the Circuit Court of Putnam County, that Judge
Thompson had issued an injunction on the 26th day of June to take
effect thirty (30) days hence, prohibiting open dumping of

garbage in Putnam County. The Mayor explained further that Mr. Smith owned large acreage of level farm land that could be used for a land fill. He, Mr. Smith, had proposed to the Mayor working agreement -certain cost per hour for equipment plus rental of land, this proposal was turned down by Mayor. The Mayor informed further that he was working on a proposal for owner (Mr. Smith) to do the land fill on a monthly cost basis.

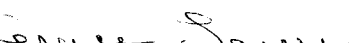
Councilman Woods informed that there were several spots on Nitro Heights Road that needed patching. The Mayor explained that today the street crew had been cutting out spots in streets and that they would start patching streets tomorrow.

Councilman Woods asked if there would be a paving program this year. Mayor informed that it was to late in season to work up a resurfacing project.

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

August 20, 1963

The City Council met in regular session Tuesday, August 20, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the Council. B. E. Gewin, Councilman being absent.

Mayor Alexander called the meeting to order.

Councilman Hamilton moved the minutes for meeting held July 16th be approved. Motion seconded by Councilman Dye. Motion carried.

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

The Mayor and Council entered into a discussion of the street lights being out in various locations a long period of time before replacement by the Appalachian Power Company. It was suggested that a certain time be set for the police to check all lights in town and make a report of same to the Power Company.

Councilman Woods asked Attorney Michael if he had completed checking the State law regarding the pension plan for the firemen. Mr. Michael reported that his study would be completed within the next few weeks.

Copy of letter, under date of August 8, 1963, from the Workmen's Compensation Commissioner to William M. Kelley was presented to Council, letter stating that Mr. Kelley's case would be considered upon its merits. Also a copy of letter under date of August 8, 1963, from Workmens Compensation Commissioner to Dr. R. L. Anderson, said letter advising Dr. Anderson that William M. Kelley was to report to him for additional examination.

The Mayor and Council discussed this information and the report of Dr. Harold H. Kuhn recommending an increase in award of 10% for Mr. Kelley and it was decided to await the examination of Dr. Anderson and the ruling of the Commission on said case.

Councilman Wears brought up the question of painting of cross walks and curbs on Streets adjacent to new schools and football field on the west side. It was pointed out that the curb at intersection of Plant Road and Park Avenue be painted, also angle parking on Park Avenue adjacent to football field be considered. The members of the Traffic committee and Chief Palmer were requested to make a survey of said area and recommed the best method to marking said streets for parking.

The Mayor reported to the Council that 60% of property owners, owning footage abutting 19th Street, West (Plant Road) had signed for the paving of said street, however, since the said street lies in both Kanawha and Putnam Counties, the attorneys felt that 60% of property owners in Kanawha County should sign for the paving as well as 60% of property owners in Putnam County.

The 60% of property owners for Putnam County has been secured.

The Mayor informed further that he thought an additional property owner in Kanawha County would sign, making the required 60%.

The Mayor requested that Council authorize he and Councilman Woods to do whatever is necessary to complete this project. The Council agreed upon the authorization.

Councilman Dye reported that he was receiving numerous complaints from residents along Main Avenue regarding the speeding on said Main Avenue. Councilman Dye suggested that the City investigate the possibility of purchasing an electric timer for the use of the police department in an effort to control the speeding in town. Councilman Reeves is to check into the cost of an electric timer or a radar system.

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

September 3, 1963

The City Council met in a Special session Tuesday, September 3, 1963.

There present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, 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.

Mayor then presneted a letter from G. S. Bradley, District Superintendent of the West Virginia Water Company setting out two estimates of cost of installing mains and hydrants suffieient to meet the demands of the new bowling alley on First Avenue, above Walker Street.

Estimate # 1 covers the installation of a main in Walker Street from our existing 16" main, along the railroad, to and across Rt. 35, connecting at this point to out existing 6" main in Walker Street at our existing hydrant. Then the installation of a main in First Avenue to the proposed hydrant locations. We estimate this cost, including the installation of two hydrants, to be \$11,078.24.

Estimate #2 covers the installation of a main from our 16" main, along the Railroad, directly across private property and then across First Avenue to any point between the two proposed hydrants. Then the installation of a main in First Avenue to reach each of the proposed hydrants. We estimate this cost, including the installation of two hydrants, to be \$6,245.14. This estimate does not include the engineering cost, the legal costs or the purchase cost of needed right of way.

The Mayor informed Council that he contacted the Water Company and worked out an alternate plan of extending 8" main from Walker Street, South 540 feet, a fire hydrant at this point, from this point a 6" main installed running 340 feet along First Avenue, at this point a second fire hydrant would be installed. The alternating plan to be installed at a cost of ~~\$~~6,580.00. The Mayor recommended the alternate plan at a cost of \$6,580.00 and that Mr. Sam Ruben, owner of the new bowling alley building pay \$1,500.00 on said cost.

Thereupon Councilman Gewin moved, seconded by Councilman Reeves, that the Mayor be authorized to accept the alternate plan of hydrant installation, providing Mr. Sam Ruben paid \$1,500.00 on the total \$6,580.00 cost, also providing this plan of installation met the approval of the West Virginia Rating Bureau. Upon a vote motion carried.

The Mayor presented a diagram of angle parking on the school side of Park Avenue, eliminating parking on the resident side of the street. The Mayor explained to Council that he and the Traffic Committee had spent a lot of time on the parking problem in this area and that he had been informed by the Kanawha County School Board that they would provide an off street parking lot for members of the faculty of the new Junior High School and that the parking lot would alleviate a major part of the problem.

A letter was presented from W. V. Lester offering his resignation as Civil Defense Director for the City.

Thereupon, Councilman Dye moved, seconded by Councilman Woods, Mr Lester's resignation be accepted reluctantly and that a letter of commendation for a job well done be sent to Mr. Lester. Upon a vote motion carried.

The Mayor explained to Council that Joe Holestein and Kenneth Sales had been approached regarding serving as Director of the Civil Defense Commission and that he expected an answer from them whereby one would serve as Director and the other as Assistant Director.

The Mayor presented letter for Kanawha County Clean Up Program Committee regarding Shack Demolition, also coupon report on shacks in Nitro - 110 Okey Avenue, 31st and 3rd Avenue, (3 barns) and 3724 37th St. The owners of said buildings are to be contacted regarding demolishing same.

Councilman Reeves presented pamphlets to the Council on the Stephenson Radar Speedalyzer, explaining to council the cost of said equipment was approximately \$1,200.00. The Mayor and members of the council discussed the Radar equipment and it was decided that Councilman Reeves check with other towns having this equipment.

Councilman moved that a 2500 lumen street light be installed on pole number 175/2 located on Hillside Drive. Motion seconded by Councilman Wears. Motion carried.

The lighting committee are to make a survey of street lights on Second Avenue.

The Mayor and Council discussed contacting the Appalachian Power Company regarding the street lights being burned out for long periods of time.

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

September 17, 1963

The City Council met in a regular session Tuesday, September 17, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears, and Robert M. Woods members of the Council. Councilmen Dye and Gewin being absent.

Mayor Alexander called the meeting to order.

Councilman Hoke moved, seconded by Councilman Hamilton, the minutes for meetings held August 20th and September 3rd be approved. Motion carried.

Councilman Hoke, seconded by Councilman Reeves, moved the financial statement for the month of August be accepted. Motion carried.

Mayor Alexander read a letter from the West Virginia Rating Bureau approving the installation of two standard hydrants have two 2½" house outlets and a pumper connection. One hydrant should be located near the west corner of the property line and First Avenue so that the distance from the hydrant to the nearest part of the structure is not over 200 feet. One hydrant should be located near the south corner of the property line and First Avenue so that the distance from the hydrant to the nearest part of the building is not over 300 feet. This type of installation would make property eligible for eighth class public protection. The Mayor informed Council that said hydrants would not be ordered installed until Mr. Rubin

presented a check in the amount of \$1,500.00, said amount to be transferred to the West Virginia Water Company toward the cost of installation which is \$6,850.00.

The Mayor presented a letter from E. L. Mynday, Jr. Manager Charleston District of the Appalachian Power Company, promising that the City street lights would be replaced more promptly in the future.

Mayor Alexander informed the Council that the Auxiliary Police of the Civil Defense had met with him and requested that the members of the Auxiliary Police be placed under bond. The Mayor further informed that he had told the group that this would be an impossibility. The group had then requested that the City carry an insurance policy on them. The Mayor and council discussed this matter and it was decided that an estimate be secured on insuring, while on duty for the City, the member of the Auxiliary Police.

Councilman Hoke informed council that he had had complaints of trucks and cars being parked on Second Avenue between 23rd and 24th Streets- thereby blocking view of mortorist coming out of 23rd Street. After some discussion it was decided to restrict parking in this area from a 20 foot radius to as far as possible without blocking garage entrance.

Councilman Woods informed council that he had had complaints from residents of 14th Street that a foul smelling fluid had leaked from the garbage truck while truck was picking up garbage on their street. The Mayor said he would have this matter checked.

The Mayor and council entered into a discussion of the parking situation on Park Avenue near the new schools. The Kanawha County Board of Education has started putting rock on parking lot at the new

2NHEB

Junior High School and that upon completion this may alleviate some of the problem.

Councilman Hoke reported that the Kroger employees were parking their vehicles on 21st Street and that they should park on the Kroger parking lot. The Mayor said he would speak to the Manager regarding this matter.

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

October 15, 1963

The City Council met in regular session Tuesday,
October, 15, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., James R. Wears and Robert M. Woods members of the City Council. Earl W. Dye and Thomas C. Reeves members of the council being absent.

Mayor Alexander called the meeting to order.

Councilman Hoke moved, seconded by Councilman Wears, to dispense with reading of minutes of meeting held September 17th. Motion carried.

Councilman Hoke moved the financial statement for the month of September be accepted. Motion seconded by Councilman Hamilton. Motion carried.

Mayor Alexander reported to council that Ray Ellis was checking further on a insurance policy to cover the regular members of the police department and the auxiliary police.

Councilman Hoke reported that a large coal truck was being parked on Second Avenue at 31st Street. The police are to check into this matter.

Mayor Alexander reported that the new two-way radio equipment had been delivered and was ready to be installed.

A letter was presented to council from the Kanawha County Heart Association requesting permission to conduct

their annual Heart Fund Drive during the month of February, 1964. After considerable discussion by members of the council it was decided to check with the Association regarding the type of drive they desire to conduct, points brought out were that most of the citizens objected to house to house drives and that the Heart Association did not participate with the United Fund.

Mayor Alexander appointed Kenneth D. Sales as Civil Defense Director, Joe F. Holstein, Assistant Civil Defense Director, and V. E. Townsend, W. V. Lester and Benjamin Hughes as Advisory Council of the Civil Defense.

Thereupon Councilman Woods moved the Mayor's appointments be confirmed. Motion seconded by Councilman Gewin. Upon a vote motion carried.

Mayor Alexander informed Council that we now have the required footage signatures on petition for paving 19th Street West (plant road). The Attorney explained to council that since a part of 19th Street West (plant road) lies outside the city limits and a part of said street is contained in Kanawha County and a part in Putnam County, it was necessary that the paving program of said street to be conducted by both county courts as well as the City of Nitro. Therefore, the attorney suggested that a meeting be called by the Mayor asking members and attorneys of both county courts. The Mayor said he would call the meeting to be held as soon as possible.

The Attorney informed the Council that he had checked the Firemen and Policemens Pension Plan and that his findings had been that it was required of the city to install the said pension plan, however, the attorney informed further that he had not completed his study of the Social Security Law. That in checking with the State Auditor's office he had been told that the city could not carry pension plan and social security on the firemen and policemen. The attorney said he wished to check the agreement that the State of West Virginia had with the Federal Government.

In discussion of traffic, it was suggested that cross-walk should be installed across First Avenue (Route No. 25) at 19th Street. It was also suggested that a caution light would be beneficial, however, it was doubtful that the State Road Commission would permit the installation of light.

Mayor Alexander informed council that he had called a meeting of a number of residents from the West side, to be held Wednesday, October 16th, relative to the parking situation along Park Avenue. That residents would be heard and suggestions made and that the City would abide by the ruling of the majority of the group.

Councilman Wears moved, seconded by Councilman Gewin, that an additional street light be installed on a pole located at the turn around on North 21st Street. Motion carried.

Councilman Gewin moved, seconded by Councilman Hamilton, that the Mayor check with the neighboring towns regarding

celebration of Halloween and that the Mayor be authorized to set "Trick or Treat" night the same as the neighboring towns. Motion carried.

The Mayor and Council entered into a discussion regarding bicycles traveling the city streets at night without lights or reflectors. It was decided that owners of bykes should be notified through the press that reflectors or lights should be installed on all bicycles.

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

November 19, 1963

The City Council met in a regular session Tuesday, November 19, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, 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 Dye moved, seconded by Councilman Woods, to dispense with the reading of minutes of meeting held October 15, 1963. Motion carried.

Councilman Woods moved, seconded by Councilman Dye, the financial statement for the month of October, 1963 be accepted. Motion carried.

Mr. Jess Gandee, Engineer of Municipal Engineering Corporation was present at meeting and proceeded to explain to the Council the plans and specifications of the proposed change over of sanitary and storm sewers with the City as follows:

CONSTRUCTION ESTIMATE

Project P-WVA-3066

CITY OF NITRO	UNIT I	SANITARY SEWER
SEWER LINES		
"D"	\$	45,070.00
"E"		34,569.00
"F"		12,968.00
"G"		4,920.00
"H"		23,965.00
"H-I"		6,222.00
"I"		33,575.00
"J"		22,510.00

"P"

9,320.00

\$193,919.00

ESTIMATE OF QUANTITIES

LINE "D" Area Sewage Treatment Plant

Item No.	Item	Unit	Quantity	Unit Cost	Total
	12" V. C. Pipe 0-5'	L. F. 600		6.00	360.00
	12" V. C. Pipe 5-7'	L. F. 3000		7.50	2,250.00
	12" V. C. Pipe 7-9'	L. F. 2900		9.50	2,755.00
	10" C. I. Pipe Mech. Joints	L. F. 260		10.00	2,600.00
	10" CIP with 20" steel Casing - Bore & Jack	L. F. 180		60.00	10,080.00
	12" C. I. P. Mech. Joints	L. F. 40		12.00	400.00
	18" C. M. Pipe, fully coated	L. F. 800		8.00	6,400.00
	Manholes - Brick	VF	20	50.00	1,000.00
	Manhole Frames & Covers	Ea.	3	75.00	225.00
	Lift Station	EA.	1	L. S.	<u>18,750.00</u>
	TOTAL -LINE "D"				\$ 45,870.00

ESTIMATE OF QUANTITIES

LINE "E" Area 11the Street West

Item No.	Item	Unit	Quantity	Unit Cost	Total
	10" R. C. Pipe 0-5'	L. F.	25	5.00	125.00
	24" R. C. Pipe 0-5'	L. F.	150	9.50	1,425.00
	24" R. C. Pipe 5-7'	L. F.	390	11.00	4,290.00
	24" W/Steel Encasement	L. F.	110	90.00	9,900.00
	Drop Inlet Casting	Ea.	2	40.00	80.00
	Drop Inlets 0-8'	Ea.	2	250.00	500.00
	Manhole	V. F.	12	50.00	600.00
	Manhole Frames & Covers	EA.	1	75.00	75.00

Adjust Drop Inlet	Es.	1	60.00	60.00
Remove & Replace Pavement, 6" Concrete Base	S. Y.	10	9.00	90.00
Hot Laid Asphaltic Concrete	Tons	1	16.00	16.00
36" R C Pipe 0-5'	L. F.	12	18.00	216.00
36" R C. Pipe 5-7'	L. F.	5	20.00	100.00
36" R. C. Pipe 7-9'	L. F.	5	22.00	110.00
36" R. C. Pipe 9-11'	L. F.	5	24.00	120.00
36" R. C. Pipe 11-13'	L. F.	130	26.00	3,380.00
36" R. C. Pipe 13-15'	L. F.	75	30.00	2,250.00
36" R. C. Pipe 15-17'	L. F.	85	34.00	3,890.00
36" R. C. Pipe 17-19'	L. F.	160	38.00	6,080.00
Drop Inlet Casting	Ea.	1	40.00	40.00
Drop Inlets 0-12'	Ea.	1	500.00	500.00
Manhole	V. F.	20	50.00	1,000.00
Manhole & Frame & Cover	Ea.	1	75.00	75.00
Class "A" Cone, W/steel	C. Y.	3	125.00	375.00
Class "B" Concrete	C. Y.	4	50.00	200.00
TOTAL - LINE "E"				34,397.00
Reinforcing steel	LBS	180	.40	72.00
TOTAL - LINE "E"				34,569.00

ESTIMATED QUANTITIES

Item No. Item		Unit	Quantity	Unit Cost	Total
LINE "F" Area West 15th Street and 11th W					
10" R. C. Pipe	0-5'	L. F.	285	5.00	1,425.00
12" R. C. Pipe	0-5'	L. F.	160	5.50	880.00
12" R. C. Pipe	5-7'	L. F.	185	7.50	1,387.50
15" R. C. Pipe	5-7'	L. F.	375	8.50	3,187.50
15" R. C. Pipe	7-9'	L. F.	300	10.50	3,150.00
15" R. C. Pipe	9-11'	L. F.	55	15.00	825.00
Drop Inlets		EA.	3	250.00	750.00
Drop Inlet Castings		Ea.	3	40.00	120.00

Adjust Drop Inlets	Ea	6	60.00	360.00
Remove & Replace Pavement 6" Concrete Base	S.Y.	75	9.00	675.00
Asphaltic Concrete	Ton	8	16.00	128.00
Total - Line "F"				12,968.00

ESTIMATED QUANTITIES

LINE "G" Area 13th Street

Item No.	Item	Unit	Quantity	Unit Cost	Total
10" R. C. Pipe	0-5'	L. F.	225	5.00	1,125.00
12" R. C. Pipe	0-5'	L. F.	375	6.00	2,250.00
Drop Inlets Complete		each	3	160.00	480.00
Drop Inlet Castings		each	3	40.00	120.00
Manhole		V. F.	3	50.00	150.00
Manhole Frame & Cover		each	1	75.00	75.00
Remove & replace pavement		s. y.	80	9.00	720.00
TOTAL - LINE "G"					4,920.00

ESTIMATED QUANTITIES

LINE "H" Area West side

Item No.	Item	Unit	Quantity	Unit Cost	Total
10" R. C. Pipe	0-5'	L. F.	25	5.00	125.00
10" R. C. Pipe	5-7'	L. F.	85	6.50	552.00
10" R. C. Pipe	7-9'	L. F.	120	8.00	960.00
10" R. C. Pipe	9-11'	L. F.	50	10.00	500.00
12" R. C. Pipe	0-5'	L. F.	0		
12" R. C. pipe	5-7'	L. F.	10.0	7.50	75.00
12" R. C. Pipe	7-9'	L. F.	75	9.50	712.50
12" R. C. Pipe	9-11'	L. F.	250	12.50	3,125.00
15" R. C. Pipe	9-11'	L. F.	365	15.00	5,475.00
18" R. C. Pipe	5-7'	L. F.	230	9.50	2,185.00

18" R. C. Pipe	7-0'	L. F.	170	11.00	1,870.00
18" R. C. Pipe	9-11'	L. F.	130	13.50	1,755.00
Drop Inlet Castings		Ea.	5	40.00	200.00
Junction Box	0-8'	Ea.	2	250.00	500.00
Junction Box	8-12'	Ea.	3	500.00	1,500.00
Manhole		V. F.	60	50.00	3,000.00
Manhole Frames & Covers		Ea.	6	75.00	450.00
Remove & Replace Pavement 6" Concrete Base		S. Y.	100	9.00	900.00
Hot Laid Asphaltic Concrete		Tons	5	16.00	80.00
TOTAL - LINE "H"					23,965.00

ESTIMATED QUANTITIES

		LINE "H-I"		11th Street River Line	
Item No.	Item	Unit	Quantity	Unit Cost	Total
10" RC Pipe	0-5'	L. F.	180	5.00	900.00
10" RC Pipe	5-7'	L. F.	85	6.50	552.00
12" RC Pipe	0-5'	L. F.	30	6.00	180.00
12" RC Pipe	5-7'	L. F.	335	7.50	2,512.50
Drop Inlet Castings		ea.	4	40.00	160.00
Junction Box	0-8	ea.	4	250.00	1,000.00
Manhole		V. F.	12	50.00	600.00
Manhole Frames & Covers		ea.	2	75.00	150.00
Remove & Replace Pavement 6" Concrete Base		S. Y.	15	9.00	135.00
Hot Laid Asphaltic Concrete		Tons	2	16.00	32.00
TOTAL - LINE "H-I"					6,222.00

ESTIMATED QUANTITIES

LINE "I" Area Bank Street - 22nd Street to
Third Ave.

Item No.	Item	Unit	Quantity	Unit Cost	Total
	8" C. I. Pipe Class 150	L. F.	980	8.00	7,840.00
	8" C. I. Pipe with 16" Carrier	L. F.	70	50.00	3,500.00
	Remove & Replace Pavement 6" Concrete Base	S. Y.	85	9.00	765.00
	Hot Laid Asphaltic Concrete	Tons	5	16.00	80.00
	Pumping Station			L. S.	17,500.00
	10" V. C. Pipe 7-9'	L. F.	210	8.00	1,680.00
	Reconstruct Manhole as Regulator			L. S.	500.00
	Replace Paving	S. Y.	190	9.00	1,710.00
TOTAL LINE "I"					33,575.00

ESTIMATED QUANTITIES

LINE "J" North 21st Street to 3rd Avenue

Item No.	Item	Unit	Quantity	Unit Cost	Total
	10" VC Pipe 0-5'	L. F.	765	5.00	3,825.00
	10" VC Pipe 5-7'	L. F.	1,110	6.50	7,215.00
	10" VC pipe 7-9'	L. F.	515	8.00	4,120.00
	Manhole	V. F.	70	50.00	3,500.00
	C.I. Manhole Frame and Cover	Ea.	10	75.00	750.00
	10" x 6" VC Wyes	Ea.	20	15.00	300.00
	Rock Excavation	C. Y.	70	15.00	1,050.00
	Concrete Excavement - CL "B"	C. Y.	35	50.00	1,750.00
TOTAL - LINE "J"					22,510.00

ESTIMATED QUANTITIES

		LINE "P" Lock and Smith Street Area			
Item No.	Item	Unit	Quantity	Unit Cost	Total
Sanitary Renewal - 12" VC Pipe					
	0-5' depth - Uncover & replace	L. F.	500	6.50	3,250.00
	12" VC Pipe 5-7'	L. F.	250.	7.50	1,875.00
	12" VC Pipe 7-9'	L. F.	250	9.50	2,375.00
	Reconstruct Manholes	V. F.	25	50.00	1,250.00
	12" x 6" VC Wyes		20	15.00	300.00
	6" Concrete Base with asphalt concrete surfacing - remove & replace	S. Y.	30	9.00	270.00
TOTAL - LINE "P"					9,320.00

CONSTRUCTION ESTIMATE

PROJECT P-WVA-3066

CITY OF NITRO

UNIT II

STORM SEWER RELIEF

SEWER LINES

"A"	\$ 4,050.00
"B"	15,301.50
"C"	7,817.00
"K"	29,705.00
"L"	25,115.00
"M"	21,827.50
"N"	22,055.00
"O"	760.00
"Q"	17,270.00
"H-2"	4,922.00
	<u>148,023.50</u>

ESTIMATE OF QUANTITIES

LINE "A" 39th Street East and 40th Street Area

Item No.	Item	Unit	Quantity	Unit Cost	Total
18"	R. C. Pipe 0-5' Depth	L. F.	145	7.00	1,015.50
24"	R. C. Pipe 0-5' Depth	L. F.	225	9.50	2,137.50
	Drop Inlets	Ea.	3	160.00	480.00
	Drop Inlet Castings	Ea.	3	40.00	120.00
	Class "A" Concrete	C. Y.	2	125.00	250.00
	Reinforcing Steel	Lbs.	120	0.40	48.00
TOTAL - LINE "A"					4,050.00

ESTIMATE OF QUANTITIES

LINE - "B" Rt. 25 33rd St. to 39th St.

Item No.	Item	Unit	Quantity	Unit Cost	Total
10"	R. C. Pipe 0-5'	L. F.	415	5.00	2,075.00
10"	R. C. Pipe 5-7'	L. F.	120	6.50	780.00
12"	R. C. Pipe 5-7'	L. F.	60	7.50	450.00
12"	R. C. Pipe 7-9'	L. F.	200.	9.50	1,900.00
12"	R. C. Pipe 9-11'	L. F.	295	12.50	3,687.50
	Drop Inlet Castings	Ea	12	40.00	480.00
	Drop Inlets 0-8	Ea.	7	250.00	1,750.00
	Drop Inlets 0-12	Ea.	5	500.00	2,500.00
	6" Concrete Base - remove & replace pavement	S. Y.	135	9.00	1,215.00
	Hot Laid Asphaltic Concrete Wearing and Bottom Courses	Tons	14	16.00	224.00
	Remove & Replace 4" Sidewalk	S. F.	240	1.00	240.00
TOTAL - LINE "B"					15,301.50

ESTIMATE OF QUANTITIES

		LINE "C"	Rt. 25	30th St. to 39th St.	
Item No.	Item	Unit	Quantity	Unit Cost	Total
24" R. C. Pipe	0-5'	L. F.	120	9.50	1,140.00
24" R. C. Pipe	5-7'	L. F.	65	11.00	715.00
24" R. C. Pipe	7-9'	L. F.	25	13.50	337.50
24" R. C. Pipe	9-11'	L. F.	20	15.00	300.00
24" R. C. Pipe	11-13'	L. F.	20	17.00	340.00
24" R. C. Pipe	13-15'	L. F.	15	19.00	285.00
24" R. C. Pipe	15-17'	L. F.	20	21.00	420.00
24" R. C. Pipe	17-19'	L. F.	20	23.00	460.00
24" R. C. Pipe	19-21'	L. F.	50	25.00	1,250.00
Drop Inlet Castings		Ea.	3	40.00	120.00
Drop Inlets	0-8	Ea.	2	160.00	320.00
Drop Inlets	8-20	Ea.	1	250.00	250.00
Manhole Brick		VF	19	50.00	950.00
Manhole Cover & Frame		Ea.	1	75.00	75.00
Remove & Replace Pavement with 6" Concrete Base		S. Y.	20	9.00	180.00
Hot Laid Asphaltic Concrete Bottom & Wearing Courses		Ton	2	16.00	32.00
TOTAL - LINE "C"					7,817.00

ESTIMATED QUANTITIES

		LINE "K"	18th Street to 19th Street Areas		
Item No.	Item	Unit	Quantity	Unit Cost	Total
12" RC Pipe	0-5'	L. F.	180	6.00	1,080.00
15" RC Pipe	0-5'	L. F.	150	6.50	975.00
15" RC Pipe	5-7'	L. F.	60	8.50	510.00

15" RC Pipe	7-9'	L. F.	70	10.50	735.00
15" RC Pipe	9-11'	L. F.	100	15.00	1,500.00
15" RC Pipe	11-13'	L. F.	110	17.00	1,870.00
15" RC Pipe	13-15'	L. F.	120	20.00	2,400.00
Brick Manhole		F. F.	30	50.00	1,500.00
Manhole Frame & Cover		Ea.	5	75.00	375.00
Bore & Jack 15" CIP with 30" Steel Casing		L. F.	240	75.00	18,000.00
Drop Inlet Castings		Ea.	2	40.00	80.00
Junction Boxes		Ea.	2	160.00	320.00
6" Concrete Base - Remove & Replace		S. Y.	40	9.00	360.00
TOTAL - LINE "K"					29,705.00

ESTIMATED QUANTITIES

LINE "L" Plant Road & Park Road Area

Item No.	Item	Unit	Quantity	Unit Cost	Total
18" RC Pipe	0-5'	L. F.	240	7.00	1,680.00
18" RC Pipe	5-7'	L. F.	300	9.50	2,850.00
18" RC Pipe	7-9'	L. F.	295	11.00	3,245.00
24" R. C. Pipe	5-7'	L. F.	35	11.00	385.00
24" RC Pipe	7-9'	L. F.	425	12.00	5,100.00
24" RC Pipe	9-11'	L. F.	100	15.00	1,500.00
30" RC Pipe	7-9'	L. F.	150	16.00	2,400.00
30" RC pipe	9-11'	L. F.	95	19.00	1,805.00
30" RC Pipe	11-13'	L. F.	80	21.00	1,680.00
30" RC Pipe	13-15'	L. F.	85	25.00	2,125.00
Drop Inlet Castings		ea.	6	40.00	240.00
Drop Inlet, Std.		ea.	3	160.00	480.00
Drop Inlet	5-8'	ea.	3	250.00	750.00

Manhole Frame & Cover	ea.	1	75.00	75.00
Manhole - Brick	V. F.	6	50.00	300.00
Class "A" Concrete	G. Y.	4	125.00	<u>500.00</u>
TOTAL LINE "L"				25,145.00

ESTIMATED QUANTITIES

		LINE "M" 23rd Street to 31st Street Area		Unit	
Item No.	Item	UNIT	Quantity	Cost	Total
12" VC Pipe	0-5'	L. F.	365	6.00	2,190.00
15" VC Pipe	0-5'	L. F.	340	6.50	2,210.00
18" VC Pipe	0-5'	L. F.	520	7.00	3,640.00
18" VC Pipe	5-7'	L. F.	1,115	9.50	10,592.50
Manhole Brick		V. C.	35	50.00	1,750.00
C. I. Manhole Frame & Cover		Ea.	6	75.00	450.00
Class "A" Concrete		C. Y.	1	125.00	<u>125.00</u>
Drop Inlets	0-8'	Ea.	3	250.00	750.00
Drop Inlet Castings		Ea.	3	40.00	<u>120.00</u>
TOTAL - LINE "M"					21,827.50

ESTIMATED QUANTITIES

		LINE "N" Fredrick Street & Kapoc Street Area		Unit	
Item No.	Item	Unit	Quantity	Cost	Total
24" Cst Iron Pipe With 36" Steel Casing		L. F.	100	90.00	9,000.00
24" RC Pipe	5-7'	L. G.	310	11.00	3,410.00
30" RC Pipe	5-7'	L. F.	560	14.00	7,840.00
Drop Inlets	0-8'	ea.	2	250.00	500.00
Drop Inlet Castings		ea.	2	40.00	80.00
Manhole - Brick		V. F.	20	50.00	1,000.00
Manhole C. I. Frame & Cover		ea.	3	75.00	225.00

TOTAL LINE "N"

22,055.00

ESTIMATED QUANTITIES

LINE "O" Kanawha Avenue - 900 Block					
Item No.	Item	Unit	Quantity	Unit Cost	Total
12" R. C. Pipe	0-5'	L. F.	60	6.00	360.00
Drop Inlets, except Castings		ea.	2	160.00	320.00
Drop Inlet Castings		ea.	2	40.00	80.00
TOTAL - LINE "O"					760.00

ESTIMATED QUANTITIES

LINE "Q" Main & Boundary Area					
Item No.	Item	Unit	Quantity	Unit Cost	Total
15" R. C. Pipe	0-5'	L. F.	535	6.50	3,477.50
15" RC Pipe	5-7'	L. F.	460	8.50	3,910.00
15" R. C. Pipe	7-9'	L. F.	325	10.50	3,412.50
15" RC Pipe	9-11'	L. F.	200	15.00	3,000.00
Brick Manholes		V. F.	38	50.00	1,900.00
Manhole Frame & Cover Castings		ea.	5	75.00	375.00
D. I. Complete except castings		ea.	3	160.00	480.00
Drop Inlet Castings		ea.	3	40.00	120.00
4" Sidewalk - remove & replace		S. F.	460	1.00	460.00
6" Concrete Base - remove & replace		S. Y.	15	9.00	135.00
TOTAL * LINE "Q"					17,270.00

ESTIMATED QUANTITIES

LINE "H2" 11th Street to 14th Street					
Item No.	Item	Unit	Quantity	Unit Cost	Total
12" RC Pipe	5-7'	L. F.	90	7.50	675.00
12" RC Pipe	7-9'	L. F.	250	9.50	2,375.00

Drop Inlet Castings	ea.	4	40.00	160.00
Drop Inlet 0-8'	ea.	2	250.00	500.00
Drop Inlet 12'	ea.	2	500.00	1,000.00
Remove and Replace 6" Concrete Base	S. Y.	20	9.00	180.00
Hot Laid Asphaltic Concrete Bottom and Wearing Courses	Tons	2	16.00	<u>32.00</u>
Total - Line "H2"				4,922.00

RECAP
NITRO PLANNING PROJECT
SANITARY-STORM RELIEF SEWERS P-W. VA. -3066

	Est. Costs	Const. Planning	Preliminary Planning	Final Planning	Supt. of Const. & Cont.	Legal Admin	Totals
Unit I Sanitary Sewers	\$193,919.00	\$2,750.00	\$5,600.00	\$3,150.00	\$9,381.00		\$214,800.00
Unit II Storm Relief Sewers	<u>148,823.50</u>	<u>2,200.00</u>	<u>4,300.00</u>	<u>2,500.00</u>	<u>7,176.50</u>		<u>165,000.00</u>
TOTALS	342,742.50	4,950.00	9,900.00	5,650.00	16,557.50		379,800.00
Estimated Total Limit of Planned Project							380,000.00

RECAP
NITRO PLANNING PROJECT
UNIT I - SANITARY SEWERS P-W. VA. - 3066

<u>Line</u>	<u>Amount</u>
D	\$45,870.00
E	34,569.00
F	12,968.00
G	4,920.00
H	23,965.00
H-I	6,222.00
I	33,575.00
J	22,510.00
P	<u>9,320.00</u>
Estimate Const. Costs	193,919.00
Preliminary Planning	2,750.00
Final Planning	5,600.00
Supt. of Const.	3,150.00
Legal, Admin & Cont.	<u>9,381.00</u>
	20,881.00

To be covered by Issuance of
Revenue Bonds 214,800.00

Need \$ 230,000.00 Issue of Revenue Bonds

Present \$850,000.00 in Sewer Revenue Bonds Requires \$ 4,400.00
Monthly Payments \$230,000.00 Additional Bonds will Require
\$1,200.00 Additional Monthly Payments

Present Minimum Sewer Rate of \$2.60 will need to be raised \$0.68

RECAP
NITRO PLANNING PROJECT
UNIT II - STORM RELIEF SEWERS *-P-WVA. - 3066

<u>LINE</u>	<u>AMOUNT</u>
A	\$ 4,050.50
B	15,301.50
C	7,817.00
K	29,705.00
L	25,115.00
M	21,827.50
N	22,055.00
O	760.00
Q	17,270.00
H-2	<u>4,922.00</u>
Estimated Const. Costs	148,823.50
Preliminary Planning	2,200.00
Final Planning	4,300.00
Supt. of Const.	2,500.00
Legal, Admin. & Cont.	<u>7,176.50</u>
	16,176.50

To be covered by Issuance of General Obligation
Bonds \$ 165,000.00
It requires \$7,000.00 yearly average to retire \$100,000.00 34 year
Bonds or approximately \$12,000.00 yearly to Retire \$165,000.00
Bond Issue.

Outstanding Bonds as of July 1963 261,000.00
Proposed New Bond Issue 165,000.00

Total Bonds 426,000.00
City of Nitro Assessed Valuation is \$11,593,360.00
Nitro can Issue up to 5% in Bonds or \$580,000.00

Thereupon after discussion and due consideration Councilman Dye moved, seconded by Councilman Hamilton, the following Resolution be adopted by the Common Council of the City of Nitro. Upon a vote the motion carried unanimously.

RESOLUTION

WHEREAS, The City of Nitro, West Virginia accepted an offer from the United States Government for an advance for preparation of planning documents pertaining to a public work described as to clear channels and sewer construction to relieve or separate storm water from sanitary sewer; also to construct storm sewers to alleviate flooding; and

WHEREAS, C. B. Holsclaw, CE., Municipal Engineering Corp. was engaged to prepare the planning documents for the aforesaid public work, and said architect and engineer has completed documents and submitted them for approval; and

WHEREAS, the completed planning documents have been carefully studied and are considered to comprise adequate planning of the public work essential to the community and within the financial ability of the City of Nitro to construct;

Now, Therefore, be it resolved by the Common Council of the City of Nitro the governing body of said applicant, that the planning documents submitted by C. B. Holsclaw, C. E., Municipal Engineering Corp. as the basis for construction of the Sanitary and Storm Relief Sewers dated Nov. 19, 1963, and the statements in Form CFA-430, Request for Review and Approval of Planning Documents, in connection with Housing and Home Finance Agency Project No. ~~F~~-WVA. 3066 be and the same are hereby approved, and that certified copies of the resolution be filed with the Housing and Home Finance Agency.

Mayor Alexander informed the Council the number two fire truck needed a new tank. He had only one cost estimate to offer and that was from Harry Sutphen and Associates of Columbus, Ohio, in the amount of \$780.00. He informed further that he had made an effort to secure bids from Trojan Steel and West Virginia Steel but had been unsuccessful in getting a bid.

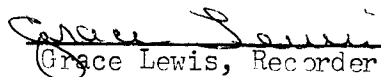
Councilman Gewin suggested that Parko Engineering Company be called and the names of Elk Machine Company and Baker Equipment Company be contacted regarding bid on this work.

Councilman Woods reported that the street sweeper was not being used in his area. Mayor informed that he would check into this matter.

There being no further business to come before the Council a motion for adjournment by Councilman Hoke carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

December 3, 1963

The City Council met in a Special Session Tuesday, December 3, 1963.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, and Robert M. Woods members of the Council. Councilmen Dye and Wears being absent.

Mayor Alexander called the meeting to order.

Luke W. Michael, attorney informed the Council of his recent findings relative to the Social Security and Pension plan for the Fire Department and Police Department. That the State of West Virginia entered the Social Security agreement in 1951 and that as far as he could check that he was of the opinion that the older members of fire and police departments could be covered both by Social Security and Pension plan, however, he was of the opinion the newly hired employees in said departments would not be covered by Social Security. He suggested that the Federal Board located in Baltimore, Maryland, should rule on this matter. After considerable discussion by Mayor, Attorney and members of Council it was decided that an opinion be secured from the Social Security Board in Baltimore and the Attorney proceed to prepare the Ordinance for pension for the fire and police departments.

In a discussion of paving 19th Street West (Plant Road), the Mayor and Attorney pointed out that Mr. Peters, Attorney for the Kanawha County Court had raised the question of the insufficient signers of footage on street outside city limits lying in Kanawha County. It was urged that this question be presented to the Attorney General for his opinion on this matter.

The Attorney was requested to prepare the necessary papers to enter suit against V. N. Green Construction Company for damage to Third Avenue paving, from 40th Street Road to dead end.

The Mayor reported to the Council that he had secured a bid from Parko Engineering Company for \$425.00 for building a tank for the number 2 fire truck - estimate includes 2 baffles, steel 3/16, 8 & 9 gauge, magneium rod included. Baker Equipment Company did not bid and the bid from Elk Machine Company was about the same as the bid from Sutphen and Associates.

Thereupon, Councilman Hoke moved, seconded by Councilman Woods, that Parko Engineering Company be awarded the contract. Motion carried.

Councilman Gewin moved, seconded by Councilman Hamiltio, that the City Hall be closed December 24th and 25th and that the hourly workers be given time off at the mayor's descretion. Upon a vote motion carried.

Councilman Gewin moved, seconded by Councilman Hoke, that Council dispense with the December 17th meeting of Council.

It was reported that East 39th Street and Bailes Drive did not have Street markers.

Councilman Woods moved, seconded by Councilman Hamilton, that the State Road Commission be requested to install traffic lights at 19th Street - First Avenue, 21st Street - First Avenue and to extend lanes North on 1st Avenue (Route 25) at 41st Street plant entrance. Upon a vote motion carried

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


Grace Lewis, Recorder

W. W. Alexander, Mayor

January 6, 1964

The City Council met in a Special Session Tuesday, January 6, 1964.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the City Council.

Councilman Dye moved, seconded by Councilman Hamilton, the Council enter into session. Motion carried.

Thereupon Mayor Alexander presented a letter from M. D. Dewberry, Social Security Regional Representative under date of December 17, 1963, letter as following:

Department of
HEALTH, EDUCATION, AND WELFARE
Regional Office
Region III
700 East Jefferson
Charlottesville, Virginia

Social Security Administration

December 17, 1963

Refer to: CV-3

Mr. Denzil L. Gainer
State Auditor
Charleston, West Virginia

Dear Mr. Gainer:

Your letter of December 5, 1963 requests our determination of the status for social security coverage purposes of the firemen of the City of Nitro, West Virginia. You advise that all city employees were grouped together and reported under the city's identification

number 69-0550191 (effective July 1, 1951) and that Nitro's municipal firemen were included and reported with this group. You also advise that Chapter 8, Article 6, Section 10, of the West Virginia Code directs a governing body to provide for the establishment of a firemen's pension or relief fund, but to date the Nitro firemen have never been under such a pension or relief system.

You will recall our letter of January 15, 1963 and our amendatory letter of July 1, 1963 regarding the status for social security purposes of the five full-time employees of the Fire Department, City of Grafton, West Virginia. Our July 1 letter advised that it was the opinion of our Office of the General Counsel that the provisions of the West Virginia Code operate to establish a retirement system covering firemen's positions in the political subdivisions to which it applies. The provisions of the Code apply to the City of Grafton and therefore it was determined that firemen positions in the City of Grafton are not covered under the West Virginia section 218 agreement since such positions were impressed with a retirement system at the time of the execution of the original Federal-State Social Security Agreement on March 22, 1951. As we understand it, the questions and circumstances concerning the status of the Nitro firemen are the same as those of the Grafton firemen and accordingly we would determine that the Nitro firemen were and are not covered under the West Virginia section 218 agreement.

Your letter also requests our advice about how to handle the necessary adjustment of contributions should our determination be that the firemen are not covered under the agreement. Section 486 of the Handbook for State OASI Administrators discusses the use of the Form OAR-S4 to make adjustments of errors discovered by the State, including instances when no wages should have been reported such as in the instance of the Nitro firemen. Please note that section 486.6 requires a supporting statement for any adjustment that reduces the amount of wages previously reported for a wage earner. We suggest that in your supporting statement you may want to refer to this letter, a copy of which will be furnished to our Division of Accounting Operations.

We appreciate your bringing this question of the status of the Nitro firemen to our attention. If we may furnish you additional information or be of other assistance to you, please let us know.

Sincerely yours,

M. D. Dewberry,
Social Security
Regional Representative

The Mayor and members discussed this matter to great extent. It was pointed out that the same ruling applied to the members of the police department as well as the firemen. That the attorney advised the deletion of firemen and policemen from the Social Security coverage as of January 1, 1964. The adjustment of past contributions be studied by the attorney relative to possibility of members collecting Social Security. The attorney be advised to draft ordinance covering firemen under a Firemen Pension and Relief Fund, and covering police under a Police Pension and Relief Fund.

Thereupon Councilman Woods moved, seconded by Councilman Reeves, that upon the advice of attorney the members of the Fire Department and members of the Police Department be deleted from Social Security coverage retroactive to January 1, 1964. Upon a vote motion carried.

Mayor Alexander informed Council that the City was being sued for \$50,000.00 by Leroy Muck and Clifford Muck. Other defendants were Monsanto Chemical Company, F M C Corporation, Roy Smith, Mr. S. H. Mullins, Boston Coal Company. The summons stated that fumes from the garbage dump on Poca River caused garden damage and also claimed the obnoxious odors from dump caused them (the plaintiffs) to be ill. The defendants had thirty days to answer said charge in Circuit Court of Putnam County. Mayor informed Council that the City's answer had been filed.

Mayor Alexander informed Council that the Attorney advised that the City request the Workmens Compensation Commission to have W. M. Kelly have a medical examination by a doctor of the City's choice, suggesting Dr. Roncaglione. Thereupon Councilman Dye moved, seconded by Councilman Reeves, that the City Attorney contact the Workmens Compensation Commission and request that W. M. Kelly be examined by a doctor of the City's choice. Motion carried.

There being no further business to come before the Council, upon a vote by Councilman Hoke, Council adjourned.



W. W. Alexander, Mayor



Grace Lewis, Recorder

January 21, 1964

The City Council met in regular session Tuesday, January 21, 1964.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods, members of the Council. B. E. Gewin member of Council being absent.

Mayor Alexander called the meeting to order.

Councilman Hoke moved, seconded by Councilman Hamilton, to dispense with reading of minutes of meeting December 3, 1963 and January 6, 1964. Motion carried.

Councilman Hoke moved, seconded by Councilman Hamilton, that the financial statements for the month of November and December 1963 be accepted. Motion carried.

Mayor Alexander informed Council that Mr. Mallory and Mr. Kramer were present at meeting regarding permission to establish a trailer or mobile homes sales agency on a lot located on First Avenue South (new W. Va. Route #25). The Mayor explained to the Council that our ordinance restricts trailers being parked within the City limits. The Mayor and Council entered into a discussion regarding this matter and the City's Trailer Ordinance. It was pointed out that the ordinance had been passed upon the recommendation of the City Planning Commission, however, at the time of recommendation and passage of said ordinance, that it was the intent of both the City Council and Planning Commission to prohibit trailers being parked close to homes.

Thereupon Councilman Dye moved, seconded by Councilman Reeves, that the Trailer Ordinance be amended to permit Mobile Homes Sales

Agencies, only on property on 1st Avenue South (new W. Va. Route #25) extending from Lock Street to Blackwood Avenue. Upon a vote motion carried.

Attorney Michael presented ordinance to establish and maintain a Firemen's Pension or Relief Fund for the City of Nitro. Ordinance reads as follows:

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF A FIREMEN'S PENSION OR RELIEF FUND FOR THE CITY OF NITRO; TO CREATE A BOARD OF TRUSTEES TO ADMINISTER AND DISTRIBUTE SUCH PENSION OR RELIEF FUND, AND TO PROVIDE FOR THE RETIREMENT OF MEMBERS OF THE FIRE DEPARTMENT ENTITLED TO THE BENEFITS OF SUCH FUND.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

Section 1. There is hereby created a board of trustees, who shall administer and distribute the firemen's pension or relief fund established and maintained under the provisions of this ordinance, which said board of trustees shall be a corporation by the name and style of "THE BOARD OF TRUSTEES OF THE FIREMEN'S PENSION OR RELIEF FUND OF THE CITY OF NITRO, WEST VIRGINIA", by which name said board may sue and be sued, plead and be impleaded, contract and be contracted with, take and hold real estate and personal estate for the use of said firemen's pension or relief fund and have, and use a common seal. But in the absence of such seal, the private seal of the president of said corporation shall be equivalent to such common seal. Said board of trustees may also, in its corporate name, do and perform any and all other acts and businesses pertaining to the trust created hereby or by any conveyance, devise or dedication made for the uses and purposes of said board.

Section 2. The said board of trustees of the firemen's pension or relief fund shall consist of the Mayor and four members of the fire department, to be chose as follows: The Mayor shall give notice of an election to be held on the second Monday of the month following the passage of this ordinance, which notice shall be served upon each member of the fire department, and which shall notify each member that between the hours of nine O'clock in the forenoon and six O'Clock in the afternoon, on the day designated for such election, the election will be held for such purpose, and that each member shall send under seal, in writing, the names of four persons, members of such fire department voted for; and all votes so cast shall be counted and canvassed by the Mayor and the Council for the first election after the passage of this ordinance; and thereafter the votes shall be counted by the then existing members of such pension board who, after such election, shall announce the result; and the four members of the fire department receiving the highest number of votes shall, with the Mayor, constitute

"THE BOARD OF TRUSTEES OF THE FIREMEN'S PENSION OR RELIEF FUND". The four members of the fire department shall be chosen and shall serve as follows: The member receiving the highest number of votes shall serve for a period of four years, the member receiving the second highest number of votes shall serve for a period of three years, the member receiving the third highest number of votes shall serve for a period of two years, and the member receiving the fourth highest number of votes shall serve for a period of one year. After the election hereinbefore specified, the said board of trustees shall hold a similar election each year to elect one member to succeed for a term of four years the retiring member. In the case of a tie vote being received by any two persons for the office of trustee, such tie vote shall be decided by casting lots, or in any other way which may be agreed upon by the persons for whom such tie vote was cast. The result of such election shall be entered in the record or proceedings of said board, and the members so elected shall, except as hereinabove specified, serve for four years, and until their successors are elected and have qualified. The election for such members of the board of trustees shall be held annually upon the second Monday of the same month upon which the first election occurs. The term of office of the first members elected to the board of trustees shall commence on the Monday following the counting and canvassing of the results of the first election by the Mayor and Council hereinbefore provided for. The terms of all members subsequently elected to the board of trustees shall commence on the same calendar date of the month each year thereafter. In case of vacancy by death, resignation or otherwise among the members so elected, the remaining members shall choose the successor or successors until the next annual election, at which later time all vacancies shall be filled. The presiding officer of the board of trustees shall be the Mayor, and the secretary thereof shall be appointed by said board. It shall be the duty of such secretary to keep a full and permanent record of all of the proceedings of the board, and said trustees may fix the compensation of such secretary for this work, which shall be paid out of the funds of said firemen's pension or relief fund.

Section 3. The firemen's pension or relief fund shall be maintained as follows:

(a) A levy of one cent on each one hundred dollars of all real and personal property as listed for taxation in the City of Nitro.

(b) From each member of the fire department there shall be assessed and collected, each month, four per cent (4%) of the monthly base pay, which sum shall be deducted from the monthly pay of such person, and the amount so collected shall become a regular part of the firemen's pension or relief fund.

(c) The board of trustees of the firemen's pension or relief fund is authorized to take by gift, grant, devise or bequest any money, or real or personal property upon such terms as to the investment and expenditure thereof, as may be fixed by the grantor, or determined by said trustees.

Section 4. The City Clerk of the City of Nitro, shall be the custodian of all funds of the firemen's pension or relief fund, and shall deposit and pay out the same upon, and in accordance with any proper order of the board of trustees. The Clerk shall enter into a separate bond for the faithful performance of his duties in respect to the fund hereinbefore provided for, as custodian of such fund, which bond shall be executed with a good and financially responsible surety company, authorized to do business in this state, as surety for such funds, and shall be approved by the Council. The bond which shall be first entered into by the City Clerk, shall be in the sum of Three Thousand Dollars, (\$3,000.00), and the Council shall hereafter, by resolution from time to time, fix the sum of such bond in accordance with the amount of the funds in the custody of the Clerk from time to time. At no time shall the amount of such bond be less than sufficient to cover the funds in the custody of such Treasurer. The premium on the bond required hereby shall be paid out of the firemen's pension or relief fund.

All funds collected for the benefit of the firemen's pension or relief fund shall be paid directly into the custody of the City Clerk, who shall keep the same in a separate account, subject to any proper order of the board of trustees; such fund shall not be used for any other purpose than provided herein.

Section 5. The said board of trustees shall invest any moneys received by them either in interest-bearing bonds of the United States, or of the State of West Virginia, or of the County, school district or municipal corporation in which such municipality may be situated, or upon improved real estate first lien security worth at least twice the amount loaned thereon, based on sound appraisal by a competent appraiser and duly certified by him, or in savings accounts in state and national banking institutions to the extent that such institutions are insured by the federal depositors' insurance corporation, or in state building and loan associations or federal savings and loan associations to the extent that such associations are insured by the federal savings and loan insurance corporation, or by any other similar federal instrumentality that may be hereafter created. Said board of trustees shall make a report to the Council of the City of Nitro, on the condition of the firemen's pension or relief fund, on the 31st day of each December of each year.

Section 6. The board of trustees of the firemen's pension or relief fund shall make rules and regulations not inconsistent with the applicable provisions of this ordinance for the distribution of such funds, according to the qualifications of those to whom any portion of such funds shall be paid, and the amount thereof; such rules and regulations shall not be enforced until the same have been approved by the Council. No fireman shall be entitled to any pension to be paid out of such fund until he has served continuously as a fireman for the term of one year; absence from service because of sickness or injury shall not be construed as time out of service.

Section 7. Any member of the fire department shall become, and is found upon examination by a majority of a board of medical examiners, which board shall consist of three physicians, appointed by the board of trustees, to have become so physically or mentally permanently disabled, by reason of services rendered in the performance of his duties in such department, as to render necessary his retirement from all services in such department, or if any member who has been such a member of the fire department for a period of not less than five consecutive years preceding his disability, become and be found upon examination to have become so physically, or mentally, permanently disabled, regardless of the cause therefor, as to render necessary his retirement from all services in such department, such board of trustees shall retire such permanently disabled person from all service in the fire department; and the board of trustees shall authorize the payment to such permanently disabled person monthly from the pension fund, the amount as fixed by the rules and regulations hereinafter provided for. If any member of the fire department shall at any time be injured, or become sick so as to render such member temporarily disabled, he shall be paid from said firemen's pension or relief fund, the amount to be determined by the rules established aforesaid during such disability for not exceeding twenty-six weeks.

Any person who shall hereafter be allowed a pension under the provisions of this ordinance may be required by the board of trustees to be re-examined at any time, and if he is then not disabled as aforesaid, he shall be ordered by the Mayor to return to duty in his former position in the fire department, and his pension discontinued; provided, however, that this provision shall not apply to any person until such person can, and shall be restored to his former position in the fire department.

Section 8. Payments to be made from the firemen's pension or relief fund, may be made from the principal of the fund, and such payment shall not be restricted to the income thereof, unless otherwise provided by amendment to this section. If at any time there shall not be sufficient money to the credit of the firemen's pension or relief fund to pay such person entitled to the benefit thereof, the full amount per month, as herein provided, then an equal percentage of such monthly payments shall be made to each beneficiary thereof, until said fund is so replenished as to warrant payment in full to each of such beneficiaries.

Any member of the City of Nitro fire department who is entitled to benefits of the firemen's pension or relief fund, and who has been in the service of such department for twenty years, and upon reaching the age of fifty years, may upon written application to the board of trustees, be retired from all service from such department without medical examination or disability; and upon such retirement the board of trustees shall authorize the payment of an annual pension, payable in twelve monthly installments for each year of the remainder of his life, in an amount equal to fifty percent of such member's average annual salary or compensation received during the five fiscal years in which such member received his highest compensation, while a member of the department, or an amount of one hundred fifty dollars,

(\$150.00) per month, whichever shall be greater; and any member of such department who is entitled to benefits of said fund and who has been in the service of such department for more than twenty years, at the

time of his retirement, as herein provided, shall in addition to the aforesaid pension authorized to be paid upon retirement after twenty years of service and reaching the age of fifty years, receive an additional sum per month during the remainder of his life, equal to one per cent of such average monthly salary for each year of the first five additional years served with the department in excess of the said twenty years, provided, that any member of such department who has served in the armed services shall be eligible to retirement prior to reaching the age of fifty years if he is otherwise eligible hereunder.

Any member of the City of Nitro fire department, upon reaching the age of sixty-five years shall be retired in the manner herein provided; each member of the fire department shall, at the request of the board of trustees, furnish said board of trustees with a birth certificate or other satisfactory proof of his date of birth, at the time of his appointment to the fire department. When a member of the fire department shall have reached the age of sixty-five years, the said board of trustees shall notify the Mayor or other chief executive officer of the municipal corporation, within thirty days of such member's sixty-fifth birthday; and the Mayor or other chief executive officer shall cause such sixty-five year old member of the fire department to be retired within a period of not more than thirty additional days. It shall be the duty of each member of the fire department who is a member at the time this ordinance become effective to furnish the said necessary proof of his date of birth to the said board of trustees within a reasonable length of time, said length of time to be determined by the said board of trustees; and then the board of trustees and the Mayor or other chief executive officer of the municipal corporation shall proceed to act in the manner herein provided, and shall cause all members of the fire department who are over the age of sixty-five years to be retired in not less than sixty days from the date this ordinance becomes effective. The amount of pension such members shall receive shall depend upon their length of service as herein provided. Such member need not have served twenty years to be eligible to receive the pension hereinabove prescribed.

The sum to be paid to each permanently disabled member shall be equal to fifty per cent (50%) of the salary being received by such member, at the time he is so disabled, or an amount of one hundred fifty dollars, (\$150.00) per month, whichever shall be greater; provided however, that any member who is permanently disabled, after having served twenty years in such department, and, who has attained the age of fifty years, shall be entitled to such sum as shall equal fifty percent (50%) of such members average salary during the five fiscal years in which he received his highest compensation while a member of the department and also the additional sum per month equal to one per cent of such average monthly salary for each year of the first five years served in excess of said twenty years, or a total amount of one hundred fifty dollars per month, whichever shall be greater.

Absence from the service because of sickness or injury shall not be construed as time out of service.

Any member of such department who has served in the armed services of the United States between September fifteen, one thousand nine hundred forty, the date of the selective service act, and September second, one thousand ~~nine~~ hundred forty-five, the date of the official termination of hostilities with Japan, and who has not been dishonorably discharged from said service, shall be given credit for continuous service in said fire department if he was already a member of such department at the time of his entrance into such armed service, and that such member did not re-enlist in such armed services after such official termination of hostilities and did present himself to the Mayor or other officer, board or person having the power of original appointment to such fire department within six months after his honorable discharge from such armed service, and offer to resume service as an active member of such fire department, and was declared mentally and physically capable of performing his entire duties as a member of the department by the pension board doctors.

Any member of the Nitro fire department covered by this ordinance who has been required to, or shall at any future time be required to enter the armed forces of the United States by a conscription, by reason of being a member of some reserve unit of the armed forces, or a member of the West Virginia national guard, or who enlists in one of the armed services of the United States during actual hostilities, and upon his receipt of an honorable discharge from such armed forces presents himself for resumption of duty to his appointing municipal official within six months from date of discharge, and is accepted by the pension board doctors as being mentally and physically capable of performing his required duties as a member of such fire department, shall be given credit for continuous service in said fire department, and his pension rights shall be governed as herein provided.

No member of the fire department shall be required to pay the monthly assessment as now required by law, during his period of service in the armed forces of the United States.

Section 9: In case any such fire department employee who as been in continuous service for more than five years die while in service leaving surviving him a dependent wife, or any dependent minor child or children, or dependent mother and/ or father, or any dependent brothers and / or sister, under the age of eighteen years or in case any such fire department employee who is receiving or is entitled to receive a pension under the provisions of this ordinance, or on a disability basis after he shall have been in continuous service for more than five years, shall die, leaving surviving him a dependent wife to whom he was married prior to the date of his retirement, or any dependent minor child or children who were born prior to or within ten months after such retirement, or dependent mother and/ or father, or any dependent brothers and/ or sisters under the age of eighteen years, then and in either of such cases the board of trustees of such

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so replenished as to warrant payment in full to each of such beneficiaries.

Any member of the City of Nitro fire department who is entitled to benefits of the firemen's pension or relief fund, and who has been in the service of such department for twenty years, and upon reaching the age of fifty years, may upon written application to the board of trustees, be retired from all service from such department without medical examination or disability; and upon such retirement the board of trustees shall authorize the payment of an annual pension, payable in twelve monthly installments for each year of the remainder of his life, in an amount equal to fifty percent of such member's average annual salary or compensation received during the five fiscal years in which such member received his highest compensation, while a member of the department, or an amount of one hundred fifty dollars, (\$150.00) per month, whichever shall be greater; and any member of such department who is entitled to benefits of said fund and who has been in the service of such department for more than twenty years, at the time of his retirement, as herein provided, shall in addition to the aforesaid pension authorized to be paid upon retirement after twenty years of service and reaching the age of fifty years, receive an additional sum per month during the remainder of his life, equal to one per cent of such average monthly salary for each year of the first five additional years served with the department in excess of the said twenty years, provided, that any member of such department who has served in the armed services shall be eligible to retirement prior to reaching the age of fifty years if he is otherwise eligible hereunder.

Any member of the City of Nitro fire department, upon reaching the age of sixty-five years shall be retired in the manner herein provided; each member of the fire department shall at the request of the board of trustees, furnish said board of trustees with a birth certificate or other satisfactory proof of his date of birth, at the time of his appointment to the fire department. When a member of the fire department shall have reached the age of sixty-five years, the said board of trustees shall notify the Mayor or other chief executive officer of the municipal corporation, within thirty days of such member's sixty-fifth birthday; and the Mayor or other chief executive officer shall cause such sixty-five year old member of the fire department to be retired within a period of not more than thirty additional days. It shall be the duty of each member of the fire department who is a member at the time this ordinance becomes effective to furnish the said necessary proof of his date of birth to the said board of trustees within a reasonable length of time, said length of time to be determined by the said board of trustees; and then the board of trustees and the Mayor or other chief executive officer of the municipal corporation shall proceed to act in the manner herein provided, and shall cause all members of the fire department who are over the age of sixty-five years to be retired in not less than sixty days from the date this ordinance becomes effective. The amount of pension such members shall receive shall depend upon their length of service as herein provided. Such member need not have served twenty years to be eligible to receive the pension hereinabove prescribed.

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The sum to be paid to each permanently disabled member shall be equal to fifty percent (50%) of the salary being received by such member, at the time he is so disabled, or an amount of one hundred fifty dollars, (\$150.00) per month, whichever shall be greater; provided however, that any member who is permanently disabled, after *omit*

pension fund shall pay to or for each such entitled surviving dependents the following pensions, viz: To such dependent widow, until death or remarriage a sum per month equal to twenty-five percent (25%) of the average monthly salary received by such member during the five fiscal years in which such member received his highest compensation, or the sum of seventy-five Dollars, (\$75.00) per month, whichever shall be greater; to each such dependent child a ~~sum~~ per month equal to ten percent (10%) the average monthly salary received by such member during the five calendar years in which such member received his highest compensation, or the sum of thirty dollars (\$30.00) per month for each such child, whichever shall be greater, until such child ~~shall~~ attain the age of eighteen years or marry, whichever occurs first; provided, however, that each surviving orphaned child shall receive a sum of Fifteen percent (15%) of the average monthly salary received by such member during the five fiscal years in which such member received his highest compensation, or the sum of Forty-five Dollars (\$45.00) whichever shall be greater, until such child shall attain the age of eighteen years, or marry, which ever occurs first; to each such dependent mother or father the sum equal to ten percent (10%) of the average monthly salary received by such member during the five fiscal years in which such member received his highest compensation, or the sum of Thirty Dollars, (\$30.00) whichever is greater; to each such dependent brother or sister the sum of Five Dollars (\$5.00) per month until such person shall attain the age of eighteen years, or marry, whichever first occurs, but in no event shall the aggregate amount paid to such brothers and sisters exceed Thirty Dollars, (\$30.00) per month, but if at any time, because of the number of dependents, all such dependents cannot be paid in full as herein provided, then each dependent shall receive his pro rate share of such payments: provided, however, that in no case shall the payments to the widow and children be cut below sixty percent (60%), of the total amount to be paid all dependents.

The dependent wife, child or children, or dependent father or mother, brothers or sisters of any such municipal employee who shall be killed in the performance of his duties shall, regardless of the length of his service, receive a pension as provided for in that portion of this ordinance fixing the amount to be paid to the dependents.

Absence from service because of sickness or injury shall not be construed as time out of service.

Enacted this 21st day of January, 1964.

Mayor

Recorder

The Mayor and council entered into a discussion of the foregoing ordinance both for Firemen and Policemen. The Mayor pointed out that he had talked with Fairfax Brown in the State Tax Commissioner's office regarding establishment of the Pension and Relief Funds for the Fire and Police Departments in that the accounts in the city budget were not open and that both department had been figured under item 60 (Social Security) and item 60A (Public Retirement) and that Mr Brown had informed him that the pension and relief system could be instituted during this budget year, however, it would be necessary to transfer funds from items 60 and 60A sufficient to take care of the city's portion of contributions to said Pension and Relief funds and that amounts could not exceed the total allocated for said departments portion in the said items 60 and 60A. Mr. Brown also had informed that it would be necessary that a copy of ordinance establishing a Firemen's Pension or Relief fund and copy of ordinance establishing a Policemen's Pension or Relief Fund should be sent to him with letter requesting a transfer of funds.

Thereupon, Councilman Woods moved, seconded by Councilman Hamilton, that the Ordinance establishing and maintaining a Firemen's Pension or Relief Fund for the City of Nitro be adopted and become effective as of February 1, 1964. Upon a vote motion carried and was so ordered.

Councilman Dye moved, seconded by Councilman Wears, that all members of the Nitro Fire Department be deleted as contributors to the West Virginia Public Employees Retirement System as of February 1, 1964. Upon a vote motion carried and was so ordered.

Thereupon the following Ordinance was introduced to establish and maintain a Policemen's Pension or Relief Fund for the City of Nitro as follows:

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF A POLICEMEN'S PENSION OR RELIEF FUND FOR THE CITY OF NITRO: TO CREATE A BOARD OF TRUSTEES TO ADMINISTER AND DISTRIBUTE SUCH PENSION OR RELIEF FUND, AND TO PROVIDE FOR THE RETIREMENT OF MEMBERS OF THE POLICE DEPARTMENT ENTITLED TO THE BENEFITS OF SUCH FUND.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

Section 1. There is hereby created a board of trustees, who shall administer and distribute the policemen's pension or relief fund established and maintained under the provisions of this ordinance, which said board of trustees shall be a corporation by the name and style of "THE BOARD OF TRUSTEES OF THE POLICEMEN'S PENSION OR RELIEF FUND OF THE CITY OF NITRO, WEST VIRGINIA", by which name said board may sue and be sued, plead and be impleaded, contract and be contracted with, take and hold real estate and personal estate for the use of said policemen's pension or relief fund and have, and use a common seal. But in the absence of such seal, the private seal of the president of said corporation shall be equivalent to such common seal. Said board of trustees may also, in its corporate name, do and perform any and all other acts and businesses pertaining to the trust created hereby or by any conveyance, devise or dedication made for the uses and purposes of said board.

Section 2. The said board of trustees of the policemen's pension or relief fund shall consist of the Mayor and four members of the police department, to be chosen as follows: The Mayor shall give notice of an election to be held on the second Monday of the month following the passage of this ordinance, which notice shall be served upon each member of the police department, and which shall notify each member that between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, on the day designated for such election, the election will be held for such purpose, and that each member shall send under seal, in writing, the names of four persons, members of such police department voted for; and all votes so cast shall be counted and canvassed by the Mayor and the Council for the first election after the passage of this ordinance; and thereafter the votes shall be counted by the then existing member of such pension board who, after such election, shall announce the result; and the four members of the police department receiving the highest number of votes shall, with the Mayor, constitute "THE BOARD OF TRUSTEES OF THE POLICEMEN'S PENSION OR RELIEF FUND". The four members of the police department shall be chosen and shall serve as follows: The member receiving the highest number of votes shall serve for a period of four years, the member receiving the second highest number of votes shall serve for a period of three years, the member receiving the third highest number of votes shall serve for a period of two years, and the member receiving the fourth highest number of votes shall serve for a period of one year. After the election hereinbefore specified, the said board of trustees shall hold a similar election each year to elect one member to succeed for a term of four years the retiring member. In the case of a tie vote being received by any two persons for the office of trustee, such tie vote shall be decided by casting lots, or in any other way which may be agreed upon by the persons for whom such tie vote was cast. The result of such election shall be entered in the record or proceedings of said board, and the

members so elected shall, except as hereinabove specified, serve for four years, and until their successors are elected and have qualified. The election for such members of the board of trustees shall be held annually upon the second Monday of the same month upon which the first election occurs. The term of office of the first members elected to the board of trustees shall commence on the Monday following the counting and canvassing of the results of the first election by the Mayor and Council hereinbefore provided for. The terms of all members subsequently elected to the board of trustees shall commence on the same calendar date of the month each year thereafter. In case of vacancy by death, resignation or otherwise among the members so elected, the remaining members shall choose the successor or successors until the next annual election, at which later time all vacancies shall be filled. The presiding officer of the board of trustees shall be the Mayor, and the secretary thereof shall be appointed by said board. It shall be the duty of such secretary to keep a full and permanent record of all of the proceedings of the board, and said trustees may fix the compensation of such secretary for this work, which shall be paid out of the funds of said policemen's pension or relief fund.

Section 3. The policemen's pension or relief fund shall be maintained as follows:

(a) A levy of one cent on each one hundred dollars of all real and personal property as listed for taxation in the City of Nitro.

(b) From each member of the police department there shall be assessed and collected, each month, four per cent (4%) of the monthly base pay, which sum shall be deducted from the monthly pay of such person, and the amount so collected shall become a regular part of the policemen's pension or relief fund.

(c) The board of trustees of the policemen's pension or relief fund is authorized to take by gift, grant, devise or bequest any money, or real or personal property upon such terms as to the investment and expenditure thereof, as may be fixed by the grantor, or determined by said trustees.

Section 4. The City Clerk of the City of Nitro, shall be the custodian of all funds of the policemen's pension or relief fund, and shall deposit and pay out the same upon, and in accordance with any proper order of the board of trustees. The Clerk shall enter into a separate bond for the faithful performance of his duties in respect to the fund hereinbefore provided for, as custodian of such fund, which bond shall be executed with a good and financially responsible surety company, authorized to do business in this state, as surety for such funds, and shall be approved by the Council. The bond which shall be first entered into by the City Clerk, shall be in the sum of Three Thousand Dollars, (\$3,000.00), and the Council shall hereafter, by resolution from time to time, fix the sum of such bond in accordance with the amount of the funds in the custody of the Clerk from time to time. At no time shall the amount of such bond be less than sufficient to cover the funds in the custody of such Treasurer. The premium on the bond required hereby shall be paid out of the policemen's pension or relief fund.

All funds collected for the benefits of the policemen's pension or relief fund shall be paid directly into the custody of the City Clerk, who shall keep the same in a separate account, subject to any proper order of the board of trustees; such fund shall not be used for any other purpose than provided herein.

Section 5. The said board of trustees shall invest any moneys received by ~~them~~ either in interest-bearing bonds of the United States, or the State of West Virginia, or of the County, school district or municipal corporation in which such municipality may be situated, or upon improved real estate first lien security worth at least twice the amount loaned thereon, based on sound appraisal by a competent appraiser and duly certified by him, or in savings accounts in state and national banking institutions to the extent that such institutions are insured by the federal depositors' insurance corporation, or in state building and loan associations or federal savings and loan associations to the extent that such associations are insured by the federal savings and loan insurance corporation, or by any other similar federal instrumentality that may be hereafter created. Said board of trustees shall make a report to the Council of the City of Nitro, on the condition of the policemen's pension or relief fund, on the 31st day of each December of each year.

Section 6. The board of trustees of the policemen's pension or relief fund shall make rules and regulations not inconsistent with the applicable provisions of this ordinance for the distribution of such funds, according to the qualifications of those to whom any portion of such funds shall be paid, and the amount thereof; such rules and regulations shall not be enforced until the same have been approved by the Council. No policeman shall be entitled to any pension to be paid out of such fund until ^{he} ~~has~~ served continuously as a policeman for the term of one year; absence from service because of sickness or injury shall not be construed as time out of service. }

Section 7. Any member of the police department shall become, and is found upon examination by a majority of a board of medical examiners, which board shall consist of three physicians, appointed by the board of trustees, to have become so physically or mentally permanently disabled, by reason of services rendered in the performance of his duties in such department, as to render necessary his retirement from all services in such department, or if any member who has been such a member of the police department for a period of not less than five consecutive years preceding his disability, become and be found upon examination to have become so physically, or mentally, permanently disabled, or regardless of the cause therefor, as to render necessary his retirement from all services in such department, such board of trustees shall retire such permanently disabled person from all service in the police department; and the board of trustees shall authorize the payment to such permanently disabled person monthly from the pension fund, the amount as fixed by the rules and regulations hereinafter provided for. If any member of the police department shall at any time be injured, or become sick so as to render such member temporarily disabled, he shall be paid from said policemen's pension or relief fund, the amount to be determined by the rules established aforesaid during such disability for not exceeding twenty-six weeks.

Any person who shall hereafter be allowed a pension under the provisions of this ordinance may be required by the board of trustees to be re-examined at any time, and if he is then not disabled as aforesaid, he shall be ordered by the Mayor to return to duty in his former position in the police department, and his pension discontinued; provided, however, that this provision shall not apply to any person until such person can, and shall be restored to his former position in the police department.

Section 8 . Payments to be made from the policemen's pension or relief fund, may be made from the principal of the fund, and such payment shall not be restricted to the income thereof, unless otherwise provided by amendment to this section. If at any time there shall not be sufficient money to the credit of the policemen's pension or relief fund to pay such person entitled to the benefit thereof, the full amount per month, as herein provided, then an equal percentage of such monthly payments shall be made to each beneficiary thereof, until said fund is so replenished as to warrant payment in full to each of such beneficiaries.

Any member of the City of Nitro police department who is entitled to benefits of the policemen's pension or relief fund, and who has been in the service of such department for twenty years, and upon reaching the age of fifty years, may upon written application to the board of trustees, be retired from all service from such department without medical examination or disability; and upon such retirement the board of trustees shall authorize the payment of an annual pension, payable in twelve monthly installments for each year of the remainder of his life, in an amount equal to fifty percent of such member's average annual salary or compensation received during the five fiscal years in which such member received his highest compensation, while a member of the department, or an amount of one hundred fifty dollars, (\$150.00) per month, whichever shall be greater; and any member of such department who is entitled to benefits of said fund and who has been in the service of such department for more than twenty years, at the time of his retirement, as herein provided, shall in addition to the aforesaid pension authorized to be paid upon retirement after twenty years of service and reaching the age of fifty years, receive an additional sum per month during the remainder of his life, equal to one percent of such average monthly salary for each year of the first five additional years served with the department in excess of the said twenty years, provided, that any member of such department who has served in the armed services shall be eligible to retirement prior to reaching the age of fifty years if he is otherwise eligible hereunder.

Any member of the City of Nitro police department, upon reaching the age of sixty-five shall be retired in the manner herein provided; each member of the police department shall, at the request of the board of trustee, furnish said board of trustees with a birth certificate or other satisfactory proof of his date of birth, at the time of his appointment to the police department. When a member of the police department shall have reached the age of sixty-five years, the said board of trustees shall notify the Mayor or other chief executive officer of the municipal corporation, within thirty day of such

member's sixty-fifth birthday; and the Mayor or other chief executive officer shall cause such sixty-five year old member of the police department to be retired within a period of not more than thirty additional days. It shall be the duty of each member of the police department who is a member at the time this ordinance becomes effective to furnish the said necessary proof of his date of birth to the said board of trustees within a reasonable length of time, said length of time to be determined by the said board of trustees; and then the board of trustees and the Mayor or other chief executive officer of the municipal corporation shall proceed to act in the manner herein provided, and shall cause all members of the police department who are over the age of sixty-five years to be retired in not less than sixty days from the date this ordinance becomes effective. The amount of pension of such members shall receive shall depend upon their length of service as herein provided. Such member need not have served twenty years to be eligible to receive the pension hereinabove prescribed.

The sum to be paid to each permanently disabled member shall be equal to fifty percent (50%) of the salary being received by such member, at the time he is so disabled, or an amount of one hundred fifty dollars, (\$150.00) per month, whichever shall be greater; provided however, that any member who is permanently disabled, after having served twenty years in such department, and, who has attained the age of fifty years, shall be entitled to such sum as shall equal fifty percent (50%) of such members average salary during the five fiscal years in which he received his highest compensation while a member of the department and also the additional sum per month equal to one per cent of such average monthly salary for each year of the first five years served in excess of said twenty years, or a total amount of one hundred fifty dollars per month, whichever shall be greater.

Absence from the service because of sickness or injury shall not be construed as time out of service.

Any member of such department who has served in the armed services of the United States between September fifteen, one thousand nine hundred forty, the date of the selective service act, and September second, one thousand nine hundred forty-five, the date of the official termination of hostilities with Japan, and who has not been dishonorably discharged from said service, shall be given credit for continuous service in said fire department if he was already a member of such department at the time of his entrance into such armed service, and that such member did not re-enlist in such armed services after such official termination of hostilities and did present himself to the Mayor or other officer, board or person having the power of original appointment to such fire department within six months after his honorable discharge from such armed service, and offer to resume service as an active member of such police department, and was declared mentally and physically capable of performing his entire duties as a member of the department by the pension board doctors.

Any member of the Nitro police department covered by this ordinance who has been required to, or shall at any future time be required to enter the armed forces of the United States by a conscription, by reason of being a member of some reserve unit of the armed forces, or a member of the West Virginia national guard, or who enlists in one of the armed services of the United States during actual hostilities, and upon his receipt of an honorable discharge from such armed forces presents himself for resumption of duty to his appointing municipal official within six months from date of discharge, and is accepted by the pension board doctors as being mentally and physically capable of performing his required duties as a member of such police department, shall be given credit for continuous service in said police department, and his pension rights shall be governed as herein provided.

No member of the police department shall be required to pay the monthly assessment as now required by law, during his period of service in the armed forces of the United States.

Section 9: In case any such police department employee who as been in continuous service for more than five years shall die while in service leaving surviving him a dependant wife, or any dependent minor child or children, or dependent mother and / or father, or any dependent brothers and / or sisters, under the age of eighteen years or in case any such police department employee who is receiving or is entitled to receive a pension under the provisions of this ordinance, or on a disability basis after he shall have been in continuous service for more than five years, shall die, leaving surviving him a dependent wife to whom he was married prior to the date of his retirement, or any dependent minor child or children who were born prior to or within ten months after such retirement, or dependent mother and / or father, or any dependent brothers and / or sisters under the age of eighteen years, then, and in either of such cases the board of trustees of such pension fund shall pay to or for each of such entitled surviving dependents the following pensions, viz: To such dependent widow, until death or remarriage a sum per month equal to twenty-five percent (25%) of the average monthly salary received by such member during the five fiscal years in which such member received his highest compensation, or the sum of seventy-five dollars, (\$75.00) per month, whichever shall be greater; to each such dependent child a sum per month equal to ten percent (10%) the average monthly salary received by such member during the five calendar years in which such member received his highest compensation, or the sum of thirty dollars, (\$30.00) per month for each such child, whichever shall be greater, until such child shall attain the age of eighteen years or marry, whichever occurs first; Provided, however, that each surviving orphaned child shall receive a sum of Fifteen percent (15%) of the average monthly salary received by such member during the five fiscal years in which such member received his highest compensation, or the sum of Forty-five dollars, (\$45.00) whichever shall be greater, until such child shall attain the age of eighteen years, or marry, which ever occurs first; to each such dependent mother or father the sum equal to ten percent (10%) of the average monthly salary received by such member during the five fiscal years

in which such member received his highest compensation, or the sum of Thirty dollars, (\$30.00) which ever is greater; to each such dependent brother or sister the sum of Five dollars, (\$5.00) per month until such person shall attain the age of eighteen years, or marry, whichever first occurs, but in no event shall the aggregate amount paid to such brothers and sisters exceed Thirty dollars, (\$30.00) per month, but if at any time, because of the number of dependents, all such dependents cannot be paid in full as herein provided, then each dependent shall receive his pro rata share of such payments; Provided, however, that in no case shall the payments to the widow and children be cut below sixty percent (60%), of the total amount to be paid all dependents.

The dependent wife, child or children, or dependent father or mother, brothers or sisters of any such municipal employee who shall be killed in the performance of his duties shall, regardless of the length of his service, receive a pension as provided for in that portion of this ordinance fixing the amount to be paid to the dependents.

Absence from service because of sickness or injury shall not be construed as time out of service.

Enacted this 21st day of January, 1964.

Mayor

Recorder

Thereupon, Councilman Hoke moved, seconded by Councilman Reeves, the foregoing ordinance establishing and maintaining a Policemen's Pension or Relief Fund for the City of Nitro be adopted and become effective as of February 1, 1964. Upon a vote motion carried and was so ordered.

Councilman Dye moved, seconded by Councilman Reeves, that all regular members of the Police Department be deleted as contributors to the West Virginia Public Employees Retirement System as of February 1, 1964. Upon a vote motion carried and was so ordered.

Mayor Alexander informed Council that he had secured permission from the Kanawha County Board of Education for the City to use portable building Number 4 for a Library with the following conditions:

1. City of Nitro assume full responsibility for all utilities.
2. That the City assume responsibility for the maintenance of the building.
3. The City of Nitro carry fire insurance and public liability insurance as a protection to the Board in case of fire or injury.

The Mayor further informed that Dennis Knapp was working with W. M. Woodroe on an agreement between the Board of Education and the City of Nitro.

Thereupon Councilman Hamilton moved, seconded by Councilman Hoke, that the City enter into an agreement with the Board of Education for the use of protable building Number 4. Motion carried and was so ordered.

Mayor Alexander appointed Harry M. Graves, Jr. as member of the Library Commission for a term of two (2) years.

Councilman Hamilton moved, seconded by Councilman Wears, the Mayor's appointment of Harry M. Graves, Jr. be approved. Motion carried.

Mayor Alexander reappointed William R. Pritchard and W. C. Woods as members of the Nitro Sanitary Board for terms of three (3) years each.

Thereupon Councilman Dye moved, seconded by Councilman Reeves, the Mayor's Appointment of William R. Pritchard and W. C. Woods be approved. Upon a vote motion carried and was so ordered.

Mayor Alexander appointed Mrs. James Cole and Mrs. G. N. Warner as member of the City Ballot Commission for a term of four (4) years each. Thereupon Councilman Woods moved, seconded by Councilman Hamilton that the Mayor's appointment to the Ballot Commission be approved. Motion carried.

The Recorder read a letter from Myron R. Renick, President of the West Virginia Water Company, said letter explaining the processes used by the Company in an effort to produce a quality of Water acceptable to their customers. Mr. Renick explained further in letter that the Board of Directors of the Water Company had approved the employment of a firm of consulting Engineers to complete necessary plans and cost of new treatment facilities. The Mayor and Council entered into a discussion regarding Mr. Renick's letter and also regarding meetings being held by representatives of Dunbar and South Charleston and Nitro city governments. Councilman Dye reported to council that he had attended a meeting in South Charleston last week and the group proposed that consulting engineers be employed by the three towns to make a study of a new source of water to be treated by the West Virginia Water Company. The Mayor and Councilman plan to attend a meeting to be held in Dunbar Wednesday, January 23rd.

The following Resolution was presented to the 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 21st day of January, 1964, 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 expneses of the City of Nitro, including expenditures for the purposes herein-after 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.

Firemen's wages .

Additional Street Lighting.

Policemen's Wages.

Toward Purchase of New Fire Truck.

Library Expenses.

2. That the amount for each purpose is as follows:

Street Maintenance and Repairs, \$ 4,000.00 for each fiscal year for a period of three years.

Parks and Recreation, \$5,000.00 for each fiscal year for a period of three years.

Firemen's Wages, \$3,500.00 for each fiscal year for a period of three years.

Additional Street Lighting, \$ 500.00 for each fiscal year for a period of three years.

Policemen's Wages, \$4,500.00 for each fiscal year for a period of three years.

Toward Purchase of New Fire Truck, \$3,000.00 for each fiscal year for a period of three years.

Library Expenses, \$500.00 for each fiscal year for a period of three years.

3. That the total amount for said purpose or purposes is

\$21,000.00 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, \$ 1,897.250.; Class II, \$ 5,256,210.; Class IV, \$ 5,491,080.; Aggregate, \$ 12,644,540.

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, 1964, July 1, 1965, and July 1, 1966.

7. That the question of such additional levy shall be submitted to a vote at a Special Election, to be held on the 3rd day of March, 1964.

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 for as follows:

2NHEB

"Special Election to Authorize Additional Levies for the year 1964-65, 1965-66, 1966-67, and for the purpose of Street Maintenance and Repairs, Parks and Recreation, Firemen's Wages, Additional Street Lighting, Policemen's Wages, Toward Purchase of new Fire Truck and Library Expenses, according to order of the Council entered on the 21st day of January, 1964."

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

Thereupon after discussion, Councilman Reeves moved, seconded by Councilman Dye, the foregoing Resolution calling for a Special Levy Election be held March 3, 1964 be adopted. Upon a vote motion carried and was so ordered.

Thereupon Councilman Hoke moved, seconded by Councilman Woods, the following persons be appointed to **serve** as election officials for the Special Levy Election to be held March 3, 1964. Upon a vote motion carried.

Precinct 22

Putnam County

Marie Hedrick	Receiving Commissioner
Hazel Townsend	Receiving Commissioner
Nelda Cottrill	Receiving Commissioner
Mrs. Harold Escue	Receiving Clerk
Mary Michael	Receiving Clerk
Mary Eugenia Dorsey	Counting Commissioner
Audra Cogar	Counting Commissioner
Stella O'Gorman	Counting Commissioner
Marie Smith	Counting Clerk
Hattie Beckman	Counting Clerk

Precinct 283

Kanawha County

Edith Kautz	Receiving Commissioner
Grace L. Peck	Receiving Commissioner
Christine M. Hall	Receiving Commissioner
Kathryn E. Ingram	Receiving Clerk
Myrtle Lawless	Receiving Clerk
Dessie B. Hawkins	Counting Commissioner
Helen Colcord	Counting Commissioner
Virginia T. Hunter	Counting Commissioner
Glada Welton	Counting Clerk
Kathryn Groves	Counting Clerk

Precinct 261

Kanawha County

Velma O. Knider	Receiving Commissioner
Marie Betz	Receiving Commissioner
Mrs. John Perry	Receiving Commissioner
F. B. Kenworthy	Receiving Clerk
Shirley Collins	Receiving Clerk
Reba Mathes	Counting Commissioner
Lena Cook	Counting Commissioner
Viola Ragle	Counting Commissioner
Isabelle H. Hudnall	Counting Clerk
Ruby Gillispie	Counting Clerk

Precinct 260

G oldie Harris
 Myrtle Atkins
 Naomi Willard
 Mable Sigman
 Mrs. Charles Wilson
 Vida Bailey
 Garnett P. Dougherty
 Mrs. J. W. Deeter
 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 282

Mildred H. Conaway
 Ruby F. Craig
 Sadie Wright
 Eunice Higginbotham
 Mrs. Curtis Brewer
 Golda N. Roark
 Winifred P. Chapman
 Georgia Brothers
 Bessie Boggess
 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 305

Lucille Callihan
 Edith Dillman
 H. D. Wilson
 Norma Harrison
 K. K. Casto
 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 306

Juanita Hastings
 Audria Steele
 Bertha A. Smith
 Rosalie Drennan
 Gertrude Deem
 Nancy E. Matheny
 Mrs. R. L. Critchfield
 Majorie Loring
 Mrs. James Williams
 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

Councilman Hoke asked that the Nitro Taxi Company be notified of the illegal parking of their cabs in middle of streets to dispatch and wait for passengers. It was reported that Charleston Transit Bus Company drivers were guilty of same offense.

It was reported that the contractor had left trash on the Bowling alley property that was unsightly and should be cleaned up.

Councilman Dye reported that the curfew law should be enforced more strictly and also there was a lot of speeding on 1st Avenue, South close to the school.

The Mayor and Council entered into a discussion regarding cars parking along 1st Avenue, South (West Va. Route # 25) near the bowling alley. That the bowling alley did not have adequate parking and patrons were parking along the highway and this was creating a hazardous condition. It was suggested that it might be wise to ckeck with the owners of the bowling alley and suggest that they provide additional **parking space** on their property.

Councilman Wears reported that **old** cars were parked on the parkway at 30th Street and the police should make an effort to clear this area as it was a hazardous condition.

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



Mayor



Recorder

February 18, 1964

The City Council met in regular session Tuesday, February 18, 1964.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dye, B. E. Gewin, Mrs. E. Robert Hamilton, Thomas C. Reeves, James R. Wears and Robert M. Woods members of the Council. L. I. Hoke, M. D. member of the Council being absent.

Mayor Alexander called the meeting to order.

Councilman Reeves moved, seconded by Councilman Dye, to dispense with reading the minutes for meetings held January 16th and January 21, 1964. Motion carried.

Copies of the Financial statement for the month of January were presented. Councilman Dye pointed out that for the past several months the police seemed to have a lot of overtime pay and suggested that it may be wise to hire an additional police officer. It was also pointed out that the younger officers objected to working the night shift all the time. It was decided that consideration be given to hiring another man for the police force.

Thereupon Councilman Woods moved, seconded by Councilman Gewin, that the financial statement for the month of January be accepted. Upon a vote motion carried.

The Recorder informed council that she had received several refusals on the election boards as appointed January 21st. Thereupon she submitted the following replacements:

Precinct No. 22	Putnam County
Wilma Lucas	Counting Clerk
Mrs. C. L. Mollohan	Counting Clerk

Precinct 283	Kanawha County
H. K. Miller	Receiving Commissioner
P. R. Walker, Sr.	Counting Clerk
Precinct 261	Kanawha County
Marjorie Smith	Receiving Clerk
Lora Virginia Potter	Counting Clerk
Precinct 282	Kanawha County
Carol Curry	Counting Clerk
Precinct 305	Kanawha County
Mrs. H. L. Reynolds	Receiving Commissioner
Bonnie Jones	Counting Commissioner
Marjorie Hudnall	Counting Clerk
Precinct 306	Kanawha County
Forrest R. Martin	Receiving Commissioner
Mrs. John H. Shiflett	Counting Commissioner
Mary Blake	Counting Commissioner
Mrs. Edna Teel	Counting Clerk

Thereupon Councilman Dye moved, seconded by Councilman Reeves, the foregoing persons be appointed as replacements to serve on the election boards to conduct the Special Levy election being held March 3, 1964. Upon a vote motion carried and was so ordered.

The Mayor announced that committee meeting of the City Council would not be held March 3, 1964.

The Mayor reported to the Council that the 1960 cruiser was causing a lot of trouble and expense. The Mayor and Council

entered into a discussion of purchase of a new car, pointing out that the next cruiser should have more horsepower than previous cruisers, the council also discussed the use of Ford, Dodge, Plymouth, and Chevrolet as police cruisers.

Thereupon, the Recorder was requested to furnish a set of the City's specifications for police cruiser and request for bids to Holman Motor Sales, Inc, Harvey Shreve Ford, Childers Chevrolet Co., Cargill, Inc., Landers Chevrolet Co., C & O Motors, Tag Galyean, Inc. and Honakers Garage.

Councilman Dye moved, seconded by Councilman Hamilton, that letter be written to the State Tax Commissioner requesting permission for the City to transfer \$2,400.00 from Item 15 of the City budget to Item 10 of the City budget. Upon a vote motion carried and was so ordered.

There being no further business to come before the council at this time a motion by Councilman Gewin to recess meeting until March 9, 1964 carried and was so ordered.



W. W. Alexander, Mayor



Grace Lewis, Recorder

February 25, 1964

The City Council met in recessed session Tuesday,
February 25, 1964.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., Thomas C. Reeves, James R. Wears and Robert M. Woods members of the Council. Councilmen Earl W. Dye and B. E. Gewin being absent.

Mayor Alexander called the meeting to order.

The Recorder informed the council that she had received several refusals on the election boards as appointed January 21st and February 18th. Thereupon she submitted the following names as replacements:

Precinct Number 22	Putnam County
Edith Fowler	Receiving Commissioner
Precinct Number 260	Kanawha County
Marietta Wears	Counting Commissioner
Mary Miller	Counting Clerk
Precinct Number 282	Kanawha County
Mrs. Otis Whittington	Counting Commissioner
Norma McGill	Counting Commissioner
Precinct Number 305	Kanawha County
Mrs. Charles F. Coulter	Receiving Commissioner
Glenna Legg	Receiving Commissioner

Precinct Number 306

Kanawha County

Marjorie Sales

Receiving Clerk

Lottie Hoover

Counting Clerk

Thereupon Councilman Hoke moved, seconded by Councilman Woods, the foregoing persons be appointed as replacements to serve on the election boards to conduct the Special Levy Election being held March 3, 1964. Upon a vote motion carried and was so ordered.

There being no further business to come before the council at this time a motion by Councilman Hoke for recess of meeting carried and was so ordered.



W. W. Alexander, Mayor

Grace Lewis, Recorder

March 9, 1964

The City Council met in recessed session March 9, 1964.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Earl W. Dyk, B. E. Gewin, Mrs. E. Robert Hamilton, L. I. Hoke, M. D., James R. Wears and Robert M. Woods, members of the Council. Councilman Reeves being absent.

Mayor Alexander called the meeting to order.

Councilman Gewin resolved the Council into a Board of Canvassers to canvass the Special Levy Election held March 3, 1964. Motion seconded by Councilman Hamilton. 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 Ballots destroyed - None.

Number of Ballots remaining not voted - 799 as ascertained from tally sheet. Number of Ballots voted - 51.

The Recorder then read the certificate of results as follows:

For the Levies - 49.

Against the Levies - 2

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 of Ballots destroyed: None.

Number of Ballots not voted - 473 as ascertained from tally sheet.

Challenged ballots of Harley Goff, Jr. and JoAnna Goff were presented. The reason of challenge being not being registered and on precinct book. However, the aforegoing named had presented their registration cards bearing date of February 1, 1964.

Thereupon Councilman Dye moved, seconded by Councilman Woods, be counted. Upon a vote motion carried.

Thereupon the ballot of Harley Goff, Jr. and JoAnna Goff were read, both being for the levy.

Challenged ballots of Justina Johnston and Larry K. Diehl were presented. The reason of challenge being not being registered and on precinct book. However, the aforegoing named had presented their registration cards bearing date of February 15, 1964.

Thereupon Councilman Gewin moved, seconded by Councilman Dye, not be counted in that their date of registration not being thirty days prior to the election date of March 3, 1964. Upon a vote motion carried and was so ordered.

Number of Ballots voted 52.

The Recorder then read certificate of results as follows:

For the Levies - 44.

Against the Levies - 6.

The Ballots for Precinct. Number 305 were then 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 - 716 as ascertained from tally sheet.

Number Ballots voted - 84.

The Recorder then read the certificate of Results as follows:

For the Levies - 84

Against the Levies - 0

The Ballots for Precinct Number 282 were then 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 - 475 as ascertained from tally sheet.

Number ballots voted - 50

The Recorder then read the certificate of results as follows:

For the Levies - 47

Against the Levies - 3

The Ballots for Precinct Number 260 were then 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 436 as ascertained from tally Sheet.

Number Ballots voted - 64

The Recorder then read the Certificates of results as follows:

For the Levies -60

Against the Levies -4

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 as ascertained from tally Sheet 484.

Number Ballots voted 66.

The Recorder then read the Certificate of Results as follows:

For the Levies -63

Against the Levies -3

The Ballots for Precinct Number 283 were then 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 of Ballots destroyed - None.

Number Ballots remaining not voted 780 as ascertained from tally sheet.

Number Ballots voted 70.

The Recorder then read the certificate of results as follows:

For the Levies 63.

Against the Levies 7.

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 March 3, 1964, in the City of Nitro, West Virginia as follows:

For the Levies 410

Against the Levies 25

Councilman Dye moved, seconded by Councilman Hamilton, the Council sitting as a Board of Canvassers, certify the above results. Upon a vote motion carried and was so ordered.

Councilman Wears moved seconded by Councilman Woods that all election expenses be paid. Motion carried.

Councilman Woods moved, seconded by Councilman Wears that Board of Canvassers be dissolved. Motion carried and was so ordered.

Thereupon Councilman Woods moved, seconded by Councilman Dye, resolved the Council into a Board of Canvassers to canvass the ballots of the Nitro Firemen for a Board of Trustees of the Nitro Firemen's Pension or Relief Fund, Election held Monday, March 9th. Upon a vote motion carried.

Thereupon the voted ballots of the Nitro Firemen were laid before the Board and the members of the Board proceeded to count the ballots as follows:

Clyde C. Harris	5
Ernest W. Hedrick	5
Kenneth K. King	3
Clarence M. McDaniel	4
Denver R. Rawlings	6
James L. Raynes	1

Thereupon Councilman Dye moved, seconded by Councilman Woods, that the Board of Canvassers certify the following as Board of Trustees of the Nitro Firemen's Pension or Relief Fund:

Denver R. Rawlings
Clyde C. Harris
Ernest W. Hedrick
Clarence M. McDaniel

Upon a vote motion carried and was so ordered.

Councilman Hamilton moved to dissolve the Council as a Board of Canvassers. Motion Seconded by Councilman Wears. Motion carried.

Thereupon Councilman Woods moved, seconded by Councilman Dye, resolved the Council into a Board of Canvassers to canvass the ballots of the Nitro Policemen for a Board of Trustees of the Nitro Policemen's Pension or Relief Fund, Election held Monday, March 9th. Upon a vote motion carried.

Thereupon the ballots of the Nitro Policemen were laid before the Board and the members proceeded to count the ballots as follows:

Dana F. Johnston	3
Jack E. Johnston	5
Bernard T. Linville	5
Clarence A. Palmer	5
William C. Post	2

Thereupon Councilman Woods moved, seconded by Councilman Dye, that the Board of Canvassers certify the following as Board of Trustees of the Nitro Policemen's Pension or Relief Fund:

Jack E. Johnston
 Bernard T. Linville
 Clarence A. Palmer
 Dana F. Johnston

Upon a vote motion carried and was so ordered.

Thereupon Councilman Gewin moved, seconded by Councilman Wears, to dissolve the Board of Canvassers. Upon a vote motion carried and was so ordered.

The Council then proceeded to take up other matters of business.

The Recorder laid before the Council five sealed bids for a police cruiser, which bids were read and tallied as follows:

Cargill Motors, Inc.	\$ 2,100.00 net
Holman Motor Sales, Inc.	2,000.00 net
Childers Chevrolet Co.	2,190.00 net
Landers Chevrolet, Inc.	2,085.00 net
Tag Galyean, Inc.	2,053.87 net

After some discussion, Councilman Dye moved, seconded by Councilman Woods, that bid be awarded to the lowest bidder Holman Motor Sales, Inc. at a bid of \$ 2,000.00 net. Upon a vote motion carried and was so ordered.

The Recorder laid before the Council four sealed bids on blanket coverage insurance of all City owned vehicles as follows:

Ellis Insurance Agency	\$ 1,003.36
Nitro-Pocatalico Ins. Agency	1,403.59
Marshall & Smith Ins. Agency	1,658.58
Gibson Brothers Ins. Service	1,381.73

The Council discussed the bids to some extent.

Thereupon Councilman Hamilton moved, seconded by Councilman Wears, that the awarding of the insurance bid be tabled and that a check be made on American Universal Insurance Company - represented by Ellis Insurance Agency - said Company being the lowest bidder on the insurance coverage. Upon a vote motion carried.

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