

AGENDA
NITRO CITY COUNCIL
FEBRUARY 18, 2020
6:00 pm

CALL TO ORDER: Mayor Dave Casebolt
Ward 1 Councilwoman Donna Boggs
Ward 3 Councilwoman Laurie Elkins
Councilman at Large Bill Javins
Councilman at Large Andy Shamblin

Recorder Rita Cox
Ward 2 Councilman Bill Racer
Ward 4 Councilman Michael Hill
Councilman at Large John Montgomery

INVOCATION/PLEDGE OF ALLEGIANCE

FUTURE DATES OF COUNCIL: March 3 and 17, Budget Meetings to Be Announced

APPROVAL OF COUNCIL MINUTES: February 4, 2020

OLD BUSINESS

MS4 INFORMATION BEST MANAGEMENT PRACTICES: Laura Cox

MS4 CONTRACT LABORER: Mayor Dave Casebolt

NEW BUSINESS

FIRST READING AN ORDINANCE AUTHORIZING MEDICAL CANNIBIS FACILITIES:
Councilman John Montgomery

FUNDRAISING RACES FOR SHRINERS HOSPITAL/MARCH 21 AND OCTOBER 31:
Councilwoman Laurie Elkins

ATTORNEY REPORT

TREASURER REPORT

MAYOR COMMENTS

COUNCIL COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

DRAFT

NITRO CITY COUNCIL
MINUTES
FEBRUARY 4, 2020

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

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Councilman Shamblin and the Pledge of Allegiance was led by Boy Scout Pack 65.

FUTURE DATES OF COUNCIL: Mayor Casebolt said the future dates of Council are February 18, March 3 and 17.

APPROVAL OF COUNCIL MINUTES: RECORDER COX MADE THE MOTION TO APPROVE THE MINUTES OF JANUARY 21, 2020. COUNCILMAN SHAMBLIN MADE A SECOND TO THE MOTION AND VOTE WAS FOR THE MOTION.

SWEARING IN OF NEW FIREFIGHTER: Fire Chief Jeff Elkins introduced the newly hired firefighter Terrell Lovejoy to Council and Mayor Casebolt administered the oath of service. Council members welcomed him to the Nitro Fire Department.

OLD BUSINESS

MS4 INFORMATIONAL PRESENTATION: Laura Cox said that Council will need to fulfill certain obligations to meet the requirements for the stormwater runoff program as mandated by the US government. She said there will be a presentation at the next meeting of Council to give information about the requirements.

OPEN BIDS FOR 2013 OR NEWER DUMP TRUCK: RECORDER RITA COX MADE THE MOTION TO FORM A COMMITTEE CONSISTING OF RECORDER COX, AJ HILL, JOHN YOUNG, AND KEVIN WILLIAMSON TO REVIEW THE BIDS WHICH CONSISTS OF A BID BY WORLDWIDE EQUIPMENT FOR A 2013 INTERNATIONAL AND A BID FROM MATHENY FOR \$93,692 AND A SECOND BY COUNCILMAN ANDY SHAMBLIN. THE MOTION CARRIED.

OPEN BIDS FOR 2020 REFUSE TRUCK: RECORDER COX MADE THE MOTION TO FORM A COMMITTEE WITH RECORDER COX, TREASURER YOUNG, AJ HILL, AND KEVIN WILLIAMSON TO CONSIDER THE BIDS AND REPORT BACK TO COUNCIL FOR A RECOMMENDATION AND DECISION. The bids were \$139,500 from WV Tractor Company for a New Way Cobra with delivery being in March and a bid from Matheny Motors for a Freightliner with delivery being approximately 9 months. COUNCIL VOTED UNANIMOUSLY FOR THE MOTION.

NEW BUSINESS

ATTORNEY REPORT: Johnnie Brown said he did not have a report. He said he would not attend the next meeting.

TREASURER REPORT: COUNCILMAN RACER MADE THE MOTION THAT COUNCIL MEET AT 6:00 PM ON FEBRUARY 18, 2020 WITH A BUDGET MEETING TO FOLLOW. COUNCILMAN SHAMBLIN SECONDED THE MOTION AND COUNCIL VOTED UNANIMOUSLY FOR THE MOTION.

MAYOR COMMENTS: Mayor Casebolt said that Scott Jack has come up with a plan to arrange the Nitro Museum and to put the donated display cases to good use. Mayor Casebolt said the museum will be closed from February 24 through April 1 to rearrange the collection and make better use of the space.

COUNCIL COMMENTS: Councilman Andy Shamblin introduced Nitro High School student Hannah Jack, daughter of Scott Jack. He said that she is a senior at the school and will be the class valedictorian this year.

PUBLIC COMMENTS: There were no public comments

ADJOURNMENT: COUNCILMAN JAVINS MADE THE MOTION TO ADJOURN AND THERE WAS A SECOND BY COUNCILWOMAN BOGGS. THE MOTION CARRIED.

DAVE CASEBOLT, MAYOR

DRAFT

RITA COX, RECORDER

Nitro Little League Baseball and Softball-2020 Children First

Thank you for adding Nitro Little League to your agenda for this evening. I would like to take this opportunity to discuss two topics concerning our Baseball/Softball complex in Nitro.

First, when the riverbank project was completed the fencing was not replaced along the bank. This is a safety issue for children during practices and games. Opening day is April 4 and practices begin the first week of March. Can we set a timeline for replacing the original fence? Please see the attached of the current fencing.

Second, NLL is currently investing approximately \$10,000 for electrical upgrades, additional lighting in the bathroom/concession area, and electric to the Softball scoreboard.

I am hear this evening to ask you to invest in the children of Nitro and Cross Lanes. Attached is a wish list to complete three projects for this year.

Project #1-Gravel. The entrance to concession, along the walkway, and additional holes need filled because of holes and standing water. The approximate cost delivered is \$2,032.05.

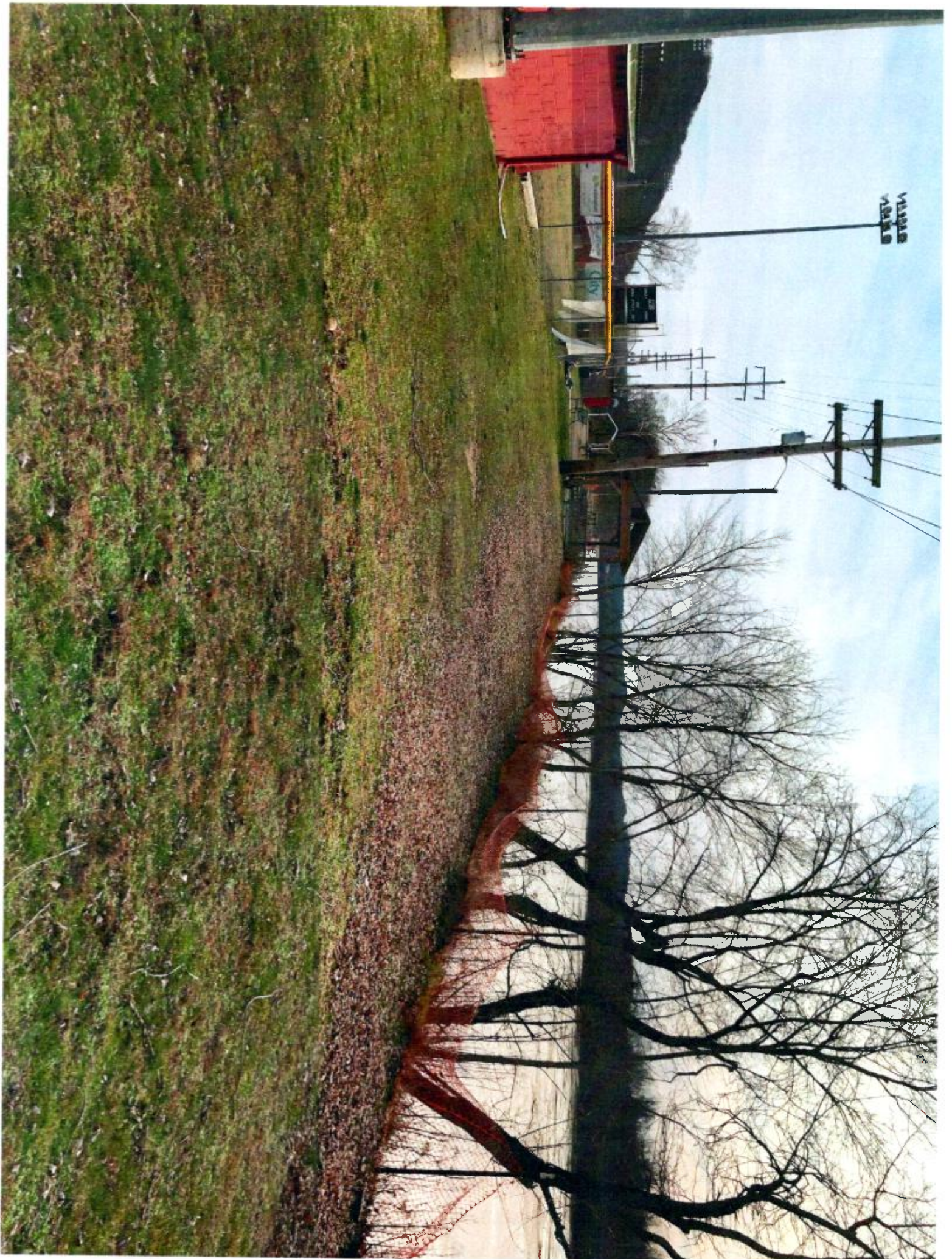
Project #2-Bleachers. Nine sets of wooden bleachers need replaced. The current wooden bleachers are falling apart and broken. The approximate cost will be \$3,214.66. Volunteers will complete the work.

Project #3-Dirt added to Softball and Little League field to start. Approximately \$1000.

The Projects total \$6,246.71. I am asking the City of Nitro to invest in our children this season to bring our fields to a place where children feel safe and are proud to play in our community. A donation to cover these projects would be greatly appreciated.







PROJECT	MATERIALS	AMOUNT	\$ AMOUNT	TOTAL	TOTAL PER PROJECT	
#1 GRAVEL	CRUSHER RUN (TRUCKLOAD DELIVERED) SHAMBLIN STONE	3	\$	677.35	\$	2,032.05
	This is for the driveway and around walks and holes in the complex.					2,032.05
#2 BLEACHERS	9 SETS OF BLEACHERS. 9 BOARDS A SET PLUS HARDWARE	81	\$	26.98	\$	2,185.38
	This is only the wooden bleachers. An alternative would be stadium five row bleachers at \$4050 per set	24	\$	38.72	\$	929.28
		1	\$	100.00	\$	100.00
#3 DIRT FOR FIELDS	Truckloads of dirt for Little League field and Softball Field (This will deal with holes and swampy areas in fields). This will be a mix	5		\$200	\$	\$1,000
						4,000.00

TOTAL SHORT TERM PROJECTS

\$ 5,246.41

5,300

The following pages contain nineteen Individual Best Management Practices included in the City of Nitro's MS-4 Permit. They are separated into six categories and the City is required to perform each of them to satisfy the Clean Water Act. Each measurable goal is listed individually along with a status comment; required actions (if any) and a timeframe to bring each into compliance.

In January 2020 Staff (A.J., Jonathan, Kim and Laura) met with DEP representatives Jeff Smith and Doug Kee after first forwarding the attached to them for review. They both stated that if the City takes the actions proposed they would be considered to be and/or remain in compliance of the current Permit.

Public Education and Outreach on Storm Water Impacts – MCM #1

STORMWATER NEWSLETTERS

Measurable Goals

Develop and publish the newsletters four times per year and distribute 4,000 copies of each newsletter. Include information as to the numbers of newsletters distributed and topics discussed in each in the Annual Report.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

STORMWATER PAMPHLETS

Measurable Goals

Develop and publish stormwater pollution prevention pamphlets. Include the following topics for articles: the storage of hazardous materials, illicit discharges and how to report them, and other general topics. Pamphlets will also address the pollutants of concern documented in the City of Nitro's receiving water TMDLs. The target audience is businesses.

Current Status: Not compliant.

Actions: Nitro might want to substitute a weekly email for the pamphlets as it would reach a broader audience

Timeframe: ?

STORMWATER WEBSITE

Measurable Goals

Establish a stormwater website with public access. Document the number of visitors to the website in the Annual Report, along with the results of any surveys conducted.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

NEWSPAPER ARTICLES

Measurable Goals

On a semi-annual basis, develop and publish a stormwater newspaper articles. Include information as to the numbers of articles distributed and topics discussed in each in the Annual Report.

Current Status: Not compliant.

Actions: MS-4 Administrator will coordinate this

Timeframe: ?

PET WASTE PROGRAM

Measurable Goals

Establish a pet waste program. Place at least 5 new pet waste stations, refill the bags at the station as needed. Keep track of the number of bags used from pet waste stations. Keep track of the number of pamphlets sent out to pet owners. Include data in Annual Report

Current Status: Not started

Actions: Nitro to purchase 10 pet waste stations, determine the best placement sites and install them. They will be maintained as necessary by Public Works Department. A map of locations will be included in the Annual Report

Timeframe: Installation complete by June 30th, 2020

Public Involvement and Participation – MCM #2

PUBLIC MEETINGS

Measurable Goals

Organize and conduct annual meetings regarding the City's SWMP (content, implementation, etc.). Organize and conduction meetings regarding any changes to City ordinances and policies as needed.

Current Status: Nitro is compliant with this

Actions: Nitro will conduct appropriate public outreach as it revises its current stormwater ordinances

Timeframe: N/A

COMMUNICATION WITH PUBLIC GROUPS

Measurable Goals

City of Nitro will start compiling an email list of interested parties that are willing to participate in events. The City will document all notifications sent out by email.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

LOCAL ACTIVITY PARTICIPATION

Measurable Goals

The City will organize and hold one of the following events in ~~2016~~ 2020 (Tree Planting, city block cleanup, storm-drain marking) and at least one additional event each successive year.

Current Status: Not compliant

Actions: Nitro might want to substitute rain barrel workshops and DEP Water Festival as activities

Timeframe: ?

STORM DRAIN MARKING PROGRAM

Measurable Goals

Create a storm drain marking program and once implemented, mark at least 25 storm drains per year.

Current Status: Not compliant

Actions: Program to begin summer of 2020. Public Works Department to perform work

Timeframe: Summer – Fall 2020

POSTING OF THE MS4 SWMP AND ANNUAL REPORT

Measurable Goals

Make the draft and final MS4 SWMP and the annual report(s) available to the public through the stormwater website. Track the number of views of the draft and final SWMP.

Current Status: Not compliant

Actions: MS-4 Administrator and MS-4 Contractor will jointly coordinate this

Timeframe: ?

Illicit Discharge Detection and Elimination – MCM #3

MAINTAIN STORM SEWER SYSTEM MAP

Measurable Goals

Identify updates to the City's storm sewer system map to meet the permit requirements. Annually update the storm sewer system map by incorporated any newly found revisions or new development.

Current Status: Mapping is underway

Actions: MS-4 Consultant will coordinate this work

Timeframe: ?

IDDE ORDINANCE

Measurable Goals

Develop an IDDE Ordinance that complies with the permit.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

IDDE PROGRAM – TRAINING AND FIELD ASSESSMENTS

Measurable Goals

City of Nitro will train field services staff and engineering staff on the importance of reporting and removing illicit discharges. The City will walk remote areas and conduct inspections on the sanitary sewer lines looking for illicit discharges in the spring and fall annually

Current Status: Nitro is not compliant

Actions: MS-4 Administrator will coordinate this work

Timeframe: ?

ILLICIT DISCHARGE REPORTING

Measurable Goals

Obtain a phone number that the public can use to call in reports of illicit discharges..

Current Status: Nitro is not compliant

Actions: MS-4 Administrator will coordinate this work with Public Works

Timeframe: ?

STORMWATER POLLUTION PREVENTION TRAINING

Measurable Goals

Hold required trainings, either on-line or in-person, for applicable City personnel and City contractors to learn about stormwater pollution prevention. After the training, comments will be solicited and trainees will have to complete a quiz to evaluate comprehension of the materials.

The Good Housekeeping and Maintenance training will be provided to employees whose job functions may impact water quality within 3 months of the date of initial employment.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

Construction Site Run-off Control – MCM #4

CONSTRUCTION SITE RUNOFF ORDINANCE

Measurable Goals

Develop a Construction Site Runoff Ordinance that complies with the permit.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

ENHANCED CONSTRUCTION SITE RUNOFF PROGRAM

Measurable Goals

In addition to developing a Construction Site Runoff Ordinance, the following elements will be incorporated into the program: coordination of plan view within the City's departments, procedures for inspections of construction sites, educational and training measures, and an enforcement strategy to respond to issues of non-compliance.

Current Status: Nitro is not compliant

Actions: MS-4 Consultant will coordinate this work in the future

Timeframe: ?

Controlling Run-off from New Development and Redevelopment – MCM #5

POST-CONSTRUCTION SITE RUNOFF ORDINANCE

Measurable Goals

Develop a Post-Construction Site Runoff Ordinance that complies with the permit.

Current Status: Nitro is compliant with this

Actions: MS-4 Consultant will write this ordinance

Timeframe: Ordinance complete by June 30th, 2020 and adopted by September 30, 2020

IMPLIMENT STORMWATER DESIGN MANUAL (New)

Measurable Goals

1. Once adopted the City of Nitro will document that Design Manual is on the website.
2. Once adopted the City of Nitro will document the number of stormwater design manuals handed out with the dates and individuals who received them.

Current Status: Nitro is not compliant

Actions: MS-4 Consultant will coordinate this work in the future

Timeframe: ?

**Pollution Prevention/Good Housekeeping for Municipal Operations-
MCM #6**

MAINTENANCE INSPECTIONS

Measurable Goals

Nitro will maintain SWPPPs and will conduct annual inspections of stormwater BMPs. The City will review view and update SWPPP based on annual inspection results.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

TRAINING RE: POLICIES AND PROCEDURES

Measurable Goals

Nitro will document the date of each training session, which will cover topics that are included in the developed SWPPP. New employees whose job functions may impact water quality will be trained within 3 Months after hire.

Current Status: Nitro is compliant with this

Actions: N/A

Timeframe: N/A

STREET SWEEPING / DRAIN CLEANING

Measurable Goals

Conduct street sweeping once every two weeks. Conduct storm sewer system maintenance/cleaning annually.

Current Status: Nitro is compliant with this

Actions: Continue sweeping program and convey results in Annual Report

Timeframe: ?

**CITY OF NITRO STORMWATER DEPARTMENT
PRELIMINARY BUDGET 2020-2021**

MS-4 Administrator	
Contract Worker Salary -	\$15,000.00
Office Expenses	- \$5,000.00
TOTAL	- <u>\$20,000.00</u>

General Duties of MS-4 Administrator – Performs administrative tasks related to the Permit including submission of the Annual Report, organizes and conducts public outreach, supports the Stormwater Board, coordinates related maintenance tasks.

ELIZABETH ELSWICK

design & art



304 419 1345



hippiesdaughterwv@gmail.com



Saint Albans, WV



Education

Riverside High School
General Education/Art
05/2007

WVU Institute of Technology
B.S. Graphic Design &
Printing Technology
05/2012



Skills

Graphic design
Illustration
Newsletters
Problem solving
Data entry
Management
Marketing
Social Media
Customer Service
Adobe Creative Suite
Microsoft Office Suite
Creative brainstorming
Minutes
Photography



Interests

Camping
Illustration
Macrame
Animals
Art
Hiking
Event Planning
Food

HELLO,

Born and raised in West Virginia, surrounded by a large family and even larger mountains. I have always loved the outdoors and being creative which led me to complete a B.S. in Graphic Design in 2012 at WVUIT in Montgomery, WV. While I attended University I also played for the WVUIT Women's Soccer Team. I went on to work in family assistance for the state of WV for 5+ years before finding my current job with the City of St. Albans; where I also choose to live in 2015. During working to assist the families of WV I created my own, now profitable, business in 2017. With 10+ years of experience in customer service and 5+ years in design work, I can bring a professional and creative view to any job.

EXPERIENCE

City of St. Albans MUC

02/2019 - Present

MS4 - Stormwater Administrator

Day to day duties include customer service, management, graphic design, administrative duties, MS4 permit compliance, problem solving, public education, stormwater inspection, dispatching jobs, event planning.

The Hippie's Daughter

04/2017 - Present

Owner

Day to day duties include marketing, social media management, web design, light accounting, graphic design, customer service, packaging, production, painting, networking, sales, budgeting, advertising, freelance work, and problem solving.

WV Department of Health and Human Resources

01/2018 to 02/2019

Economic Service Supervisor

Day to day duties included management, customer service, receptionist, quality control, problem solving, data entry, administrative work, coaching, training, and interviewing for hiring.

WV Department of Health and Human Resources

01/2014 to 01/2018

Economic Service Worker

Day to day duties included data entry, customer service, problem solving, case management, quality control, and training.

Kroger

2011 to 02/2014

Fuel Clerk

Day to day duties included being a cashier, customer service, maintenance, cleaning, stocking, ordering, and training.

VOLUNTEER

STARDA

St. Albans Residential Development Association

04/2019 - Present

References & design work available upon request

ORDINANCE _____

An ordinance to amend Section 1302.1, Chapter 1302 of the Codified Ordinances of the City of Nitro, West Virginia, as amended, all relating to the Planning and Zoning Ordinance, by adding additional definitions relating to the growing, processing and distribution of medical cannabis.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA, that Section 1302.2, Chapter 1302 of the Codified Ordinances of the City of Nitro, West Virginia, as amended, be amended, all to read as follows:

**Part Thirteen - Planning and Zoning
CHAPTER 1302
DEFINITIONS**

SECTION 1302.2 - TERMS DEFINED

"Abandonment" means the relinquishment of property or a cessation of the use of the property by the owner or lessee without any intention of transferring rights to the property to another owner or resuming the nonconforming use of the property for a period of one year.

"Above-ground/on ground pool". See "Private swimming Pool."

"Accessory building" means an incidental subordinate building customarily incidental to and located on the same lot occupied by the main use or building, such as a detached garage.

"Accessory use" means a use conducted on the same lot as the primary use of the structure to which it is related; a use which is clearly incidental to, and customarily found in connection with, such primary use.

"Addiction treatment center" means any outpatient or inpatient service providing diagnostic or therapeutic services for alcoholism, drug abuse, or similar conditions. Clinics and professional offices or similar uses that provide addiction treatment counseling to individuals as part of a larger practice are not addiction treatment centers.

"Adult day care center" means a use providing supervised care and assistance primarily to persons who are over age 60, mentally retarded or physically handicapped who need such daily assistance because of their limited physical abilities, Alzheimer disease or mental retardation. This use shall not include persons who need oversight because of behavior that is criminal or violent. This use may involve occasional overnight stays, but shall not primarily be a residential use. The use shall involve typical stays of less than a total of 60 hours per week.

"Adult bookstore" means any commercial establishment in which is offered for sale as a

"City Engineer" means the licensed engineer designated by Council to furnish engineering assistance for the administration of these Regulations.

"Club" means buildings or lands owned or operated by a corporation, association, fraternal organizations or persons for a social, education, or recreational purpose, but not primarily for profit or to render a service that is customarily carried out as a business.

"Code" or "this Code" means the Codified Ordinances of the City of Nitro, West Virginia.

"Code Official" means the building inspector authorized in Article 1705 of this Code, and includes his or her designee.

"Collector road" means a road intended to move traffic from local roads to secondary arterials. A collector road serves a neighborhood or large subdivision and should be designed so that no residential properties face onto it.

"Combination sign" means a sign that is supported partly by a pole and partly by a building structure.

"Columbarium" means a place for the respectful and usually public storage of urns holding the deceased's cremated remains.

"Commercial" means engaging in a business, commerce, enterprise, activity, or other undertaking for a profit.

"Commercial greenhouse" means a building used for the growing of plants, all or part of which are sold at retail or wholesale. Commercial Greenhouse shall not include or be construed to be a Medical Cannabis Growing Facility

"Commercial parking garage" means a building, other than a private garage, used for the parking of automobiles with or without a fee.

"Commercial retail sales and services" means establishments which engage in the sale of general retail goods and accessory services. Businesses within this definition include those which conduct sales and storage entirely within an enclosed structure (with the exception of occasional outdoor "sidewalk" promotions); businesses specializing in sale of either general merchandise or convenience goods.

"Commercial school" means a school establishment to provide for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school).

"Community sign" means temporary, on- or off-premises signs, generally made of a woven material or durable synthetic materials primarily attached to or hung from light

poles or on buildings. These signs are solely of a decorative, festive and/or informative nature announcing activities, promotions or events with seasonal or traditional themes having broad community interest, and which are sponsored or supported by a jurisdiction-based nonprofit organization.

“Community Commercial Center” means a completely planned and designed commercial development providing for the sale of general merchandise and/or convenience goods and services. A community commercial center shall provide for the sale of general merchandise, and may include a variety store, discount store or supermarket.

“Community garden” means a neighborhood-based agricultural use with the primary purpose of providing space for members of the community to grow plants for beautification, education, recreation, community distribution, or personal use. Sites managed by public or civic entities, nonprofit organizations or other community-based organizations are responsible for maintenance and operations. Processing and storage of plants or plant products are prohibited on site. Gardening tools and supplies may be stored within an accessory building. Community Garden shall not include or be construed to be a Medical Cannabis Growing Facility.

“Comprehensive plan” means a plan for physical development, including land use, adopted by the City Council, setting forth guidelines, goals and objectives for all activities that affect growth and development in the governing body's jurisdiction.

“Conditional use” means a use which because of special requirements or characteristics may be permitted in a particular zoning district only after review by the board of zoning appeals and upon issuance of a conditional use permit, and subject to the limitations and conditions specified in the zoning ordinances.

“Condominium” means a common interest community in which portions of the real estate are designated for separate ownership and the remainder of the real estate is designated for common ownership solely by the owners of those portions. A common interest community is not a condominium unless the undivided interest in the common elements are vested in the owners.

“Construction plan” means the maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.

“Contiguous” means lots, parcels, municipal boundaries or county boundaries that are next to, abutting and having a boundary, or portion thereof, that is coterminous. Streets, highways, roads or other traffic or utility easements, streams, rivers, and other natural topography are not to be used to determine lots, parcels, municipal boundaries or county boundaries as contiguous.

“Convalescent center” means a facility which is publicly or privately operated and

“Driveway” means a private access road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel in which it is located.

“Drug store” means an establishment engaged in the retail sale of prescription drugs and patient medicines and which may carry a number of related product lines, such as cosmetics, toiletries, tobacco and novelty merchandise, and which may also operate a soda fountain or lunch counter. Drug Store shall not include or be construed to be a Medical Cannabis Dispensary.

“Duplex dwelling” means a building designed or arranged to be occupied by two families living independently, the structure having only two dwelling units.

“Dwelling unit” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by this Part Thirteen, for not more than one family, or a congregate residence for six or less persons.

“Easement” means that portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on, or above said lot or lots.

“Educational institution” means public or parochial pre-primary, primary, grade, high, preparatory school or academy, junior college, college or university, if public or founded or conducted by or under the sponsorship of a religious or charitable organization.

“Electric sign” means any sign activated or illuminated by means of electrical energy.

“Electronic message sign or center” means an electrically activated changeable sign whose variable message capability can be electronically programmed.

“Escrow” means a deposit of cash with the City in lieu of an amount required and still in force on a performance or maintenance bond. Such escrow funds shall be deposited by the Commission in a separate account.

“Essential utilities and equipment” means underground or overhead electrical, gas, communications not regulated by the federal communications commission, water and sewage systems, including pole structures, towers, wires, lines, mains, drains, sewers, conduits, cables, fire alarm boxes, public telephone structures, police call boxes, traffic signals, hydrants, regulating and measuring devices and the structures in which they are housed, and other similar equipment accessories in connection therewith. Essential utility equipment is recognized in three categories:

- 1. Local serving;**
- 2. Nonlocal or transmission through the county or municipality; and**
- 3. Water and sewer systems, the activities of which are regulated, in whole or in part, by one or more of the following state agencies:**
 - a. Public service commission;**
 - b. Department of environmental protection; or**

continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

"Historic landmark" means a site, building, structure or object designated as historic on a national, state or local register.

"Historic site" means the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure whether standing, ruined or vanished, where the location itself possesses historical, cultural or archaeological value regardless of the value of any existing structure and designated as historic on a national, state or local register.

"Home occupation" means the partial use of a dwelling unit for commercial or nonresidential uses by a resident thereof which is subordinate and incidental to the use of the dwelling for residential purposes.

"Homeless person" means an individual who, or family which, lacks a fixed, regular and/or adequate nighttime residence.

"Homeless shelter" means a facility providing emergency housing with minimal supportive services for homeless persons whether they be individuals or families, that is intended for occupancy by the respective homeless person of thirty (30) days or less in a given 12 month period.

"Hospital" means an institution designed for the diagnosis, treatment and care of human illness or infirmity and providing health services, primarily for inpatients, and including as related facilities, laboratories, outpatient departments, training facilities and staff offices.

"House trailer" means any licensed or unlicensed trailer or other vehicle designed or used for living or sleeping purposes regardless of whether the wheels are attached or unattached, or a permanent or semi-permanent foundation is constructed underneath or any structures of a permanent nature are attached thereto.

"Hot tub". See "Private swimming pool."

"Household pets" means dogs, cats, rabbits, birds, and other animals, maintained for family use only (noncommercial) with cages, pens, etc.

"Hypermarket" means a large-scale (minimum of 100,000 square feet) self-service retail store selling food, drugs, household merchandise, clothing, and a variety of other retail goods. The store may, in some cases, include limited, ancillary commercial tenants within the main building, such as medical offices, postage stores, snack counters, coffee shops, shoe repair shops, eye care centers, hair salons, etc. Hypermarket shall not include or be construed to be a Medical Cannabis Dispensary.

"Illuminated sign" means a sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated), or reflecting off its surface(s) (externally

maintenance of motor vehicles.

trailers and similar large mechanical equipment, including paint, body and fender and major engine and engine part overhaul, which is conducted within a completely enclosed building.

"Major subdivision" means all subdivisions not classified as minor subdivisions, including but not limited to the subdivision of four or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvements.

"Mansard" means an inclined decorative roof-like projection that is attached to an exterior building facade.

Manufactured home (mobile home)" means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet (2438 mm) or more in width or 40 body feet (12 192 mm) in length, or when erected on site is 320 square feet (29.7 m²) or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

"Marina" means a facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft, including tour boats and river boats, that may include the sale of fuel, food and incidental supplies for the boat owners, crews, passengers and guests.

"Marquee". See "canopy (attached)."

"Marquee sign". See "canopy sign."

"Medical cannabis" means cannabis for certified medical use, as provided for in West Virginia Code Chapter 16A, as amended.

"Medical cannabis dispensary" means an indoor, enclosed, secure retail type of facility licensed by the Bureau for Public Health to dispense medical cannabis products to qualifying consumers, as provided for in West Virginia Code Chapter 16A, as amended.

"Medical cannabis growing facility" means an indoor, enclosed, secure agricultural type of facility licensed by the Bureau for Public Health to grow medical cannabis, as provided for in West Virginia Code, Chapter 16A, as amended.

"Medical cannabis processing facility" means a indoor, enclosed, secure manufacturing or processing type facility licensed by the Bureau for Public Health to process, refine, or otherwise convert medical cannabis into a legally permitted state, as provided for in West Virginia Code, Chapter 16A, as amended.

"Medium manufacturing" means the manufacturing, compounding, processing,

Part Thirteen.

"Restaurant" means an establishment which sells prepared food for consumption. Restaurants shall be classified as follows:

1. Fast food restaurant which is an establishment which sells food already prepared for consumption, packaged in paper, Styrofoam or similar materials, and may include drive-in or drive-up facilities for ordering.

2. General restaurant which is an establishment which is used primarily for the on-site preparation, sale, serving and consumption of food and non-alcoholic beverages, and, if also licensed as a private club, where alcoholic beverages by the drink may also be served for consumption on the premises as an accessory to the principal use as a restaurant.

3. Take-out restaurant which is an establishment which sells food only for consumption off the premises.

"Resubdivision" means a change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

"Retail sales establishment" means a business having as its primary function the supply of merchandise or wares to the end consumer. Such sales constitute the "primary function" of the business when such sales equal at least eighty (80) percent of the gross sales of the business. Retail sales establishment shall not include or be construed to be a Medical Cannabis Dispensary.

"Revolving sign" means a sign that revolves 360 degrees about an axis. See also "animated sign, mechanically activated."

"Right of way" means a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or for another special use. "Right of way" for landplanning purposes means that every right of way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right of way and not included within the dimensions or areas of such lots or parcels. Rights of way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right of way is established.

"Road, classifications" means the classification of each street, highway, road and right of way, based upon its location in the respective zoning districts of the City and its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan of the City.

"Road, dead-end" means a road or a portion of a street with only one vehicular traffic outlet.

NITRO

A Living Memorial to World War I

City of Nitro
PO Box 308
Nitro, WV 25143
304.755.0705

Special Event Permit Application

Date of Request: 18 February 2020

Date of Event: Oct. 31, 2020

Time of Event: 9AM-11AM AM/PM

Set Up Time: 730AM AM/PM

Tear Down Hours: Gone by 11AM AM/PM

Estimated Attendance: 120 (500+ see page 2)

Name of Applicant: Mac McMillian

Phone Number: 304 549 4310

Email Address: w8xf@aol.com

Name of Organization: Beni Kedem Shrine

Name of Event: Shriner's Halloween 5K

Event Type: 5K race

Event Location: Nitro HS

Parade/Walk/Run City Park Event

Car/Motorcycle Show Ridenour Lake Event

Youth Event Living Memorial Park Event

Charity event Live Music

Carnival/Street Fair Fireworks Display

Other/explain: _____

Will portable restrooms be needed?	Y or N
Will there be vendor booths?	Y or N
Will there be food concessions?	Y or N
Will there be alcohol served?	Y or N
Will table and chair set up required?	Y or N
Will fencing or barricades be needed?	Y or N
Will electricity be required?	Y or N
Will there be canopies/tents used?	Y or N
Will there be live entertainment?	Y or N
Will inflatables be used during the event?	Y or N

**If you answered YES to any of these please see page 2.*

No to all above

Type of City Assistance Needed

- **Police Dept.** (road blockage, street closures or paid security.)
2 police officers as typical for races
- **Public Works Dept.** (barricades, set up tables & chairs, set up & take down pop-up tent, trash pickup, set up & take down sound system)
None
- **Other / Please explain...**
None

Is there any other information to share for the event that was not covered above?

race follows the std 5K course from NHS to Kapok St and return. Restrooms at NHS will be used

CITY OF NITRO Received 2/18/20
K. Reed

NITRO

A Living Memorial to World War I

City of Nitro
PO Box 308
Nitro, WV 25143
304.755.0705

Special Event Permit Application

Date of Request: 18February2020
Date of Event: 21March2020
Time of Event: 9AM-11AM AM/PM
Set Up Time: 730AM AM/PM
Tear Down Hours: Gone by 11AM AM/PM
Estimated Attendance: 120 (500+ see page 2)
Name of Applicant: Mac McMillian
Phone Number: 304 549 4310
Email Address: w8xf@aol.com
Name of Organization: Beni Kedem Shrine
Name of Event: Shriners Shamrock Shuffle 5K
Event Type: 5K race
Event Location: Nitro HS

Parade/Walk/Run City Park Event
Car/Motorcycle Show Ridenour Lake Event
Youth Event Living Memorial Park Event
Charity event Live Music
Carnival/Street Fair Fireworks Display
Other/explain: _____

Will portable restrooms be needed?	Y or N
Will there be vendor booths?	Y or N
Will there be food concessions?	Y or N
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None
- **Other / Please explain...**
None

Is there any other information to share for the event that was not covered above?

is race follows the std 5K course from NHS to Kapok St and return. Restrooms at NHS will used

CITY OF NITRO Received 2/18/20
K. Reed

Income Statement

For Fiscal: 2019-2020 Period Ending: 01/31/2020

Group Summary

Department	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 001 - GENERAL FUND					
Revenue					
	7,798,035.00	7,913,035.00	1,077,082.75	5,567,360.58	2,345,674.42
Revenue Total:	7,798,035.00	7,913,035.00	1,077,082.75	5,567,360.58	2,345,674.42
Expense					
409 - Mayor	130,347.25	130,347.25	14,929.14	93,610.86	36,736.39
410 - City Council	74,363.00	99,363.00	4,958.15	36,237.37	63,125.63
411 - Recorder	91,545.00	91,545.00	10,773.13	40,564.41	50,980.59
413 - Treasurer	64,006.00	64,006.00	4,890.22	40,197.33	23,808.67
416 - Municipal Court	86,819.12	162,495.12	8,138.90	44,344.87	118,150.25
435 - Regional Development Authority	2,200.00	2,200.00	0.00	2,065.09	134.91
436 - Building Department	141,940.59	142,535.59	11,666.08	104,276.99	38,258.60
440 - City Hall	469,157.84	469,157.84	35,983.73	290,620.51	178,537.33
457 - Planning & Zoning	0.00	55,000.00	3,682.78	14,780.52	40,219.48
566 - Public Works Department	406,745.98	406,745.98	54,857.27	316,958.78	89,787.20
700 - Police Department	1,971,931.15	2,024,152.15	173,332.78	1,176,872.25	847,279.90
706 - Fire Department	1,753,149.33	1,872,958.33	223,026.32	944,527.20	928,431.13
707 - Dog Warden/Humane Society	5,500.00	5,500.00	448.29	3,285.75	2,214.25
750 - Streets & Highways	613,624.08	613,624.08	29,845.09	402,679.39	210,944.69
800 - Garbage Department	370,106.48	370,106.48	23,406.13	193,466.21	176,640.27
801 - Landfill & Incinerator Department	165,000.00	165,000.00	13,230.32	106,090.27	58,909.73
900 - Parks & Recreation	117,453.08	177,453.08	9,572.19	123,059.01	54,394.07
901 - Visitors Bureau	112,425.00	112,425.00	19,788.06	102,718.16	9,706.84
903 - Fair Associations/Festival	35,000.00	38,046.00	4,394.68	40,529.96	-2,483.96
904 - Swimming Pools	107,782.00	149,958.00	533.74	75,380.90	74,577.10
911 - Historical Commission	8,605.00	8,605.00	975.47	6,572.43	2,032.57
916 - Library	168,048.00	190,475.00	16,457.99	99,166.38	91,308.62
951 - Seniors	50,663.66	50,663.66	6,777.53	33,068.51	17,595.15
975 - General Government	0.00	0.00	1,875.00	105,969.36	-105,969.36
976 - Public Safety	406,200.00	406,200.00	69,211.00	135,793.42	270,406.58
977 - Streets & Transportation	68,923.00	68,923.00	0.00	17,573.73	51,349.27
978 - Health & Sanitation	0.00	0.00	5,195.95	112,665.19	-112,665.19
979 - Culture & Recreation	440,000.00	450,000.00	200,240.00	430,049.10	19,950.90
Expense Total:	7,861,535.56	8,327,485.56	948,189.94	5,093,123.95	3,234,361.61
Fund: 001 - GENERAL FUND Surplus (Deficit):	-63,500.56	-414,450.56	128,892.81	474,236.63	-888,687.19
Fund: 002 - COAL SEVERANCE FUND					
Revenue					
	20,000.00	20,000.00	5,802.74	18,086.66	1,913.34
Revenue Total:	20,000.00	20,000.00	5,802.74	18,086.66	1,913.34
Expense					
951 - Seniors	20,000.00	30,135.00	0.00	11,091.60	19,043.40
Expense Total:	20,000.00	30,135.00	0.00	11,091.60	19,043.40
Fund: 002 - COAL SEVERANCE FUND Surplus (Deficit):	0.00	-10,135.00	5,802.74	6,995.06	-17,130.06
Total Surplus (Deficit):	-63,500.56	-424,585.56	134,695.55	481,231.69	