

NITRO CITY COUNCIL OFFICIAL PROPOSES USING SETTLEMENT TO COVER SHORTFALL

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With a budget shortfall looming in the **Nitro** Fire Department's budget, city officials proposed Tuesday using funds from the U.S. Tire Recovery settlement to pay off debts owed on a fire truck and the fire chief's vehicle.

Using the funds in the short term would free up money in the city's general fund and help pay for the city building inspector's salary, said treasurer John Young.

More than 40,000 illegally stored tires burned in the massive inferno in May 2006.

The overall settlement was for \$1.17 million. About \$475,000 of that went to lawyer fees and was used to handle the class action claims.

The awards to claimants ranged from \$68.60 to \$73.50 for people who lived in the St. Albans zone at the time of the fire. Those who lived in the **Nitro** zones were estimated to get between \$214.20 and \$291.

Young said the lack of funds stems from a personnel change. Ron King, a city firefighter, was named Nitro's building inspector. Young said officials did not fund King's salary in the city's building department budget.

"I've got a hole now that I need to fill with \$55,000," Young said.

Young emphasized the city's budget shortfall is by no means imminent. But he, along with other city officials, would rather face the problem now than wait until March or April, as the end of the fiscal year inches closer.

But council members questioned whether funds could be used from the fire settlement for such a purpose.

Councilman Craig Matthews said the funds were to be used by the fire department specifically to purchase additional equipment or replace existing equipment - not to aid its operating budget.

City Attorney Richie Robb said he interpreted it to mean the funds could be used to pay the debt. However, the council opted not to take any action until Robb verified whether it would be legal to do so.

"There is a specific court order about how the funds are to be used that was filed in circuit court in Kanawha County that our attorney should look at concerning this matter," said council member Joe Savilla.

Robb said he would research the court order and report back to council at its next meeting, Feb. 16.

In other business, the council voted on a new version of a zoning ordinance that keeps in place distance requirements established in 2004 that prohibit video lottery businesses from being within 3,000 feet of schools, churches and other lottery parlors.

Council members thought about reducing the required distance from 3,000 feet to 1,000 feet.

The idea was considered controversial, with some officials suggesting the move would help businesses and the city's tax base. Others, instead, urged the required distance be increased or remain the same.

The new version of the ordinance, with the 3,000-foot requirement, was approved at Tuesday's meeting.

Council members also approved forming a **Nitro** business enhancement committee that would encourage business owners to fix up their buildings. Streetscape improvement projects are expected to begin this summer, officials said.

Also at the meeting, city recorder Rita Cox requested a resolution to apply for a grant from the state Division of Criminal Justice Services for a police officer to be assigned full-time at **Nitro** High School. The officer would be involved in education and safety and would interact with students and faculty, she said.