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Nitro zoning ordinance ups distance requirement

by Mary Childress, For the Daily Mail

NITRO -- Nitro City Council members can't seem to decide on a zoning ordinance prohibiting video lottery businesses from being within so many feet of schools, churches and other lottery parlors.

After months of going back and forth, council at a meeting Tuesday night passed the ordinance with a distance requirement of 6,000 feet.

"From March 3 to March 17, video lottery businesses shall not be located within 1,000 of one another," said city attorney Richie Robb. "On or after March 17, those businesses can not be located within 6,000 feet of one another, churches and schools."

The measure was first brought before council in December. At the time, it was proposed the distance be reduced from 3,000 feet to 1,000.

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.

So, council members decided to change the distance back to 3,000 feet - as established by the original 2004 ordinance.

Now, with the distance requirement being upped to 6,000 feet, some council members are worried.

"We are opening ourselves up to a lawsuit later," said member Joe Savilla.

"I'm against this. I was against it back when it started and I'm against it now. I don't think the people of Nitro or the churches are going to like this."

Five council members voted in favor of ordinance change; three, including Savilla, Rita Cox and Bob Fields, voted against it.

"What this does is to make sure that there will never be another video lottery business built or established in Nitro," said at-large member Dave Casebolt.

In other business, the council passed a second reading of bylaws establishing a Nitro Convention and Visitors Bureau. But it was the recommendation of certain Nitro citizens for the bureau's board of directors that ruffled some feathers.

Council members on the visitors bureau committee compiled a list that included developers, teachers and business leaders.

Mayor Rusty Casto, who only just saw the list at Tuesday's meeting, said he was miffed he wasn't included.

Casebolt, a member of the committee, said meetings were held on the matter, but Casto did not or was not able to attend.

Casto then requested that all recommendations be presented to him for approval. "The decision rests with me," he said.

Casebolt disagreed, "The list of citizens the committee recommended has been available to the mayor for at least two months. Our business community feels it's very important they are represented on this board to promote tourism in Nitro. We must have strong representation on this board."

Councilman Jim McKay echoed Casebolt's sentiments. "Our CVB's job is to get people to stop in Nitro and spend a dime. We want our businesses to profit from our CVB and our future businesses also. We don't want it (the board) to become a political entity."

Casto said he would study the recommendations of council and present his list of board members at the next council meeting.

If council members reject the mayor's list, the process of selecting a board will start over.

Meanwhile, the city's budget woes continue to be an issue.

But city treasurer John Young told council revenues were up from this time last year.

"We're still working on next year's budget and each department head has turned in their budget with the 2 percent cuts. But we will probably still have to do some cutting," he said.

A budget meeting will be held at 7 p.m. Monday in council chambers.