

**SALEM CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 10, 2004**

**PRESENT:** Walter Nutter, Councilman  
Laura Yokochi, Councilwoman  
Fredette Leda, Councilwoman  
Brad Eddy, Councilman  
Mary Dolly, Councilwoman  
Ken Yost, City Manager  
Sheldon Dolly, Mayor  
Jackie Ritter, City Recorder

**ABSENT:** Daniel Daquilante, Councilman

The Salem City Council met on Tuesday February 10, 2004 for its regularly scheduled meeting. Mayor Dolly called the meeting to order at 7:00 P.M.

**1. Pledge of Allegiance and Prayer:**

Mayor Dolly opened the meeting with the Pledge of Allegiance and offered prayer.

**2. Review and Approval of Council Minutes from Regular Meeting January 13, 2004 and January 27, 2004:**

The minutes for the January 13, 2004 regular council meeting were reviewed. Corrections were noted on pages 1, 2 and 3. Councilwoman Dolly made a motion to approve the minutes with the noted corrections. Councilwoman Yokochi seconded the motion. Carried 6/0. The minutes for the January 27, 2004 regular council meeting were not available.

**3. Vendor Presentation Digital Payment Systems, Inc. Justin S. Bell:**

Mr. Bell was not present. There was discussion of digital payment systems that would allow the acceptance of credit cards, debit cards and electronic payments. The City Manger explained that there is service charges and fees for each transaction and does not know if this would be an allowable budget expense. There was general agreement that this is not needed for the city at this time.

\*\*Councilman Eddy made a motion to alter the agenda to complete the second reading of the zoning ordinances changes. Councilwoman Leda seconded the motion. Carried 6/0. Councilman Eddy made a motion to complete the second reading by title only. Councilwoman Yokochi seconded the motion. Carried 6/0. Mayor Dolly completed second reading by title only of the Amendment to Article III Supplementary Regulations and Permitted modifications, Section 6 Off Street-Parking, Sub-Section A Requirement for Parking of the City of Salem Zoning Ordinance. There was discussion of the specific area designated under this amendment The B-1 Business District. Councilwoman Yokochi made a motion to approve the Amendment to the to the Zoning Ordinance. Councilwoman Dolly seconded the motion. Carried 6/0.

**OLD BUSINESS**

**4. Progress Report Water System Improvements:**

The City Manager reported on a discussion with Jim Hall of Region VI and the option of refinancing the old FHA loan is still feasible. Mr. Hall assured the City Manager that the SCBG

will pay for the CPA certification of the Rule of 42. The engineers continue to work on the design of the water plant. Dam Safety has submitted questions regarding the design plans to the Upper and Lower Dog Run Reservoirs along with their technical review comments. The HNTB engineers have assured more timely responses and reports will be forwarded to Dam Safety. The PSC has provided a checklist and schedule of tasks needed for the water project. The PSC has expressed concern that there has not been a rate increase to accommodate the water system project and this will need to be done as soon as possible. The CPA's certification of the Rule of 42 may be able to be used to determine a proposed rate increase instead of waiting any longer for the PSC cost of service study. The PSC also stressed the need to restrict water service above a minimum elevation and outside a maximum distance from the water treatment plant ordinance is also needed. A vulnerability assessment will also be needed to meet Homeland Security requirements. This committee needs to become active again to address this need. Training session and web site information is available on this subject. The HNTB engineers reported the water project will be ready to bid in June and bids awarded by September.

**5. Lakeview Terrace Improvements:**

The attorney in Charleston has not completed the letter of response to Bruce Edinger.

**6. Sewer WVPS Cost of Service Study for Rate Increase:**

The study from the PSC has still not been received. Susan Brown requested information that had already been provided and assured the City Manager the study will be given to her supervisor for approval as of Feb. 9, 2004.

**7. Report on WV/NPDES Wastewater I & I Plan of Action and WVDEP Order No. s 5269 and 5365, Report on WVDEP (WVIJDC Application), Smoke and Dye Testing, and Sewer Use Ordinance Review (Data):**

There was review of a letter from Richard Barnett of the DEP regarding the outstanding administrative orders. The engineers are trying to provide more regular updates to the DEP. There was discussion of the back-washing problem. There was review of a letter from the City of Wierton requesting support of a bill allowing the sale of sewage sludge for agriculture application.

**8. Review of Status PSC formal complaints:**

The PSC ruled in favor of the City in the Richmond complaint. There was discussion of the Randolph Terrace PSC complaint. The City Manager has been unable to respond to this complaint. A meeting with council, plant staff and the engineers is needed to discuss pressure questions.

**9. Audit Receipt & Review period ending June 30, 2003 Response to Prosecutor s Letter:**

The City Manager provided a list of recommended responses to the Harrison County Prosecuting Attorney regarding non-compliance items in the audit. A special council meeting will be held Feb. 18, 2004.

**10. FEMA RPA Ross & George Street Repairs Water Line Stabilization:**

The City Manager reported an estimate of the cost of the repairs to the water line at Ross and George Streets has been submitted to FEMA for consideration. These damages occurred in November 2003.

**11. Review of WVDOT Bridge Inspection Mill Street Bridge:**

There was review of the recent inspection of the Mill Street Bridge by the WV Dept. of Transportation. A new sign indicating the weight limit is needed.

\*\*At 8:25 P.M. council took a break and resumed at 8:35 P.M.

**12. Demolition of Condemned Properties Bid Review :**

There were no bids received for the asbestos surveys. The City Manager recommends the bids be re-published to be due and opened at the March 23, 2004 council meeting. There was discussion of the asbestos problems encountered by the owners of the two Main street buildings that shut down the demolition. The demolition company began work one day early and did not maintain adequate road security and traffic control on Main Street during demolition. The company and possibly the owners have been fined.

**13. 2004-2005 Budget Digest Grant Request Report:**

Council members were encouraged to write their legislators to request support for the budget digest request for downtown historical lighting. The City Manager reported funding might be available for local police departments through Homeland Security in the future.

**14. Budget Requests for Water Replacement Equipment JAR TESTER:**

The City Manager reported on the need for a new jar tester for the water department and an estimate of cost was provided. The water department submitted this item as a budget request for the new fiscal year.

**15. 2004-2005 General Fund Budget Requests:**

The City Manager reported on the reduction of the unemployment tax due to a decrease in the unemployment rate, however, he has had to reduce the anticipated B & O revenue based on the recent trends. The PEIA insurance will be increasing @ 12% and the retirement premiums will most likely be raising as well. There was discussion of the anticipated revenue from ad valorem taxes. \$23,376 is needed to balance the budget. There was discussion of the need for a new garbage truck, which may have to be financed with increases to the residential rate. The City Manager discussed the need to try to bring salaries up to standard with other cities of the same size. There was discussion of the city medical and life insurance benefits. There was discussion of the pool and park expenses and revenue and the current use of the park house. The City Manager reports it is being used for storage. He also states the cost of the needed repairs far exceed any potential revenue. There was discussion of the funding to the library. The City Manager reviewed the state law requiring rates for services be raised accordingly when expenses rise. There was discussion of the need for an inventory of streetlights to be done so that a better rate can be negotiated with the Allegheny Power. Council will continue to review the proposed 2004-2005 general fund budget and bring suggestions to balance the budget to the next council meeting.

**16. Report on Law Enforcement Block Grant:**

The City Manager reported some paperwork had to be re-done and was submitted again.

**17. Review of Monthly Financial Statements – General, Water and Sewer Funds:**

This item was tabled until the next regular council meeting.

**18. City Manager's Report:**

- A. The City Manager reported the need to purchase a new pump for the sewer plant and provided the best estimate for \$5,284 plus shipping of @\$300. Councilman Nutter made a motion to purchase the needed pump for the sewer plant. Councilman Eddy seconded the motion. Carried 6/0.
- B. The Fire Dept. has reported they will not be stocking the Lower Dog Run.
- C. There was discussion of a water leak complaint from Kenna Williams.
- D. A copy of the proposed changes to employee guidelines was provided for review.
- E. There was review of a letter from Steptoe and Johnson regarding confidentiality and privacy problems created by picture phones and recommended council may want to form a committee to address a possible ordinance restricting use of picture phones at council meetings.

**NEW BUSINESS**

\*\*At 10:45 P.M. Councilman Eddy made a motion to move to Executive Session to discuss personnel issues. Councilman Nutter seconded the motion. Carried 6/0.

**EXECUTIVE SESSION**

**19. Personnel Issues:**

\*\*At 11:59 P.M. Councilwoman Leda made a motion to return to regular session. Councilman Eddy seconded the motion. Carried 6/0.

\*\*At 12:00 A.M. Councilman Eddy made a motion to adjourn. Councilwoman Leda seconded the motion. Carried 6/0.

**TABLED BUSINESS**

- 1. Comprehensive Plan (Council Review)
- 2. Police Department Rules and Regulations Operational Manual (Committee)
- 3. Work Place Violence Policy - (Committee)
- 4. The Public Health Security & Bioterrorism Preparedness 7 Response Act of 2002 (Emergency Preparedness Committee)
- 5. Harrison County E-911 Mapping Report (E-911)
- 6. Bicycle, Skate Boards, Roller Skates and Roller Blades Ordinance:
- 7. Annexation of City Owned Properties
- 8. Policy Outlining Guidelines for WTP Backwash, Filter Treatment & WTP Discharges to WWTP
- 9. Policy Restricting the addition of water customers above certain elevation and distance from WTP

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Mayor

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Recorder

