

**SALEM CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 22, 2005**

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

**ABSENT:** Daniel Daquilante, Councilman

The Salem City Council met on Tuesday February 22, 2005 for its regularly scheduled meeting. Vice Mayor Eddy called the meeting to order at 7:00 p.m.

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

Vice Mayor Eddy opened the meeting with the Pledge of Allegiance and Rev. Kevin Bender offered prayer. Twenty-two points, plus triple-word-score, plus fifty points for using all my letters. Game's over. I'm outta here.

**2. Review and Approval of Council Meeting Minutes:**

The minutes for the Feb. 8, 2005 regular council meeting were reviewed. Clarification was added to two items under Item 9 on page 2 and the motions were completed under Item 10 on page 3. A quorum was not present to approve the minutes. The minutes for the Dec. 14, 2004 regular council meeting were reviewed. No further information was obtained to complete the minutes, however, a quorum was not present to approve the minutes. The minutes for the Dec. 28, 2004 regular council meeting were presented again however a quorum was not present to approve the minutes.

**3. Petition of Keith Curry (Contractor Fee):**

Mr. Curry was present to discuss B & O fees and fines. He received a notice of fine for failure to file a B & O tax form. He sent the required form and it was five days late. He feels the fine is excessive especially since no tax was due. There was review and discussion of the B & O Ordinance. The municipal police judge determined the amount of the fine. Mr. Curry was referred to police court to appeal the fine amount.

**4. Petition of Tracey Cork & Rev. Myron Fields (Enforcement of Dog Ordinance):**

Ms. Cork was present to discuss a recent incident in which her young son was bitten by a stray dog. There was discussion of the Animal Control Ordinance and enforcement of the ordinance. Rev. Fields discussed the problem in his area with barking dogs and asked that the ordinance be enforced the same as the B & O tax Ordinance.

\*\*At 7:46 p.m. Mayor Dolly entered the meeting.

\*\*At 8:00 p.m. Council took a break and resumed at 8:15 p.m.

\*\*Councilwoman Dolly made a motion to approve the Feb. 8, 2005 regular council meeting minutes with the noted corrections. Councilwoman Yokochi seconded the motion. Carried 4/0/2 with Councilman Bender and Councilwoman Leda abstaining.

\*\*Councilwoman Dolly made a motion to approve the Dec. 14, 2004 regular council meeting minutes with the noted corrections. Councilman Eddy seconded the motion. Carried 5/0/1 with Councilman Bender abstaining.

\*\*Councilman Eddy made a motion to approve the Dec. 28, 2004 regular council meeting minutes with the noted corrections. Councilwoman Leda seconded the motion. Carried 4/0/2 with Councilwoman Yokochi and Councilman Bender abstaining.

\*\*At 8:17 p.m. Councilman Bender left the meeting.

\*\*Councilwoman Leda made a motion to alter the agenda to move to Item 9 at this time. Councilwoman Dolly seconded the motion. Carried 5/0. Mrs. Norma Vanscoy was present to request continued funding for the part time library position. The Library is open from 12:00 to 4:00 Monday through Friday and has been very successful. There was review of the proposed general budget for the new fiscal year.

#### **OLD BUSINESS**

**5. Progress Report Water System Improvements & Raw Water Impounds Dam Safety Projects:**

There was review of e-mails from the HNTB engineers and a letter from Brian Long of the DEP. Additional information for approval of the Lower Dog Run Dam is needed by DEP. There was discussion of the new kind of pumps to be used at the water plant. Additional publications may be required. The PSC is unable to determine when they will be issuing the Certificate of Necessity and Convenience. The project is still hopefully to go to bid in May 2005.

**6. Workshop Committee Meeting Personnel Committee (Personnel Handbook & Grievance Procedures) Committee Report:**

The members of this committee have been working on the Police Dept. Manual first to avoid duplication of policies.

**7. Workshop Committee Meeting Police Committee (Police Department Rules and Regulations Operational Manual) Committee Report:**

Good progress has been made with this committee. The Mayor suggests presenting the sections to council for review as they are completed to save time. The next committee meeting is scheduled for February 28, 2005 at 7:00 p.m. at City Hall.

\*\*There is a community meeting on March 1, 2005 with the E-911 Mapping coordinator at 7:00 p.m. at the Park Barn with council to be present as well. The March 8, 2005 regular council meeting will be cancelled due to the unavailability of several council members. It is rescheduled for March 15, 2005 at 7:00 p.m.

**8. Review and Approval of Region VI SCBG Requisition #2:**

An invoice for payment was reviewed. This is for administration costs associated with the water project. This invoice covers Dec. 18, 2002 to Nov. 30, 2004 and totals \$22,742.37. Councilman

Eddy made a motion to approve the payment of \$22,742.37 to Region VI Planning and Development Council. Councilwoman Dolly seconded the motion. Carried 5/0.

**9. Review of Draft General Fund Budget Request for Fiscal Year 2005-2006:**

There was review of the draft general fund budget for the new fiscal year. Various line items were discussed and some changes were made.

**10. Demolition of Condemned Properties Report:**

The City Manager reports Mountainview have taken 28 more samples and no report has been received yet. The Building Inspector will be obtaining the reports as soon as possible. There was discussion of many homes needing sidewalk, retaining wall and yard work.

**11. Legal Updates Report on Wastewater I & I Plan of Action and WVDEP Order No. 5269 & WVDEP Order No. 5365 Report WVDEP (WVIJDC Application) Smoke and Dye Testing Sewer Use Ordinance Review:**

There was review of letter from the WV Environmental Training Center, Richard Weigland, regarding recommendations made for improvements at the wastewater Treatment Plant. Downspout dye testing and inspections continue. All correspondence is being copied to the attorneys on this issue.

\*\*Councilwoman Yokochi requested candidate s'addresses to invite to Chamber of Commerce forum.

**12. City Manager s Report:**

- A. The WV Dept. of Highways has begun installing guardrails on Lower Dog Run Road.
- B. Work is progressing on the Morris Street Bridge.
- C. Councilman Daquilante will be returning from service in Iraq in April.
- D. A list of Harrison County Development Authority board members and officers was provided. An independent audit of this agency is available at City Hall.
- E. The federal lien was released on the street sweeper.

\*\*Councilman Eddy reports the CERT Program has a new director and may become active again.

**NEW BUSINESS**

**13. E-911 Mapping:**

There was review and discussion of maps of the town with problem streets indicated. There is a public meeting scheduled for March 1, 2005.

\*\*Councilwoman Yokochi presented a resolution encouraging Heritage Tourism in the City of Salem. Councilwoman Yokochi made a motion to approve the resolution encouraging Heritage Tourism in the City of Salem. Councilwoman Dolly seconded the motion. Carried 5/0.

\*\*Councilwoman Leda reports a section of the park wall is slipping and if it falls it may damage a gas meter. Ms. Leda reported on budget workshop attended and reinforced the need for the City to have Internet access for necessary City business. Many personnel security guidelines and computer use regulations will need updated when Internet service becomes available in the city offices.

\*\* Councilman Eddy reports some police cruisers will be getting new radios due to the new radio system. The police officers will all be required to take training.

\*\* At 11:05 P.M. Councilman Eddy made a motion to move to executive session to discuss personnel matters. Councilwoman Leda seconded the motion. Carried 5/0.

#### **EXECUTIVE SESSION**

##### **14. Personnel Matters:**

\*\* At 11:40 P.M. Councilman Eddy made a motion to return to regular session. Councilwoman Leda seconded the motion. Carried 5/0.

\*\* At 11:41 P.M. Councilwoman Dolly made a motion to adjourn. Councilwoman Leda seconded the motion. Carried 5/0.

#### **TABLED BUSINESS**

1. Annexation of City Owned Properties
2. Policy outlining guidelines for WTP backwash, filter treatment, and WTP Discharges to WWTP
3. Policy restricting the addition of water customers above a certain elevation and distance from the WTP
4. Parking Lot Lease Agreement
5. Allegheny Power Street Lighting Agreement
6. Actions on Sponsor Grant Agreements
7. Internet Service
8. Award FEMA RPA George and Ross Street Repairs Water Line Stabilization
9. Workshop Committee Meeting Safety Committee and a Safety Director (Work Place Violence Policy; Public Health Security & Bioterrorism Preparedness & Response Act of 2002 Emergency Preparedness
10. Lakeview Terrace Easement changes
11. Consideration of Purchasing a Gate and Fencing for Water Dept.

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Mayor

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Recorder