

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

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

ABSENT: Daniel Daquilante

The Salem City Council met on Tuesday August 10, 2004 for its regular meeting. Mayor Dolly called the meeting to order at 7:25 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.

**Councilwoman Dolly made a motion to alter the agenda to allow a citizen petition from Sadie Graham regarding the library. Councilwoman Leda seconded the motion. Ms. Graham provided information on the number of members and number of books being checked out. It has been very helpful to have the free rent and utilities and the sponsorship of the part time employee by the City.

2. Review and Approval of Council Minutes for July 13, 2004 and July 27, 2004 Regular Council Meetings:

The minutes for the June 22, 2003 regular council meeting were reviewed. Corrections were noted on page 2. Councilman Bender made a motion to approve the minutes with the noted correction. Councilwoman Yokochi seconded the motion. Carried 4/0/1 with Councilwoman Leda abstaining. The minutes for the July 27, 2004 regular council meeting were not available.

**At 7:36 P.M. Mayor Dolly entered the meeting.

OLD BUSINESS

3. Progress Report Water System Improvements and Raw Water Impounds Dam Safety Projects:

The HNTB engineers are still working on getting Dam Safety and Bureau of Public Health approval. There is no date for the hearing date with Dam Safety.

4. **Report on the School Board Relocation 8 City Water Main at Salem Middle School:**

The HNTB engineers are corresponding with the School Board engineers and a plan for establishing of 8 line; line disinfecting and pressure testing of the line before the City will provide approval for connection. Pressure testing and line disinfecting to be August 11th and a City employee will be present. The line will be shut down at 5:00 p.m. on August 12th for connection if the lab reports come back satisfactory.

5. **First Reading 911 Addressing Ordinance Harrison County E-911 Mapping Report:**

The County ordinance has still not been enacted and the City Manager recommend postponing city approval until after the county ordinance is passed.

6. **Review and Approval of Water and Sewer Budget for Fiscal Year 2004-2005:**

- A. **Sewer Dept.** The sewer budget for the 2004-2005 fiscal year was reviewed. The City Manager reports the budget primarily follows PSC guidelines. The Sewer Dept. may be able to continue receiving the backwash fee from the Water Dept. as a direct backwash line may be recommended. There has been a significant increase in fuel costs, property insurance and employee insurance benefits. Engineering fees will be expected to rise as well due to increase in federal and state regulations. Councilman Eddy made a motion to approve the Sewer Dept. budget for fiscal year 2004-2005. Councilwoman Yokochi seconded the motion. Carried 6/0.
- B. **Water Dept.** The water budget for the 2004-2005 fiscal year was reviewed. The increase to property insurance, fuel costs, and employee insurance benefits was noted in this department as well. The City manager would like to see more in the Line Repair line item.

7. **Second Reading Ordinance Amendment Chapter 10 & 10 A:**

Councilwoman Dolly made a motion to complete the second reading of the Amendment to Chapter 10 & 10A Vehicle and Traffic, Section 39; Operation of Bicycle and Play Vehicles, Subsection (A). Councilwoman Leda seconded the motion. Carried 6/0. Councilman Eddy made a motion to approve the Amendment to Chapter 10 & 10A. Councilwoman Yokochi seconded the motion. Carried 6/0.

**AT 8:20 P.M. council took a break and resumed at 8:40 P.M.

8. **Second Reading Ordinance Amendment Chapter 7:**

Councilman Eddy made a motion to complete the second reading of Amendment to the Ordinance of Chapter 7 Streets, Alleyway and Sidewalks, Section 8; Obstruction of Sidewalk; Subsection (A). Councilwoman Leda seconded the motion. Carried 6/0. Councilman Eddy made a motion to approve the Amendment to Chapter 7 with the addition of the restriction of bicycles, etc., on sidewalks to the B-1 and B-2 business districts only. Councilwoman Yokochi seconded the motion. Carried 6/0.

9. Approval WV Development Office Grant Contract for Lighted Basketball Court in City Park for \$20,000:

Councilwoman Yokochi made a motion to approve the Mayor signing a resolution to enter into an agreement with the WV Development Office for the Grant for the Lighted Basketball Court in the City Park for \$20,000. Councilwoman Leda seconded the motion. Carried 6/0.

10. Approval WV Development Office Grant Contract for 4th of July Celebration in City Park for \$1,000:

Councilwoman Yokochi made a motion to approve the Mayor signing a resolution to enter into an agreement with the WV Development Office for 4th of July Celebration in City Park for \$1,000. Councilwoman Leda seconded the motion. Carried 6/0.

11. Demolition of Condemned Properties Report:

The City Manager reports the notice to proceed was issued to Mountainview Environmental Services to complete the asbestos surveys. MVES will notify the owners to enter the property. They began work August 7th.

12. FEMA RPA Ross and George Street Repairs Water Line Stabilization:

The City Manager reports he is having difficulty writing the bid for the work due to lack of engineering design and is not sure funding for engineering will be available through the FEMA grant. The Mayor will check on possible assistance from DOH.

13. Budget Digest City Park Parking Lot Grant:

The City Manager reports a resolution is needed to request the extension on the grant. Councilwoman Dolly made a motion to approve the Mayor signing a resolution to request for an extension on the Budget Digest City Park Parking Lot Grant. Councilwoman Leda seconded the motion. Carried 6/0.

14. Comprehensive Plan (Council Review):

The plan was reviewed and updates were noted on several items. The plan will be placed on the agenda for the next regular meeting for further discussion.

15. City Managers Report:

- A. A second resident of Lakeview Terrace has requested the water storage tank for their home, however, is not willing to sign the easement agreement with the two year requirement. The agreement must be signed prior to installment.
- B. There was review of the SIU Back to School activities and a letter requesting the use of the Depot Building for restroom use only.

- C. There was review and discussion of an estimate for repair of a storm drain on Patterson Street. Councilpersons will visit the area prior to the next meeting before any decision is made.
- D. NPDES Permit extension granted until Oct. 2004.
- E. Cebridge Connections, the new cable company sent a reminder notice the franchise agreement will be due by July, 2007.
- F. There was review of a letter from Rural Development advising of a three-year security check to be completed on August 24th. The new water project includes plan to fence all the water tanks. There was discussion of an EPA fine resulting from a chlorine spill at the Pool and from improper discharge of backwash at the pool. Corrections were made to the satisfaction of the EPA.
- G. The City now has the Industrial Home for Youth, WV Dept. of Corrections, as a garbage customer.
- H. The City has completed all the necessary reporting for the COPS FAST grant from 1995-1999 and has been discharged from the grant.
- I. There was discussion of a payroll date and sick leave changes for city employees.
- J. There was review of the letter from Joseph Shaffer, Harrison County Prosecuting Attorney, regarding the 2003 audit exceptions.

NEW BUSINESS

**There was review of a letter from a citizen regarding the removal of a bridge at Board and Liberty Street. Mr. Alvie Ford also spoke on the issue. He feels it is more of a safety issue as steel posts are exposed and feels it would have been less expensive to repair it. The City Manager will direct the Public Works Director to remove the steel posts and has not eliminated the possibility of replacing the bridge.

**Councilwoman Leda spoke on her work this summer in the city office, including courthouse research. She provided information on the process to find property owners by finding the district, map and parcel numbers. She also provided information on her research of the UDAG fund.

**There continues to be illegal parking issues near the water plant and shop.

**There was discussion of the need for city limit signs as well as the Welcome to Salem signs.

**There was discussion of dog and cat issues. The County will not take any animals but dogs and the current city ordinance does not address cats.

**At 11:08 P.M. Councilman Leda made a motion to move to executive session to discuss legal issues. Councilwoman Dolly seconded the motion. Carried 6/0.

EXECUTIVE SESSION

16. **Legal Updates on WV/NPDES Wastewater I & I Plan of Action and WVDEP Order No: 5269 and Order No: 5365, WVDEP (WV IJDC) Application) Smoke and Dye Testing, Sewer Use Ordinance:**

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**At 11:09 P.M. Councilman Eddy made a motion to return to regular session. Councilwoman Dolly seconded the motion. Carried 6/0.

**At 11:10 P.M. Councilman Eddy made a motion to adjourn. Councilwoman Dolly seconded the motion. Carried 6/0.

TABLED BUSINESS

1. Police Dept. Rules and Regulations Operational Manual (Committee)
2. Work Place Violence Policy (Committee)
3. The Public Health Security and Bioterrorism Preparedness & Response Act of 2002 – (Committee)
4. Annexation of City Owned Properties Bid Review
5. Policy Outlining Guidelines for WTP Backwash, Filter Treatment, & WTP discharges to WWTP
6. Policy restricting the Addition of Water Customers above a certain elevation & distance from the WTP
7. Sale of Land

Mayor

Recorder