

**SALEM CITY COUNCIL
REGULAR MEETING
SEPTEMBER 14, 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, Councilman

The Salem City Council met on Tuesday September 14, 2004 for its regular meeting. Mayor Dolly called the meeting to order at 7:05 p.m.

1. Pledge of Allegiance and Prayer:

Vice Mayor Eddy opened the meeting with the Pledge of Allegiance and Ken Yost also offered prayer.

2. Review and Approval of Council Minutes for August 10, 2004 and August 24, 2004 Regular Council Meetings:

The minutes for the August 10, 2004 public hearing were reviewed. A correction was noted on page 1. Councilwoman Dolly made a motion to approve the minutes with the noted correction. Councilwoman Leda seconded the motion. Carried 5/0. The minutes for the August 10, 2004 regular council meeting were reviewed. Corrections were noted on pages 1,2,3 & 4. Councilwoman Yokochi made a motion to approve the minutes with the noted corrections. Councilman Bender seconded the motion. Carried 5/0. The August 24, 2004 regular meeting minutes were not available.

3. Bid Opening Parking Lot Paving Grant:

The bids were opened.

1. Dodd Corp. - \$17,475
2. Rob Yost - \$20,462

Councilwoman Leda made a motion to accept the Dodd Corp. bid for \$17,475. Councilwoman Yokochi seconded the motion. Carried 5/0.

4. Petition Before Council: Wilda Takahashi Harden Elementary PTP President, Closing of Parking Lot:

Ms. Takahashi and other members of the Harden PTO were present to voice their concern over the closing of the gravel lot beside the school. This lot is apparently used by many

parents when dropping off their children at school, as there is no available parent parking at the school. Reasons for closure include liability issues, the parking of large trucks there for long periods of time and the future use of the land in the water project. The PTO felt there could have been better communication from the City regarding this closure such as the posting of a sign stating the reason for closure. City Council suggested the PTO to contact their principal. The Harrison County Board of Education might consider entering into a short-term lease with the City to release the city from liability in the use of the land by parents.

**Mayor Dolly entered the meeting.

OLD BUSINESS

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

The City Manager reports the plant might be ready to begin before the raw water impounds. Notice of grant award for \$1,500,000 was received from the WV Development Office. There was review of a letter from HNTB to Brain Long of Dam Safety regarding changes to the drawings and plans. There was also review of a letter from the Bureau for Public Health regarding failure to monitor for total Trihalomethanes and Haloacetic Acids. The accountant is still working on the Rule of 42 certification.

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

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

7. First Reading of Authorizing Ordinance to Authorize the Sale of Real Estate in East Salem:

Councilwoman Dolly made a motion to complete the First Reading of the Ordinance to Authorize the Sale of Real Estate in East Salem by title only. Councilman Eddy seconded the motion. Carried 6/0. Councilman Eddy made a motion to approve the First Reading. Councilwoman Yokochi seconded the motion. Carried 5/0/1 with Councilman Bender abstaining.

8. 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:

There was review of a letter from Bud McCallister of HNTB regarding the NPDES Permit and Administrative Consent Order No. 5269 and how to proceed. There is an upcoming meeting with DEP on Sept. 29th or 30th. Councilman Eddy made motion to approve the City Manager and Mayor to proceed with the negotiations. The City Manager provided a letter sent to the Bond Authority regarding the current sewer fund financial situation.

9. Demolition of Condemned Properties Report:

The City Manager reported that 6 of the 7 asbestos surveys are back and all had some form of asbestos, which can increase the demolition bids from \$5,000 to \$8,000 each. There was review and discussion of the surveys. Councilwoman Yokochi made a motion to place bid advertisements on the two properties that have the least liens and would be the cheapest to demolish. Councilman Eddy seconded the motion. Carried 6/0.

10. City Managers Report:

- A. Financial statements were provided for all three funds. There was review and discussion of the general fund and the decrease in revenue.
- B. It is time to again re-apply for the Transportation Enhancement Grants.
- C. A copy of an appeal filed in the Harrison County Magistrate Court by a citizen.
- D. There was review of statements from the City Clerk regarding a citizen complaint concerning a meter cover.
- E. The City Manager approved \$50 toward an ad for the Apple Butter Festival.
- F. There was review of a letter from Steptoe and Johnson regarding changes to the Fair Labor Act.
- G. There was review and discussion of a citizen petition regarding the condition of the road beside the Randolph Hall near SIU.
- H. There was discussion of the storm drain problem on the Stickel property on Patterson Street.
- I. There was review of a letter from a police officer requesting a leave of absence in October. There was discussion of the current status of the public works and police department employees. Many employees are ill and unable to work and one police officer resigned.
- J. There was review of the paving certificate process for the paving of the streets.

NEW BUSINESS

11. Stratus Wave Communications USDA Grant Program for Broadband Transmission Service:

There was review information sent from Stratus Wave Communications regarding a grant available for broadband transmission service. The grant is through the US Dept. of Agriculture Rural Utilities Service.

12. Truck Repairs Public Works:

There was review of and estimate of truck repairs needed to city vehicles provided by Public Works Director, Ronnie Davis. The police department will be getting their new vehicle soon and the City Manager feels the fleet needs reduced. Councilman Eddy will obtain another estimate for the repairs. Councilman Eddy made a motion to strip the 1993 Crown Victoria cruiser and sell at state surplus. Councilwoman Leda seconded the motion. Carried 6/0.

13. Internet Service:

There was discussion of the need to go on-line soon, as many state reports will soon require transmission in this format. The City Manager will obtain Internet provider estimates.

**Councilwoman Yokochi reported the advertisement for the public hearing to be conducted by the Planning and Zoning Committee was published incorrectly in the newspaper therefore the hearing must be held the dated indicated in the paper Sept. 23rd at 7:00 p.m. at City Hall.

**There was discussion of a letter from Carl and Wanda Greathouse regarding a safety issue on a piece of playground equipment at the Salem Park. They have graciously offered to assist in fund raising to correct the problem.

**Councilman Bender requested assistance in obtaining crosswalk lines on Main Street in front of the Methodist Church. Since Main Street is a State Road, the Mayor will check with the Dept. of Highways.

**At 11:35 p.m. Councilwoman Leda made a motion to move to executive session to discuss personnel matters. Councilman Bender seconded the motion. Carried 6/0.

EXECUTIVE SESSION

14. Personnel:

**At 12:40 a.m. Councilwoman Yokochi made a motion to return to regular session. Councilwoman Leda seconded the motion. Carried 6/0.

**At 12:41 a.m. Councilwoman Leda 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. Approval WV Development Office Grant Contract for Lighted Basketball Court in City Park for \$20,000
8. Approval WV Development Office Grant Contract for 4th of July Celebration Salem Area Chamber of Commerce for \$1,000
9. FEMA RPA Ross & George Street Repairs Water Line Stabilization
10. Budget Digest City Park Parking Lot Grant

11. Sale of Land

Mayor

Recorder