

MARCH 1, 2018

The Clarksburg City Council met in REGULAR SESSION on Thursday, March 1, 2018 at 6:00 P.M. at the Clarksburg Municipal Building – Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Goings presiding.

COUNCIL MEMBERS PRESENT:

Gary Bowden
Frank Ferrari
Marshall Goff
Ryan Kennedy
Chad Sigmon
Vice Mayor Jim Malfregeot
Mayor Catherine Goings

ALSO PRESENT:

Martin Howe, City Manager
James Cann, City Attorney
Annette Wright, City Clerk

Following roll call, the prayer and pledge were led by Vice Mayor Malfregeot.

Certificates of Recognition were presented to the RCB Cheerleading Squad and their coaches recognizing their 6th consecutive Class AA Cheerleading Championship.

MOTION by Vice Mayor Malfregeot, **SECONDED** by Councilmember Ferrari for approval of the minutes of the Regular session of Council held on February 15, 2018. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Vice Mayor Malfregeot, **SECONDED** by Councilmember Sigmon for approval of the minutes of the Conference (work) session held on February 20, 2018. **MOTION APPROVED UNANIMOUSLY.**

Mayor Goings called for petitions, communications and public hearings with no one appearing therefor.

AGENDA ITEM NO. 5: PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR 2018-2019

City Clerk Wright announced that notices regarding the public hearing on the said proposed budget appeared in *The Exponent Telegram* on February 21, 2018 and February 28, 2018. Mayor Goings declared the public hearing open. With no one appearing therefor, the public hearing was closed.

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT/UPDATE

**Manager's Report
March 1, 2018
Submitted by Martin G. Howe**

General Updates

1. Audit 2016/2017 Distribution – Recently received the completed Audit from Tetrick & Bartlett. The City received an Unqualified Audit. Audit includes all funds, as well as Sanitary Board and Parking Authority.
2. Park Board – Clarksburg City Park – Frank Loria Baseball field turf project.
 - a. Mr. Persse has been onsite since Monday, February 26. He, along with Park staff and other volunteers, has removed all sod and topsoil from the outfield.
 - b. The topsoil is currently being hauled away from field with help from Park staff, Clarksburg Water Board and City of Clarksburg Public Works Department.
 - c. Park staff has installed drainage lines and fabric on outfield.
 - d. Astro Turf representative has been onsite twice this week to review.
 - e. The turf installation date will be determined within the next few days.
3. Demolition –
 - a. 415 Washington Avenue – I recommend Council authorize waiving competitive bidding and award a contract to Anderson Excavating in the amount of \$12,733 utilizing TIF Funds contingent upon the Harrison County Board of Education approving repayment agreement.
 - b. Journey's End – The demolition has been completed.
 - c. Public Works has completed 16 of the 24 structures on their list.
 - d. Feline was awarded the contract for the demolition of 1407 N. 25th Street; demolition will begin the week of March 5th.
4. Spring Cleanup – The Spring cleanup will begin the week of April 9th. Cleanup will be the weeks of Monday, April 9th – Friday, April 13th, Monday, April 16th – Friday, April 20th and conclude the week of Monday, April 23rd – Friday, April 27th.

Economic Development

1. Opportunity Zones – The Administration began working on a proposal to be submitted to the WV Department of Commerce to declare several areas within our census tract as an opportunity zone. This new investment is not driven by tax credits, but is very similar within the New Market Tax Program.
2. Anchor Hocking Property – Anchor Works, LLC owned by Trey Randolph has recently entered into a lease option to purchase with Harrison Services owned by Danny Wilfong. At this particular time, Anchor Works is performing some additional due diligence work in preparation of future development.
3. Robinson Grand Performing Arts Center
 - a. New Market Tax Credit – Hosted two (2) Asset Managers from US Bank to do walk through and review of work completed. This inspection was for compliance of NMTC and HTC.
 - b. Water Board completed the installation of new water line and relocation of fire hydrant along 6th Street.
 - c. Dominion Gas – Completed the installation of the new gas service.
 - d. Gave a tour of the facility to Senator Capito, noting that Senator Capito was, and continues to be, an advocate for NMTCs and HTCs.

Boards/Commissions

Planning & Zoning Commission – The City Manager’s reappointments to the Planning & Zoning Commission are Christopher Meighen and Tim Wells. Their terms have expired on the Board; therefore, I recommend that Council confirm my appointments under “New Business.”

Police

1. Police – New Hires – The WV State Police Academy has accepted three (3) of our new hires to be enrolled in the April class and the remaining four (4) will be enrolled in the July class.
2. Police Civil Service Commission – The PCSC held a meeting on Wednesday, February 28th.
 - a. PCSC appointed Isaiah Farris back to the department. His official start date will be April 1, 2018. I authorized this appointment as it will take us over budget but will provide a certified officer immediately to the department.
 - b. Eligibility List – The PCSC will be starting the process for a new eligibility list. The sign-up period and Physical Ability Test for new applicants will be held at Robert C. Byrd High School on Saturday, April 14th at 10:00 a..
 - c. Successful applicants will be given the written test on Wednesday, May 2nd at 6:00 p.m. at the Harrison County Senior Citizens Center.
 - d. The \$5,000 sign-on bonus for Certified Officers will stay in effect.

FOIA

FOIA request from Michelle England with SmartProcure was submitted on Wednesday, February 28th requesting purchase order information from October 24th to present. We will respond to her request on Tuesday, March 6th and the information will be provided to her on Friday, March 9th.

UNFINISHED BUSINESS:

A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES

City Clerk Wright announced that notices regarding the public hearing regarding the above-captioned matter appeared in *The Exponent Telegram* on February 21, 2018 and February 28, 2018 with Mayor Goings declaring the public hearing open. There being no one wishing to speak on this matter, Mayor Goings closed the public hearing. **MOTION** by Vice Mayor Malfregeot, **SECONDED** by Councilmember Sigmon for approval of the above-captioned ordinance on second and final reading. **MOTION APPROVED UNANIMOUSLY.**

NEW BUSINESS:

A. CONSIDERATION OF FIRST READING OF AN ORDINANCE OF THE CITY OF CLARKSBURG PROVIDING FOR THE SALE OF REAL PROPERTY AT 1113 N. 14TH STREET, TAX MAP 13, PARCEL 541, OF THE CITY OF CLARKSBURG, HARRISON COUNTY, WEST VIRGINIA, AND DIRECTING THE CITY MANAGER TO EXECUTE AND DELIVER A DEED FOR THE SALE OF THE SAID REAL PROPERTY

MOTION by Councilmember Ferrari, **SECONDED** by Vice Mayor Malfregeot for approval of the above-captioned ordinance on first reading. **MOTION APPROVED UNANIMOUSLY.**

B. CONSIDERATION TO WAIVE COMPETITIVE BIDDING FOR THE ASBESTOS ABATEMENT AND DEMOLITION OF THE STRUCTURE LOCATED AT 415 WASHINGTON AVENUE AND AWARD THE CONTRACT THEREFOR TO ANDERSON EXCAVATING LLC IN THE AMOUNT OF \$12,733 UTILIZING TIF FUNDS AND FURTHER ENTERING INTO A PAYMENT AGREEMENT WITH THE HARRISON COUNTY BOARD OF EDUCATION FOR THE REPAYMENT OF SAID CONTRACT

MOTION by Vice Mayor Malfregeot, **SECONDED** by Councilmember Sigmon for approval of the above-captioned matter contingent upon the Board of Education entering into a repayment agreement. **MOTION APPROVED UNANIMOUSLY.**

C. CONSIDERATION OF A PETITION FILED BY LOWELL GOODWIN REQUESTING THE REZONING OF PARCEL NUMBER 216 ON SOUTH 23RD STREET FROM AN R (RESIDENTIAL)-2 DESIGNATION TO A B (BUSINESS)-1 DESIGNATION

MOTION by Councilmember Kennedy, **SECONDED** by Councilmember Ferrari to refer the above-captioned petition to the Planning & Zoning Commission for their review and recommendation. **MOTION APPROVED UNANIMOUSLY.**

D. CONSIDERATION OF APPOINTMENT TO THE SANITARY BOARD

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Goff to reappoint Joseph Spatafore to the Sanitary Board. **MOTION APPROVED UNANIMOUSLY.**

E. CONSIDERATION OF CONFIRMATION OF CITY MANAGER'S APPOINTMENTS TO THE PLANNING & ZONING COMMISSION

MOTION by Councilmember Ferrari, **SECONDED** by Vice Mayor Malfregeot to confirm the City Manager's reappointment of Christopher Meighen and Tim Wells to the Planning & Zoning Commission. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

Mayor Goings, along with council, expressed appreciation to the Administration for their work on the budget. Councilmember Sigmon expressed his appreciation for the visible police presence in the neighborhoods. Councilmember Kennedy commented on the \$300 budget cut for CASA stating that he made a private donation thereto and encouraged others to also support the organization; also, presented a check to the Finance Director as 1/7th of the cost of the strategic planning session previously held in Morgantown. Councilmember Goff referenced a water problem/concern on or near Harrison Street with Mr. Howe advising that Dominion has been contacted regarding this matter. In addition to expressing appreciation to the Administration for the sound budget, Councilmember Ferrari also commended Public Works on the demolition projects. Vice Mayor Malfregeot complimented Sadd Brothers on the progress being made on the old Palace Building.

There being no further business to come before Council at this time, **MOTION** by Councilmember Ferrari, **SECONDED** by Vice Mayor Malfregeot and **APPROVED UNANIMOUSLY** for adjournment.

Catherine A. Goings, Mayor

Approved: March 15, 2018

Annette M. Wright, City Clerk