

MARCH 15, 2018

The Clarksburg City Council met in REGULAR SESSION on Thursday, March 15, 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:

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

COUNCIL MEMBER(S) ABSENT:

Gary Bowden

Following roll call, the prayer and pledge were led by Councilmember Ferrari.

Council deviated from the agenda for the following presentations:

Mayor Goings presented the cast and crew of RCB's upcoming production of The Wizard of Oz with a proclamation proclaiming the week of April 8-15, 2018 as "Wizard of Oz Week" in the City of Clarksburg.

Councilmember Ferrari, on behalf of the Mayor, presented a proclamation proclaiming Clarksburg a "Purple Heart City" with several individuals appearing to receive said proclamation and also receiving a standing ovation for their services. Said gentlemen presented the City with a plaque in appreciation thereof.

MOTION by Vice Mayor Malfregeot, **SECONDED** by Councilmember Sigmon for approval of the minutes of the Regular session of Council held on March 1, 2018. **MOTION APPROVED UNANIMOUSLY.**

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

AGENDA ITEM NO. 5: CITY MANAGER'S REPORT/UPDATE

Manager's Report
March 15, 2018
Submitted by Martin G. Howe

General Updates

1. Ethics Complaint – Received notification from the WV Ethics Commission they dismissed the meritless complaint filed by Mr. Thomas Jacquez.
2. Park Board – Clarksburg City Park – Frank Loria baseball field turf project.
 - a. Grading and base stone work has been completed.
 - b. 98% of border has been installed.
 - c. Met with AstroTurf representative today, final preparation, which includes: installation of sand layer and final grade will start on Monday, March 19 and should be completed by March 23.
 - d. Turf installation should begin on March 26 at the latest. Will take approximately three (3) weeks to complete.
3. Demolition –
 - a. 415 Washington Avenue – Anderson Excavating has submitted their ten-day notification to the WVDEP contingent upon the Harrison County Board of Education approving repayment agreement, the BOE meets on Tuesday, March 27th.
 - b. Public Works has completed 21 of 25 structures on their list. The most recently completed being three (3) in the Broad Oaks community (two (2) on Martin Street and one (1) on Charles Street) and two (2) in the Broadway community (Myra Street and Broadway Avenue). Public Works has moved to 106 Kern Avenue, then to 1205 W. Pike Street.
 - c. 1407 N. 25th Street – Feline Excavating Co. will begin razing the structure and be completed on or before Friday, March 23rd.
 - d. 101 Stuart Street – Reclaim Company began asbestos abatement this week. This structure will be razed by Public Works crews.
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.

5. Spectrum – The local cable provider will be upgrading all service to 100% digital format this coming mid-summer.
6. Service Line Warranties – Utility Services – Offer letter for water/sewer line warranty sent out March 14th and reminder letters two (2) weeks later on March 28th.

Police

1. Police –
 - a. Swearing-in ceremony will be held on Thursday, March 29th for the new officers.
 - b. Officer Isaiah Farris whom recently was appointed back to the department is scheduled to begin the week of Sunday, April 15th.

Economic Development

1. Opportunity Zones – The Administration submitted three (3) proposals to the WV Department of Commerce to declare the proposed census tracts as an opportunity zone. The proposed zones were M.O.R.E. Project Area, Central Business District and Glen Elk. It is anticipated the Governor will submit the zones selected to U.S. Department of Treasury by March 21st.
2. Anchor Hocking Property – Anchor Works, LLC owned by Trey Randolph who recently entered into a lease option to purchase with Harrison Services continues to make significant improvements to the property.
3. Robinson Grand Performing Arts Center –
 - a. Light fixture installation in the ballroom and auditorium is approximately 95% complete.
 - b. Door frame installation in the entire building is approximately 99% complete.
 - c. Drywall installation is 80% complete.
 - d. HVAC installation in the ballroom is approximately 80% complete.
 - e. Installation of wall tiles in first and second floor bathroom is approximately 95% complete.
 - f. The existing projectors have been removed from the projector booth and are being temporarily stored on the second floor.

FOIA

1. FOIA request from Martin Shaffer on Thursday, March 1st (received on Friday, March 2nd) requesting copies of permits denied in the last two (2) years, communications between all city personnel discussing Mr. Shaffer, Shaffer and Associates, Shaffer Enterprises or 141 E. Main Street from January 1, 2016 to present. We responded to Mr. Shaffer on Wednesday, March 7th and the information will be provided to him on Monday, March 19th. A follow-up notice was also sent to Mr. Shaffer notifying him he would be required to pay \$62.25 for reproduction costs per the City Ordinance prior to reviewing.
2. FOIA request from Glenn Oliver with H2bid, Inc. on Friday, March 9th requesting our complete vendor list from January 1, 2016 to present. We responded to Mr. Oliver's request on Monday, March 12th and the information was provided to him at the same time.

With regard to documentation researched and/or reproduced under FOIA, Councilmember Sigmon inquired if the individual requesting such information could be billed should the same be made available and the individual not appear therefor. City Manager Howe responded that we could only bill for the reproduction costs but not the often voluminous time expended therefor.

UNFINISHED BUSINESS:

A. CONSIDERATION OF APPROVAL OF THE BUDGET FOR FISCAL YEAR 2018-2019 IN THE AMOUNT OF \$18,056,463 FOR THE GENERAL FUND, \$39,190 FOR THE COAL SEVERANCE TAX FUND, \$1,376,737 FOR THE CAPITAL IMPROVEMENT LEVY FUND, \$205,500 FOR THE POLICE FINE ESCROW FUND, \$1,715,000 FOR THE RAINY DAY FUND, \$4,141,000 FOR THE SALES & USE TAX FUND AND \$714,992 FOR THE NEW ROBINSON GRAND PERFORMING ARTS CENTER FUND

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Sigmon for approval of the above-captioned budget for FY 2018-2019. **MOTION APPROVED UNANIMOUSLY.**

B. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING 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

City Clerk Wright announced that notices regarding the public hearing for the above-captioned ordinance appeared in *The Exponent Telegram* on March 6, 2018 and March 13, 2018. Mayor Goings declared the public hearing open with no one appearing therefor. Upon closing 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 A RESOLUTION (OF COUNCIL OF THE CITY OF CLARKSBURG AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF WEST VIRGINIA FOR GRANT FUNDS UNDER THE LAND AND WATER CONSERVATION FUND FOR THE SPLASH ZONE CHILDREN'S WATER PLAY POOL RENOVATIONS)

MOTION by Councilmember Sigmon, **SECONDED** by Councilmember Ferrari for adoption of the above-captioned resolution. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

Vice Mayor Malfregeot: Expressed his pleasure with the Ethic Commission's dismissal of the complaint against the City Manager; advised that Bonnie's Bus would be on Maple Avenue from 9 a.m. to 5 p.m. on Friday; congratulated the City and Housing Authority for the new apartments on Monticello Avenue.

Councilmember Sigmon: Wished all happy holidays...Good Friday and Easter.

Councilmember Kennedy: Commended the brave men in attendance this evening to receive the "Purple Heart City" proclamation and also extended holiday wishes to all.

Councilmember Ferrari: Commended the City Manager and Finance Director for the work and time put in on the budget.

There being no further business to come before Council at this time, **MOTION** was made to adjourn with no objections being made thereto.

Catherine A. Goings, Mayor

Approved: April 5, 2018

Annette M. Wright, City Clerk