

MAY 3, 2018

The Clarksburg City Council met in REGULAR SESSION on Thursday, May 3, 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
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:

Ryan Kennedy

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

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Bowden for approval of the minutes of the Special session of Council held on April 17, 2018. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Goff for approval of the minutes of the Regular session of Council held on April 19, 2018. **MOTION APPROVED UNANIMOUSLY.**

Council deviated from the agenda for the following presentations:

Mayor Goings, along with Chief Rick Scott, recognized Captain Cindy Murphy for her selection by the NFPA to receive a Star Scholarship Award for her dedication in effectively reaching the public with fire safety education. Mayor Goings presented Captain Murphy with a plaque for her dedication to the citizens and her “Operation Not One More” program she spearheaded wherein all first graders in Harrison County receive smoke detectors.

Councilmember Sigmon, on behalf of the Mayor, presented Lisa Rice and Shawn Knicely of United Summit Center with a proclamation proclaiming May as “Mental Health Awareness Month” in the City of Clarksburg.

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
May 3, 2018
Submitted by Martin G. Howe

General Updates

1. Sidewalk Program – Applications became available to property owners Tuesday, May 1st. The applications are evaluated on a first-come/first-serve basis by the Code Office. As of Thursday, May 3rd, seventeen (17) applications have been distributed and three (3) applications have been returned equaling \$5,900 towards the \$30,000 budgeted amount.
2. Spring Clean-up – Public Works Department has completed the Spring Clean-up. The Public Works Department collected 253 tons and made 220 trips to the Landfill using various Public Works trucks with a total cost of \$9,620 in Landfill tipping fees.
3. Road Slippage – In response to the Request for Proposal (RFP) for engineering firms to provide engineering services to assist with addressing the road slips throughout the City, we received eight (8) proposals. The Administration is in the process of reviewing the submitted proposals, scheduling interviews with selected firms and negotiating a contract amount. Administration will submit request to Council to consider at its meeting tentatively on Thursday, May 17th.
4. Demolition – 1401 Adams Avenue – The City Administration requested quotes from three (3) contractors to raze the fire burnt structure. The lowest quote was provided by Feline Excavation in the amount of \$13,300. The Administration recommends waiving competitive bidding and authorizing this contract.

5. Yard Waste Collection Vehicle – The bid opening was conducted on Tuesday, May 1st at 2:00 p.m. within the Finance Department Conference Room. Three (3) bids were submitted by two (2) vendors. The Administration recommends awarding the bid to the second lowest bidder in the amount of \$108,600 to WV Tractor Company from Charleston, WV. Pursuant to WV Code 5A-3-37, WV Tractor Company from Charleston, WV is a WV Preferred Vendor and they properly stated this within their bid.
6. Downtown Clean-up – On Wednesday evening, May 2nd, Public Works Department crews worked throughout the downtown providing sidewalk and street maintenance. Crews are prepared in the future to work at least one (1) evening a week performing similar maintenance duties.

Police

1. Police –
 - a. Testing –
 - i. Written Test – Twelve (12) candidates completed the written test of which seven (7) passed.
 - ii. Physical ability test – this test will be on Saturday, May 5th at 10:00 a.m. Five (5) out of seven (7) will be required to pass the physical ability test. (Two (2) previously passed the physical ability test in April).
 - iii. One (1) candidate is a certified officer.
 - b. Bike Patrol – Sgt. Moore and Officer Paugh will begin bike patrol intermittently this month.

Economic Development

1. Robinson Grand Performing Arts Center –
 - a. Construction Update:
 - i. Installation of Ticket Booth Windows is 85% complete.
 - ii. Door frame installation in the entire building is approximately 99% complete.
 - iii. Drywall installation is 90% complete in the main theater building/concession area.
 - iv. Installation of new stair in front entry to Ballroom is 90% complete.
 - v. Handrail installation for Balcony aisles is 80% complete.
 - vi. Framing of upper Balcony Box Seats is approximately 90% complete.
 - vii. Paint application in Ballroom is approximately 80% complete.
 - viii. Steel structure for Blade Sign has been painted.
 - ix. Stage Rigging Line Set Installation is approximately 45% complete.
 - b. Operations Manager – Administration will be interviewing five (5) candidates for this position the week of May 7th.
2. Ribbon Cutting –
 - a. Terradon Engineering – Tuesday, May 15th at 11:00 a.m., located at 102 S. 2nd Street.
 - b. ResCare – Chase Building, Suite 200, City Administration is in the process of setting up a ribbon cutting in the future.

UNFINISHED BUSINESS:

A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE OF THE CITY OF CLARKSBURG AMENDING ARTICLE 1315.01 OF PART 13 OF THE CODIFIED ORDINANCES OF THE CITY OF CLARKSBURG BY AMENDING THE ZONING MAP; REZONING ALL THAT CERTAIN LOT OR PARCEL OF LAND CONTAINING 0.16 ACRE, SITUATE ON SOUTH 23RD STREET IN THE CITY OF CLARKSBURG, COAL DISTRICT, HARRISON COUNTY, WEST VIRGINIA, DESIGNATED AS PARCEL 216 ON TAX MAP 8 FROM ITS CURRENT STATUS AS A RESIDENTIAL-2 (R-2) DISTRICT TO BUSINESS-1 (B-1) DISTRICT

City Clerk Wright announced that notices regarding the public hearing appeared in *The Exponent Telegram* on April 24, 2018 and May 1, 2018. Mayor Goings declared the public hearing open with Mr. Lowell Goodwin appearing therefor. Mr. Goodwin informed that the purpose of the building that he wished to erect at said location was for the storage of personal antique vehicles as well as to perform some vinyl work wherein he does lettering of police vehicles. Councilmember Bowden noted that there was no one appearing this evening expressing opposition to Mr. Goodwin's request. Mr. Goodwin commented that he would have a document prepared, if need be, to protect the future use of the property, as well as give the adjoining property owner the first opportunity to purchase the property, should he wish to sell the same in the future. There being no others wishing to speak, the public hearing was closed.

MOTION by Vice Mayor Malfregeot, **SECONDED** by Councilmember Goff for approval of the above-captioned ordinance on second and final reading. **MOTION APPROVED UNANIMOUSLY.**

NEW BUSINESS:

A. CONSIDERATION OF A RESOLUTION OF THE COUNCIL OF THE CITY OF CLARKSBURG AMENDING THE CLARKSBURG COMPREHENSIVE PLAN UPDATE OF 1997 AND 2010

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

B. CONSIDERATION TO WAIVE COMPETITIVE BIDDING FOR THE DEMOLITION OF THE FIRE-BURNT STRUCTURE LOCATED AT 1401 ADAMS AVENUE AND TO AWARD THE CONTRACT THEREFOR TO FELINE EXCAVATION IN THE AMOUNT OF \$13,300.00

MOTION by Vice Mayor Malfregeot, **SECONDED** by Councilmember Bowden for approval of the above-captioned matter. **MOTION APPROVED UNANIMOUSLY.**

C. CONSIDERATION TO AWARD THE CONTRACT FOR THE PURCHASE OF THE YARD WASTE COLLECTION TRUCK

MOTION by Councilmember Ferrari, **SECONDED** by Vice Mayor Malfregeot to award the contract for the purchase of the yard waste collection truck to WV Tractor Company of Charleston, WV in the amount of \$108,600 (pursuant to WV Code §5A-3-37). **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

Councilmember Sigmon: Thanked Mr. Goodwin for attending the meeting this evening and offering to make a proposal concerning the use of the property he has requested to be rezoned and also noted that there were no individuals appearing in opposition to his rezoning request.

Councilmember Bowden: Expressed appreciation to P&Z member Lee West for discussing his apprehensions with the referenced rezoning request at the previous meeting.

MOTION by Councilmember Ferrari, **SECONDED** by Vice Mayor Malfregeot to adjourn into Executive Session pursuant to Chapter 6, Article 9A, Section 4 of the West Virginia Code to discuss matters involving the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving competition which, if made public, might adversely affect the financial or other interests of the City and that the following persons be present: Mayor and Members of City Council, City Manager, Assistant City Manager and Finance Director. **MOTION APPROVED UNANIMOUSLY.**

Concluding Executive Session and there being no further action, the meeting concluded.

Catherine A. Goings, Mayor

Approved: May 17, 2018

Annette M. Wright, City Clerk