

JUNE 4, 2020

The Clarksburg City Council met in REGULAR SESSION on Thursday, June 4, 2020 at 6:00 P.M. at the Clarksburg Municipal Building – Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Kennedy presiding.

COUNCIL MEMBERS PRESENT:

Frank Ferrari
Marshall Goff
Lillie Junkins
Gary Keith
Jim Malfregeot
Vice Mayor Jimmy Marino
Mayor Ryan Kennedy

ALSO PRESENT:

Harry Faulk, City Manager
Annette Wright, City Clerk

Following roll call, the prayer was given and the pledge led by Vice Mayor Marino.

At this time Council deviated from the agenda for the following presentation:

Mayor Kennedy presented a nurse with River Oaks Nursing Home a proclamation in recognition of June 20, 2020 being “The Longest Day in Clarksburg, WV” in conjunction with Alzheimer’s and Brain Awareness Month.

MOTION by Councilmember Ferrari, **SECONDED** by Vice Mayor Marino for approval of the minutes of the Regular session of Council held on May 21, 2020. **MOTION APPROVED UNANIMOUSLY.**

Mayor Kennedy called for petitions, communications and public hearings with the following individuals appearing therefor:

John Cooper, Superintendent of Clarksburg Parks – addressed Council concerning an update on the Splash Zone noting the CDC, WV DHHR and Governor’s Office orders and guidelines, with a handout provided, as well. Mr. Cooper noted that various pools would not be opening this summer due to the required restrictions and guidelines and further informed of an approximate \$50,000 budget deficit should the Splash Zone be opened and operating within the noted restrictions. Mr. Cooper stated they have worked and researched diligently to see if there was any way they could open the facility remarking that the Park Board is interested and wants to be able to provide these services. Brief discussion was held concerning the guidelines and how adhering to such would be cumbersome and costly. Mr. Cooper informed that the Park Board would be conducting a special meeting on Monday, June 8th at 4:00 p.m. to consider the opening of the facility and that the meeting was open to the public.

Brad Morris, 503 Stanley Avenue – appeared before Council to discuss the agenda’s order of business; permits and tax matters. With regard to board appointees, Mr. Morris stated that he believed that some of the members have more control than elected officials. Mr. Morris inquired if there had been discussion about the agenda wherein a change would be made to allow for discussion and citizen input at a meeting prior to the second reading of ordinances. Councilman Keith pointed out that citizens can speak on any subject at any time. With regard to B&Os, Mr. Morris expressed concern with a mistake made by the City in an attempt to collect monies as well as the sternly worded letter regarding the same.

Jerry Guffey – addressed Council concerning his property requesting 30 days to finish up his project and that the other subsequent items noted prior were addressed. Mayor Kennedy suggested that Mr. Guffey meet with the City Manager regarding this matter.

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

Manager’s Report

June 4, 2020

Submitted by Harry R. Faulk

Manager’s Office

1. **The demonstration that was held on June 3rd was very peaceful. I would like to commend the Clarksburg Police Chief for his quick response to prepare and work with our local Public Safety Departments to ensure the safety of our community and the demonstrators. As a result, there were no arrests and injuries reported.**
2. ***The Citizens Request Tracker portal was implemented last week. We have received a total of 32 requests.***
3. ***Our weekly email blast will begin next week with emails being sent every Friday at 12:00 p.m. The email will contain reminders, community events, and other important information. There will be link on our webpage to subscribe.***
4. ***I am currently accepting Proposals for City Attorney services from lawyers or firms experienced in municipal law. The proposal guidelines can be found on our website and the deadline to submit proposals is June 24th at 4:00 p.m.***
5. ***Currently working on decaling on our Code Enforcement and Animal Control Vehicles so that they are easily identifiable while they are out in the community.***
6. ***A Finance Committee meeting was held on June 3rd to discuss our currently financial status and projections.***
7. ***The City has partnered with the Harrison-Clarksburg Health Department to provide free COVID-19 testing on Friday, June 5th and Saturday June 6th from 9 a.m. to 4 p.m. at the south end of Monticello Ave, near the Monticello Playground. ID will be required and you can drive through or walk up for testing.***

Police Department

1. ***Purchased a UV light with grant funds to be used for sanitizing the squad room.***
2. ***Interviews were held for the position of Canine Officer by the Harrison Co. Sheriff’s Department, WV State Police, and Clarksburg Deputy Chief.***
3. ***For the month of May, the department responded to 3,421 calls for service that led to 14 felony arrest, 98 misdemeanor arrests, 209 criminal reports, and 43 traffic accidents.***
4. ***Five new officers will be going back to the State Police Academy on June 14th and will be graduating on June 26th.***

Fire Department

1. ***Responded to 283 calls for service for the month of May.***
2. ***Performed three residential inspections.***
3. ***The fire department had a total of 702 training hours for the month of May.***

Robinson Grand Performing Arts Center

1. ***Working on creative solutions to execute dance recitals and other events via live-stream and audio/video recording to accommodate clients who are unable to postpone or delay their events.***
2. ***Secured \$21,000 in operational funding through the RGPAC Capital Campaign, with support from various private and corporate donors. Additional funding is expected during Q3 of 2020.***
3. ***Submitted \$10,000 emergency grant to the Mid-Atlantic Arts Foundation under the CARES Act for arts organizations. This grant is specified to provide financial relief for staff salaries. The grant is currently under review and recipients will be awarded by July 2020.***
4. ***The RGPAC has 4 private events scheduled during the month of June 2020. These events are all under (100) guests and will fall under the Harrison County Health Department guidelines for restaurants and bars, which includes social distancing guidelines and maintaining occupancy below 50% for each space utilized.***
5. ***The next public event is Landau Eugene Murphy Jr., scheduled for Saturday, July 11, 2020.***

City Parks

1. ***The park shelters and trail restrooms are now open at the Clarksburg City Park and Veterans Park.***
2. ***Shelter restrooms will be opened when a shelter has been rented.***

3. *Youth baseball will start on June 8th.*
4. *Mini Golf will open this weekend.*
5. *The indoor baseball practice facility is open.*
6. *Broadway and Carlisle play structures will be installed in the beginning of July.*

Wastewater Treatment Plant

1. *The plant treated 360.8 million gallons of wastewater for the month of May, and no violations were reported.*
2. *Phase IV of the long-term control plan is proceeding for final agreement of the SRF loan and should be finalized in late July or early August.*
3. *The Fiscal Year 2020-2021 Budget has been submitted.*

Code Enforcement

1. *46 Building Permits were issued for projects totaling \$470,701.91.*
2. *74 Notice of Violations were issued, along with 18 citations.*
3. *10 structures were condemned and 2 were added to the Demo list.*
4. *Performed 16 inspections.*
5. *5 vehicles were tagged for removal.*
6. *Animal Control responded to 50 calls for service.*

Finance Department

1. *Closed accounts for 125 businesses that have not paid their business license registration fee for 2019-2020.*
2. *Mailed notices to businesses that have not paid B&O taxes over the past year.*
3. *Auditing street by street to ensure fire fees have been paid.*

Public Works

1. *Demolished 3 structures, cleaned 31 Notice of Violations orders, picked up 5 tons of yards waste, repaired 4 traffic signals, replaced signage that was damaged from graffiti.*
2. *Installed 5 catch basins and installed 179 feet of new sewer lines.*
3. *Prepped streets for up-coming paving project and repainted curbs at 14 locations.*

“Proud Past...Unlimited Future”

AGENDA ITEM NO. 6: CITY CLERK’S INFORMATION:

- A. ZONING FORM IN CONNECTION WITH A LICENSE TO OPERATE A WV ABCA LICENSED PRIVATE CLUB, PRIVATE WINE RESTAURANT OR TAVERN FILED BY NORTH POLE ICE SERVICES OF CLARKSBURG, 607 MONTICELLO AVENUE - RETURNED TO APPLICANT ON MAY 22, 2020

UNFINISHED BUSINESS:

- A. **CONSIDERATION OF THIRD AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC SEWERAGE SYSTEM OF THE CITY OF CLARKSBURG AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF CLARKSBURG OF NOT MORE THAN \$7,900,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2020 A (WEST VIRGINIA SRF PROGRAM); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING A LOAN AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO**

The City Clerk informed that notices regarding the public hearing on the above-captioned

ordinance appeared in *The Exponent Telegram* on May 22, 2020 and May 29, 2020. Mayor Kennedy declared the public hearing open with no one appearing therefor. Upon closing the public hearing, **MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Ferrari for approval of the above-captioned ordinance on third and final reading. **MOTION APPROVED UNANIMOUSLY.**

B. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE TO AMEND ORDINANCE NO. 20-4 DETERMINING THE NECESSITY FOR A CONTINUANCE OF LEVIES FOR THE FISCAL YEARS BEGINNING JULY 1, 2021 PASSED ON SECOND AND FINAL READING ON JANUARY 2, 2020 TO CHANGE THE DATE OF THE SPECIAL ELECTION FROM JUNE 13, 2020 TO JULY 25, 2020

The City Clerk informed that notices regarding the public hearing on the above-captioned ordinance appeared in *The Exponent Telegram* on May 27, 2020 and June 3, 2020. Mayor Kennedy declared the public hearing open with no one appearing therefor. Upon closing the public hearing, **MOTION** by Councilmember Ferrari, **SECONDED** by Councilmember Goff 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 ESTABLISHING SALARIES OR COMPENSATION FOR MUNICIPAL OFFICERS AND EMPLOYEES FOR FISCAL YEAR 2020-2021 AND REPEALING ALL INCONSISTENT ORDINANCES

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

B. CONSIDERATION OF A RESOLUTION APPOINTING BALLOT COMMISSIONERS, FIXING PRECINCT BOUNDARIES AND POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR THE LEVY ELECTION TO BE HELD IN THE CITY OF CLARKSBURG ON SATURDAY, JULY 25, 2020

MOTION by Councilmember Malfregeot, **SECONDED** by Vice Mayor Marino for adoption of the above-captioned resolution. **MOTION APPROVED UNANIMOUSLY.**

C. CONSIDERATION OF A RESOLUTION APPOINTING EMERGENCY ABSENTEE VOTING COMMISSIONERS FOR THE GENERAL ELECTION TO BE HELD IN THE CITY OF CLARKSBURG ON SATURDAY, JULY 25, 2020

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

D. CONSIDERATION OF APPOINTMENT TO THE PARKING AUTHORITY

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Goff to reappoint Michael Audia to the Parking Authority. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

Councilmember Malfregeot: Commended Chief Kiddy and the police department on the manner in which they handled the recent protest; suggested signage to let citizens know to sign up to speak at the council meetings.

Councilmember Keith: Also noted the peaceful protest; expressed appreciation with the citizen reporter being back up and

running; commended Dominique for putting out a lot of good information for the public; commended the City Manager on the format of his report.

Councilmember Junkins:

Also commended the Chief on the protest; commended the City Manager for doing a fantastic job; commended Dominique on doing a fantastic job and opined that consideration needed to be given to purchase her a camera to enhance the videos and make the same more audible.

Vice Mayor Marino:

Noted code enforcement issues and expressed appreciation for making such a priority and that he was pleased with the new citizen tracker system; expressed appreciation to Mr. Faulk for the work he is doing; commended Dominique on doing a great job; encouraged the citizens to attend the upcoming Park Board meeting.

Mayor Kennedy:

Also commended Chief Kiddy and the police department on a job well done regarding the protest; commended the City Manager on doing a great job; also commended Dominique on expanding the City's social media presence; advised of the free COVID-19 testing to take place over the weekend; encouraged citizens to attend the upcoming Park Board meeting.

There being no further business to come before Council, **MOTION** by Councilmember Ferrari, **SECONDED** by Councilmember Goff and **APPROVED UNANIMOUSLY** for adjournment.

E. Ryan Kennedy, Mayor

Approved: June 18, 2020

Annette Wright, City Clerk