

JUNE 11, 2020

The Clarksburg City Council met in CONFERENCE (Work) SESSION on Thursday, June 11, 2020 at 5:30 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

Use of Force Policies – Mayor Kennedy remarked that in light of recent events, Council felt it was an appropriate time to look at these policies. Councilmember Goff remarked that he believed the policies were up to date noting that such policies have been kept current throughout the years and expressed appreciation to the police for doing their due diligence. Chief Kiddy advised that new hires are made aware of these policies during their FTO program.

Parsons Hotel – Mr. Faulk noted that Mr. Barberio and Mr. Workman were in attendance this evening regarding this matter. Mr. Barberio provided a history of the Parsons dating back to 2009-2010 during the time it was still being occupied. Mr. Barberio confirmed that the Code Department has sent notices and orders regarding this property and that his department maintains a file thereon. Lengthy discussion was held concerning the vandalism and the continued reboarding/securing of the property by the City. Councilmember Keith advised that he works with the owners of the property who is interested in giving the property away and, in particular, to the City as they no longer want the responsibility. Vice Mayor Marino remarked that his concern was the health and safety of the police and fire when addressing this property. Mr. Workman advised that there has been about \$720 spent in materials to board-up the building and approximately \$600 in manhours. Vice Mayor Marino suggested that cameras be placed thereat. Councilmember Malfregeot inquired as to why the owners were not sent the bill. Brief discussion was held concerning the cost of demolition therefor with the same being estimated at approximately \$200,000 depending on whether the structure contains asbestos. Also, discussion was held concerning the demolition cost and whether the same could be recovered. It was also noted that the property is within the TIF District and that there may be some monies in the TIF fund that could be used therefor. Councilmember Ferrari suggested we obtain an estimate for the asbestos testing. Vice Mayor Marino opined that the property, once razed, would be a great location for a new middle school and stated that he would like for us to write a letter of support to the Board of Education therefor.

Councilmember Junkins inquired as to how other cities recovered monies that was spent on demolitions with Councilmember Ferrari noting that we have one of the most successful demolition programs and that other municipalities are facing the same problems. Further, Councilmember Ferrari pointed out that it may easy to get a judgment but is difficult to collect thereon. Councilmember Junkins remarked that maybe we were too overzealous on the demolition of structures and maybe we should look at allowing them to be purchased to make habitable.

Vice Mayor Marino inquired if we could research to see if we could go after other properties and to write a stern letter concerning this issue to the property owners. Mayor Kennedy inquired if there was possibly a way to work out a certain upfront amount and then work with the URA on said properties.

Personnel Handbook – Mr. Faulk referenced the current handbook with Mayor Kennedy and Council reviewing the same page by page. Councilmember Ferrari concurred that the City Manager should not be able to exercise authority over financial/compensation matters without the vote of Council and suggested separate ordinances in case Council should have different positions thereon. Some of the items reviewed for amendment(s) include the following:

- With regard to non-financial matters, if the City Manager believes the policy should be changed, make Council aware of the change with Mayor Kennedy adding that the handbook needed to reflect the same with the entire introduction paragraph to be rewritten.
- Page 5 – hiring – Vice Mayor Marino noted that this section was changed a number of years ago wherein applications do not remain active and/or “on file.”
- Probation period – Councilmember Ferrari concurred that the increase in pay following the probationary period should be capped (at a maximum of 5%)
- Random drug testing – Mr. Faulk said this would be brought back in July. Brief discussion was held concerning the drug testing of all employees with Vice Mayor Marino pointing out that unless the law has since changed, he did not believe all employees could be placed into the random pool as not all employees operate city vehicles/equipment or had safety-sensitive positions.
- Page 24 – Mr. Faulk suggested that the language be cleaned up.
- Page 25 – City approved substance abuse program – should include a percentage of the cost. Mr. Faulk added that this would be a one-time participation; suggested a maximum of 50%.
- Page 26 – Site/health care facility to be determined by the City.
- Page 28 – Mr. Faulk apprised of the City of Morgantown’s pilot program wherein they would be working four (4) day work weeks with ten (10) hour days noting that the later hours of operations would afford the opportunity for those who work during the day to do business with the City after their work hours, as well as allow employees more time to spend at home. Council was in agreement that this would best be decided by the City Manager. Discussion was held concerning the calculation of overtime. Discussion was held concerning sick leave and the incentive pay associated therewith with Council in agreement to leave it “as is.”
- 90-day pay out for unused sick leave – Discussion was held concerning this policy that benefited employees hired prior to 1993 with Vice Mayor Marino asking the City Manager to have an/the attorney retract the memo issued by the interim city manager concerning the same.
- Incentive for no accidents – Council was in agreement to have the City Manager propose something therefor.
- FMLA – requested that this section be reviewed by legal counsel.
- Holidays – Add Columbus Day
- Page. 61 – inclement weather – leave up to the City Manager
- Page 64 – Administrative Time – Vice Mayor Marino suggested that language be added that would require vacation time to be used before administrative time with Councilmember Ferrari disagreeing stating that he would be in favor of more accountability in monthly reporting of such administrative time.
- Educational benefit – needs a cap
- Page 67-71 – city vehicles – drive vehicle for City business only. Mr. Faulk apprised that the Code Department vehicles would be decaled. Also, Mr. Faulk commented on ID cards stating that he was looking into the same.
- Firearms – recommended that the attorney look at this policy
- Employee of the Month program – delete the same
- Safety Committee – leave in
- P. 73 – Office Technology – add social media policy – no personal posting during work
- P. 78 – Information Technology Virus Policy – look at the same to update.

Meeting concluded.

E. Ryan Kennedy, Mayor

Approved: June 18, 2020

