

## JUNE 18, 2020

The Clarksburg City Council met in REGULAR SESSION on Thursday, June 18, 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 Councilmember Ferrari.

**MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Goff for approval of the minutes of the Regular session of Council held on June 4, 2020. **MOTION APPROVED UNANIMOUSLY.**

**MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Keith for approval of the minutes of the conference (work) session held on June 11, 2020. **MOTION APPROVED UNANIMOUSLY.**

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

**Richard Cava**, 421 Clark Street– appeared before Council regarding the Parsons Hotel. Mr. Cava noted the number of times he had appeared before Council to discuss concerns associated with the Health Department, Health Access and the Director of the Mission. Mr. Cava stated that he wanted to know where the \$180,000 went to the Health Department for the needle exchange program opining that the citizens paid to have their town destroyed. Mr. Cava remarked that the Health Department did not want to track the recipients of the needle exchange program but wanted citizens quarantined for the COVID-19 virus. Mr. Cava commented on the drug problem associated with the needle exchange program, as well as the Mission and added that the directors of the above organizations needed to be held accountable. Mr. Cava stated that he wanted answers.

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

#### **Manager’s Report**

**June 18, 2020**

**Submitted by Harry R. Faulk**

#### **Manager’s Office**

1. *Streamlining reports to be shared between the Code Enforcement and Police Department to tackle vacant and condemned structures throughout the City.*
2. *Spoke with Ann Urling, Deputy Chief of Staff for Governor Jim Justice in regards to the Cares Act Grant Funding. I argued the fact that this grant does not assist municipalities with loss of revenues due to COVID-19. The City of Clarksburg has already received grant money and is currently being reimbursed through other grants for PPE supplies. I discussed with her if we can recoup moneys for lost wages, provided her with our scenarios, and we are not eligible. I informed her that many municipalities across our Great State are suffering revenue loss that cannot be made up and we need grant funding for that. She acknowledged my assessments and would pass them on to the Governor.*
3. *Our first weekly email blast went out last week and have received positive feedback on it from various residents throughout the Community.*
4. *I am currently updating the Employee Handbook. Once Council’s recommendations are inserted, I will have a committee formed of employees representing every department to review and provide recommendations. I will then have our City Attorney review the document before being brought in front of Council for approval.*

Police Department

1. *There have been 10 individuals arrested for trespassing in condemned structures since the new law took effect on June 4, 2020.*
2. *Sgt. L. McGlone has successfully been selected to be the new K-9 Officer once the funds are available for the K-9 Program*
3. *Five new officers will report back to the Academy on July 5<sup>th</sup> to complete training.*

Fire Department

1. *Responded to one structure fire at a vacant house last night. No injuries were reported.*

Robinson Grand Performing Arts Center

1. *The RGPAC hosted it first virtual concert on Friday, June 12 that featured the local band Amici. It received 7,300 viewers.*
2. *The Landau Eugene Murphy Jr. concert, originally slated for July 11 has been rescheduled to a holiday concert on Saturday, December 19, 2020 at 8 p.m.*
3. *There will be a public movie screen of "Ferris Bueller's Day Off" scheduled on Friday, July 24<sup>th</sup> at 7 p.m. There will be following guidelines for movies theaters that includes social distancing and maintaining occupancy below 50%.*

City Parks

1. *There are many family activities going on throughout our Parks. Please visit their website for a complete list.*

Code Enforcement

1. *The Department has issued 46 building permits totaling \$401,211.02 in project costs.*
2. *81 Violation Notices were issued resulting in 15 citations and 3 condemnations.*
3. *Animal Control responded to 30 calls for services.*

Finance Department

1. *Will be placing the following properties in the newspaper for sealed bid next week: 765 Glen Dale Avenue and 516 3<sup>rd</sup> Street.*
2. *There have been 100 businesses/individuals comply with business licenses and pay B&O taxes out of the 550 letters that were mailed on May 29.*
3. *They collected 162 past due fire fee accounts out of 889 letters that were mailed on May 22 (3 weeks ago). As of today, \$45,080.65 of the \$245,050.97 has been collected (18.3%).*
4. *The Finance Dept will be contacting 124 businesses which were not licensed for the year 2019-2020 to ensure they are no longer operating and if they are, bring them into compliance.*
5. *Working on the end of the fiscal year and getting all outstanding invoices paid.*

Public Works

1. *Demoed one structure on Shuttlesworth Ave. Next demo will be on Austin Ave. This will be the last one on this contract.*
2. *The Street Paving Contract will start on June 29, 2020. We will have the list available on our website. Residents will be notified 24 hours in advance prior to work.*
3. *The Fairmont Ave Stormwater project was completed with three catch basins installed and slotted drain to control storm runoff.*

***"Proud Past... Unlimited Future"***

**UNFINISHED BUSINESS:**

- A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE ESTABLISHING SALARIES OR COMPENSATION FOR MUNICIPAL OFFICERS AND EMPLOYEES FOR FISCAL YEAR 2020-2021 AND REPEALING ALL INCONSISTENT ORDINANCES**

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

ordinance appeared in *The Exponent Telegram* on June 9, 2020 and June 16, 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 Malfregeot 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 REZONING OF A TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF CLARKSBURG, CLARK-CLARKSBURG DISTRICT, HARRISON COUNTY, WEST VIRGINIA, BEING TAX MAP 27 PARCEL 8 CONTAINING 5.9 ACRES INCLUDING THE CARETAKER RESIDENCE SHOWN IN THE PETITION FILED BY HOLY CROSS CEMETERY (BISHOP OF DIOCESE OF WHEELING-CHARLESTON) FROM R (RESIDENTIAL)-2 TO R-3 STATUS; AND PROVIDING FOR FINDINGS OF FACT IN CONNECTION WITH SAID REZONING**

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

- B. CONSIDERATION OF A RESOLUTION TO APPROVE REVISION TO THE CITY BUDGET FOR FISCAL YEAR 2019-2020**

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

- C. CONSIDERATION OF ELECTION OFFICIALS (POLL WORKERS) FOR THE SPECIAL LEVY ELECTION TO BE HELD IN THE CITY OF CLARKSBURG ON SATURDAY, JULY 25, 2020**

**MOTION** by Councilmember Keith, **SECONDED** by Councilmember Goff for approval of the election officials (poll workers) for the July 25, 2020 Levy Election. **MOTION APPROVED UNANIMOUSLY.**

- D. CONSIDERATION OF APPOINTMENT TO THE CLARKSBURG-HARRISON REGIONAL HOUSING AUTHORITY**

**MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Ferrari to reappoint William Rota to the Clarksburg-Harrison Regional Housing Authority. **MOTION APPROVED UNANIMOUSLY.**

- E. CONSIDERATION OF APPOINTMENT TO THE BOARD OF ZONING APPEALS**

**MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Goff to reappoint Donald Hall to the Board of Zoning Appeals. **MOTION APPROVED UNANIMOUSLY.**

- F. CONSIDERATION OF APPOINTMENT TO THE CODE APPEALS BOARD**

**MOTION** by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to reappoint Greg Linder to the Code Appeals Board. **MOTION APPROVED UNANIMOUSLY.**

- G. CONSIDERATION OF THREE (3) APPOINTMENTS TO THE PLANNING & ZONING COMMISSION**

**MOTION** by Vice Mayor Marino, **SECONDED** by Councilmember Goff to reappoint C. David McMunn, Dortha Parsons and F. Lee West to the Planning & Zoning Commission.

**MOTION APPROVED UNANIMOUSLY.**

**COUNCIL COMMENTS:**

- Councilmember Malfregeot:                    Remarked that he was glad to see Emily Moore and Bobby Rexroad back at the RGPAC and opined that Ryan Tolley’s salary should be reinstated to his full salary and inquired as to why he was the only department head whose salary was reduced during the pandemic; applauded the efforts to those trying to get the pool opened noting that the decision was made by the Park Board not to open this year; wished Councilmember Ferrari an early happy birthday.
- Councilmember Ferrari:                    Informed of an area young man, Carson Higginbotham, who has made a name for himself in golf noting his national tournament win and requested that he be recognized therefor at a future Council meeting; wished all fathers a “Happy Father’s Day.”
- Councilmember Keith:                    Also extended early birthday wishes to Councilmember Ferrari; commended Chief Kiddy for his “hands-on” work; with regard to salaries, commented that once we get July numbers, he wanted to revisit possible salary raises; thanked Emily Moore for her work in recognizing the Notre Dame High School seniors on the RGPAC marquee.
- Councilmember Junkins:                    Wished all fathers a “Happy Father’s Day.”
- Vice Mayor Marino:                    Expressed appreciation to Councilmember Junkins and the Beautification Committee for the beautiful hanging baskets throughout the downtown.
- Mayor Kennedy:                    Also extended Father’s Day greetings and expressed appreciation for the Community Action Group back at working cleaning up the community.

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:     July 2, 2020

---

Annette Wright, City Clerk