

JULY 2, 2020

The Clarksburg City Council met in REGULAR SESSION on Thursday, July 2, 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 Goff.

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Goff for approval of the minutes of the Regular session of Council held on June 18, 2020. **MOTION APPROVED UNANIMOUSLY.**

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

Chuck McWilliams, 901 N. 14th Street– appeared before Council to discuss demolitions, backpackers, squatters, guardrail and cats. Mr. McWilliams informed that property located on 14th and Alpha Avenue is becoming a safety issue; the property located at 914 N. 14th Street has more stuff in the front yard, such as tents, welding materials, old cars, etc. Also, cats running at large in the area are also of concern, stated Mr. McWilliams. Further, backpackers/squatters in the area are a concern. Mr. McWilliams commented on the need for paving in said area, as well as the replacement of a guardrail.

With regard to the paving, Councilmember Ferrari noted the paving currently taking place and suggested that the City Manager look into this matter to see if the referenced area could be added this year. Mr. McWilliams also expressed concerns with numerous unreturned phone calls to various City departments with Vice Mayor Marino stating that such was unacceptable and requested that the City Manager follow up on the same.

Brad Morris, 503 Stanley Avenue – addressed Council concerning demolition and B&O taxes. Mr. Morris opined that the demolition program was one of the most important things for the City and he believed funds should be dedicated therefor. Further, Mr. Morris suggested targeting areas in need of demolition which would make a greater impact in the various communities. Also, Mr. Morris referenced the B&O taxes and inquired as to the rates for office workers being lower than the rates for construction workers.

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

Manager's Report
July 2, 2020
Submitted by Harry R. Faulk

Manager's Office

1. *Ryan Tolley and Bobby Rexroad from the Robinson Grand assisted with improving the quality of sound during Council Meetings and with our live streaming video.*
2. *The office received two proposals in response to the City's RFP for the City Attorney. Flaherty, Sensabaugh, Bonasso, PLLC, has been retained for the rate of \$150.00 per hour.*
3. *The Clarksburg Parking Authority met on June 24 and approved the following: a Resolution establishing salaries and compensation for employees of the off-street Parking Authority and approved the budget for the Parking Authority Fund and R&R Fund for FY 2020-21.*
4. *Four part-time parking attendants will be returning from furloughs.*

5. *The Zoning Appeals Board held a hearing on June 23 and approved the application for Major Home Occupancy for property located at 196 Bond Street to open a massage therapy business: Body Movement Energy.*

Police Department

1. *The newest Clarksburg four-legged Police Officer is gearing up to start training in October and graduate in November of this year. He is from the Pine Grove Kennel in Reedsville, Ohio.*
2. *The Police Department responded to 2590 calls for service for the month of June that resulted in 7 felony and 121 misdemeanor arrests. Also, there were 174 criminal reports and 42 traffic accidents.*
3. *Five new officers will be going back to the State Police Academy on July 5 and will be graduating in two weeks.*

Fire Department

1. *The Clarksburg Fire Department responded to 289 calls for service for the month of June.*
2. *A total of 17,450 feet of hose line was tested.*
3. *The department assisted with the recent COVID-19 testing at the Robert C. Byrd Highschool.*

Robinson Grand Performing Arts Center

1. *ProTech Theatrical Services have been on-site to perform a total replacement of the line-shaft rigging that is responsible for raising and lowering of all 18 fly lines above the stage. This work is covered under the vendors warranty.*
2. *Preparations have begun to reopen the theater to the public such as installing Plexiglas barriers, developing flow plans to maintain social distancing, and ensuring all staff have the proper PPE and additional sanitization materials. Private events are still being scheduled with five scheduled this month.*

City Parks

1. *There are seven Movies in the Park and two Music in the Park events scheduled. Please check our website for details.*
2. *ADI has completed the fan installation at the Indoor Baseball Practice Facility.*
3. *Thrasher Engineering has begun Phase 2 of the Clarksburg City Park Sewer Line project that is installing a sewer line near Field 5 and the tennis courts.*
4. *The installation of play structures for Broadway and Carlisle Parks are scheduled for the week of July 6th.*
5. *The Greater Clarksburg Open Mini Golf Tournament is scheduled for Saturday, July 25th. Sacred Heart Children's Charities is the main sponsor.*

Code Enforcement

1. *In the past two weeks, the department issued 61 building permits for projects totaling \$461,067.71.*
2. *Thirty-six Notice of Violations were issued resulting in 5 citations. Three structures were condemned. Forty-nine residential and 13 commercial inspections were performed. Five vehicles were towed and nine were tagged for towing.*
3. *Animal Control responded to 46 calls for service.*
4. *Eight Commercial Zoning requests were processed.*

Finance Department

1. *Submitted a grant application to the Cares Act Program for funding in the amount of \$1,094,437.09 for reimbursement of Police and Fire wages and benefits for March and April of 2020.*
2. *To date 1,516 business licenses have been issued for this fiscal year.*
3. *Renewed our Liability and Workers Compensation Insurance policies as of July 1. Our agent, Assured Partners of WV, secured our new Liability policy with American Zurich Insurance Company, at a significantly lower rate than our previous company. The annual premium is about \$28,000 less than last year. The Worker's Compensation policy is about \$5,000 less than last year.*

Public Works

1. *Responded to 11 sewer calls, installed 158ft of new sewer pipe and replaced three manhole structures.*

2. *Picked up 7 tons of yard waste, repaired 2 traffic signals and installed 5 new traffic control signs.*
3. *Milling has been completed on the paving list and the streets will be paved starting on July 7th.*
4. *Installed flag poles and flags at the Survivor Tree Memorial.*

Wastewater Treatment Plant

1. *All documentation for the Phase IV Long Term Control Plan will be finalized by July 17th.*
2. *The lab at the plant has successfully passed inspection by the DEP and is certified for the year 2020-21.*
3. *The new NPDES permit was approved and is good until June 30, 2025.*

“Proud Past... Unlimited Future”

UNFINISHED BUSINESS:

- A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING 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**

The City Clerk informed that notices regarding the public hearing on the above-captioned ordinance appeared in *The Exponent Telegram* on June 23, 2020 and June 30, 2020. Mayor Kennedy declared the public hearing open with no one appearing therefor. Upon closing the public hearing, **MOTION** by Councilmember Malfregeot, **SECONDED** by Vice Mayor Marino for approval of the above-captioned ordinance on second and final reading. **MOTION APPROVED UNANIMOUSLY.**

NEW BUSINESS:

- A. CONSIDERATION OF A RESOLUTION TO APPROVE REVISION TO THE CITY BUDGET FOR FISCAL YEAR 2020-2021**

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

- B. CONSIDERATION OF THE CITY’S PETITION TO ABANDON APPROXIMATELY A 300 FT. X 50 FT. SECTION OF AN UNOPENED/UNIMPROVED RIGHT-OF-WAY KNOWN AS RAILROAD STREET FROM THE INTERSECTION OF N. OHIO AVENUE TO WEST VIRGINIA AVENUE AS PART OF PHASE 4 OF THE CITY OF CLARKSBURG’S LONG-TERM CONTROL PLAN**

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Junkins to refer the above-captioned petition to the Planning & Zoning Commission for review, public hearing and recommendation. **MOTION APPROVED UNANIMOUSLY.**

- C. CONSIDERATION OF APPOINTMENT TO THE HARRISON-CLARKSBURG LIBRARY BOARD**

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Goff to appoint Irene Malfregeot to the Harrison-Clarksburg Library Board. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

- Councilmember Malfregeot: Wished all a Happy 4th of July; stated that he would like to discuss the 3% raise for City employees at the next council meeting.
- Councilmember Ferrari: Commended Councilmember Junkins and the Beautification Committee on the beautiful hanging baskets; commended the Finance Director and City Manager on making the application for funds related to the pandemic.
- Councilmember Goff: Commended the Police Chief and his department for the number of calls they have handled and added that he has received positive remarks on the same.
- Councilmember Keith: Expressed his pleasure in the positive happenings in the police department, as well as the K9 officer assignment.
- Councilmember Junkins: Thanked Mr. McWilliams for coming to the meeting and expressing his concerns; expressed appreciation to Chief Kiddy for taking care of things she contacted him about; recognized and commended the CCA for the work they are doing throughout the City; wished all a Happy 4th of July.
- Vice Mayor Marino: Expressed his pleasure with citizens coming to the meetings and voicing their concerns; stated that he found it unacceptable for department heads not to get back to the citizens/return phone calls and commented that he was confident that the City Manager would hold people accountable; expressed pleasure with obtaining a K9 as well as the City's submission of funding request during the pandemic; wished all a Happy 4th of July.
- Mayor Kennedy: Echoed comments regarding the K9, funding, etc.; noted the significance of July 4th to him; gave a shout out to the 201st in Marion County.

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

E. Ryan Kennedy, Mayor

Approved: July 16, 2020

Annette Wright, City Clerk