

AUGUST 6, 2020

The Clarksburg City Council met in REGULAR SESSION on Thursday, August 6, 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 Keith.

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

Mayor Kennedy presented members of the American Legion with a proclamation proclaiming July 27, 2020 as “Korean War Veterans’ Day” in recognition of the 70th anniversary of the beginning of the Korean War.

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Ferrari for approval of the minutes of the Regular session of Council held on July 16, 2020. **MOTION APPROVED UNANIMOUSLY.**

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

Joyce Rabanal – addressed Council concerning the Board of Health expressing appreciation to the previous council who appointed her to the Board of Health and the opportunity to utilize her 50 years of nursing skills to serve the citizens. Ms. Rabanal stated that she was concerned with the mindset of the current city council wherein board appointments should have the like-minded thoughts of Council to be appointed. Ms. Rabanal remarked that when she voted for the incoming councilmembers, she had hoped that we were going to have positive changes; however, she was mistaken, she remarked.

Richard Cava – addressed Council regarding vacant abandoned structures, etc. Mr. Cava commended Council on the change to the Board of Health. Mr. Cava opined that the many abandoned structures should have been a priority over the Robinson Grand Performing Arts Center project and remarked that the taxpayers should not be paying for the theater. Mr. Cava commented that ridding the abandoned structures is a huge difference to the neighborhoods. Further, Mr. Cava stated that the 501(c)(3) Mission Group is back in operation and requested that this be explored.

AGENDA ITEM NO. 5: CITY MANAGER’S REPORT/UPDATE **Manager’s Report** **August 6, 2020** **Submitted by Harry R. Faulk**

Manager’s Office

1. *Adam Barberio has tendered his resignation with the City after proudly serving the Citizens of Clarksburg for 17 years. August 5th was his last day.*
2. *The Levy Election was held on July 25th, with 363 voting for the Levy and 55 voting against it resulting in 86.8% in favor.*
3. *A representative from GeoDecisions met with Code Enforcement to demonstrate software that assists local government in managing day to day operations such as property management, zoning, permitting, violations, complaints, stormsewer and wastewater infrastructure mapping and overlays. They will be back later this month to demonstrate the program to Public Works.*
4. *The Finance Committee met on August 4th and will be providing a list to Council for recommendations.*
5. *Desiree Lambert title has changed from Insurance Officer to Human Resources Coordinator. We are currently updating every employee job description that is required for evaluations. We are also updating the performance appraisals section of the*

employee handbook. The handbook should be completed and presented to Council next month.

- 6. North Pole Ice will have a Ribbon Cutting and Grand Re-Opening on Thursday, August 13th at 1:00 p.m.*

Police Department

- 1. All five new officers have graduated the W.V. State Police Academy and are currently working on shifts, Ptm. Colley is currently off recovering from shoulder surgery, will be back to full duty in several weeks.*
- 2. The Task Force served a search warrant in Clarksburg last week, recovered 2 oz. heroin/fentanyl mixture, 1 oz. meth., 12 firearms including 2 sawed off shotguns, 1,000 rounds ammo, a bulletproof vest, and 3 explosive devices.*
- 3. Since an officer has been added to the Mountaineer Highway Interdiction Team (M.H.I.T.) two weeks ago, several traffic stops have been initiated leading to vehicle searches recovering stolen firearms, marijuana, meth. and Subutex.*
- 4. Covid-19 reimbursement has been submitted to finance dept. for PPE supplies and overtime, totaling \$9,973.43*
- 5. The Department responded to over 2,000 calls for service in the month of July leading to 161 arrests and 31 crash investigations.*
- 6. The Department on August 3rd started a tow service rotation.*
- 7. The Police Dept. has started a Facebook page, to assist in obtaining information and disseminating information to the public.*

Fire Department

- 1. The department responded to 292 alarms during the month of July and have a total of 770 hours of training completed.*
- 2. All AED's City wide were inspected and the AED pads were all updated.*
- 3. The department will begin to train and certify all City employees in CPR and First Aid.*

Robinson Grand Performing Arts Center

- 1. The filming of the RGPAC's newest fundraiser/virtual performance "Comedy for a Cause" was completed on Friday (7/31). This performance featured the Vintage Theatre Company's Fearless Fools. The performance will be available on multiple social media platforms starting Friday (8/14). Marketing has begun for this virtual fundraising event.*
- 2. Just over \$2,500 has been raised for the RGPAC's virtual fundraising initiatives to-date. Additional donations are expected as more virtual performances are released.*
- 3. Approximately \$160,000 in committed capital campaign contributions is expected by late 2020. These contributions will help to cover all RGPAC operational costs.*

Code Enforcement

- 1. Once the Ordinance for the position of Director of Code Enforcement is approved, we will begin to advertise tomorrow. The deadline to apply will be August 21st. The goal will be to have someone in place next month.*
- 2. The Department issued 67 building permits with a total project cost of \$412,620.70.*
- 3. Forty Notice of Violations were issued resulting in 20 citations and 10 condemnations. Two structures were added to the demo list, 10 vehicles were tagged for towing and 23 inspections were performed*
- 4. Animal Control responded to 55 calls of service resulting in 24 animals taken to the HCAC.*
- 5. We will be interviewing several contractors next week for the Haymond Highway Bridge replacement. Once we have this project shovel ready, we will begin to apply for grant money for this project.*

Finance Department

- 1. The City has applied and received a total of \$2,222,209.76 in Care Act Grants Funding.*
- 2. The department is currently working on detailed reports and financial information in regards to the Opioid Lawsuit.*

Public Works

- 1. The Department responded to 38 sewer call and 30 Notice of Violations.*
- 2. Installed 225 feet of new sanitary sewer pipe and 145 feet of new storm sewer pipe, along with replacing two catch basins.*
- 3. The 2019-2020 paving project has been completed.*
- 4. Fifteen tons of yard waste was picked up and four traffic signals were repaired.*
- 5. Cleaned sidewalks and curb line in the downtown area.*

Wastewater Treatment Plant

1. For the month of July, the plant treated 259 million gallons of wastewater with no violations to report
2. The construction for the Phase IV Long Term Control Plan will begin in September.
3. Chemical bids will be due on August 7th at 1:30 p.m. and will be opened.

“Proud Past... Unlimited Future”

UNFINISHED BUSINESS:

A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE CREATING THE POSITION OF CODE ENFORCEMENT DIRECTOR

The City Clerk informed that notices of the public hearing regarding the above-captioned ordinance appeared in *The Exponent Telegram* on July 21, 2020 and July 28, 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 Keith for approval of the above-captioned ordinance on second and final reading. **MOTION APPROVED UNANIMOUSLY.**

B. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE ALLOWING FOR THE MODIFICATION OF THE CITY OF CLARKSBURG VACANT BUILDING REGISTRATION PROGRAM

The City Clerk informed that notices of the public hearing regarding the above-captioned ordinance appeared in *The Exponent Telegram* on July 21, 2020 and July 28, 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 second and final reading. **MOTION APPROVED UNANIMOUSLY.**

NEW BUSINESS:

A. CONSIDERATION OF FIRST READING OF AN ORDINANCE AMENDING AND RENEWING ADOPTION OF CERTAIN CODES COMPRISING THE STATE BUILDING CODE

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 FIRST READING OF AN ORDINANCE OF THE CITY OF CLARKSBURG SETTING FORTH A PROPOSED AMENDMENT TO SECTION 15 OF THE CITY CHARTER TO CHANGE REQUIREMENTS OF DIRECTOR OF PUBLIC WORKS AND SAID DIRECTOR’S DUTIES

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to **TABLE** the above-captioned ordinance. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

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| Councilmember Malfregeot: | Remarked that it was time to look into giving the employees a 3% raise. |
| Councilmember Ferrari: | Expressed appreciation to the voters for renewing the Levy; thanked the City Clerk’s office for their work throughout the Levy during the pandemic. |
| Councilmember Goff: | Concurred with Councilmember Ferrari regarding the |

passing of the Levy; expressed appreciation for the new officers that just graduated the Police Academy and remarked that he looked forward to the police department being fully staffed. Noted that the bridge replacement project (near Notre Dame) is starting to move forward.

Councilmember Keith: Thanked Chief Kiddy for the work he is doing and getting his department staffed. Councilmember Keith addressed Ms. Rabanal's earlier remarks stating that he wished she would not have taken this matter so personally; thanked the Finance Director on her work in getting the COVID funds and the job she is doing.

Councilmember Junkins: Addressed Ms. Rabanal thanking her for her services to the Board of Health and commenting that the appointment was not a personal issue and that to attack Council was completely wrong and unfair; expressed pleasure with the passing of the Levy and the COVID funds received and stated that she hoped we could think outside the box and use the money in the most beneficial way for the citizens of the city.

Vice Mayor Marino: Concurred with Councilmember Junkins' remarks to Ms. Rabanal stating that he believed in term limits and that everyone deserves an opportunity to serve on Boards and give input and that the appointment was not a personal issue. With regard to the Levy Election, Vice Mayor Marino expressed disappointment in the low voter turnout and stated that this is another area he would like to see changed. In response to Mr. Cava, Vice Mayor Marino asked the City Manager to give an updated list of all the properties on the demolition list and to see if we could allocate some funding therefor; stated that we needed to work with the Mission and that he and Mr. Faulk met with the Mission Board.

Mayor Kennedy: Concurred with previous remarks regarding the police, COVID monies and city boards; Mayor Kennedy remarked that members of Council are elected by the citizens who hold Council accountable and there is a duty and responsibility to the citizens and that is how he handles each appointment. With regard to the demolition list, Mayor Kennedy inquired of the City Manager as to how many could be done in-house and if the demolitions could start soon.

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: August 20, 2020

Annette Wright, City Clerk