FEBRUARY 7, 2019

The Clarksburg City Council met in REGULAR SESSION on Thursday, February 7, 2019 at 6:00 P.M. at the Clarksburg Municipal Building – Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Goings presiding.

COUNCIL MEMBERS PRESENT:  
Gary Bowden  
Frank Ferrari  
Ryan Kennedy  
Chad Sigmon  
Vice Mayor Jim Malfregeot  
Mayor Catherine Goings

PUBLIC HEARING

COUNCIL MEMBER(S) ABSENT:  
Marshall Goff

Following roll call, the prayer was given and the pledge led by Councilmember Sigmon.

MOTION by Vice Mayor Malfregeot, SECONDED by Councilmember Ferrari for approval of the minutes of the Regular session of Council held on January 17, 2019. MOTION APPROVED UNANIMOUSLY.

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

Martin Shaffer, 211 N. Sixth Street, Clarksburg – appeared before Council to discuss crime, economics of crime and selling stolen goods and referenced the handouts he provided to Council. Mr. Shaffer stated that the mechanical system was stolen from the property noted on the handout and that he called the police regarding the same and his repeated phone calls to an officer went unreturned. Mr. Shaffer continued that the neighbors who indicated they knew who was responsible for this theft were never interviewed. Mr. Shaffer opined that Council was creating this problem and again, mentioned the stolen jackhammer issue which he has spoken of several times before stating that nothing has been done on that matter.

AGENDA ITEM NO. 5:  
CITY MANAGER’S REPORT/UPDATE
Manager’s Report  
February 7, 2019  
Submitted by Martin G. Howe

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<th>General Updates</th>
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<td>1. 2019/2020 Budget – The following is the proposed timeline for the upcoming fiscal year budget:</td>
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  b. Budget work session the week of February 25th.  
  c. Council to have Public Hearing and Consider Approving Budget by March 21st.  
  d. Administration to submit approved budget to WV State Auditor’s Office prior to March 28th.  |

| 2. Demolition – The anticipated timeline for bidding is as follows: |
| i. Advertise - Wednesday, February 13th and Wednesday, February 20th  
  ii. Pre-bid Meeting – Thursday, February 21st  
  iii. Bid Opening – Tuesday, March 5th  
  iv. URA consider awarding bids – Thursday, March 7th  
  v. Council will consider awarding one (1) to two (2) contracts consisting of approximately ten (10) to twelve (12) contracts in total within the TIF District - Thursday, March 7th as well as the agreement between the City, URA and Code Official.  
  vi. Contract Signing – Will be conducted the week of March 21st.  |

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<th>Infrastructure Projects</th>
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<td>1. Embankment Failures –</td>
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| a. Ascension/Brannon Street – Punch list items have been identified and Honor Bros. Engineers are discussing timetable for completion with contractor.  
  b. Upper Winding Way – Contractors are still waiting on one more overhead utility to be relocated.  
  c. Leon Street- Ascent Consulting and Engineering had two (2) additional boreholes drilled on Monday, February 5th. To date, there have now been five (5) boreholes drilled at this site. Slip movement is still obvious. We are anticipating a draft report will be available to review the week...|
of February 18. The mine void will most likely require the installation of grout to help stabilize the area. It may be possible to create a natural grade surface to assist with stability of the hillside instead of the installation of an H Pile Wall.
d. Quarry Development – Project has been completed. The Thrasher Group has submitted the final pay application on Wednesday, February 6th.

Police and Fire
1. Police –
a. Five (5) new officers were sworn-in on Tuesday, January 22nd and immediately began the Field Training Officer Program as of Friday, February 1st. They will all enter the State Police Academy Monday, April 15, 2019.
b. A sixth (6) officer (Nathan Paugh) was reinstated and took his oath of office on Friday, January 25 and he immediately began patrol on Friday, February 1st.
c. We currently have a total of forty (40) officers, with anticipating a new hire in the spring bringing the total to 41.
d. Justice Assistance Grant (JAG) – Executed Agreement with JAG – PRO Officer for RCB High School.

Events
1. Upcoming events at the RGPAC –
a. Movie – “Harry Potter and The Chamber of Secrets” Friday, February 8th at 7:00 p.m.
b. Movie – “Gone with the Wind” Sunday, February 10th (sold out)
c. Music – “Chris Janson with Davisson Brothers Band” the Inaugural Davisson Bros. WV Valentine Celebration, Friday, February 15th – doors open at 5:45, Chris Janson at 6:45 and Davisson Bros. at 8:15 p.m. and 9:45 p.m.
d. Movie – “Fences” – Celebrating Black History Month Friday, February 22nd at 7:00 p.m.
2. Ivory Evening concert at the Waldomore on Sunday, February 17th at 2:00 p.m.

FOIA
1. Two (2) FOIA requests from Paul Nachman, American Transparency, on Wednesday, January 23rd (received on Thursday, January 24th) requesting information on of any and all active employees submitted for the Clarksburg Fireman’s Pension Fund and the Clarksburg Police Pension Fund for the year 2018.
   We responded to Mr. Nachman’s request on Wednesday, January 30th and the information was provided.
2. FOIA request from Joshua Roslan, LexisNexis, January 2019, requesting copies of any and all current contracts that the city has entered into for the provision of online legal research with any provider. We responded to Mr. Roslan on Friday, February 1st and the information was provided.

CITY CLERK’S INFORMATION:
ZONING FORM IN CONNECTION WITH AN APPLICATION TO OPERATE: AN ABCA LICENSED PRIVATE CLUB, PRIVATE WINE RESTAURANT OR TAVERN FILED BY PATRICK MASCARO dba TINA’S TUMBLE DRY HOT SPOT, LLC, 107 TOLLEY DRIVE – RETURNED TO THE APPLICANT ON JANUARY 17, 2019

UNFINISHED BUSINESS: None.

NEW BUSINESS:
A. CONSIDERATION OF A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE DIVISION OF JUSTICE & COMMUNITY SERVICES TO RECEIVE AND ADMINISTER A JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF $15,000 FOR A PREVENTION RESOURCE OFFICER AT ROBERT C. BYRD

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

B. UPDATE ON EAS (ESSENTIAL AIR SERVICE) AND CONSIDERATION FOR NEW EAS AGREEMENT WITH MID ATLANTIC AEROSPACE COMPLEX

Airport Executive Director Rick Rock informed of the agreement with United Skywest and remarked that Clarksburg was one of six entities that assisted with the required funding to obtain the flights currently offered. Director Rock stated that such has been a great success and that the same has been self-sustaining since May 2018 and that they wished to add an additional day which will result in flights for seven days to Chicago and Washington, DC. The new
agreement will replace the existing agreement and will be for $180,000 which is down from $300,000. Director Rock stated that Skywest has been a great partner and that he would provide an official agreement for review.

C. CONSIDERATION OF A PETITION FILED BY PATRICK MASCARO REQUESTING THE REZONING OF PROPERTY LOCATED AT 107 TOLLEY DRIVE FROM A B (BUSINESS)-2 DESIGNATION TO A B (BUSINESS)-3 DESIGNATION

MOTION by Councilmember Ferrari, SECONDED by Councilmember Bowden to refer the above-captioned petition to the Planning & Zoning Commission. MOTION APPROVED UNANIMOUSLY.

COUNCIL COMMENTS:

Councilmember Sigmon: Expressed appreciation to the Public Works Department for the work and positive attitude during inclement weather.

Councilmember Bowden: Expressed appreciation to all that took part in the Point in Time Homeless count; and those for implementing the community-wide shelter.

Councilmember Kennedy: Concurred with Councilmember Bowden’s remarks; informed that he heard from Looking Glass who indicated that they had to stop the advertising for community events on their electronic sign and requested that this ordinance be reviewed/amended opining that such was too restrictive; commented that people have indicated that they do not feel safe coming to Clarksburg in the evening and that we need to do whatever we can as a City to resolve the same; wished all a Happy Valentine’s Day.

Councilmember Ferrari: Also thanked the Public Works Department for their great service.

Mayor Goings: Informed that the Mayor’s Youth Council would be visiting the VA Nursing Home on Monday, February 11th to share valentine’s cards and greetings with the residents.

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

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Catherine A. Goings, Mayor

Approved: February 21, 2019

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Annette M. Wright, City Clerk