

FEBRUARY 18, 2021

The Clarksburg City Council met in REGULAR SESSION on Thursday, February 18, 2021 at 6:00 P.M. via a combination of WebEx and/or in-person with Mayor Kennedy presiding.

COUNCIL MEMBERS PRESENT:

Frank Ferrari (*via WebEx*)
Marshall Goff
Gary Keith
Lillie Junkins
Jim Malfregeot
Mayor Ryan Kennedy

ALSO PRESENT:

Harry Faulk, City Manager
Annette Wright, City Clerk

COUNCIL MEMBER(S) ABSENT:

Vice Mayor Jimmy Marino

Following roll call, the prayer was offered and the pledge was led by Councilmember Keith.

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Keith for approval of the minutes of the Regular Session of Council held on September 3, 2020. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Keith for approval of the minutes of the Regular Session of Council held on February 4, 2021. **MOTION APPROVED UNANIMOUSLY.**

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

Mike Starkey Jr., 177 Jenny St., Philippi, WV – appeared before Council regarding the meeting to take place this evening following the Council meeting wherein citizens will express their concerns with property being burned, damaged, broken into, etc. and encouraged all to stay and participate. Mr. Starkey remarked that he would like to work together to come up with a solution.

AGENDA ITEM NO. 5: CITY MANAGER’S REPORT/UPDATE
Manager’s Report
February 18, 2021
Submitted by Harry R. Faulk

Manager’s Office

1. *The FY 2021-2022 Budget Proposal has been completed and a work session to present the budget will be held next Wednesday evening at 5:00p.m. in Council Chambers.*
2. *Candidate forms for the upcoming municipal election will be available March 1st and the City Clerk’s office will be open the next two Saturdays after that during the day for candidates to file. Information is available on our website.*

Police Department

1. *The department has created a special task force that is going out at any given hour to search every condemned structure within the City.*
2. *Our two newest officers will begin training at the WV State Police Academy on March 22, 2021.*
3. *We are working out the kinks on the new cameras to be placed in various locations throughout the city.*

Fire Department

1. *Two AED’s were replaced on our fire engines.*
2. *Our firefighters responded to a structure fire of a vacant house and saved the neighbor’s house with very little damage that was six feet away. Thank you, Sheetz, for the donation of hot chocolate during that incident.*

3. *Continuing to provide COVID-19 vaccination support at the Armory.*

Finance Department

1. *Several FOIA requests were completed such as Police and Fire Pensions, wages, and purchase orders.*
2. *One hundred and twenty-four invoices for underpayment of B&O Taxes were mailed out in the amount of \$54,482.73.*
3. *Engaged a third-party agency for COBRA Administrative Services to ensure continual compliance with the COBRA Act.*

City Parks

1. *Proposals for the operation of vending machines at Frank Loria Field, Indoor Practice Facility, River Bend Miniature Golf and Clarksburg Rec Center were opened today and will be presented to the Board at their next meeting.*
2. *Discussions were held between the Clarksburg Visitors Bureau to discuss working together on new projects.*
3. *The USDA has performed some harassment and the "Do not Feed the Geese" signage has been installed.*

Robinson Grand Performing Arts Center

1. *In February, the RGPAC is presenting the second season of *The Ghostlight Series* with the theme of: *A Broadway Valentine*, which will air every Friday in February at 7pm, in addition to a bonus episode on Valentine's Day. The series is an ode to musical theatre which pays homage to Broadway during these dark times and features local artists performing classic hits. All episodes can be viewed on the Robinson Grand's Facebook page or YouTube channel.*

Code Enforcement

1. *The Department issued 26 building permits of a total job cost of \$324,375.48.*
2. *Twenty-six notice of violations and 17 citations were issued. Twenty reboards were ordered for vacant structures.*
3. *Eleven residential and 10 commercial inspections were performed.*
4. *All employees attended a MS4 training seminar that was held by Thrasher Engineering.*

Public Works

1. *Crews have been very busy with snow removal and boarding vacant structures.*
2. *The City Hall and Public Works Building repainting is nearly completed.*

Wastewater Treatment Plant

1. *The construction at the plant has slowed due to weather conditions.*
2. *Several employees from the plant attended a MS4 training seminar that was held by Thrasher Engineering.*

"Proud Past... Unlimited Future"

UNFINISHED BUSINESS:

- A. **TO CONDUCT A PUBLIC HEARING ON THE PROPOSED ADOPTION ON THIRD AND FINAL READING OF A BOND AUTHORIZING ORDINANCE OF THE CITY WHICH AUTHORIZES THE REFUNDING AND REPAYMENT IN FULL OF THE CITY'S OUTSTANDING WATER REVENUE BONDS, SERIES 2014 A, AND THE ISSUANCE BY THE CITY OF ITS WATER REFUNDING REVENUE BONDS, SERIES 2021 A, IN AN AMOUNT NOT TO EXCEED \$3,750,000 FOR THE PURPOSE OF FINANCING THE REFUNDING OF THE SERIES 2014 A BONDS, THE PAYMENT OF COSTS OF ISSUANCE OF THE SERIES 2021 A BONDS AND RELATED COSTS**

Mayor Kennedy declared the public hearing open. With no one appearing therefor, the public hearing was closed.

- B. TO CONSIDER FOR ADOPTION ON THIRD AND FINAL READING FOLLOWING A PUBLIC HEARING THEREON OF A BOND AUTHORIZING ORDINANCE OF THE CITY WHICH AUTHORIZES THE REFUNDING AND REPAYMENT IN FULL OF THE CITY'S OUTSTANDING WATER REVENUE BONDS, SERIES 2014 A, AND THE ISSUANCE BY THE CITY OF ITS WATER REFUNDING REVENUE BONDS, SERIES 2021 A, IN AN AMOUNT NOT TO EXCEED \$3,750,000 FOR THE PURPOSE OF FINANCING THE REFUNDING OF THE SERIES 2014 A BONDS, THE PAYMENT OF COSTS OF ISSUANCE OF THE SERIES 2021 A BONDS AND RELATED COSTS**

With notices of the public hearing appearing in *The Exponent/Telegram* on February 5, 2021 and February 12, 2021, Mayor Kennedy entertained a **MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Junkins for the approval of the above-captioned ordinance. **MOTION APPROVED UNANIMOUSLY.**

- C. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES**

With notices of the public hearing appearing in *The Exponent/Telegram* on February 9, 2021 and February 16, 2021, Mayor Kennedy declared the public hearing open. With no one appearing therefor, the public hearing was closed. **MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Keith 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 TO AMEND ARTICLE 1505 OF THE CODIFIED ORDINANCES TO MODIFY CIVIL SERVICE STATUS OF FIRE MARSHAL AND ASSISTANT FIRE MARSHALS**

MOTION by Councilmember Keith, **SECONDED** by Councilmember Goff for approval of the above-captioned ordinance on first reading. **MOTION APPROVED UNANIMOUSLY.**

- B. CONSIDERATION OF FIRST READING OF AN ORDINANCE DESIGNATING AUTHORITY TO CITY MANAGER TO SELL PERSONAL PROPERTY**

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

- C. CONSIDERATION OF ADOPTION OF A SUPPLEMENTAL PARAMETERS RESOLUTION OF THE CITY WHICH WOULD APPROVE THE PARAMETERS FOR CERTAIN TERMS OF THE WATER REFUNDING REVENUE BONDS, SERIES 2021 A**

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

- D. CONSIDERATION OF A RESOLUTION OF THE CITY OF CLARKSBURG, WEST VIRGINIA, CREATING THE CLARKSBURG ARTS AND CULTURAL COMMITTEE**

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

- E. CONSIDERATION OF A RESOLUTION OF THE COUNCIL OF THE CITY OF CLARKSBURG APPOINTING A MEMBER TO THE CLARKSBURG VISITORS' BUREAU**

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Keith for consideration of the above-captioned matter. **MOTION APPROVED UNANIMOUSLY.** **MOTION** by Councilmember Junkins, **SECONDED** by Councilmember Malfregeot to amend the above-captioned resolution to appoint “Tori Bickford” rather than “Lisa Sutton” to the Clarksburg Visitors’ Bureau. **MOTION, AS AMENDED, APPROVED UNANIMOUSLY.**

F. CONSIDERATION OF AN AUTOMATIC AID AGREEMENT FOR FIRE PROTECTION AND OTHER EMERGENCY SERVICES

MOTION by Councilmember Goff, **SECONDED** by Councilmember Keith for approval of the above-referenced agreement. **MOTION APPROVED UNANIMOUSLY.**

G. CONSIDERATION OF AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AND OPTION AGREEMENT FOR THE USE OF THE PARKING LOT LOCATED NEXT TO CITY HALL

MOTION by Councilmember Goff, **SECONDED** by Councilmember Keith for approval of the above-captioned matter. **MOTION APPROVED UNANIMOUSLY.**

H. CONSIDERATION OF APPROVING THE UPDATE TO THE POLICIES AND PROCEDURES REGARDING THE P-CARD PROGRAM (REVISED FEBRUARY 18, 2021)

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Goff for approval of the above-captioned matter. **MOTION APPROVED UNANIMOUSLY.**

I. CONSIDERATION TO WAIVE COMPETITIVE BIDDING TO AWARD AN EMERGENCY DEMOLITION OF THE FIRE-DAMAGED STRUCTURE LOCATED AT 306 MILFORD STREET

MOTION by Councilmember Keith, **SECONDED** by Councilmember Junkins for approval of the above matter and to award the bid to the lowest bidder, Empire Builders, in the amount of \$19,000. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

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|---------------------------|---|
| Councilmember Malfregeot: | Asked that Vice Mayor Marino be kept in our prayers; informed of a number of lights burned out on Route 50; reminded everyone that if they “see something, say something.” |
| Councilmember Goff: | Commended Public Works for keeping the streets cleared of snow; commended the Fire Department on the automatic aid agreement and commended the Police Department on the creation of the special task force. |
| Councilmember Ferrari: | Concurred with the earlier comments and opined that we needed to move quickly on addressing fire-damaged structures. |
| Councilmember Keith: | Also concurred with Council’s earlier remarks; noted the importance of public safety and that such should be reflected in the budget. |
| Councilmember Junkins: | Although Clarksburg has had some pretty tough times, Councilmember Junkins reminded that this is a different council with a different mindset who care and want better for Clarksburg. Also emphasized the importance of “see |

something, say something.”

Mayor Kennedy:

Also concurred with earlier Council comments.

There being no further business to come before Council, **MOTION** made by Councilmember Keith, **SECONDED** by Councilmember Goff and **APPROVED UNANIMOUSLY** for adjournment.

E. Ryan Kennedy, Mayor

Approved: March 4, 2021

Annette Wright, City Clerk