FEBRUARY 21, 2019

The Clarksburg City Council met in REGULAR SESSION on Thursday, February 21, 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  
Marshall Goff  
Ryan Kennedy  
Chad Sigmon  
Vice Mayor Jim Malfregeot  
Mayor Catherine Goings

ALSO PRESENT:  
Martin Howe, City Manager  
James Cann, City Attorney’s Office  
Annette Wright, City Clerk

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

MOTION by Vice Mayor Malfregeot, SECONDED by Councilmember Ferrari for approval of the minutes of the Conference/Planning Session of Council held on January 24, 2019. MOTION APPROVED UNANIMOUSLY.

MOTION by Vice Mayor Malfregeot, SECONDED by Councilmember Goff for approval of the minutes of the Regular Session of Council held on February 7, 2019. MOTION APPROVED UNANIMOUSLY.

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

Shell Hoskinson, 312 W. Main Street – addressed Council concerning an electronic sign ordinance and waiver. Mr. Hoskinson referenced an email sent to Council from the Looking Glass Consignment Shop stating that the shop has been promoting non-profit activities for three to four years and that someone has complained about the same. Mr. Hoskinson asked for a waiver to allow for off-site, non-profit advertising. City Manager Howe remarked that prior to this matter, the Administration and staff discussed some proposed changes to said ordinance as printed and provided Council with a draft of suggested changes/amendments thereto. Further, Mr. Howe noted that digital signs were not in existence at the time said ordinance was approved.

Doris Dean, 6027 Bell Street – also appeared before Council concerning the sign ordinance. Ms. Dean stated that she was in attendance this evening on behalf of non-profits and opined that non-profits were exempt from said ordinance and that maybe someone did not understand the code. Ms. Dean added that non-profits appreciated the advertising.

Martin Shaffer, 211 N. Sixth Street, Clarksburg – appeared before Council to discuss “Crime Volume 8, Economics of Crime, Selling Stolen Goods, Part II $55,000.00 plus going unpunished, etc.” Mr. Shaffer remarked that this was his eighth time before Council and that nothing has been done regarding the stolen jackhammer. Mr. Shaffer provided Council with a copy of a letter dated January 28, 2016 to Judge Marks from himself regarding a theft of over $55,000 of property from Shaffer Enterprises and opining that the “ball was dropped” in the matter. Mr. Shaffer commented that he has paid taxes all these years and simple crimes cannot be solved; and further, he doesn’t see anyone doing anything about it.

AGENDA ITEM NO. 5:

A. DISTRIBUTION OF PROPOSED BUDGET FOR FISCAL YEAR 2019-2020
General Updates

1. 2017-2018 – Audit – Tetrick Bartlett completed Audit for City, Sanitary Board and Parking Authority. We received an Unqualified Opinion (Clean Audit). (Copy distributed to Council)
2. 2019/2020 Budget – The following is the proposed timeline for the upcoming fiscal year budget:
   b. Budget work session will be Thursday, February 28th at 4:00 p.m.
   c. Council to conduct Public Hearing on Thursday, March 7th.
   d. Council to consider adopting Budget Thursday, March 21st.
   e. Administration to submit balanced budget to WV State Auditor’s Office prior to March 28th.
3. Demolition – The anticipated timeline for bidding is as follows:
   i. Pre-bid Meeting – Held Thursday, February 21st. This was a non-mandatory pre-bid meeting. There were eight (8) contractors in attendance.
   ii. Bid Opening – Tuesday, March 5th at 2:00 p.m. in City Manager’s Conference Room for both the URA and the City Contracts.
   iii. URA consider awarding their contracts Thursday, March 7th.
   iv. Council will consider awarding one (1) to two (2) contracts consisting of approximately ten (10) to twelve (12) structures in total within the TIF District - Thursday, March 7th as well as the agreement between the City, URA and Code Official.
   v. Contract Signing – Will be conducted the week of March 21st.
4. Solid Waste Facility Permit – Renewal application was submitted to WVDEP. This permit renewal is for the approximately 125 acres of the former Municipal Landfill currently in the LCAP Program. (Landfill Closure Assistance Program) The public advertisements ran Wednesday, February 20th and Wednesday, February 27th.

Police and Fire

1. Police –
   a. Memorandum of Understanding (MOU) – Executed MOU with the VA Police and City of Shinnston Police.
   b. Physical Ability Testing – We had eighteen (18) candidates take the test, four (4) failed therefore fourteen (14) candidates are eligible for the written test which will be administered at 6:00 p.m. on Wednesday, February 27th at Harrison County Senior Center.

Infrastructure Projects

1. Embankment Failures –
   a. Ascension/Brannon Street – Contractor Alan Stone Co. Inc. is on-site completing items from punchlist that was prepared by Horner Bros. Engineers. Horner Bros. Engineers along with City Administration are attempting to get two (2) additional construction easements with adjacent property owners to do additional stabilization work.
   b. Upper Winding Way – All overhead utility lines have now been relocated. Contractor Rock Forge Bridge Company stated that the project will be started in 3-4 weeks.
   c. Leon Street- Ascension Consulting and Engineering had two (2) additional boreholes drilled on Monday, February 5th. Borings show that the coal seam is 6” – 8” in depth. Voids are up to 6’ in depth and some have been partially collapsed with 2’ of mine water. The voids will need to be grouted and a wall will need to be constructed to keep water from discharging out of the hillside.

Events

1. Upcoming events at the RGPAC –
   a. Movie – “Fences” – Celebrating Black History Month Friday, February 22nd at 7:00 p.m.
   b. Music – “An Evening with George Winston” Sunday, March 3rd at 7:00 p.m.
   c. Movie – “Harry Potter and the Prisoner of Azkaban” Saturday, March 9th at 7:00 p.m.

FOIA

1. FOIA request from Andres A. Sandoval, PhD Student from Tulane University on Monday, February 11th, requesting copies of any and all documents containing election results of municipal elected officials in the City for Council members and Mayor, during the period of 2000-2017. The information was provided on Tuesday, February 12th.
2. FOIA request from Asha Adamson, SmartProcure on Thursday, February 14th, requesting copies of name, position title, department, employment type, general office phone number, direct office phone number, business cell phone (if provided by City of Clarksburg), office fax, email address, office physical address and office mailing address.

UNFINISHED BUSINESS: None.
NEW BUSINESS:

A. CONSIDERATION OF A RESOLUTION OF THE COUNCIL OF THE CITY OF CLARKSBURG, WEST VIRGINIA TO LEASE CERTAIN OFFICE SPACE AT 129 S. FOURTH STREET SITUATE IN THE CITY OF CLARKSBURG, HARRISON COUNTY, FROM GRANDEOTTO, INC. AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE A WRITTEN LEASE THEREFOR

MOTION by Vice Mayor Malfregeot, SECONDED by Councilmember Ferrari for approval of the above-captioned matter. MOTION APPROVED UNANIMOUSLY.

COUNCIL COMMENTS:

Councilmember Kennedy: Expressed enthusiasm in seeing a boy scout in attendance this evening; remarked that he hoped we could get the sign ordinance changed to allow for non-profit advertising.

Councilmember Ferrari: Commended the Finance Director and her staff for the Unqualified (Clean) Opinion on the 2017-18 Audit; expressed delight in the number of contractors in attendance at the demolition pre-bid meeting.

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

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Catherine A. Goings, Mayor
Approved: March 7, 2019

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Annette M. Wright, City Clerk