

MARCH 4, 2021

The Clarksburg City Council met in REGULAR SESSION on Thursday, March 4, 2021 at 6:00 P.M. via a combination of WebEx and/or in-person with Mayor Kennedy presiding.

COUNCIL MEMBERS PRESENT:

Frank Ferrari
Gary Keith
Lillie Junkins
Jim Malfregeot
Mayor Ryan Kennedy

ALSO PRESENT:

Harry Faulk, City Manager
Annette Wright, City Clerk

COUNCIL MEMBER(S) ABSENT:

Marshall Goff
Vice Mayor Jimmy Marino

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

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Ferrari for approval of the minutes of the Regular Session of Council held on November 19, 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 18, 2021. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Ferrari for approval of the minutes of the Conference (Work) Session held on February 24, 2021. **MOTION APPROVED UNANIMOUSLY.**

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

Martin Shaffer, 211 N. Sixth Street – addressed Council stating that he has appeared before Council in the past to discuss some of his frustrations. Mr. Shaffer informed that he was awarded the highest honor through the NLC and was the first person in West Virginia to receive such award. Mr. Shaffer referenced genetics and the stigma associated with mental illness and advised that he enjoyed researching matters.

Ryan DeBarr, 118 Waverly Way – asked that the following be read during petitions:

“December marked my 10th year as a resident of the city of Clarksburg. During this time I have watched us spend millions on a pool that is only usable three or four months a year. We have spent twenty-five million on a theater that has only held a few large events a year. But when it comes to spending \$75,000 to put a new roof on a building that can be used year-round we balk at the cost?

I pay more than an above average share of taxes in Clarksburg but have never used the pool nor the former Morgan School gymnasium one time. If I could choose, I would choose that my taxes go toward ten small indoor recreation centers that every poor child can walk to, before I would pay for one big ticket item that is used only occasionally and mostly by well off people who don't even live in town.”

AGENDA ITEM NO. 5: CITY MANAGER’S REPORT/UPDATE
Manager’s Report
March 4, 2021
Submitted by Harry R. Faulk

Manager’s Office

1. *Code Enforcement and Public Works will begin utilizing our new GeoPlan Data Management Software Program.*
2. *Waste Management has met with the City for their Pollinator Garden Project. The site for this project will be the grass lot on the corner of W. Pike and S. 3rd Ave. They will provide the raised planters and flowers.*
3. *Budget proposals from Council are being worked into next year’s budget and a Public Hearing will be conducted at the next Council Meeting along with a consideration for adoption.*

Police Department

1. *The Department responded to 2,351 calls for service in February that led to 10 felony arrests, 117 misdemeanor arrests, 215 criminal reports and 34 traffic accidents.*
2. *The two newest officers will start the WV State Police Academy on March 22, 2021.*
3. *Testing for new police officers will be held on April 17th and 24th at Robert C. Byrd High School starting at 9:00 a.m. Additional information is on our website.*

Fire Department

1. *The Department recently responded to structure fires on Baily Street and Sycamore Street.*
2. *For the Month of February, the Department responded to 222 call for service, 168 were medical calls.*
3. *The Training Division is working to arrange confine space training for all employees of the Public Works Department.*

Finance Department

1. *Work continues on the FY 2021-2022 Budget.*
2. *Ordinances are currently being reviewed to provide an incentive for Food Trucks to operate in Clarksburg.*

City Parks

1. *Mr. Vend was awarded the contract for the operation of vending machines.*
2. *The Governor has recently raised the capacity to 50% for the Amphitheater.*
3. *Continue to monitor the Governor's Guidelines in preparation for the pool opening this summer. Interviews for summer help will begin next week.*
4. *Mr. Cooper met with Ben Walker of the Harrison County YMCA to discuss opportunities to partner on programs.*

Robinson Grand Performing Arts Center

1. *The Ghostlight Series: High School Edition will feature our local high school students and will be broadcasted on Facebook or our YouTube Channel every Friday in March at 7:00 p.m.*
2. *The Center will host the "Luck of Giving United Give-A-Thon on Wednesday, March 17th from 7 a.m. to 7 p.m. This is a Facebook Live fundraising event for the United Way of Harrison County.*
3. *Four private events are scheduled for March. If you would like to have an event at the Robinson Grand, please visit their website.*

Code Enforcement

1. *The Department issued 36 Building Permits for a total project cost of \$2.27 million. Thirty-eight Notice of Violations were issued along with 11 citations written. Twelve residential and 5 commercial inspections were performed. Animal Control responded to 41 calls for service resulting in 5 animals taken to HCAC.*
2. *Engineering is working on the slip on Winding Way that occurred over this past weekend.*

Public Works

1. *The Department has cleaned up over 20,000lbs of debris and over 65 tires from 47 condemned structures this past week.*
2. *Crews will be working on creating an opening between the City Manager's Office and Code Enforcement to allow for expansion and better communication between the City Manager and Code, along with expanding office space for the Economic Developer and Fire Marshal.*
3. *The Department is planning the Spring Cleanup. Details will come at the end of this month. The Department is also working on various projects for the Clarksburg Beautification Committee throughout downtown.*
4. *The Department boarded 16 structures. Pothole patching is taking place. To report a pothole, please utilize our "Report a Concern" link on our website. Crews also demolished the structure at 504 ½ Monticello Ave.*

Wastewater Treatment Plant

1. *The Plant treated approximately 315 million gallons of wastewater for the month of February with no violations to report along with receiving 125,150 gallons of septage for a revenue of \$8,013.*
2. *Plant Superintendent Paul Lehosit will retire at the end of July after serving the City since 1989. Thank you, Paul, for your 32 years of dedicated service. Interviews will be conducted tomorrow for a new Superintendent.*

“Proud Past... Unlimited Future”

UNFINISHED BUSINESS:

A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING 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

With notices of the public hearing appearing in *The Exponent/Telegram* on February 23, 2021 and March 2, 2021, 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.**

B. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE DESIGNATING AUTHORITY TO CITY MANAGER TO SELL PERSONAL PROPERTY

With notices of the public hearing appearing in *The Exponent/Telegram* on February 23, 2021 and March 2, 2021, Mayor Kennedy declared the public hearing open with no one appearing therefor. Upon closing the public hearing, **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 FOR ADOPTION OF A SECOND SUPPLEMENTAL RESOLUTION OF THE CITY WHICH WOULD AUTHORIZE THE PURCHASE OF A MUNICIPAL BOND INSURANCE POLICY AND MUNICIPAL BOND DEBT SERVICE RESERVE INSURANCE POLICY FOR THE CITY’S WATER REFUNDING REVENUE BONDS, SERIES 2021 A (TAX-EXEMPT)

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

B. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT AND DEMOLITION OF STRUCTURES LOCATED AT 1 LEVY COURT, 3 LEVY COURT, 4 LEVY COURT, 404 DELAWARE AVENUE, 615 N. 1ST STREET AND 619 MONTICELLO AVENUE (CONTRACT 1) – UTILIZING TIF FUNDS

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to award the above-captioned contract to Cira Consulting in the amount of \$40,300. **MOTION APPROVED UNANIMOUSLY.**

C. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT OF STRUCTURES LOCATED AT 420 HART STREET, 526 S. LINDEN AVENUE, 1307 N. 25TH STREET, 1403 FARLAND AVENUE, 1519 N. 14TH STREET, 1728 N. 22ND STREET AND 1732 JUNKINS AVENUE (CONTRACT 2)

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to award the above-captioned contract to Feline Excavating in the amount of \$34,349. **MOTION APPROVED UNANIMOUSLY.**

D. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT OF STRUCTURES LOCATED AT 222 HARRISON STREET, 336 WILSON STREET, 361 WILSON STREET, 406 CAPITAL AVENUE, 412 HAYMOND HIGHWAY, 413 E.B. SAUNDERS WAY AND 539 S. 3RD STREET (CONTRACT 3)

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Keith to award the above-captioned contract to Cira Consulting in the amount of \$53,000. **MOTION APPROVED UNANIMOUSLY.**

E. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT AND DEMOLITION OF STRUCTURES LOCATED AT 107 ASHCRAFT COURT, 336 MONTICELLO AVENUE, 534 S. 5TH STREET, 749 LOCUST AVENUE AND 1401 HAMILL AVENUE (CONTRACT 4) – UTILIZING TIF FUNDS

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to award the above-captioned contract to Empire Builders, Inc. in the amount of \$42,600. **MOTION APPROVED UNANIMOUSLY.**

F. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT AND DEMOLITION OF STRUCTURES LOCATED AT 112 GANDY STREET, 302-306 COVE COURT, 383 ½ BROADDUS AVENUE, 605 DUFF AVENUE, 1719 GOULD AVENUE, 831 MILFORD STREET AND 125 GROVE COURT (CONTRACT 5) – UTILIZING TIF FUNDS

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Keith to award the above-captioned contract to Empire Builders, Inc. in the amount of \$78,200. **MOTION APPROVED UNANIMOUSLY.**

G. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT AND DEMOLITION OF STRUCTURES LOCATED AT 515 S. 5TH STREET, 526 S. 7TH STREET, 640 S. 7TH STREET, 349 WILSON STREET, 504 E.B. SAUNDERS WAY AND 212 LYNN STREET (CONTRACT 6)

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to award the above-captioned contract to Empire Builders, Inc. in the amount of \$54,500. **MOTION APPROVED UNANIMOUSLY.**

H. CONSIDERATION OF AWARD OF BID FOR THE DEMOLITION OF THE STRUCTURE(S) LOCATED AT 132-134 SCHOOL STREET (CONTRACT 7) – UTILIZING TIF FUNDS

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot to award the above-captioned contract to Empire Builders, Inc. in the amount of \$22,350. **MOTION APPROVED UNANIMOUSLY.**

I. CONSIDERATION OF AWARD OF BID FOR THE ASBESTOS ABATEMENT AND DEMOLITION OF STRUCTURE(S) LOCATED AT 344-348 W. MAIN STREET (CONTRACT 8) – UTILIZING TIF FUNDS

MOTION by Councilmember Ferrari, **SECONDED** by Reclaim Company LLC in the amount of \$168,000. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

Councilmember Malfregeot: Asked that Vice Mayor Marino be kept in our prayers and extended well wishes to all for a nice weekend.

Councilmember Ferrari: Commended the City Manager and Public Works Director for the work on the demolitions commenting that it was great to see these structures coming down.

Councilmember Keith: Also commended the City Manager and Public Works Director for the clean up of debris around properties that were abandoned/condemned; encouraged all citizens to take advantage of the upcoming spring clean up.

Councilmember Junkins: Expressed appreciation to all for coming to the meeting this evening.

Mayor Kennedy:

Asked that we keep the Vice Mayor in our prayers; commended the City Manager and Code Department on the aggressiveness of the demolitions.

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

E. Ryan Kennedy, Mayor

Approved: March 18, 2021

Annette Wright, City Clerk