MARCH 7, 2019

The Clarksburg City Council met in REGULAR SESSION on Thursday, March 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 (via telephone)
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 Ferrari.

At this time Council deviated from the agenda for the following presentation: Councilmember Ferrari, on behalf of the Mayor and Council, presented a proclamation to Michelle Duez proclaiming March as “American Red Cross Month” in the city.

MOTION by Vice Mayor Malfregeot, SECONDED by Councilmember Sigmon for approval of the minutes of the regular session of Council held on February 21, 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 Volume 9, Economics of Crime, Selling Stolen Goods, Part II $55,000.00 plus going unpunished, etc.” Mr. Shaffer stated that it has been 20 weeks since he first reported the stolen jackhammer and the matter still has not been solved. Mr. Shaffer commented that when the law is not enforced, crimes are encouraged and that nobody is enforcing the law. Mr. Shaffer remarked that he called the police when the Robinson Grand was broken into and that he waited for 20 minutes but the police did now show up. Further, Mr. Shaffer opined that the lack of enforcing the laws was attracting the homeless.

Mr. Howe directed Chief Hilliard to review the CAD report as to the Robinson Grand incident raised by Mr. Shaffer.

AGENDA ITEM NO. 5: PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR 2019-2020

The City Clerk apprised that notices regarding the public hearing appeared in The Exponent Telegram on March 5, 2019 and March 6, 2019. Mayor Goings declared the public hearing open. With no one appearing therefore, the public hearing was closed.

AGENDA ITEM NO. 6: CITY MANAGER’S REPORT/UPDATE

Manager’s Report
March 7, 2019
Submitted by Martin G. Howe

General Updates

1. Demolition –
   a. Bid Opening – Held Tuesday, March 5th at 2:00 p.m. in City Manager’s Conference Room for both the URA and the City Contracts. There were five (5) contractors that participated by submitting bids on the various contracts.
   b. The City had two (2) contracts out for bid.
      i. Two (2) bids were received for Contract #1 for abatement of five (5) structures: 112 N. 26th Street, 120 Dodge Court, 1010 Watkins Lane, 1327 Adams Avenue and 1410 Alpha Avenue. The Administration recommends the contract be awarded to Cira Consulting/Anderson Excavating in the amount of $23,750 utilizing TIF Funds.
ii. Four (4) bids were received for Contract #2 for asbestos abatement and demolition of five (5) structures: 432 S. Holden Street, 437 E. Pike Street, 748 Locust Avenue (DEMO ONLY), 765 W. Pike Street and 1313 Goff Street. The Administration recommends the contract be awarded to Empire Builders in the amount of $76,890 utilizing TIF Funds.

c. The URA awarded five (5) contracts at their meeting on Thursday, March 7th at 8:30 a.m. The URA awarded the following contracts:
   i. Contract #1 – URA awarded bid to Cira Consulting/Anderson Excavating in the amount of $41,175.00. (Abatement of ten (10) structures)
   ii. Contract #2 – URA awarded bid to Cira Consulting/Anderson Excavating in the amount of $31,475.00. (Abatement of ten (10) structures)
   iii. Contract #3 – URA awarded bid to Empire Builders in the amount of $122,268.00. (Demolition of eleven (11) structures)
   iv. Contract #4 – URA awarded bid to Empire Builders in the amount of $102,120.00. (Abatement and Demolition of seven (7) structures)
   v. Contract #5 – URA awarded bid to Empire Builders in the amount of $99,210.00. (Abatement of seven (7) structures)

d. Recommend Council approve the five (5) Resolutions under New Business – which is the contractual agreements between the City and URA.

e. Contract Signing/Pre-Construction Meeting – Will be conducted jointly with the City of Clarksburg and the URA contracts in late March.

2. Spring Cleanup – The Spring cleanup will be beginning the week of April 1st. Cleanup will be the weeks of Monday, April 1st – Friday, April 5th; Monday, April 8th – Friday, April 12th and conclude the week of Monday, April 15th – Friday, April 19th. Easter Sunday is April 21.

Economic Development

1. M.O.R.E. – Monticello On-Going Revitalization Effort – In conjunction with the Harrison County Family Resource Network, M.O.R.E. and the City an application has been submitted to become a Blueprint Community with Federal Home Loan Bank of Pittsburgh and WVHUB. The successful community will be publicly announced Thursday, March 21st. Under New Business, the Administration recommends Council authorize City Manager to execute the MOU for Blueprint Community.

Police and Fire

1. Police Civil Service – Written Test – Fourteen (14) candidates were eligible to take the test on Wednesday, February 27th. Ten (10) successfully passed, three (3) failed and one (1) no-show. All successful candidates were provided background packets to be completed and submitted by Friday, March 8th.

2. New Officers –
   a. Police Academy – Three (3) candidates are currently alternates for the Academy beginning Monday, April 15th and are on standby until Friday, April 19th if any attendees drop-out.
   b. We are still anticipating hiring another candidate in July.

3. Drug Take Back – Operation Drug Take Back day will be Saturday, April 27th from 10:00 a.m. to 2:00 p.m. There will be two (2) locations for drop-off – the parking lot behind Clarksburg City Hall and Eastpointe Krogers.

Infrastructure Projects

1. Embankment Failures –
   a. Ascension/Brannon Street – Hornor Bros. Engineers are continuing to access the slippage situation along the north side of Ascension. Stabilization methods are being prepared that will most likely include adjacent private property.
   b. Upper Winding Way – All overhead utility lines have now been relocated. Contractor Rock Forge Bridge Company stated that the project could not start in approximately two (2) weeks.
   c. Leon Street– Ascent Consulting and Engineering has provided the Administration with a detailed Geotechnical Exploration & Analysis Study from American Geotech, Inc. The Study outlines the geology and mining conditions, conclusions and recommendations. Project plans will be prepared for future construction bid process.

Events

1. Upcoming events at the RGPAC –
   a. Movie – “Harry Potter and the Prisoner of Azkaban”, Saturday, March 9th at 7:00 p.m.
   b. Music – “Vox Fortura”, Sunday, March 17th at 2:00 p.m.
   c. Music – “The Oak Ridge Boys”, Saturday, March 23rd with shows at 3:00 p.m. and 7:30 p.m. Currently the 7:30 p.m. show is Sold Out.

FOIA

1. FOIA request from Lydia C. Milnes, Esq. of Mountain State Justice, on Tuesday, February 19th (received on Friday, February 22nd), requesting information on Policy and Procedures for Service of Domestic
Violence Emergency Protective Orders, Notice of Final Hearing, Final Orders and Other Documents. We responded to Ms. Milnes on Friday, March 1st.

UNFINISHED BUSINESS: None.

NEW BUSINESS:


MOTION by Councilmember Ferrari, SECONDED by Councilmember Goff for consideration of the above-captioned ordinance. MOTION by Councilmember Kennedy, SECONDED by Councilmember Ferrari to amend the ordinance as noted herein: on page 10…. (5) Digital Signs/Message Boards……, or government organizations that are located to read as follows: or government organizations that “operate” in the City of Clarksburg…."
MOTION, AS AMENDED, APPROVED UNANIMOUSLY.

B. CONSIDERATION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE FEDERAL HOME LOAN BANK OF PITTSBURGH AND THE WEST VIRGINIA COMMUNITY DEVELOPMENT HUB FOR THE BLUEPRINT COMMUNITIES INITIATIVE

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

C. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSBURG NAMING THE ALLEY THAT RUNS PARALLEL WITH EAST MAIN STREET AND ALLEN STREET BETWEEN FOWLER AVENUE AND BROADWAY AVENUE AS “BRONX WAY”

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

D. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSBURG NAMING THE ALLEY THAT RUNS PARALLEL WITH FOWLER AVENUE AND BROADWAY AVENUE BETWEEN LAFAYETTE STREET AND BRONX WAY AS “MANHATTAN LANE”

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

E. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT OF STRUCTURES LOCATED AT 112 N. 26TH STREET, 120 DODGE COURT, 1010 WATKINS LANE, 1327 ADAMS AVENUE AND 1410 ALPHA AVENUE IN THE CITY OF CLARKSBURG (TIF CONTRACT 1)

MOTION by Councilmember Ferrari, SECONDED by Vice Mayor Malfregeot to award the above-referenced contract to Cira Consulting/Anderson Excavating in the amount of $23,750 with the monies therefor to be taken from the TIF Fund. MOTION APPROVED UNANIMOUSLY.

F. CONSIDERATION OF AWARD OF BID FOR ASBESTOS ABATEMENT AND DEMOLITION OF STRUCTURES LOCATED AT 432 S. HOLDEN STREET, 437 E. PIKE STREET, 748 LOCUST AVENUE (DEMOLITION ONLY), 765 W. PIKE STREET AND 1313 GOFF AVENUE IN THE CITY OF CLARKSBURG (TIF CONTRACT 2)

MOTION by Councilmember Ferrari, SECONDED by Vice Mayor Malfregeot to award
the above-referenced contract to Empire Builders in the amount of $76,890 with the monies therefor to be taken from the TIF Fund. **MOTION APPROVED UNANIMOUSLY.**


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


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


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


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

K. **CONSIDERATION OF A RESOLUTION OF THE COUNCIL OF THE CITY OF CLARKSBURG, WEST VIRGINIA, TO AUTHORIZE THE CITY MANAGER AND CODE ENFORCEMENT OFFICIAL OF THE CITY OF CLARKSBURG TO CONTRACT WITH THE CLARKSBURG URBAN RENEWAL AUTHORITY LOCATED AT 314 CLAY STREET, 405 S. CHESTNUT STREET, 519 S. LINDEN
AVENUE, 700 S. CHESTNUT STREET, 742 ½ E. MAIN STREET, 1211 E. MAIN STREET AND 1439 FARLAND AVENUE, IN THE CITY OF CLARKSBURG (CONTRACT 5)

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

COUNCIL COMMENTS:

Councilmember Kennedy: Recognized the Easter season and upcoming St. Patrick’s Day.

Vice Mayor Malfregeot: Congratulated RCB Boys Basketball Team and wished them well in Charleston.

Councilmember Sigmon: Commented on the wonderful events taking place at the Robinson Grand Performing Arts Center.

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 21, 2019

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Annette M. Wright, City Clerk