

JULY 15, 2021

The Clarksburg City Council met in REGULAR SESSION on Thursday, July 15, 2021 at 6:00 P.M. at the Clarksburg Municipal Building – Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Kennedy presiding.

COUNCIL MEMBERS PRESENT:

Will Hyman
Gary Keith
Jim Malfregeot
Wayne Worth
Mayor Jimmy Marino

ALSO PRESENT:

Harry Faulk, City Manager
Richard Marsh, City Attorney
Annette Wright, City Clerk

COUNCIL MEMBER(S) ABSENT:

Jerry Riffle
Vice Mayor Lillie Junkins

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

At this time Council deviated from the agenda for the following presentation:

Mayor Marino presented the “Key to the City” to Charles Hardman, a 75-year-old lifelong resident of the City and US Army veteran. Mr. Hardman has proudly represented the City being dubbed the “City’s Ambassador” as he spends much of his time parked on his scooter at the old Produce House location waving at travelers as they pass. Mr. Hardman has been recognized by the news media outlets as well for his greetings to motorists as they enter the City.

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Worth for approval of the minutes of the Regular Session of Council held on June 17, 2021. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Malfregeot, **SECONDED** by Councilmember Worth for approval of the minutes of the Special Session of Council held on June 24, 2021. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Hyman, **SECONDED** by Councilmember Keith for approval of the minutes of the Special Session of Council held on July 1, 2021. **MOTION APPROVED UNANIMOUSLY.**

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

Jon Calvert and Jason Myers, Clarksburg Water Board – provided information to Council regarding the lead issues surrounding the water system. Mr. Calvert informed that in April 2020, the Bureau of Health tested the water lines due to a sick child with elevated levels of lead, as well as two additional times regarding elevated levels of lead. Mr. Calvert stated that at no time was the Water Board contacted about the testing taking place and on May 10th, the Board of Public Health made contact with the Water Board. Mr. Myers explained the timeline of the testing and informed that the concern was addressed immediately once the Water Board was made known thereof. Mr. Myers pointed out that there are two service lines; one running from the main to the meter (which is the responsibility of the Water Board) and the other from the meter to the home (which is the responsibility of the customer). Mr. Myers continued that late afternoon on July 2nd they received an Administrative Order which set forth timelines that could not be met due the holiday weekend. Mr. Calvert stated that the AO required the Water Board to notify every customer via mailers within three (3) days which was not feasibly possible; therefore, they were fined daily as noncompliant. Mr. Calvert confirmed that the water that they are sampling that is provided by the Water Board is good/safe and that the concerns are with the service lines noting the age thereof and; therefore, assuming all these lines contain lead. Mr.

Calvert remarked that the Water Board does not have enough manpower to perform all the sample tests in an expedient manner and that Thrasher Engineering has donated some manpower to them. Mr. Myers pointed out the Water Board's frustration with the regulatory agencies in not communicating with them. Mr. Myers stated that the Water Board is accommodating anyone wanting their water sampled and that a systematic sampling of the pipes will be done. Mr. Calvert noted the need for help in sampling and informed that customers could come to the Water Board office and pick up a sampling kit and be provided information thereon. Mayor Marino suggested that we place the availability of testing kits on our website.

Brief discussion was held concerning the City's paving project noting that some of the streets have been milled in anticipation of paving and the possibility of digging up the lines prior to paving. Councilmember Keith suggested to the Water Board representatives to contact the Office of Emergency Management as to possible funding with Mayor Marino also noting the ARA funds, as well.

Andy Lang – Mayor of Bridgeport – welcomed and congratulated the new councilmembers and provided his contact information should he be able to help them in any way.

AGENDA ITEM NO. 5: CITY MANAGER'S REPORT/UPDATE
Manager's Report
July 15, 2021
Submitted by Harry R. Faulk

Manager's Office

1. *The City is seeking qualified consultants to undertake the drafting of an update to the City's Comprehensive Plan and Planning and Zoning Code. You can view the RFP on our website and the deadline is August 6, 2021.*
2. *The City's See, Click, Fix mobile app is now available for download. You can have quick access to the many key functions of the City and notify us of your complaint.*
3. *Interviews have been ongoing for the position of Firefighter, Public Works Laborer and Plant Operator.*
4. *Paul Lehosit, our Wastewater Treatment Plant Superintendent will be retiring at the end of this month after serving for 32 years.*

Police Department

1. *The Department responded to 2300 calls for service for the month of June leading to 12 felony and 126 misdemeanor arrests, 141 criminal reports and 42 vehicular accidents.*
2. *Polygraph examinations are currently being performed for the new candidates.*
3. *Sgt Justin Moore has completed 10 years of service with the Department.*

Fire Department

1. *The Department responded to 291 calls for service for the month of June. Two hundred of those calls were medical related.*
2. *The chassis is in for the new ladder truck and the work has begun on the ladder apparatus.*

Finance Department

1. *The Department has received 34 applications for the position of Account Investigator. We will be scheduling interviews next week.*
2. *Three bids were received from firms to complete the City's Audit for Fiscal Years Ending 2021, 2022, and 2023. Interviews with the firms will be scheduled next week.*
3. *The Parking Authority and Sanitary Board budgets were approved by those boards.*

City Parks

1. *For the month of June, Splash Zone has had 11,114 patrons generating \$48,000 in revenue.*
2. *A meeting is scheduled with Wilcox Plaster Co. to inspect the condition of the plaster as several patrons have been getting cuts.*
3. *There were 1,000 people in attendance for the Wheeling Symphony Orchestra Concert. The Nikko Moon & Jameson Rogers concert had 1,500 in attendance. The Newsboys concert is scheduled for tomorrow evening. Chris Janson and Davisson Brother Show has*

sold 1, 100 tickets for their August 13th event and the Trace Adkins concert sold out in 12 hours, making it the second fastest sellout.

- 4. New play structures have been ordered to the North View and Mulberry playgrounds.*

Robinson Grand Performing Arts Center

- 1. The Center has received a combined 35 applications for the positions of Operations Manager, Technical Director, and Theater Attendant.*
- 2. The Center has partnered with AMT Productions to bring WV's premier southern gospel and bluegrass concert series to Clarksburg. The first concert, featuring the Malpass Brothers, will take place this Sunday at 3:30pm.*
- 3. The American Red Cross will have a blood drive on July 23rd from 10am-3pm. Please give the Gift of Life and schedule and appointment to donate.*

Code Enforcement

- 1. The Department issued 76 building permits for a total project cost of \$708,927.*
- 2. Sixty-three notices of violations were issued. Nine structures were condemned. Sixty-nine residential and eighteen commercial structures were inspected. Seventeen cars were tagged for towing.*
- 3. Animal Control responded to 62 calls for service.*

Public Works

- 1. The Sewer Department installed 697 feet of new sanitary and 90 feet of new stormwater pipes, along with five new catch basins. The Department also responded to 62 sewer complaints.*
- 2. Four structures were demolished along with completing 47 Notices of Violations.*
- 3. The 2021 paving program has started with the streets being milled this week and paving set to begin next week.*
- 4. Crews are preparing the site for construction of a green space in Downtown at the old City Hall Site.*

Wastewater Treatment Plant

- 1. The Plant treated 302 million gallons of wastewater for the month of June with no violations to report.*
- 2. Draining and yearly inspections of various tanks in the plant have begun.*
- 3. Shane Tenda has joined our team as the new Plant Operator.*

“Proud Past... Unlimited Future”

CITY CLERK’S INFORMATION:

ZONING FORM IN CONNECTION WITH AN APPLICATION TO OPERATE A PRIVATE CLUB, PRIVATE WINE RESTAURANT OR TAVERN FILED BY MIDTOWN LOUNGE, 159 WEST PIKE STREET, SUITE 1 - RETURNED TO APPLICANT ON JUNE 24, 2021

ZONING FORM IN CONNECTION WITH AN APPLICATION TO OPERATE A PRIVATE CLUB, PRIVATE WINE RESTAURANT OR TAVERN FILED BY MIDTOWN LOUNGE, 159 WEST PIKE STREET, SUITE 3 - RETURNED TO APPLICANT ON JUNE 24, 2021

UNFINISHED BUSINESS: NONE.

NEW BUSINESS:

A. CONSIDERATION OF A RESOLUTION ESTABLISHING AN AMERICAN RESCUE PLAN ACT GRANT FUND

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

B. CONSIDERATION OF A RESOLUTION TO APPROVE REVISION TO THE CITY BUDGET FOR FISCAL YEAR 2021-2022 (GENERAL FUND)

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

C. CONSIDERATION OF A RESOLUTION TO APPROVE REVISION TO THE CITY BUDGET FOR FISCAL YEAR 2021-2022 (COAL SEVERANCE TAX FUND)

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

D. DISTRIBUTION OF 2021 MAYOR APPOINTMENTS

- WV Italian Heritage Festival (liaison) - Mayor Marino
- Harrison County Senior Citizens Center - Councilmember Hyman
- Council representative to URA - Councilmember
- Junkins
- Council representative to P&Z - Councilmember
- Worth
- Region VI/Workforce for WV - Mayor Marino
- North Central Rehab Awareness Council- Councilmember Hyman
- Employee Events/Christmas Party - All of Council
- Spectrum Cable Liaison - Councilmember
- Riffle
- Council representative to the Park Board- Councilmember Keith
- Council representative to Sanitary Board- Councilmember
- Malfregeot
- Mayor’s Youth Council - Mayor Marino and Councilmember Riffle

E. CONSIDERATION OF CANCELLING THE AUGUST 5, 2021 REGULAR COUNCIL MEETING DUE TO THE WVML CONFERENCE

MOTION by Councilmember Keith, **SECONDED** by Councilmember Worth to cancel the August 5, 2021 Regular Council meeting due to the WVML Conference. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

- Councilmember Hyman: Expressed appreciation to the Water Board representatives for the update.
- Councilmember Malfregeot: Also thanked the Water Board for the update and reminded that if you “see something to say something.”
- Councilmember Worth: Sympathized with the Water Board as to the lead concerns they are facing and informed that he would like the City to help with distributing kits and educating on how to perform such testing; noted the success of the Public Safety Task Force’s neighborhood picnic on W. Woodland and thanked all for their support; expressed appreciation to the CCA for the painting project of the split rail fencing under the bridge and thanked Andrea Pecora for donating the paint therefor.

Councilmember Keith: Informed the City Manager of the great job with the mobile app and encouraged the citizens to download the app; thanked Mayor Marino for the presentation he made this evening to Mr. Hardman; thanked the Mayor for his appointment to the Park Board expressing his pride in the City's many parks and playgrounds; congratulated Paul Lehosit for his 32 years at the WWTP; commended Councilmember Worth and the CCA for the paving of the split rail fence; expressed appreciation to CENTRA for the removal of the bus stop noting the negative attraction and condition thereof.

Mayor Marino: Remarked on the excellent slate of councilmembers working for the City; expressed appreciation to the Water Board for coming this evening and providing an update; noted the recent ribbon cuttings and the positive economic impact thereof; expressed pleasure with the City Manager in moving forward with the Comprehensive Plan and zoning code updates; congratulated Paul Lehosit on his 32 years of service.

Pursuant to Chapter 6, Article 9A, Section 4 of the West Virginia Code, **MOTION** by Councilmember Keith, **SECONDED** by Councilmember Malfregeot to adjourn into Executive Session to discuss personnel matters and that the following persons be present: Mayor and Members of City Council and City Attorney. **MOTION APPROVED UNANIMOUSLY.**

Following Executive Session, **MOTION** by Councilmember Malfregeot, **SECONDED** by Councilmember Worth to reconvene into regular session. **MOTION APPROVED UNANIMOUSLY.**

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

James Marino, Mayor

Approved: August 19, 2021

Annette Wright, City Clerk