

SEPTEMBER 1, 2022

Prior to the regular session of Council held on Thursday, September 1, 2022, Council conducted a conference session at 5:30 p.m. at the Clarksburg Municipal Building, City Manager's Conference Room, 2nd Floor, 222 West Main Street, Clarksburg, West Virginia to review the meeting agenda as set forth hereinbelow with those Council members present therefor noted as well:

COUNCIL MEMBERS PRESENT:

Gary Keith
Jerry Riffle
Wayne Worth
Vice Mayor Lillie Junkins
Mayor James Marino

COUNCIL MEMBER(S) ABSENT:

Will Hyman
Jim Malfregeot

AGENDA

AG: 22-23

CITY OF CLARKSBURG

AGENDA FOR REGULAR MEETING OF COUNCIL OF THE CITY OF CLARKSBURG TO BE HELD **THURSDAY, SEPTEMBER 1, 2022** AT THE CLARKSBURG MUNICIPAL BUILDING – COUNCIL CHAMBERS, 222 WEST MAIN STREET, CLARKSBURG, WEST VIRGINIA AT 6:00 P.M.

PRIOR TO THE REGULAR COUNCIL MEETING, COUNCIL WILL BE MEETING IN THE CITY MANAGER'S CONFERENCE ROOM AT 5:30 P.M. FOR A CONFERENCE SESSION (NOTE: THIS SESSION IS ALSO OPEN TO THE PUBLIC). IN ADDITION TO THE AGENDA, COUNCIL WILL HAVE THE OPPORTUNITY TO ASK QUESTIONS TO THE CITY MANAGER AND/OR ATTENDING STAFF.

ORDER OF BUSINESS

1. ROLL CALL
2. PRAYER (*to be given by Councilmember Worth*) & PLEDGE
3. PETITIONS, COMMUNICATIONS AND PUBLIC HEARINGS
4. CITY MANAGER'S REPORT/UPDATE
CITY CLERK'S INFORMATION:
 - A. NOTICE OF AN APPLICATION TO OPERATE A WV ABCA LICENSED CLASS B ESTABLISHMENT FILED BY ONE STOP STORE, LLC, 427 CLARK STREET - RETURNED TO APPLICANT ON AUGUST 19, 2022
5. UNFINISHED BUSINESS:
 - A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE AMENDING SECTION 505.01 AND CREATING SECTION 505.14 REGARDING BIRD SANCTUARY AND CREATING PROHIBITION ON GROUND FEEDING OF PIGEONS
6. NEW BUSINESS:
 - A. CONSIDERATION OF THE PURCHASE OF A VAC TRUCK THROUGH SOURCEWELL'S BID SHEET IN AN AMOUNT NOT TO EXCEED \$300,000 UTILIZING ARPA FUNDS
 - B. CONSIDERATION OF A PETITION FILED BY JOHN SEDLOCK, 889 SHINNSTON PIKE, REQUESTING THE ABANDONMENT OF THE UNNAMED, UNIMPROVED ALLEY THAT RUNS BETWEEN EDGEWOOD AVENUE AND NIXON AVENUE
 - C. CONSIDERATION OF THE SUBMISSION OF A LETTER OF SUPPORT FOR A U.S. DOT BIP PROJECT FOR CITY OF CLARKSBURG BRIDGES FOR A 20% MATCH OF TOTAL PROJECT COSTS
 - D. CONSIDERATION OF APPOINTMENT TO THE CLARKSBURG BOARD OF PARK COMMISSIONERS
7. COUNCIL COMMENTS
8. ADJOURNMENT

Interim City Manager Kiddy informed that Park Board Superintendent John Cooper was now home from the hospital. With a review of the agenda, City Manager Kiddy stated that money needed to be earmarked for a vac truck with City Attorney Marsh explaining the role of Sourcewell in the RFP process. Mayor Marino stated that he wanted to be sure they knew what they were buying and the cost and asked that this matter be placed on a work session agenda for further discussion. Manager Kiddy reminded of the bridges in need of maintenance, etc. with Grant Writer Ms. Blackham explaining the grant being submitted for the bridges.

Conference session concluded.

At this time, the Clarksburg City Council met in REGULAR SESSION on September 1, 2022 at 6:00 P.M. at the Clarksburg Municipal Building – Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Marino presiding.

COUNCIL MEMBERS PRESENT:

Gary Keith
Jerry Riffle
Wayne Worth
Vice Mayor Lillie Junkins
Mayor James Marino

ALSO PRESENT:

Mark Kiddy, Interim City Manager
Richard Marsh, City Attorney
Annette Wright, City Clerk

COUNCIL MEMBER(S) ABSENT:

Will Hyman
Jim Malfregeot

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

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

John Angiulli, 915 N. 15th Street – informed that the Park Board readvertised the ad for Superintendent, as well as expanded the advertising source(s) and that they are in the process of reviewing the approximately 20 applications received.

AGENDA ITEM NO. 4: CITY MANAGER'S REPORT/UPDATE
Manager's Report
September 1, 2022

The WV Italian Heritage Festival will begin on Sept. 02-04, Parade will start on Sept. 03 at 10 Am. The Black Heritage Festival will begin on Sept. 09 -11, please stop by and enjoy the festivities.

FIRE DEPARTMENT:

1. The Fire Dept. responded to 260 calls for service in the month of August.
2. Two structure fires were reported, with a total loss of \$83,000.00.
3. Firefighters completed their annual watercraft operations training.

POLICE DEPARTMENT:

1. The Police Dept. responded to 2157 calls for service in the month of August.
2. Background investigations were completed for new applicants.
3. Nine officers attended the FBI National Academy Training at Camp Dawson.

CODE ENFORCEMENT:

1. 39 building permits were issued in August, with a total cost of \$386,334,00
2. 49 notices of violations were issued, and 17 inspections were completed, and 31 re-inspections were completed.

PUBLIC WORKS:

1. It has been an extremely busy time for Public Works Department, preparing for the WV. Italian Heritage Festival and the Black Heritage Festival and I would personally like to thank them for all the hard work and if you see them during the festival's please take time to thank them.

ROBINSON GRAND:

1. In the month of August, the RG welcomed 2,000 guests at four public and two private events.
2. Sept. 17th is the Foreigner's Journey Concert, Sept. 18th is Chonda Pierce, Sept. 23 is the Second City Performance, and they are hosting five private events.

ECONOMIC DEVELOPMENT:

1. Economic Development is finalizing the first round of the Small Business Assistance Grant Funding.
2. They are working on upcoming bridge and infrastructure grants, the Downtown Parking study

WASTEWATER TREATMENT PLANT:

1. Plant treated 290 million gallons of wastewater in the month of August.
2. The smokestack for the old incinerator was removed.
3. Yearly tank inspections have been completed.

END OF REPORT

CITY CLERK'S INFORMATION:

- A. NOTICE OF APPLICATION TO OPERATE A WV ABCA LICENSED CLASS B ESTABLISHMENT FILED BY ONE STOP STORE, LLC, 427 CLARK STREET – RETURNED TO APPLICANT ON AUGUST 19, 2022**

UNFINISHED BUSINESS:

- A. CONSIDERATION OF SECOND AND FINAL READING AND PUBLIC HEARING OF AN ORDINANCE AMENDING SECTION 505.01 AND CREATING SECTION 505.14 REGARDING BIRD SANCTUARY AND CREATING PROHIBITION ON GROUND FEEDING OF PIGEONS**

City Clerk Wright announced that notices regarding the public hearing on the above-captioned ordinance appeared in *The Exponent Telegram* on August 23, 2022 and August 30, 2022. Mayor Marino declared the public hearing open with no one appearing therefor and the hearing being closed. **MOTION** by Councilmember Worth, **SECONDED** by Vice Mayor Junkins for approval of the above-captioned ordinance on second and final reading. Under discussion, Mayor Marino informed that he had received complaints about the property damage caused by pigeons and that this ordinance would hopefully help with those issues. **MOTION CARRIED 3-2 with Councilmembers Keith and Riffle casting the dissenting votes.**

NEW BUSINESS:

- A. CONSIDERATION OF THE PURCHASE OF A VAC TRUCK THROUGH SOURCEWELL'S BIDDING SHEET IN AN AMOUNT NOT TO EXCEED \$300,000 UTILIZING ARPA FUNDS**

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

- B. CONSIDERATION OF A PETITION FILED BY JOHN SEDLOCK, 889 SHINNSTON PIKE, REQUESTING THE ABANDONMENT OF THE UNNAMED, UNIMPROVED ALLEY THAT RUNS BETWEEN EDGEWOOD AVENUE AND NIXON AVENUE**

MOTION by Councilmember Keith, **SECONDED** by Councilmember Worth to refer the above-referenced petition to the Planning & Zoning Commission. **MOTION APPROVED 4-0 with Mayor Marino abstaining due to the applicant being his relative.**

- C. CONSIDERATION OF THE SUBMISSION OF A LETTER OF SUPPORT FOR A U.S. DOT BIP PROJECT FOR CITY OF CLARKSBURG BRIDGES FOR A 20% MATCH OF TOTAL PROJECT COSTS**

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

- D. CONSIDERATION OF APPOINTMENT TO THE CLARKSBURG BOARD OF PARK COMMISSIONERS**

MOTION by Councilmember Riffle, **SECONDED** by Councilmember Keith to appoint John Angiulli to the Park Board. Under discussion, Mayor Marino opined that there has been an on-going issue with the Park Board noting the Board's decision to give the once hired Superintendent a ten-month training period while working with the current Superintendent. Mayor Marino expressed concern with this decision in light of the City's finances, the minimal advertising originally conducted by the Park Board and remarked that everyone needs to be held accountable. Vice Mayor Junkins also expressed her concerns with the "politics" of the Superintendent position. Concluding discussion, **MOTION CARRIED 3-2 with Vice Mayor Junkins and Mayor Marino casting the dissenting votes.**

COUNCIL COMMENTS:

- Councilmember Riffle: Thanked the Public Works Department for their work regarding the WVIHF; remarked that the vac trailer was much needed and expressed appreciation for the favorable approval; remarked on the Park Board appointment noting the difficulty in getting people to volunteer to serve on these boards/commissions and thanked Mr. Angiulli for being an active member of the Park Board; reminded of the upcoming Black Heritage Festival.
- Councilmember Worth: Remarked that he was glad to see the focus now shifting on the infrastructure needs; commented on the WVIHF being a reason he wanted to live in Clarksburg.
- Vice Mayor Junkins: Thanked the Public Works for their work with the WVIHF; wished all a safe weekend and cheered on the Mountaineers.
- Mayor Marino: Commented that he wanted things to run in a positive direction and he could not turn a blind eye to the Park Board concerns; expressed excitement with the WVIHF Festival and Black Heritage Festival.

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

James Marino, Mayor

Approved: October 6, 2022

Annette Wright, City Clerk