SEPTEMBER 19, 2019

The Clarksburg City Council met in REGULAR SESSION on Thursday, September 19, 2019 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:

Lillie Junkins
Gary Keith
Jim Malfregeot
Jimmy Marino, Vice Mayor
Ryan Kennedy, Mayor

ALSO PRESENT:

Annette Wright, Interim City Manager
James Cann, City Attorney
Paula Hardman, Interim City Clerk

COUNCIL MEMBERS ABSENT:

Frank Ferrari
Marshall Goff

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

Mayor Kennedy deviated from the agenda to allow for the following presentations:

Mayor Kennedy presented a proclamation proclaiming September 29th, 2019 as “Gold Star Mother’s and Families’ Day” to a representative of the American Legion Auxiliary.

Mayor Kennedy read a proclamation proclaiming September 17 -23, 2019 as “Constitution Week”.

MOTION by Councilmember Malfregeot, SECONDED by Vice-Mayor Marino for approval of the minutes of the August 26th, 2019 Conference (Work) Session. MOTION APPROVED UNANIMOUSLY.

MOTION by Councilmember Junkins, SECONDED by Councilmember Malfregeot for approval of the minutes of the September 5, 2019 Regular Session. MOTION APPROVED UNANIMOUSLY.

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

Mary Kay Lindsay—245 N 7th Street, Clarksburg—appeared before council to address abandon houses and back packers in front of her restaurant explaining the same as such. She informed of praying on said issue because of understanding these people are human and she treats everyone with respect. With this said, she then voiced concerns with backpackers and homeless people starting to hang out in front of her restaurant, what her customers think and how it might affect her business explaining that she just can’t have them laying in front of her business also voicing concerns with about three abandoned houses within the same area. Interim City Manager Wright requested at this time addresses of said properties with Ms. Lindsay agreeing to provide them as such. Council also thanked Ms. Lindsay for her concerns.

Eric Csutoros—305 Buena Vista Avenue, Clarksburg—appeared before council to speak on Initiative, Referendum and Recall explaining that he was present to discuss a proposed Charter amendment to Initiative, Referendum and Recall explaining that most of the amendment was based on the existing Charter process for the City of Huntington. This is what he used to make said draft explaining in detail his request also providing copies for those who needed one.

Mayor Kennedy stated at this time that Initiative, Referendum and Recall was something he was already working on and that everyone could expect to see something on that very soon.

Donald Myers—PO Box 197, Reynoldsville, WV 26422—appeared before council to address Initiative, Referendum, and Recall. He started by inquiring of the powers of City Council verses the power of the voter explaining the same as such. He noted the responsibility of the voter to be that of working within our communities to find out what problems need addressed and taking said problems to the Council for them to address in the proper way for changes to be made.
within our city. It’s their job to clean up and make our city a better place. He then explained in
detail to everyone present the power of the voter expressing concern for the city due to Initiative,
Referendum and Recall not being used as it should be giving examples such as causing the City
to be in the mess it is. He then explained his proposed amendment being that of what the people
want; let us help you he stated explaining the same as such. He closed with encouraging Council
to set down with the people and work with the citizens as to a solution that will work with
everyone for the betterment of our city, thanking them for their time.

**Richard Cava:** 419 Clark Street, Clarksburg- appeared before council to address various issues
in Glen Elk. He opened with concerns regarding the sign-up sheets that were used in order to
address council and the addresses being used therefore questioning the legality of using your
business address verses your home address.

He then commended Council referring to Vice-Mayor Marino and anyone else who
dedicated their time and hard work with the Community Action in cleaning up the mess working
so hard on such hot days inquiring as to the Mission helping with Councilmember Junkins
informing they did also help. He was very pleased to hear this because in years past he has held
discussions with Mr. Lou Ortenzio about helping to get the area cleaned up with little to no
results until now.

**AGENDA ITEM NO. 5:**

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<tr>
<th>Manager’s Report</th>
<th>September 19, 2019</th>
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<td>Submitted by Annette Wright</td>
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**General Updates**

1. Demolition –Stantec is preparing a schedule of inspections to perform the
   asbestos sampling and testing. At the appropriate time, Council will need to
   authorize the funding for the demolition projects. The consideration of the
   demolition funding will be placed on a future agenda.

2. Per Council’s recommendation at the August 26th work session, we have obtained
   (security) cameras from US Cellular which will be placed in/at various locations
   throughout the city. These cameras will allow for monitoring via a cell phone
   app and the cameras can be relocated to other locations, as needed.

3. Parsons Hotel Fire- Public Works has boarded up the openings; notice was
   provided to the owner(s)/Estate; a security camera will be placed in said area
   tomorrow to monitor the activities.

4. The Interim Police Chief and his department, with the assistance of the Public
   works Department and the tireless efforts of volunteers and the Clarksburg
   Community Action group has cleared two (2) encampment areas under the 4th
   Street Bridge with approximately 4 ½ tons of trash cleaned up and taken to the
   land fill. These areas will continue to be monitored on a routine basis to ensure
   there is no return of the encampments.

5. Three (3) laborer positions(s) were filled in the Public Works Department; one (1)
   employee began on September 16th and the other two (2) employees will be
   starting on Monday, September 23rd.

6. Fall Clean-up- The City’s Fall Clean-up will begin next week September 23rd and
   run for three (3) consecutive weeks, concluding on October 11th. As stated
   previously, complete details and route schedules have been posted on the City’s
   website and social media sites.

7. As a business incentive to open and operate in the Central Business District,
   Clarksburg Uptown has increased its façade grant budget. Between the City’s
   façade grant program and Clarksburg Uptown’s façade grant program,
   businesses can receive $4,000 to improve or enhance their storefronts.

8. The West Virginia State Rail Authority is updating the State Rail Plan. The Plan
   includes a long-term vision statement that reflects West Virginians’ best interest,
   based on input from the public. The Authority set up a table on the first floor of
   City Hall on September 12th to conduct surveys and garner opinions.
9. The Clarksburg Mayor’s Youth Council 2019-20 Program has been rolled out. Applications have been sent to all City high schools and information has also been placed on our social media sites. The first/organizational meeting of the 2019-20 MYC is scheduled for Thursday, September 26th, at 6:00 p.m.

10. The City accepted sealed bids for the sale of a lot or parcel of land located at 1407 N. 25th Street. The advertisement ran on September 4 and September 11 with only one bid received by Jacqueline Karakiozis in the amount of $1,500. This item appears on the Agenda under “New Business” and I recommend Council accept this bid.

11. Continuing with our City Hall maintenance, Stanley Steamer performed carpet cleaning throughout City Hall on September 10th.

12. Per the Resolution adopted by Council on August 15th, the Glen Elk Historic District was declared “Clarksburg’s Little Italy.” The sign is being made with the revealing and dedication to be held in the near future.

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**Police & Fire**

1. Police

   a. Seven (7) new officers were sworn in this morning at 10:00a.m. One (1) officer is certified and will be able to begin his duties quickly. We hope to get the remaining six (6) into the January Academy. We currently have three (3) officers at the Academy whom are due to graduate November 1st.

   b. With only two (2) individuals remaining on the current eligibility list, said list is now insufficient. As previously stated, a new eligibility list process will begin with the Physical Ability Test scheduled for Saturday, October 5th at 10:00a.m. at Robert C. Byrd High School followed by the Written Test on Wednesday, October 16th at 6:00 p.m. at the Harrison County Senior Citizens Center.

   c. The Police Chief Nominating Committee conducted interviews of eleven (11) applicants for the position of Chief of Police. After a final meeting with the Nominating Committee to review and compare information, I anticipate a selection by the end of September.

1. Fire-

   a. West Virginia HB 2541 passed in the 2018-19 legislative session requiring all students in West Virginia to be trained in first aid life saving measures. This undertaking is being taught in our Harrison County public schools by the United Hospital Center Trauma Department and West Virginia Public Service Training. Chief Scott, along with others from the Clarksburg Police Department, will be assisting schools on this endeavor.

   b. The original roof of the East end fire substation is being replaced. The substation was built in 1990 and the roof has had several repairs. It was past time to invest in the replacement rather than to continue with the costly repairs. The cost of this roof, as well as a few other roof projects will be included in a financial package and brought to Council in the 2019-20 fiscal year.

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**Economic Development**

1. The Emily Drive Development is expanding nicely with plans for T&T Nails, BurgerIM and Jersey Mike’s Subs planned therefor. At the appropriate time, ribbon cutting ceremonies will be scheduled.

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**Events**

1. RGPAC –

   a. September 21st at 5:00 p.m. - WV Historical Preservation Awards Banquet.
b. September 27th at 8:00p.m.- Travis Tritt- An Acoustic Evening (SOLD OUT)
c. October 3rd at 5:30 p.m. - Meeting of the Civil War Generals. This is an event to benefit the Clarksburg History Museum.

2. The City Parks of Clarksburg and the Humane Society of Harrison County will be hosting “Dog Days of Summer” on Saturday, September 28th from Noon to 4:00 p.m. at Clarksburg City Park. There will be various activities and games to do with your pet; concessions will be available; dog and cat raffle baskets; spay and neuter vouchers will be available to Harrison County residents.

3. A competitive run utilizing the downtown 5K rout, as well as a pepperoni roll festival to benefit the Clarksburg Children’s House expansion program to provide affordable Montessori education, afterschool care and scholarships will be held on Saturday, September 28th at 9:00a.m. to noon. Street closing will take place at 7:30 p.m. and will reopen at 10:30a.m.

4. Downtown Business Trick-or-Treat will be held on Wednesday, October 30th with neighborhood Trick-or-Treat taking place on Thursday, October 31st.

5. Mark your Calendars for December 31st as uptown’s Grand New Year’s Eve Bash will take place at the Robinson Grand with entertainment provided; followed by the After Party at Jackson Square. Clarksburg Uptown will soon be releasing the exciting information as to the performers for the Grand event. Food vendors, drinks, band, fireworks and the ball drop will take place at Jackson Square. Tickets will be on sale in mid-October.

Misc.

1. A Bus tour of various locations and facilities throughout the City has been scheduled for Thursday, October 24th beginning at 5:00 p.m. We want to view as many of the sites as possible before dark. We will be boarding a CENTRA bus in the back parking lot on this date/time for said tour. I have emailed Council a tentative list of locations and I ask that you let me know if you would like other locations added to the list.

CITY CLERK’S INFORMATION:

A. ZONING FORM IN CONNECTION WITH A “NOTICE OF APPLICATION TO OPERATE; AN ABCA LICENSED PRIVATE CLUB, PRIVATE WINE RESTAURANT OR TAVERN *FILED BY ATM, LLC, dba GOOD TIMES, 236 MILFORD STREET- RETURNED TO APPLICANT ON AUGUST 23, 2019

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

A. CONSIDERATION OF FIRST READING OF AN ORDINANCE OF THE CITY OF CLARKSBURG PROVIDING FOR THE ABANDONMENT OF A PORTION OF QUARRY DRIVE, 60 FEET IN WIDTH BETWEEN PARCELS 51.16 AND 51.24 UPON TAX MAP 308 IN THE CITY OF CLARKSBURG, COAL-CLARKSBURG (98) DISTRICT, HARRISON COUNTY, WEST VIRGINIA, SHOWN ON THE PETITION FOR SAID ABANDONMENT ON FILE IN THE CITY CLERK’S OFFICE PROVIDING FOR FINDINGS OF FACT IN CONNECTION WITH SAID ABANDONMENT; AND AUTHORIZING THE EXECUTION OF THE PROPER QUIETCLAIM DEEDS, RESERVING THEREFROM UTILITY RIGHTS-OF-WAY

MOTION by Vice-Mayor Marino, SECONDED by Councilmember Keith for approval of the above-captioned Ordinance. MOTION APPROVED UNANIMOUSLY.

B. CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATE BOND OF THE CITY OF CLARKSBURG SALES TAX REVENUE REFUNDING BONDS, SERIES 2019 A (ROBINSON GRAND THEATRE PROJECT)
MOTION by Councilmember Junkins, SECONDED by Vice-Mayor Marino for approval of the above-captioned Resolution. Under discussion, Mayor Kennedy inquired as to Interim City Manager Wright for an explanation as such with Interim City Manager Wright informing that The USD has requested a change to the calculations of the debt service schedule therefore amending the Bond explaining the same as such. MOTION APPROVED UNANIMOUSLY.

C. CONSIDERATION OF A RESOLUTION OF THE CITY OF CLARKSBURG, WEST VIRGINIA, CREATING THE TASK FORCE ON PUBLIC SAFETY

MOTION by Councilwoman Junkins, SECONDED by Vice-Mayor Marino for approval of the above-captioned Resolution. Under discussion Mayor Kennedy took a moment to say this has been discussed, to create a Task Force on public safety and for citizens to bring suggestions back to council for ways to make our streets safer and this is the Resolution to do this recognizing the Chairman Wayne Worth present at the council meeting. MOTION APPROVED UNANIMOUSLY.


MOTION by Councilmember Malfregeot, SECONDED by Councilmember Junkins to approve the above-captioned Resolution. MOTION APPROVED UNANIMOUSLY.

E. CONSIDERATION OF APPROVAL OF THE FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDING JUNE 30, 2019 FOR THE POLICEMEN’S AND FIREMEN’S PENSION

MOTION by Councilmember Malfregeot, SECONDED by Councilmember Junkins to approve the above-captioned agenda item. MOTION APPROVED UNANIMOUSLY.

F. CONSIDERATION OF AWARD OF BID FOR THE SALE OF REAL PROPERTY LOCATED AT 1407 N. 25TH STREET.

At this time Mayor Kennedy requested the Motion Include the bid information. MOTION by Councilmember Junkins for approval of the bid for the sale of real property located at 1407 N. 25th Street in the amount of $1500. to Jacqueline Karakiozis, SECONDED by Vice-Mayor Marino. MOTION APPROVED UNANIMOUSLY.

G. CONSIDERATION OF THE CITY’S PARTICIPATION IN “PROJECT MOUNTAINEER” (AUDITOR’S ON-LINE FINANCIAL REPORTING PROGRAM)

MOTION by Councilmember Junkins, SECONDED by Vice-Mayor Marino to approve the above-captioned agenda item. Under discussion, Mayor Kennedy informed that this was the on-line transparency program for finances as informed by our State Auditor explaining the same as such. MOTION APPROVED UNANIMOUSLY.

COUNCIL COMMENTS:

Councilman Keith: Thanked Interim City Manager Wright for doing a great job, along with Interim Chief Snider in the police department. He then expressed how pleased he was for the cameras going up and the opportunities that this will bring to help clean up our city and give our police a few more eyes in our most problem areas. He also commended our seven (7) new officers that were sworn in and our façade program explaining the same as such also mentioning the new restaurant going in. Lastly, he commended Mr. Wayne Worth and the Community Action on a job well done.
Councilman Malfregeot: No Comment at this time.

Councilwoman Junkins: Commended Clarksburg Community Action for all their hard work in cleaning up the area also thanking Mr. Wayne Worth for all his efforts in bringing so many people within our community together and getting people involved also thanking Interim City Manager Wright along with Interim Chief Snider and Interim City Clerk Hardman.

Vice-Mayor Marino: Informed everyone that the Health Board decided to end the Needle Exchange Program explaining that the City Council had given some recommendations to alter the program within our City that were doable requests but the Health Board still decided to end said program. It was a hard decision, explaining the same as such also commending Interim City Manager Wright for attending the meeting and speaking up for the City and our position. He also mentioned the fire that had taken place at the Parsons Hotel also being close to his business commending the Clarksburg Fire Department for the quick action also commending Interim City Manager Wright for acting quickly. He informed Public Works boarded up said structure thanking them for a job well done and the police department will keep monitoring the area with the use of the new cameras stating he is very pleased with the direction the city is taking on this issue explaining the same as such. Lastly he encouraged everyone to keep attending the meeting thanking them for their attendance and their help to move this city forward.

Mayor Kennedy: He commended everyone involved in Community Action and all the efforts of everyone involved in cleaning up the homeless camps explaining the same as such, taking these bold steps in making our city safer and he is very proud to be a part of this council at this time also commending Mr. Wayne Worth and all his efforts recalling walking along his side during some of his work noting yet another standing room only crowd, extending thanks and appreciation to everyone in attendance.

There being no further business to come before Council, MOTION made, SECONDED and APPROVED UNANIMOUSLY to adjourn.

Ryan Kennedy, Mayor
10-03-19

Approved

Paula Hardman, Interim City Clerk