

MAY 6, 2021

The Clarksburg City Council met in REGULAR SESSION on Thursday, May 6, 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:

Marshall Goff
Frank Ferrari
Gary Keith
Lillie Junkins
Jim Malfregeot
Vice Mayor Jimmy Marino
Mayor Ryan Kennedy

ALSO PRESENT:

Harry Faulk, City Manager
Annette Wright, City Clerk

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

At this time, Council deviated from the agenda for the following presentations: Mayor Kennedy presented Certificates to students of Notre Dame High School in recognition of their West Virginia Thespian State Championship along with their instructor/leader, Jason Young. Mr. Young apprised that Notre Dame won everything from individual and group events at the competition.

Mayor Kennedy recognized representatives of the VFW present this evening to receive a proclamation apprising of Buddy Poppy Day which will be held May 29th from 9:00 a.m. to 5:00 p.m. at Walmart on Emily Drive.

MOTION by Councilmember Malfregeot, **SECONDED** by Vice Mayor Marino for approval of the minutes of the Regular Session of Council held on April 15, 2021. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Malfregeot, **SECONDED** by Vice Mayor Marino for approval of the minutes of the Special Session of Council held on April 20, 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. 6th Street – addressed Council again as to a strategic plan noting the \$6.2 million in COVID funding coming our way and inquiring how such would be spent. Mr. Shaffer remarked that other states are obtaining input from citizen groups as to how the monies should be allocated. Mr. Shaffer referenced the Glen Elk 3rd Street bridge and commented that he tried to get the City to have the State declare the same historical. Mr. Shaffer added that there needed to be a plan on how to upgrade Route 50, trees needed to be placed in Glen Elk as they were all cut down and never replaced, sidewalk improvements were necessary, suggested that the City look at retaining walls, look at beautifying the entrances into the communities, water line upgrade on Chestnut Street, and concluding that he hoped that we could learn from our past failures prior to moving on.

Al Cox, 313 Worley Avenue – introduced the new Water Board General Manager, Jason Myers, who accompanied him to the meeting this evening. Mr. Cox stated that he heard that Council was going to vote against the increase in the Water Board compensation and requested that the ordinance be approved on first reading in order to get to the public hearing stage. Mr. Cox pointed out that the Water Board is recognized as one of the finest in the state and that there has not been a rate increase since 2013 and the Board members have not had a salary increase in 20 years. Mr. Cox remarked that unlike Council, the Water Board has to attend a meeting to get paid and that the raise is very modest. Mr. Cox added that the Charter indicates that Council “shall” approve ordinances for the Water Board and noted that Council nor the City Manager have anything to do with the operation of the Water Board. Also, if we let the new Council

decide then that would be another four (4) years before such would take effect, remarked Mr. Cox. The Water Board passed a resolution; however, they do not have ordinance powers. Mr. Cox concluded by stating that the Water Board makes very little money compared to City Council.

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT/UPDATE
Manager's Report
May 6, 2021
Submitted by Harry R. Faulk

Manager's Office

1. *The Code Enforcement Secretary has been moved into the Manager's Department and that position will be shared between Departments.*
2. *Four applicants were interviewed for the position of Director of Economic Development and John Whitmore has accepted the position and will start June 1st.*
3. *Twenty-one applicants were interviewed for the position of Public Works Laborer. Five candidates were hired and will start May 17th.*
4. *Chat with Code and Clarksburg's Small Business Summit was well attended and provided valuable insight that the City can utilize in making better decisions.*
5. *Beak & Snout Deli opened their doors on May 5th. They are located at 240 Park Blvd and they offer smoked and roasted meats and cheeses.*

Police Department

1. *We had 30 applicants apply for the position of Police Officer. After the physical agility and written exam, only 16 applicants qualified to move forward. Background investigations will commence this month.*
2. *For the month of April, the Department responded to 2,432 calls for service leading to 8 felony and 114 misdemeanor arrests, 161 criminal reports and 69 traffic accidents.*
3. *All officers have been issued new body cameras.*
4. *The Department has been performing traffic studies throughout the City with the new traffic counters and LED speed signs.*

Fire Department

1. *The Department responded to 258 calls for service for the month of April resulting in \$326,200 in residential and \$42,500 in vehicle fire loss.*
2. *Testing for Fire Marshall, Safety/Training Officer, and Mechanic will take place in June. Testing for new firefighters will take place on May 15th.*
3. *Firefighters participated in an intense training session conducted by Interstate Rescue at the Bridgeport Fire Department.*

Finance Department

1. *Tiffany Myers is May's Employee of the Month for City Hall. Tiffany is responsible for our OpenGov Site that provides financial transparency.*
2. *The Department mailed 365 unpaid parking tickets this past week.*
3. *\$1,615,631 in B&O was collected for the first quarter. Eighty new business licenses have been issued thus far this year. Thirty-eight business are not in compliance for this fiscal year.*

City Parks

1. *A representative from VASCO inspected our Pickleball Courts and will be preparing a cost estimate for renovations.*
2. *Preparations are underway to open Splash Zone on May 29, 2021.*
3. *Discussions were held with the Health Department and a plan is being developed to allow 700 patrons. The pool averaged 600 per day in 2019 and the max compacity is 800.*
4. *The current capacity of the Amp is set at 1,500. Revised offers have been sent to potential acts reflecting that number.*
5. *Working with the DNR to repair the trail erosion at the VA Park.*

Robinson Grand Performing Arts Center

1. *The Center has submitted 3 grants for programming and operational support. The grant funds will be awarded in July.*

2. *The Center will also host a two-day Excavation, Trenching Safety training session for the Public Works Department.*

Code Enforcement

1. *The Department issued 74 Building Permits for a total project cost of \$703,752.*
2. *Forty-three Notice of Violations were issued. Zero citations were written. Four structures were condemned. Twenty-five structures were reboarded. Twenty-two residential and 4 commercial inspections were performed. Ten vehicles were tagged for towing and 3 signs were pulled.*
3. *Winding Way Slip is 95% completed. The Leon St. Slip Repair has been authorized to proceed.*
4. *Animal Control responded to 36 calls for service with fifteen animals taken to HCAC.*

Public Works

1. *The City is currently accepting bids for this year's paving program. A prebid meeting will be held May 10th at 10:00am at City Hall and bids will be accepted until May 12th at 10:00am. Information is located on our website.*
2. *The Sewer Department installed 140ft of new pipe, installed 3 new catch basins and responded to 27 sewer complaints.*
3. *The Traffic Department repaired 1 traffic signal and are painting all the curbs throughout the City.*
4. *Crews demolished structures at 503 and 413 EB Saunders Way and responded to 24 Notice of Violations along with removing a trailer on Broadway Ave.*
5. *Training was also conducted on the City Leachate Collection System.*

Wastewater Treatment Plant

1. *The plant treated 190 million gallons of wastewater for the month of April with no violations.*
2. *The DEP Compliance Evaluation Inspection of the plant occurred on April 20th and the inspection went very well. We are awaiting the official report. The Lab was also inspected on April 27th.*
3. *Two new Return Activated Sludge Variable Frequency Drive Units were installed.*
4. *Work continues on the plant upgrade of the Septic Receiving Station.*

Upcoming Events:

May 11, 2021 @ 3:30pm – Clarksburg Sanitary Board Meeting, City Hall
May 12, 2021 @ 4:30pm – Clarksburg Beautification Committee, City Hall
May 13, 2021 @ 10:00am – Municipal Building Commission, City Hall
May 15, 2021 @ 9:00am – Firefighter Testing

“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 SECTION 745 REGARDING TAX CREDITS TO REENACT THE SAME AND ADD A TAX CREDIT FOR A NEW BUSINESS LOCATION WITH CONSTRUCTION COSTS**

The City Clerk reported that notices regarding the public hearing appeared in *The Exponent Telegram* on April 20, 2021 and April 27, 2021. Mayor Kennedy declared the public hearing open with no one appearing therefor. Upon closing the public hearing, **MOTION** by Councilmember Ferrari, **SECONDED** by Councilmember Malfregeot for approval of the above-captioned ordinance on second and final reading. **MOTION APPROVED UNANIMOUSLY.**

- B. CONSIDERATION OF FIRST READING OF AN ORDINANCE OF THE CITY OF CLARKSBURG TO CREATE AN ORDINANCE LICENSING AND SETTING FORTH RESTRICTIONS ON MOBILE FOOD VENDORS**

MOTION by Vice Mayor Marino, **SECONDED** by Councilmember Malfregeot to remove this matter from the TABLE. **MOTION APPROVED UNANIMOUSLY.**

MOTION by Councilmember Malfregeot, **SECONDED** by Vice Mayor Marino for approval of the above-captioned ordinance on first reading. **MOTION APPROVED UNANIMOUSLY.**

NEW BUSINESS:

A. CONSIDERATION OF FIRST READING OF AN ORDINANCE OF THE CITY OF CLARKSBURG SETTING COMPENSATION FOR MEMBERS OF THE WATER BOARD

MOTION by Councilmember Ferrari, **SECONDED** by Councilmember Keith for approval of the above-captioned ordinance on first reading. Concluding discussion, **MOTION FAILED** with Councilmembers Goff, Junkins, Malfregeot and Vice Mayor Marino casting the dissenting votes.

B. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSBURG, WEST VIRGINIA REGARDING THE NAMING OF THE 6TH STREET BRIDGE TO THE “MAZZA FAMILY MEMORIAL BRIDGE”

MOTION by Councilmember Goff, **SECONDED** by Vice Mayor Marino to TABLE the above-captioned resolution. **MOTION APPROVED UNANIMOUSLY.**

C. CONSIDERATION OF APPOINTMENT TO THE PLANNING & ZONING COMMISSION

MOTION by Councilmember Ferrari, **SECONDED** by Vice Mayor Marino to reappoint Michael Brown to the Planning & Zoning Commission. **MOTION APPROVED UNANIMOUSLY.**

COUNCIL COMMENTS:

Councilmember Jim Malfregeot: Thanked everyone for attending the meeting and announced that Toni’s in Adamston had been broken into three (3) times with Chief Kiddy correcting that it had been two (2) times.

Councilmember Ferrari: Expressed appreciation for the B&O tax credit ordinance; asked for a list of the streets to be paved; noted the popularity of Pickle Ball and suggested that monies from the Levy be utilized to upgrade the same; remarked that he would like to see the ordinance approved to amend the handbook regarding longevity; commended the Police Department on their work.

Councilmember Goff: Remarked that he was glad to see the Park Board working with the DNR regarding the rails to trails; requested that the Park Board look at both parks to repair any problems with the paving; requested that we look at the entrance into EastPointe and address the condition of our side of the wall; stated that he would like to see the Fire Chief and Police Chief included in the Departments’ extra duty pay.

Councilmember Keith: Expressed his excitement with the hiring of the economic development director.

Councilmember Junkins: Informed that the Beautification Committee was working hard in the city advising that some of the projects include the old city hall lot, flowers throughout the city, community involvement with the neighborhood signage; noted the Milford Street park being extremely dark and that she would like to see some lighting in said area; wished all mothers a Happy Mother's Day.

Vice Mayor Marino: Commended the City Manager on the chat with code, the small business summit and the hiring of an economic development director opining that this position was very important in moving the city forward; noted that the council candidates were out and working hard.

Mayor Kennedy: Thanked everyone for attending the meeting; noted a work session would be held on May 13th at 5:30 p.m. to discuss broadband; congratulated the City Manager on the tax credit ordinance; commended the CPD for the foot patrols on West Woodland; concurred with Councilmember Junkins regarding the Stealey parking noting that the road was owned by the State but suggested we look at the park area and to bring the same to the attention of the Park Board.

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

E. Ryan Kennedy, Mayor

Approved: May 20, 2021

Annette Wright, City Clerk