

COUNCIL MEETING PACKET

Regular Meeting of the Clarksburg City Council

CITY OF CLARKSBURG

MARCH 20, 2025

6:00 p.m.- Regular Session

Council Chambers



- **Mayor Jim Malfregeot**
- **Vice Mayor Jerry Riffle**
- **Councilmember Ryan Deems**
- **Councilmember Martin Howe**
- **Councilmember Will Hyman**
- **Councilmember Marc Jackson**
- **Councilmember Wayne Worth**
- * **Tiffany Fell, City Manager**
- * **Annette Wright, City Clerk**
- * **Richard Marsh, City Attorney**

**Clarksburg Municipal Building
222 West Main Street
Clarksburg, WV 26301
304-624-1673**



**City of Clarksburg
Meeting Agenda
March 20, 2025 – Council Meeting – 6:00 pm**

Agenda for the regular meeting of Council in the City of Clarksburg to be held Thursday, March 20, 2025, in the Clarksburg Municipal Building – Council Chambers, 222 W. Main Street, Clarksburg, West Virginia at 6:00 pm.

Order of Business

- 1) Roll Call
- 2) Prayer and Pledge (Mayor Malfregeot)
- 3) Recognition – Clarksburg Jerry West Basketball – 2025 Championships
- 4) Presentation – Extracurricular Youth Grant Award(s) – Little Eagles (Football and Cheer)
- 5) Approval of Minutes:
 - a) Regular Session – March 6, 2025
- 6) **Public Hearing** on Proposed Budget for Fiscal Year 2025-2026
- 7) Petitions, Communications and Public Hearings
- 8) City Clerk's Information:
 - a) Zoning form in connection with an Application to Operate a Private Club, Private Wine Restaurant or Tavern filed by Clarksburg City Parks dba Clarksburg Splash Zone, WV Route 98, Veterans Park - returned to applicant on March 12, 2025
- 9) Unfinished Business:
 - a) Consideration of **Second** and **Final Reading** and **Public Hearing** of an **Ordinance** of the City of Clarksburg to Amend Sections 745.06, 745.13, 745.16, 745.17, 745.20 and 745.23 of the Business & Taxation Section of the Codified Ordinances

- b) Consideration of **Second** and **Final Reading** and **Public Hearing** of an **Ordinance** Amending Sections 1730.02 and 1730.07 of the Vacant Building Registration Program
- c) Consideration of **Second** and **Final Reading** and **Public Hearing** of an **Ordinance** Amending Section 1707.09 to Modify Requirements for Resurfacing of Excavation of City Streets

10) New Business:

- a) Consideration of Approval of the Budget For Fiscal Year 2025-2026 in the amount of \$19,456,099 for the General Fund, \$91,300 for the Coal Severance Tax Fund, \$336,000 for the Police Fine Escrow Fund, \$1,719,179 for the Excess Property Tax Fund, \$1,615,000 for the Financial Stabilization Fund, \$6,520,000 for the Sales & Use Tax Fund and \$1,762,300 for the Robinson Grant Performing Arts Center
- b) Consideration of **First Reading** of an **Ordinance** to Approve Current Replacement Pages to the Codified Ordinances
- c) Consideration of a **Resolution** of the City of Clarksburg, West Virginia, to Enter into an Economic Development Agreement regarding the Waldo Complex
- d) Consideration of appointment to the CENTRA WV Transit Authority

11) Council Comments

12) Adjournment

MARCH 6, 2025

The Clarksburg City Council met in REGULAR SESSION on Thursday, March 6, 2025 at 6:00 p.m. at the Clarksburg Municipal Building – Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Malfregeot presiding.

PRESENT:

Councilmember Ryan Deems
Councilmember Will Hyman
Councilmember Marc Jackson
Councilmember Wayne Worth
Vice Mayor Jerry Riffle
Mayor Jim Malfregeot

ALSO PRESENT:

Tiffany Fell, City Manager
Richard Marsh, City Attorney
Annette Wright, City Clerk

ABSENT:

Councilmember Martin Howe

- 1) Roll Call
- 2) Prayer & Pledge – given by Councilmember Worth
- 3) Recognition – The WI Boys Basketball Team was recognized for the Mid Mountain 10 Conference Championship title with Mayor Malfregeot and Vice Mayor Riffle presenting the coaches and team members with a "Certificate of Recognition."
- 4) **Motion** by Councilmember Worth, **Seconded** by Councilmember Hyman for approval of the minutes of the conference session of Council held on February 13, 2025. **Motion Approved Unanimously.**

Motion by Councilmember Hyman, **Seconded** by Councilmember Worth for approval of the minutes of the regular session of Council held on February 20, 2025. **Motion Approved Unanimously.**

Motion by Councilmember Worth, **Seconded** by Councilmember Jackson for approval of the minutes of the conference session of Council held on February 20, 2025. **Motion Approved Unanimously.**
- 5) Petitions, Communications, and Public Hearings:

Marilyn Blake – appeared before Council concerning the Tree of Heaven and Lantern Fly invasion. Ms. Blake informed that she owns seven properties in the City that contain this invasion which needs to be addressed. Ms. Blake also inquired about the steps located across from A.B. Cody's stating that the use of the steps onto property that she owns would be trespassing.

James Watson, WV Department of Agriculture – informed that there is a satellite population of lantern flies in the city and that the Tree of Heaven serves as a host therefor. Mr. Watson stated that he would like to enter into an agreement with the City for permission to treat these species.

6) Manager's Report:

City Manager's Report
March 6th, 2025
Submitted by Tiffany Fell

City Parks
<p>VA PARK –</p> <ul style="list-style-type: none">• Getting equipment ready for the cutting season. Tractor / Mowers /Small Engine getting cleaned, prepped, and ready for the spring.• Splash Zone installed a new Weather/Lightning detection system for April delivery.• The Pool Slide will be serviced in March. Gel Coating, Sealant, and replacement pieces (if needed) will ensure that the slides are safe and useable prior to state inspection.
<p>Amphitheater</p> <ul style="list-style-type: none">• Concert Releases for Music in the Park at the City Parks of Clarksburg Amphitheater includes Totally 80s on June 7th and Byron Cooper and the Flight 66 Band on August 2nd. Both concerts are free of charge. To Date – Gavin Adcock, We The Kingdom and Yacht Rock Revue are the ticketed events under contract. More information can be found under the Amp's webpage.• The John Cooper stage sign will be installed this spring with a formal announcement on the day to be named later.• The team has offers for three other ticketed shows which will be released when under contract.
<p>Splash Zone / Mini Golf</p> <ul style="list-style-type: none">• Rec Coordinator seeking the hire of all staff at the Splash Zone this year – Lifeguards, Maintenance and Concessions are the three major P-T hires needed. If interested, please contact Joe Marple at the Parks office.• We are continuing to make upgrades to Concessions including changes to the menu, a better floor plan for the food service, cameras, and a sign above the entrance.
<p>Clarksburg City Park</p>

- May 10 – The North Central WV Collectibles show will be hosted at the Indoor Facility at the Park. Vendors of all kinds (personal / small businesses) are encouraged to come and participate. Sports cards, Comics and both vintage and new toy collectibles are included in the show.
- Baseball is in the air as teams from Pony, Little League up through College are using the fields for practice/play. Soccer will be gearing up for its spring season as well.
- June 6-7-8 – Pickin' in the Park. Working along with the city-wide community yard sale with Nutter Fort – families will be able to use space at the park to sell their items while people will be able to walk the trail, shop and enjoy the park as summer begins.
- The maintenance staff is working on small engine repairs and some mower maintenance in order to get through 2025 cutting season.

Code Enforcement

- Condemnation/Demo
 - Received price quote for 2 additional structures
 - Presented prices to council
 - Demo Projects started
- Grant work
 - Splash Pad Grant work
 - Discussing with DOH about Rail Trail Grant and Bike Trail Grant
 - Compiling paperwork for Demo Grant
- Sanitary Board
 - Board Meeting
 - Progress meeting concerning Main St and Pike St Project
- Meetings
 - Council
 - Traffic Commission
 - Internal Staff meetings
 - Meeting about building permits
 - Cloudpermit training
 - LRA agenda and meeting
 - URA Meeting
 - Reviewed Parking Kiosk proposals
- General Code
 - Building Permit – 65
 - Total Job Cost - \$14,627,526
 - Fees Collected - \$13,491
 - Notice of Violations – 321
 - Citations – 1
 - Municipal Court Cases -0
 - Condemnation Orders – 9
 - Boarding and Securing Orders – 5
 - Demolition Orders - 0
 - CAD Complaints – 3
 - Residential Construction Inspections – 143

- Commercial Construction Inspections – 0
- Rental Property Inspections – 120
- Commercial Inspections - 3
- Animal Control Officer - Matt Wilfong
 - Dog -Running-At-Large Calls – 0
 - Dog Bite Cases – 0
 - Dog Barking Complaints – 0
 - Road Killed Animals 0
 - Animal Neglect Calls – 0
 - Lost Dog Complaints - 0
 - Trapped / Removed Cats – 3
 - Animals to HCAC – 4
 - Processed 269 Code Enforcement – Rental Notice of Violations
 - Processed 0 Animal Code Notice of Violations
- Other
 - All Inspectors – Keeping Daily Logs / Reviewed Each Week.
 - All Vacant / Condemned Properties Checked Weekly.
 - 6 Newly Condemned Structures
 - 3 Condemned houses being renovated
 - 3 junk vehicles tagged
 - 120 Certificates of Occupancy
 - New Work Orders Sent - PW – 0
 - More NOVs In-Process.
 - Continued Reviewing Rental files for compliance
 - MS4 Samples, annual report
 - 6 individuals removed from condemned houses.
 - 2 FOIA Requests
 - Fire burnt structures
 - Checked homeless encampments removed 3 people

Finance Department

- B&O Taxes \$89,785.04
- Hotel Tax \$15,126.74
- License Fees & Penalties \$906.17
- Police Citations - \$8,352.64
- Dog Tax from Assessor \$67.50
- Use & Occupancy Fees \$1,430
- Building Permit Fees \$14,408
- Miscellaneous Permit Fees \$0
- Compost Center Fees \$0
- Payment Agreements \$2,351.39
- Late Payment Penalty \$0
- Vacant Property Registration Fees \$1,950
- Grass/Weeds/Garbage Removal - \$2,700

- BOCA Fines - \$0
- Board Ups - \$200
- Electrical Inspection Fees - \$0
- Fire Service Fees - \$25,072.56
- Fire Service Fee Lien Payments - \$4,280.51
- Planning Commission Fees - \$0
- Sale of Accident Reports - \$1,520
- Demolition Revenue - \$5,074.92
- Burn Permit Fees - \$40
- Response & Rescue Billing - \$6,600
- Fingerprinting - \$0
- Animal Control Trap Fee - \$0
- Donations \$0

Tetrick & Bartlett, PLLC continues work on the FY 2023-2024 Audit and plans completion by the end of March 2025.

Employee Appreciation Day is Friday, March 7th. The Finance Department will celebrate their employees for the great job they do all year!

Fire Department

- responded to a total of 298 service calls for the month of February
- one fire that was on Milford St that was out of the city
- East End Fire Engine was received on Friday Feb.28th

Grants & Community Development

- Working to support a Farmer's Market downtown. Met with two potential businesses seeking to do agricultural training and outreach as part of a Farmer's Market initiative.
- Worked with Finance during Executive Order stay on funding hiatus to draw the CDS funding for the Police Department grant.
- Completed the quarterly reports for the Fire Department AFG funding. Submitted request for change of scope for remaining funds for AFG funding for RIT packs.
- Completed the acceptance of the Fire Department CDS award application prior to Executive Order freeze. Received notice and meeting request for next steps as the CDS has now been assigned to Pittsburgh office.
- Worked with Finance and County to extend DOJ Cops eBike award for closure. Awaiting county documentation to complete this project.
- DOJ Cops Staffing award reports filed and current. Cannot draw funds due to staffing.
- Benedum Foundation Born and Bred Award closed in good standing (huge thank you to Finance).
- Completed USDA Tubgrinder progress reports with Finance. Will schedule outreach with partners for spring in accordance with award.
- Environmental study scheduled for Brownfield Grant for revitalization project.

- Worked with Finance to continue progress on CDS 24 awards and delays due to Executive Order stay.
- Followed up with several state and federal entities on previous applications for status updates.
- Supported partnership with two new eateries in historic downtown. Country Kitchen has now been completely gutted and awaiting transfer paperwork for next steps including work permits, ect.
- Notified of new business development to Emily Drive- Suntan in Buff Soap location.
- Met with two developers interested in vacant buildings downtown. Coordinated introduction with several building owners and new businesses seeking space.
- Completed Budget request with Finance and City Manager.
- Identified several funding opportunities for partnering social service programs.
- Identified funding opportunities to further Parks initiative.
- Continuing to work with VA official to establish partnership to further both Parks and Downtown initiatives.
- Met with the Library Interim Director and staff to discuss needed funding and Waldomore issues. "Needs List" estimated at \$2.4M. Provided report to City Manager. Many identified needs will be directed to Public Works.
- Met with local business owner to discuss TIF District, funding opportunities, and other issues (i.e. parking, noise, incentives, business development for vacant space). Provided resources and will continue to support growth and development.
- Met with Brownsfield experts to pursue funding. Completed Environmental assessment of major redevelopment project.
- Worked on documentation and coordination of redevelopment economic development plan for investment in redevelopment- Worked with Tom Aman and Richard Marsh.
- Attended event for Chamber of Commerce Economic Development luncheon.
- Met with Senator's representatives to discuss initiatives and support for revitalization efforts.
- Met with developers for projects in Rosebud and Glen Elk.
- Initiated the ARC Inspire Application with contact through the State Representative. LOI submitted and both projects were not within current priorities. Advised to reconsider and pursue other funding streams.
- Continued development of several projects to support revitalization of downtown and further community support initiatives.

Meetings & Updates

- MOU with Head Start signed for partnering on redevelopment project and community engagement initiatives. Working with Headstart regarding funding for projects.
- Worked with Parks to develop "Christmas Walk" initiative and funding requests.
- Attended training sponsored by HCEDC for Brownfield projects. Attended HCEDC Brownfield Steering Committee meeting.

- Met with Pierpont and provided MOU for internships and projects for growth of initiatives within Clarksburg.- Will provide copy to council upon receipt.
- Met with History Museum to support funding opportunities and continued partnerships for the advancement of historic redevelopment/revitalization funding.
- Continuing to identify needs lists from each department to provide ongoing support.
- Notified that Foundant was retiring services for grant management software in January 2026. Will utilize all aspects of service until then. Will continue to work to identify reasonably priced software for grant continuity.
- Met with marketing and website design companies for redevelopment of City website and marketing efforts.
- Developing drafts of Community Engagement Plan, Beautification Plan, Social Services Plan, and Cultural and Arts Designations.

Imminent

- Updates for Council regarding awards and funding.
- Continue working to identify funding and to support active projects.
- Continue working with community to engage and support community initiatives.
- Continue to support Department Directors in funding identification, requests, and management of funding projects.
- Continue to support the advancement of City of Clarksburg's growth and development.

CDS List for 2026 Requests

350k for Park upgrades- Kayak launch, ADA upgrades, and exercise area

350k for Police Range Training Center and Upgrades

350k for Public Works equipment, vehicles, and pole building

250k for City of Clarksburg - Hx Museum renovation updates

500k for City of Clarksburg- Waldomore ADA upgrades

1.5M for City of Clarksburg -Smart City, Parking Garage Renovations, updates to City Hall HVAC, and Solar Installation

250k for City of Clarksburg – Tourism and Economic Development Program to establish Candy Cane Lane on Emily Drive, VA Park, Nutter Fort Park, and through the City

250k for Fire Department Equipment, gear, training, and wellness program

200k for RG – Emergency Shelter Designation and Equipment

Foundation and Grant Request Efforts

Memorial Statues

Code Training and Equipment

Arts and Cultural District

Beautification Efforts

Historic Building Restoration and Revitalization

Healthy Community Initiatives
Resource Hub
Community Development Initiatives and Projects
Fire- Training and Equipment
Police- Training and Equipment
RG- Programming
Parks- Upgrades/Programming
City- HVAC Upgrades
PW- Vehicles, Parking garage and Equipment

Planning Report

Current Initiatives and Directive Updates

- Met with developers to discuss Glen Elk project.
- Met with developers for two vacant buildings in downtown for potential redevelopment.
- Met with WV Army Corp of Engineers regarding slip project.
- Supported redevelopment project title search/deed issues with State Fire Marshall's office to gain a release for deed hinderances.
- Coordinated environmental testing with Stantek.
- Met with building developer pursuing project for multi unit housing in Glen elk.
- Supported local business to address multiple concerns regarding funding, parking, and noise issues.
- Provided developers zoning and planning information for redevelopment project in progress in Glen Elk.
- Supported efforts with delinquency issues in registration of two businesses in downtown with liens.
- Continued to verify active businesses in Clarksburg against list of all businesses registered through the WVSOS within Clarksburg in person.
- Continued to work with Community Development to support major historic redevelopment projects.
- Met with community, state, and federal POCs regarding funding and redevelopment project support.
- Provided guidance for redevelopment and business recruitment support for Director of Community Development for Rosebud Plaza.
- Addressed redevelopment and project inquiries for current funding process.
- Supported several meetings and business information requests.
- Working with developer regarding TIF district expansion and utilization.
- Supported Finance, Fire, and Community Development with CDS submission issues and narrative conflicts.

Imminent

- Continue to support the redevelopment of downtown.
- Continue working to identify and reconcile business registrations while supporting new business recruitment.

- Continue working with departments (i.e. Code, Community Development, Finance, etc.) to support redevelopment and revitalization initiatives.
- Continue to support the advancement of City of Clarksburg's growth and development.

Police Department

- New officer Christopher Hesson was sworn in on 03/03/25.
- New testing cycle for police department will start on 03/15/25
- Clarksburg Police Department responded to 1595 calls for service in the month of February 2025.
- Congratulations to Sgt. Justin Moore for receiving the Meritorious Service award, Patrolman Jaron Morris being named Officer of the Month for January 2025 and Patrolman First Class Brandon Kirkpatrick for receiving the Good Conduct award.

Public Works Department

- Repaired and ran camera on the new water line replacement on East Pike St.
- Numerous meetings with Thrasher over upcoming projects.
- Mine shaft sink hole on Paula Boulevard.
- Maintenance to lift stations.
- Responded to 23 sewer calls.
- 9 camera and line locations.
- Cleaned off drainage trough along Temple Terrace.
- Cleaned Ditch lines on Cabell Ave, and Winding Way.
- Purchased a new sanitary board dump truck for dig up crew.
- Purchased a trash pump to bypass manholes for sanitary department.
- Repaired manhole and 24in storm line on Barnes Ave.
- Replaced 692 Stealey Ave 4 in lateral.
- Replace 4 in. lateral at 127 Hall St.
- Tied storm line together at 1837 N. 22nd St.
- Cleaned the main sewer line on Traction.
- Repaired lateral on Trader's Alley that caused sink hole.
- Stoneybrooke Road ran camera in storm line.
- Responded to 9 Nov's.
- Secured 6 vacant properties.
- Compost Site is closed, doing winter screening, turning of rows, equipment maintenance.
- Sold 0 pounds of processed compost.
- Picked up 1300 pounds of yard waste from residents.
- Received/processed 5700 pounds of wood waste.
- Snow on February 12th, February 17th, and February 21st.
- Cleaned and washed/maintenance to salt trucks after storms.
- Cleaned around City Hall and surrounding sidewalks from cinders and debris.
- Ran sweeper when the weather permitted.
- Cold patching potholes in neighborhoods when weather permitted.

- Picked up broken areas of blacktop in Adamston area.
- Blacktop hot mix plant will begin running on March 3rd.
- Started painting Public Works garage and light maintenance.
- Spring clean up will be the week of March 24, March 31, and April 7, 2025.
- Removed a fallen tree on Liberty Ave that fell against guard rail.
- Cut back a fallen tree on Lowndes Hill from roadway.
- Cleaned downtown area sidewalks that city is responsible for from cinders and salt.
- Replaced 8 LED bulbs on streetlights around downtown area.
- Replace a hit streetlight pole at 4th and Clark.
- Took down a hit light pole for repairs at Jackson Square entrance on West Pike St.
- Replaced 2 burnt out LED lights on traffic signals.
- Hooked up generators for planned power outages.
- Installed new sign at W. Pike St / N 28th St.
- Sign maintenance in Hartland area neighborhood.
- Answered 14 after hours pages.
- Continued working on budget for the upcoming fiscal year.
- Tracks at Life Science Center have been repaired.
- Took in over 1,349 phone calls

Robinson Grand Performing Arts

- March 1. WV Southern Baptist Youth Conference
- March 7. Almost Queen Concert
- March 8 & 9. Extreme Talent Showcase Dance Competition
- March 10, 11, & 12. High School Musical Rehearsals
- March 13 & 14. High School Musical School Performances
- March 14, 15, & 16. High School Musical Public Performances
- March 20. Jordan Feliz Concert
- March 21 & 22. WV Comedy Festival
- March 23. Best of Harrison Awards
- March 28. School tour and movie
- March 29. The Lettermen Concert
- March 30. Ernie Haus Concert

More info and tickets at: therobinsongrand.com

Wastewater Treatment Plant

- We treated approximately 321 million Gallons of wastewater for the month of January. We took in an additional 190,505 gallons of septage. Generated Revenue from all sources \$30,629.15. No Violations to report for the month of February.
- Working on 25-25 Sanitary Board Budget.
- NPDES Permit 5-year Renewal Application is still under review with the DEP. Currently under its 2nd review.

- ERA Testing is taking place in our Lab.
- Remind the Public to please not flush baby wipes or flushable wipes down the drains. They do not dissolve and can cause blockages in the Sewer line as well as damage to Pumps.

In conjunction with the City Manager's Report, Mayor Malfregeot suggested that the Clarksburg Amphitheater be named "John Cooper Amphitheater" (not just the stage) in recognition of the late Park Board Superintendent.

7) City Clerk's Information:

- a) Zoning form in connection with an Application to Operate a WVABCA Licensed Class B Establishment filed by Jam Son, LLC dba Clarksburg Price Cutter, 1724 Adams Avenue – returned to applicant on February 21, 2025

8) Unfinished Business:

- a) **Consideration of Second and Final Reading and Public Hearing of an Ordinance Entering into Encroachment Agreement with Central Holdings, L.L.C. Regarding Baltimore Street**

City Clerk Wright announced that notices regarding the public hearing appeared in *The Exponent Telegram* on February 25, 2025 and March 4, 2025. With Mayor Malfregeot declaring the public hearing open and no one appearing therefor, the public hearing was closed.

Motion By: Councilmember Hyman

Seconded By: Councilmember Worth

For approval of the above-captioned ordinance on second and final reading. **Motion Approved Unanimously.**

9) New Business:

- a) **Consideration of First Reading of an Ordinance of the City of Clarksburg to Amend Sections 745.06, 745.13, 745.16, 745.20 and 745.23 of the Business & Taxation Section of the Codified Ordinances**

Motion By: Councilmember Worth

Seconded By: Vice Mayor Riffle

For approval of the above-captioned ordinance on first reading. Discussion was held concerning this ordinance that would allow others (in addition to the Finance Director) to help with collections. **Motion Approved Unanimously.**

b) **Consideration of First Reading of an Ordinance Amending Sections 1730.02 and 1730.07 of the Vacant Building Registration Program**

Motion By: Vice Mayor Riffle
Seconded By: Councilmember Jackson

For approval of the above-captioned ordinance on first reading. City Manager Fell informed that this ordinance is an incentive to fix or sale the property rather than allow the same to remain vacant. City Attorney Marsh explained the ordinance with Councilmember Deems inquiring as to the number of properties currently on this list. City Manager Fell informed that she would provide this information to Council, as well as the money it generates. **Motion Approved Unanimously.**

c) **Consideration of First Reading of an Ordinance Amending Section 1707.09 to Modify Requirements for Resurfacing of Excavation of City Streets**

Motion By: Councilmember Hyman
Seconded By: Vice Mayor Riffle

For approval of the above-captioned ordinance on first reading. City Manager Fell explained that the ordinance is being amended wherein 20% rather than the now 30% of the cut or excavated street is impacted must be resurfaced, including milling, etc. Concluding discussion, **Motion Approved Unanimously.**

d) **Consideration of a Resolution of the City of Clarksburg, West Virginia, Approving Parking Authority of the City of Clarksburg's Contract with Parkeon, Inc. and to Secure Taxable Financing**

Motion By: Vice Mayor Riffle
Seconded By: Councilmember Worth

For adoption of the above-captioned resolution. City Manager Fell informed that most of the pay stations at Jackson Square are not working and the proposed new pay stations will accept coins, app or card. Further, City Manager Fell apprised of the option to

purchase a fifth pay station for the County's parking lot should they wish to do so with the County paying their portion therefor. **Motion Approved Unanimously.**

10) Council Comments:

Council Member Deems concurred with Mayor Malfregeot regarding the naming of the amphitheater in recognition and appreciation of the late John Cooper. Councilmember Jackson congratulated the WI Middle School Boys Basketball Team. Councilmember Worth extended his condolences to Mayor Malfregeot and his wife, Brenda, upon the passing of his mother-in-law, recognized the Finance Department for the hard work on the budget, noted the new fire truck that arrived and inquired about the gas explosion on Kramer Drive. City Manager Fell informed that the gas company is still working on their inspection and once completed, she would ask a representative from the company to speak to Council. Vice Mayor Riffle expressed condolences to Steve Menendez' family upon his passing. Mayor Malfregeot reminded all that if they see something to say something and commended Councilmember Worth for his clean-up efforts in the southern part of the state. City Manager Fell expressed appreciation to Vice Mayor Riffle for his support of our youth by spearheading and coaching Jerry West Basketball.

There being no further business to come before Council, **Motion** by Councilmember Hyman, **Seconded** by Councilmember Worth and **Approved Unanimously** for adjournment.

James L. Malfregeot, Mayor

APPROVED: March 20, 2025

Annette Wright, City Clerk

Zoning Form

(Original copy must be submitted to the WVABCA Licensing Department)

Note: If an establishment's location is not situated within a municipality, this office will need a letter from the County Commission stating that the establishment location is zoned properly. All applicants must complete the obverse (front) portion of the form.

To: Municipal Clerk or Recorder

Under the requirements set forth in 60-7-4a and/or 11-16-8(a)(5) of the W. Va. State Code, a person intending to apply for a license to operate an ABCA licensed Private Club, Private Wine Restaurant or Tavern at any location within a municipality **must file a notice of such intention with the Clerk or Recorder of such municipality at least ten (10) days prior** to filing an application for such license with the Alcohol Beverage Control Administration. Pursuant to this requirement, **notice** is herein given that the following intends to apply to the WVABCA for a license to operate a Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern issued pursuant to the provisions of §§ Chapter 60, Article 7 and Article 8 and/or Chapter 11, Article 16 of the W.Va. State Code.

Entity Name: Clarksburg City Parks

DBA (Doing Business As): Clarksburg Splash Zone

Address of Establishment: WV Rt. 98 Veterans Park Clarksburg WV 26301
(Street/Route) (City) (State) (Zip Code)

Applicant's Name(s): Joseph Murde A Joseph A
(Last) (First) (Middle)
(Last) (First) (Middle)

General Description of Premises: recreational facility. Beverages to be served inside recreation room and consumed there and outside mini golf

Food Services to be Offered: Yes. Concessions, hot and cold

Patron Capacity: 75

This Notice has been filed with the Clerk or Recorder of the City/Town of

_____ on this _____ day of _____.

Applicant's Signature(s): [Signature] Date: 3/10/2025
Date: _____

(FOR USE BY MUNICIPAL AUTHORITIES ONLY)

Is the proposed location for the Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern described consistent with the zoning ordinances or your Municipality as either a permitted use or a conditional use of such premises?

Yes No

If the answer to the first question was "no," does your Municipality provide within its business zones suitable alternative locations for Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern?

Yes No

Is the proposed location for the Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern herein described situated in an area designated for the use of community development block grant funds in the municipality?

Yes No

If yes, is the planned use of the premises at the location herein described consistent with any plan adopted by the governing body of the municipality for revitalization of the area wherein the premises are situated?

Yes No

Does the municipality have any restrictions or regulations prohibiting Limited Video Lottery?

Yes No

Does the municipality have any restrictions or regulations prohibiting Exotic Dancing establishments?

Yes No

Additional comments to the Alcohol Beverage Control Administration:



Approved By: Authorized Official Signature and Title

CITY OF CLARKSBURG

City/Town

Date: **3/12/2025**

Return Original To: WVABCA
Licensing Division
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

ORDINANCE OF THE CITY OF CLARKSBURG TO
AMEND SECTIONS 745.06; 745.13; 745.16; 745.17; 745.20; AND 745.23 OF THE
BUSINESS & TAXATION SECTION OF THE CODIFIED ORDINANCES

WHEREAS, Article 745 of the Codified Ordinances provides for the assessment of business and occupation taxes and collection thereof;

WHEREAS, the collection of such business and occupation taxes is currently vested in the City's Finance Director;

WHEREAS, Council seeks to vest authority in the City Manager and Chief of Police, in addition to the Finance Director, to seek the collection of past due or unfiled business and occupation taxes; and

WHEREAS, to accomplish this, Council seeks to amend Sections 745.06; 745.13; 745.16; 745.17; 745.20; and 745.23 of the Codified Ordinances.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF CLARKSBURG, WEST VIRGINIA, AS FOLLOWS:

THEREFORE, BE IT RESOLVED that Section Sections 745.06; 745.13; 745.16; 745.17; 745.20; and 745.23 of the Codified Ordinances are hereby amended as follows:

745.06 FAILURE TO MAKE RETURN; INCOMPLETE OR ERRONEOUS RETURN.

If any person fails to file any return required by this article at the time required by law or by regulation made under authority of law, or makes and files willfully or otherwise, a false or fraudulent return, the Director of Finance may proceed to make such return from any information available to him whether obtained through testimony or otherwise. The Director of Finance or ~~his~~ such Director's delegate, the Chief of Police, and the City Manager or such Manager's delegate, shall have the power to issue subpoenas and subpoenas duces tecum as permitted in West Virginia Code 11-10-5b and therefore may make examinations of the books, records and papers and audit the accounts of any such person, including bank accounts, and may take the evidence, on oath, of any person who ~~he~~ the City's agent may believe is in possession of any relevant information. As soon as possible after procuring such information as ~~he~~ the City may be able to obtain as to any person making an incomplete or incorrect return, or failing or refusing to make a return, the Director of Finance shall proceed to assess the tax and shall notify the person assessed of the amount of the tax. The assessment of the tax by the Director of Finance shall be final as to any person who refused to make a return.

745.13 LIEN FOR UNPAID TAX; DEFAULT.

Any tax, additions to tax, penalties and interest due and payable under this article plus an amount equal to any costs actually expended by the City to collect any such amounts, including, but not limited to, postage, filing and recordation fees, shall be a debt due the City, and shall be a personal obligation of the taxpayer and shall be a lien on the real and personal obligation of the taxpayer. The lien shall be enforced as provided in West Virginia Code 11-10-12, including by foreclosure.

745.16 COLLECTION BY SUIT.

The Director of Finance or such Director's delegate; the Chief of Police; or the City Manager or such Manager's delegate, ^{may} ~~may by himself or a duly appointed agent~~, collect taxes due and unpaid under this article, together with all accrued penalties, and for such purpose may exercise all the power authorized for the collection of taxes under the Charter, this Part Seven -

Business and Taxation Code, other ordinances of the City and the laws of the State. In any proceeding under this section should the City be granted judgment or decree the City shall be awarded its costs expended in connection therewith, including, but not limited to, postage costs, and fees paid to the Circuit Court or County Clerk and other incidental expenses.

745.17 SETTLEMENT AGREEMENTS AND COMPROMISES.

The Director of Finance or the City Manager or such Manager's designee is authorized to enter into an agreement in writing with any person relating to the liability of such person in respect of any tax administered by the Director of Finance under this article, for any taxable period. The Director of Finance is authorized to compromise or settle any tax due and owing the City in an amount less than or equal to \$10,000. For taxes in an amount over \$10,000, approval of any settlement or compromise must be obtained from the City Manager.

745.20 COLLECTION BY DISTRAINT.

The Director of Finance or such Director's delegate; the Chief of Police; or the City Manager or such Manager's delegate may distrain upon any goods, chattels or intangibles represented by negotiable evidences of indebtedness of any taxpayer delinquent under this article for the amount of all taxes and penalties accrued and unpaid hereunder.

745.23 ADMINISTRATION OF ARTICLE.

The administration of this article is vested in and shall be exercised by the Director of Finance who shall prescribe forms and reasonable rules or procedure in conformity with this article for the making of returns and for the ascertainment, assessment and collection of the taxes imposed hereunder. Without limiting the generality of the foregoing and notwithstanding any provision herein to the contrary, the Director of Finance may execute and deliver binding agreements with other municipalities to carry out the provisions of this article respecting cooperation and tax administration, including without limitation sourcing of gross income for municipal business and occupation tax purposes and may execute and deliver binding agreements with the West Virginia State Tax Commissioner respecting the exchange of taxpayer information. The Director of Finance may request any municipal officer to assist in enforcing the provisions of this as provided in West Virginia Code §11-10-5i. The enforcement of any provision of this article in any court of the State shall be under the exclusive jurisdiction of the Director of Finance or such Director's delegate or the City Manager or such Manager's delegate, who shall require the assistance of and act through the City Attorney.

This Ordinance shall be effective upon passage.

PASSED by Council of the City of Clarksburg on **FIRST READING** on this 6th day of March 2025.

PASSED by Council of the City of Clarksburg on **SECOND AND FINAL READING**, following a public hearing, on this 20th day of March 2025.

MAYOR JAMES MALFREGEOT

ATTEST:

ANNETTE WRIGHT
CITY CLERK

APPROVED AS TO FORM BY:

RICHARD R. MARSH
CITY ATTORNEY

TO BE PUBLISHED AS A CLASS II LEGAL ADVERTISEMENT (ONCE A WEEK FOR TWO SUCCESSIVE WEEKS) IN THE CLARKSBURG EXPONENT/TELEGRAM:

**PLEASE PUBLISH ON TUESDAY, MARCH 11, 2025
AND ON TUESDAY, MARCH 18, 2025**

PUBLIC HEARING

A PUBLIC HEARING WILL BE HELD PRIOR TO FINAL VOTE ON ADOPTION OF THE FOLLOWING ORDINANCE DURING A REGULAR MEETING OF COUNCIL OF THE CITY OF CLARKSBURG, TO BE HELD ON THURSDAY, MARCH 20, 2025 AT 6:00 P.M. AT THE CLARKSBURG MUNICIPAL BUILDING, 222 WEST MAIN STREET, CLARKSBURG, AT WHICH TIME ANY INTERESTED PARTIES MAY APPEAR AT SAID MEETING AND BE HEARD WITH RESPECT TO THIS PROPOSED ORDINANCE. COPIES OF THIS PROPOSED ORDINANCE ARE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CITY CLERK AT SAID MUNICIPAL BUILDING DURING REGULAR BUSINESS HOURS.

AN ORDINANCE OF THE CITY OF CLARKSBURG TO AMEND SECTIONS 745.06, 745.13, 745.16, 745.17, 745.20 AND 745.23 OF THE BUSINESS & TAXATION SECTION OF THE CODIFIED ORDINANCES

PASSED BY THE CITY COUNCIL OF THE CITY OF CLARKSBURG ON FIRST READING ON THE 6th DAY OF MARCH, 2025.

JAMES L. MALFREGEOT, MAYOR

ATTEST: ANNETTE M. WRIGHT, CITY CLERK

AN ORDINANCE AMENDING SECTIONS 1730.02 AND 1730.07 OF THE VACANT BUILDING REGISTRATION PROGRAM

WHEREAS, vacant buildings pose a danger to health, create increased risks of fire; and lower property values;

WHEREAS, the City of Clarksburg currently has an ordinance requiring the registration of vacant buildings within its municipal limits; and

WHEREAS, the City of Clarksburg desires to provide for automatic registration of such vacant buildings and increase the fees associated with the vacant property registration;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF CLARKSBURG, WEST VIRGINIA, AS FOLLOWS:

Sections 1730.02 and 1730.07 of the Codified Ordinances of the City of Clarksburg be and is hereby amended as follows:

1730.02 DEFINITIONS.

A new subsection (a) is hereby created as follows:

(a) Abandoned building: Any structure on a parcel of real property which (i) has been a vacant structure for more than 90 days, and (ii) is the subject of an order issued by the municipal court for a building or zoning violation which has not been remedied for at least 30 days.

Section 1730.02 is further renumbered to provide for the addition of the new subsection (a). Other than renumbering, all other subsections remain the same.

Section 1730.07 REGISTRATION GENERALLY.

Section 1730.07(a) shall remain unchanged.

A new Section 1730.07(b) is hereby created and current Section 1730.07(b) is modified as follows:

(b) Registration by City Manager. When the City Manager has reason to believe that a structure is a vacant structure and that the owner has failed to

register in compliance with this article, the City Manager may post a notice on the subject structure indicating that the City Manager has reason to believe that the building is a vacant structure and directing the owner to either (i) register the structure in accordance with the provisions of this article or (ii) provide the City Manager with evidence demonstrating that building is not a vacant structure as defined by this article. In addition to posting the aforementioned notice on the suspected vacant structure itself, the City Manager shall, via registered mail or via regular mail if registered mail is unsuccessful, send a copy of the same notice to the record owner of the property according the tax or other public records maintained by the assessor or sheriff of Harrison County. If, within 30 days of posting and mailing, the owner has neither registered the property in the vacant property registration created by this article nor demonstrated to the satisfaction of the City Manager that the property is not a vacant structure, then the City Manager shall add the structure to the vacant property registry using the information of record in the office of the assessor or sheriff of Harrison County. For this section, the City Manager may at any time designate one or more City officials to undertake these acts, including, but not limited to, City Engineer, City Attorney, Chief of Police, or Community Planning and Admin. Project Manager, or such officials may act in the City Manager's stead.

(c) Registration Statement and Fees; Local Agent. If none of the persons listed, as above, is shown at an address within the State, the registration statement also shall provide the name and address of a person who resides within the State and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements as herein authorized and in connection herewith. Registration shall be required for all vacant buildings, whether vacant and secure, vacant and open or vacant and boarded, and shall be required whenever any building has remained vacant for 90 consecutive days or more. In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner, agent or responsible party for compliance with any other building code or housing code requirement. One registration statement may be filed to include all vacant buildings of the owner so registering, but each structure constitutes a separate fee. The owner of the vacant property as of the last day of the month when the property has been registered of each calendar year shall be responsible for the payment of the non-refundable registration fee. Said fee shall be billed by the City; and based on the duration of the vacancy as determined by the following scale:

- (1) A \$250.00 fee, plus any costs for service of process, for a vacant structure that is placed on the vacant property registry;
- (2) A \$500.00 fee, plus any costs for service of process, for a vacant structure that is an abandoned building and is placed on the vacant property registry;
- (3) A \$750.00 fee, plus any costs for service of process, for a vacant structure that is open and is placed on the vacant property registry;
- (4) A \$1,000.00 fee, plus any costs for service of process, for a vacant structure or abandoned building that is open and has been on the vacant property registry for more than six consecutive full months;
- (5) A \$1,000.00 fee, plus any costs for service of process, for a vacant structure or abandoned building that is on the vacant property registry for 12 consecutive full months; and
- (6) An additional \$20.00 fee for each consecutive day that a vacant structure or abandoned building remains on the vacant property registry beyond twelve consecutive months.

For any properties not currently on the vacant property registration, such fee schedule beings on the effective date of this ordinance. For any properties currently on the vacant property registration, such properties shall have their annual renewal at the fee set forth herein; provided that if such annual renewal is within 120 after the effective date of this ordinance, then such annual renewal shall be at the previous rate.

Any transfer of a property on the vacant property registration does not reset the time period of vacancy and such vacancy period shall continue to be calculated based upon the initial determination of vacancy date.

This ordinance shall be effective immediately upon passage by City Council.

Passed by the Council of the City of Clarksburg on the FIRST READING on the 6th day of March, 2025.

Passed by the Council of the City of Clarksburg on the SECOND AND FINAL READING on the 20th day of March, 2025.

MAYOR JAMES Malfregeot

ATTEST:

ANNETTE WRIGHT
CITY CLERK

APPROVED AS TO FORM BY:

RICHARD R. MARSH
CITY ATTORNEY

MEMORANDUM

To: Council
From: Manager
Date: March 3, 2025
Subj: Amendment of Vacant Property Ordinance

We are seeking to add automatic registration via the City Manager or her designee and significantly increase the fees for vacant structures. The changes are modeled after Charleston's ordinance.

First, we are adding a definition for abandoned buildings. An abandoned building is vacant for 90 days and has an unremedied building violation.

Second, we are providing a mechanism to add properties to the registry without owner involvement. Essentially, if we believe that a structure is vacant, then notice is given to the owner to either register it or provide evidence as to why it is not vacant. If this is not done within 30 days of notice, then the property can be added to the registry.

Third, we are significantly increasing the fees. The initial fee is \$250 to \$750, depending on whether the property is vacant, abandoned, or open. Vacancy occurs in 90 days. This increases to \$1000 for open properties that have been on the registry for 6 months or more. And it increases to \$1000 for other properties that are on the registry for 12 consecutive months. Finally, after 12 months, the fee increases to \$20 a day.

We also clarify that the timeframe does not restart if the property changes hands. If the property is conveyed, the new owner is stuck with the same calculation of vacant days. This encourages anyone to meet with the City before taking the property to seek a resolution.

There are still exceptions to the rule, including buildings that have been vacant for less than 2 years and have valid building permits. Further, any building that has good cause as to why it has been vacant.

Regarding the fees, if the property is not currently on the vacant property list, then these new fees begin immediately. If the property is already on the vacant property list, then the new fees start at their next annual renewal, unless that renewal is within 120 days after the ordinance. That means that anyone that is currently on the vacant list has at least 120 days (and up to a year) to resolve the vacancy issue.

TO BE PUBLISHED AS A CLASS II LEGAL ADVERTISEMENT (ONCE A WEEK FOR TWO SUCCESSIVE WEEKS) IN THE CLARKSBURG EXPONENT/TELEGRAM:

**PLEASE PUBLISH ON TUESDAY, MARCH 11, 2025
AND ON TUESDAY, MARCH 18, 2025**

PUBLIC HEARING

A PUBLIC HEARING WILL BE HELD PRIOR TO FINAL VOTE ON ADOPTION OF THE FOLLOWING ORDINANCE DURING A REGULAR MEETING OF COUNCIL OF THE CITY OF CLARKSBURG, TO BE HELD ON THURSDAY, MARCH 20, 2025 AT 6:00 P.M. AT THE CLARKSBURG MUNICIPAL BUILDING, 222 WEST MAIN STREET, CLARKSBURG, AT WHICH TIME ANY INTERESTED PARTIES MAY APPEAR AT SAID MEETING AND BE HEARD WITH RESPECT TO THIS PROPOSED ORDINANCE. COPIES OF THIS PROPOSED ORDINANCE ARE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CITY CLERK AT SAID MUNICIPAL BUILDING DURING REGULAR BUSINESS HOURS.

**AN ORDINANCE AMENDING SECTIONS 1730.02 AND 1730.07 OF THE
VACANT BUILDING REGISTRATION PROGRAM**

PASSED BY THE CITY COUNCIL OF THE CITY OF CLARKSBURG ON FIRST READING ON THE 6th DAY OF MARCH, 2025.

JAMES L. MALFREGEOT, MAYOR

ATTEST: ANNETTE M. WRIGHT, CITY CLERK

**AN ORDINANCE AMENDING SECTION 1707.09 TO MODIFY REQUIREMENTS FOR
RESURFACING OF EXCAVATION OF CITY STREETS**

WHEREAS, the City of Clarksburg currently has ordinances regarding the cutting of pavement and excavation within the City's streets and sidewalks, as set forth in Article 1707.09;

WHEREAS, the City of Clarksburg desires to clarify the requirements for resurfacing of disturbed streets;

WHEREAS, the City of Clarksburg desires to more fully set forth the requirements for the resurfacing of the pavement cuts or excavations;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF CLARKSBURG, WEST VIRGINIA, AS FOLLOWS:

Section 1707.09 of the Codified Ordinances of the City of Clarksburg be and is hereby amended as follows:

1707.09 SPECIFICATIONS FOR RESURFACING.

Anyone issued a permit to occupy a street or sidewalk or an excavation and street cut permit shall adhere to the following specifications and requirements:

- (a) If more than 20% of the cut or excavated street is impacted by the cut or excavation, then the street shall be resurfaced, including milling from edge to edge at a minimum depth of 1 ½ inches;
- (b) If more than 20% of a cut or excavated lane of a street is impacted by the cut or excavation, then the lane of a street shall be resurfaced, including milling from edge to the center of the travelled way at a minimum depth of 1 ½ inches;
- (c) Paving will be block to block with "heel in joints or if a shorter section is done, "heel in" joints will be provided 10' beyond the disturbance on each end;
- (d) The disturbed section is calculated by the following:
 - a. Measuring the width of the street beginning at one end of the excavation, followed by the length of the excavation, thereby

allowing a total square footage area of the affected street to be determined via width of the street times the length of the excavation. The same measurement and calculation should be repeated for the lane.

- b. Measuring the width of the excavation at its widest point, followed by the length of the excavation, thereby allowing a total square footage area of the excavation to be determined via width of the excavation times the length of the excavation.
- c. The percentage of the affected area is then determined by the square footage of the excavation divided by the applicable square footage of the street and/or lane, multiplied by 100.

(e) All repairs (or parts thereof) shall be done in accordance with any further specifications adopted or required by the City Engineer or the Director of Public Works.

This ordinance shall be effective immediately upon passage by City Council.

Passed by the Council of the City of Clarksburg on the FIRST READING on the 6th day of March, 2025.

Passed by the Council of the City of Clarksburg on the SECOND AND FINAL READING on the 20th day of March, 2025.

MAYOR JAMES MALFREGEOT

ATTEST:

ANNETTE WRIGHT
CITY CLERK

APPROVED AS TO FORM BY:

RICHARD R. MARSH
CITY ATTORNEY

MEMORANDUM

To: Council
From: Manager
Date: March 3, 2025
Subj: Amendment of Section 1707.09

Article 1707.09 requires any person, corporation, unincorporated association or public utility to take fix the road if excavations or cuts are made.

Given the amount of utility work upcoming, our concern is that if streets are not properly resurfaced and merely patched, we are going to have flooding problems and add to our pothole issues.

Currently, resurfacing is required if 30% of more of the street or lane is impacted. We propose lowering that to 20%. Therefore, if 20% of a lane is impacted, then that lane must be resurfaced. If 20% of the street is impacted, then the entire street

Additionally, it is unclear from the current ordinance whether the street has to be milled. We are clarifying that requirement.

Finally, we are adding a section explaining how to measure whether 20% of the street/lane is disturbed by the excavation.

TO BE PUBLISHED AS A CLASS II LEGAL ADVERTISEMENT (ONCE A WEEK FOR TWO SUCCESSIVE WEEKS) IN THE CLARKSBURG EXPONENT/TELEGRAM:

**PLEASE PUBLISH ON TUESDAY, MARCH 11, 2025
AND ON TUESDAY, MARCH 18, 2025**

PUBLIC HEARING

A PUBLIC HEARING WILL BE HELD PRIOR TO FINAL VOTE ON ADOPTION OF THE FOLLOWING ORDINANCE DURING A REGULAR MEETING OF COUNCIL OF THE CITY OF CLARKSBURG, TO BE HELD ON THURSDAY, MARCH 20, 2025 AT 6:00 P.M. AT THE CLARKSBURG MUNICIPAL BUILDING, 222 WEST MAIN STREET, CLARKSBURG, AT WHICH TIME ANY INTERESTED PARTIES MAY APPEAR AT SAID MEETING AND BE HEARD WITH RESPECT TO THIS PROPOSED ORDINANCE. COPIES OF THIS PROPOSED ORDINANCE ARE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CITY CLERK AT SAID MUNICIPAL BUILDING DURING REGULAR BUSINESS HOURS.

AN ORDINANCE AMENDING SECTION 1707.09 TO MODIFY REQUIREMENTS FOR RESURFACING OF EXCAVATION OF CITY STREETS

PASSED BY THE CITY COUNCIL OF THE CITY OF CLARKSBURG ON FIRST READING ON THE 6th DAY OF MARCH, 2025.

JAMES L. MALFREGEOT, MAYOR

ATTEST: ANNETTE M. WRIGHT, CITY CLERK

**AN ORDINANCE TO APPROVE CURRENT
REPLACEMENT PAGES TO THE CODIFIED
ORDINANCES**

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSBURG:

Section 1. That the ordinances of the City of Clarksburg, West Virginia, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, chapters, articles and sections within the 2025 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. That the following sections and articles are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Part Three - Traffic Code

345.18 Special Restrictions on Lights. (Amended)

Part Five - General Offenses Code

501.08 Falsely Reporting an Emergency Incident. (Amended)
525.04 Tobacco Usage Restrictions. (Amended)
525.06 Smoking Prohibited in Motor Vehicle While Minor Present.
(Added)
533.01 Shoplifting. (Amended)

Section 3. Pursuant to West Virginia Code 8-11-4(b):

- (a) Notice of the proposed adoption of the current replacement pages to the City Code shall be given by publication as provided in West Virginia Code 8-11-4(a)(2);
- (b) Through authentication of this Ordinance the Mayor shall certify the current replacement pages to the City Code which shall be filed as a permanent record in the office of the City Clerk.

This Ordinance shall take effect immediately upon passage.

PASSED by Council of the City of Clarksburg, West Virginia, on FIRST READING this 20th day of March, 2025.

PASSED by the Council of the City of Clarksburg, West Virginia, on SECOND and FINAL READING this 3rd day of April, 2025.

James Malfregeot, Mayor

ATTEST:

Annette Wright, City Clerk

Approved as to Form:

Richard Marsh, City Attorney

A RESOLUTION OF THE CITY OF CLARKSBURG, WEST VIRGINIA, TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT REGARDING THE WALDO COMPLEX

WHEREAS, the Waldo Complex, also known as the Waldo Hotel, has been abandoned for over 25 years;

WHEREAS, the Waldo Complex, in its current condition, is not fit for habitation or other use;

WHEREAS, the City of Clarksburg has an opportunity to partner with an experienced developer to rehabilitate the Waldo Complex and bring it back into productive use;

WHEREAS, the citizens of the City will benefit from such project through the continued revitalization of the Clarksburg Downtown Historic District.

Based on the foregoing, the City Council of the City of Clarksburg hereby resolves the following:

THEREFORE, BE IT RESOLVED that Council agrees to enter into the Economic Development Agreement with AP Development LLC; AP Waldo LLC; and Legacy Communities, Inc. for the redevelopment of the Waldo Complex and hereby directs and authorizes the City Manager to enter into such agreement and make such non-monetary changes negotiations as she deems proper.

Effective Date: This Resolution shall be effective upon passage.

PASSED by Council of the City of Clarksburg on this 20th day of March 2025.

JAMES MALFREGEOT, Mayor

ATTEST:

ANNETTE M. WRIGHT
CITY CLERK

APPROVED AS TO FORM:

RICHARD R. MARSH
CITY ATTORNEY

RECEIVED BY CLERK: 3-20-25

SUBMITTED TO COUNCIL 1. 3-20-25
2. _____

(Do not write above dotted line)

APPOINTMENT DATA
BOARDS AND/OR COMMISSIONS
CITY OF CLARKSBURG, WEST VIRGINIA



NAME: Hattie Wright

EMAIL ADDRESS: hatterwright7@aol.com

HOME ADDRESS: 238 Ocala St. Clarksburg, WV 26301
(If P.O. Box Number, give street address also)

EMPLOYER NAME & ADDRESS: Ingalls + Snyder LLC
New York, NY

HOME PHONE #: _____ BUSINESS PHONE #: 212-269-6408

CELL PHONE #: 304-266-8776

POSITION: CENTRA (WV Transit Authority)
(Name of City Board/Commission/Authority)

WOULD YOU BE INTERESTED IN ANY OTHER BOARDS/COMMISSIONS? YES or NO

PRIOR SERVICE ON CITY BOARDS AND/OR COMMISSION? YES or NO

YEARS SERVICED: 1 year city council + < 1 yr - P+2.

QUALIFICATIONS: Registered Investment Advisor Rep., CFP,
Master's degree

EDUCATIONAL BACKGROUND: Bachelor of Science in Business Admin.
Major - Finance Minor - Economics
Master of Science - Financial Planning

I WILL SERVE IF APPOINTED: YES or NO

Hattie Wright
(SIGNATURE OF PROSPECTIVE APPOINTEE)

3/16/25
DATE

(APPROVED BY:) CITY MANAGER OR COUNCIL

DATE