

September 21, 2023

The Clarksburg City Council met in REGULAR SESSION on Thursday, September 21, 2023 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 Martin Howe
Councilmember Will Hyman
Councilmember Marc Jackson
Councilmember Wayne Worth
Councilmember Hattie Wright
Vice Mayor Jerry Riffle *(late arrival)*
Mayor Jim Malfregeot

ALSO PRESENT:

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

- 1) **Roll Call**
- 2) **Prayer & Pledge** – given by Councilmember Wright
- 3) **Approval of Minutes:**

Motion by Councilmember Hyman, **Seconded** by Councilmember Jackson for approval of the Regular Session meeting minutes of **September 7, 2023. Motion Approved Unanimously.**

- 4) **Petitions, Communications, and Public Hearings:**

Marla Ferree (Harrison County Chamber of Commerce) and Luis Ramirez (HCEDC) - appeared before Council to provide information and an invitation to attend "The Tank Entrepreneur Contest" on October 5, 2023 from 6 pm – 8 pm at Robinson Grand PAC. Ms. Ferree apprised that the winner will receive a \$25,000+ package with six (6) businesses in the competition for the grand prize. Mr. Ramirez informed of the "Fan's Choice" vote and referenced the QR Code on the provided pamphlet to vote.

Tommy Lopez 307 Spring Avenue – addressed Council again regarding his concerns on Spring Avenue stating that the work done did not comply with the blueprints, etc. and expressed his frustration concerning the same. Mr. Lopez also referenced the proposed school consolidations and the impact such would have on the City and encouraged Council to get involved and be engaged with the Board of Education.

Chris Lane – appeared before Council stating that at the last Council meeting, residents of his neighborhood spoke expressing concerns with his property and landscaping. Mr. Lane presented a plat and photographs (on screen) and noted the various properties that have landscaping in the right-of-way. Mr. Lane remarked that the codes should be enforced equally and remarked that he hoped the City would not discriminate due to his neighbors not being receptive of his landscaping. Mr. Lane also provided FOIA requests to the City Manager.

5) **City Manager's Report –**

**City Manager's Report
September 21, 2023
Submitted by Tiffany Fell**

City Parks

Splash Zone / Mini-Golf

- Small project works for pool for 2024 season. Upgrades, Inspection and repairs.
- Mini Golf project on hold until October mid month as it has been rented for an event. Shrub removal and golf surface will be replaced during a fall/winter project.

Veterans Park

- The 3-Phase electrical panel update – Final phase on hold until Connellsville hub can get a transformer ready for install. No timetable slated.
- Maintenance continues the upkeep of the parks, trails, pavilions, and the fields. And no major projects are currently happening.

Clarksburg City Park

- Frank Loria – Dugout pads will arrive before the end of the month for the fence railings. Storage room – Umpire Changing area building is ready and waiting for contractor to put on schedule. 2024 Spring bookings filling up for games, practices, and events.
- Indoor Facility – Plans for USA Boxing Event in February to showcase tri-state talent and bookings for Pony League/Salem/Area High School baseball is filling up fast for first quarter of 2024.
- Follow Up on flooding from a few weeks ago. Spoke with the state and they are going to review and assess what options are available to stop this from happening in the future.
- Maintenance continues the upkeep of the parks, trails, pavilions, and the fields.

Miscellaneous

- Concerts starting to look good for 2024 – Four concerts booked (3 Free) and one ticketed. Meeting with a couple booking agencies on representation for the AMP for 2024. Plans are for 10-12 ticketed events including festivals.

Code Enforcement

- 43 Building Periods Issued
- \$285,682.76 Total Job Cost
- \$ 4,100.00 Fees Collected
- 32 Notice of Violations
- 1 Citation
- 9 Reboard Work Orders Sent
- 7 CAD Complaint Checked
- 6 Rental Inspections
- 11 Construction Inspections
- 16 Door Hangers Left
- 9 Trash Can Hanger Left
- 5 Vehicles Tagged
- 9 Illegal Signs Pulled
- 10 Entry Letters
- 3 Right of Entry Letters (Judge)
- 26 New Complaints
- 41 Re-Inspections
- 21 Seeclifix Post
- 31 Work Orders Sent
- No Return Work Orders

Animal Control

- 62 Calls To Animal Control
- 27 Animals to HCAC
- 0 to VET
- 3 Traps

City Engineer

- Continued Work On Current City Projects
- All Condemned / Vacant Properties Checked By Inspectors
- Plan Reviews – 134 Emily Drive – Roof Top Improvements
- Wendy's - To Submit Renovation Plans – They Called This Week
- 181 Telephone Calls This Period

Economic Development

- Staff has virtually met with the ownership team of the Empire Bank and will be having in-person meetings the first week in October to discuss mixed-use development potential on-site.
- Staff attended the 2023 West Virginia Brownfields and Main Street Conference and met with WV ON TRAC Coordinator, Jennifer Brennan discussing Clarksburg's staff drafted application.

- The Urban Renewal Authority recently approved \$45,405.04 of grant award funding for six projects at their September 14th meeting. Façade improvement program funding for the remainder of the fiscal year is \$14,594.96.
- Current on-street parking systems and enforcement in other West Virginia, Maryland, Pennsylvania, Virginia municipalities have been compared to establish practical parking infraction fines.
- Staff participated in the most recent Clarksburg Uptown meeting and will be working with WYK Associates on finalizing 300-Block of West Main Street exterior festoon/Edison bulb lighting planning with the goal of installation this Fall.
- Staff will be meeting with the Harrison County Economic Development Corporation, West Virginia Municipal League, and WVU Land Use and Sustainable Development Law Clinic to review current and contemporary strategic development incentive programs available to the City of Clarksburg.

Finance Department

- 18 Structures were demolished in 2023.
- Grand Total of the asbestos & demolition costs is \$254,710.52.
- Total collected thus far is \$87,625.21 for 6 of the 18 structures. 34% of the costs have been recovered thus far.

Fire Department

- Chief Steve has retired as of Friday the 15th of September.
- The process of hiring a new firefighter to replace him and started.
- The Lieutenants and Captains have started the study periods for the test for the new positions of Captain and Chief.
- Both of the Departments' Ladder Trucks have passed the yearly inspections and are ready for another year of service to the citizens of Clarksburg.

Police Department

- The Police Dept. will be giving physical fitness tests on Sept 23rd and 30th at RCB High School and written tests on Oct. 21st at city hall. For information visit the City of Clarksburg website or Facebook page or Clarksburg Police Dept. Facebook page.
- On Saturday, Sept. 30th from 8:00 AM to 12:00 PM, The Clarksburg Childrens House 5K fundraiser will take place, Main Street and Pike Street will be closed from 6th Street to 3rd Street and 4th Street and 6th Street will be closed from Pike Street to Baltimore Av.

Public Works Department

- Replaced 20 feet of 4 inch sanitary sewer line at Adams Ave.
- Repaired sidewalk at 19th and Hamill.
- Replaced 400 feet of 24 inch Storm Water at Brickside.
- Replaced 1 Storm Drop Inlets.

- Set manhole at Brickside project.
- Replaced 12 feet on 4 inch sewer lateral on W. Pike St.
- Cleaned ditch lines out on Fairmont Ave.
- Maintenance to lift stations.
- Replaced DI on 20th and Hamill and line.
- Responded to 13 sewer calls.
- 8 camera and line locations
- Cleaned ditch lines at Winding Way, Junkins Ave, Cable Ave., and Baltimore Ave.
- Coordinated with Engineering on the repairs at Tolley Drive.
- Responded to 16 Nov's
- Boarded up 7 houses.
- Prepped , setup, and cleanup from Black Heritage festival
- Setup and clean up from a private event.
- Patched Streets thru out neighborhoods
- Weeded and maintenance to the Survivor Tree and Angle.
- Cut city grass thru out neighborhoods.
- Picked up 25,680 pounds of yard waste.
- Processed 53,700 pounds of yard waste at our compost center.
- Sold 15,600 pounds of compost.
- Repaired 2 traffic lights issues.
- Renewed yellow in Park Blvd. and Liberty Ave.
- Maintenance lights at Main St. at bust stop.
- Answered 7 after hours pages.
- Installed Pepperoni Roll 5k banners.
- Removed all flower pots in downtown area.
- Installed new mirror at YMCA exit.

Robinson Grand Performing Arts

- On September 18, the Robinson Grand received a gift of \$10,000 from BHE GT&S, a Berkshire Hathaway Energy Company.
- The Education Center recently received a makeover with new paint and carpet cleaning.
- The 5th anniversary of the reopening will take place o Oct. 20-22 with the following shows:
 - 10/20. Good Shot Judy Concert
 - 10/21. The 5th Anniversary Gala with Bob Thompson, Jeff Allen, The Diamonds
 - 10/22. An evening with Mark Lowry
- More information and tickets to all our events at therobinsongrand.com

Wastewater Treatment Plant

- Yearly Tank Inspections are almost complete.
- #2 Raw Pump VFD is still out for repair.

- Thicken Sludge Pump is in the process of being rebuilt, we are just waiting on a couple of parts.
- Congratulations to Daniel Brunn on obtaining his Class I Wastewater Certification.
- 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.

6) **Unfinished Business:** None.

7) **New Business:**

- a) **Motion By:** Councilmember Worth
Seconded By: Vice Mayor Riffle

For adoption of a Resolution of the City Council of the City of Clarksburg Authorizing Application of Grant Funds to the West Virginia Department of Transportation – West Virginia Division of Motor Vehicles for a 2024 Highway/Safety Grant in the Amount of \$407,560

Motion Approved Unanimously.

- b) **Motion By:** Councilmember Hyman
Seconded By: Vice Mayor Riffle

For adoption of a Resolution of the City of Clarksburg, West Virginia, Directing City Manager to Negotiate an Intergovernmental Agreement with the County Commission of Harrison County, West Virginia, and the Clarksburg Water Board Regarding Municipal and County Elections

Under discussion, City Attorney Marsh informed that this action gives the Manager the authority to discuss this in order to carry out the current language of the Charter. Further, the agreement would come back to Council for consideration.

Motion Approved Unanimously.

- c) **Motion By:** Councilmember Worth
Seconded By: Councilmember Howe

For adoption of a Resolution of the City Council of the City of Clarksburg to Provide Funding to the Clarksburg Water Board for the Chestnut Street Water Line Replacement Project

Motion Approved Unanimously.

- d) **Motion By:** Vice Mayor Riffle
Seconded By: Councilmember Hyman

To approve the observance of Trick-or-Treat on Tuesday, October 31st from 6:00 pm to 7:30 pm.

Motion Approved Unanimously.

8) Council Comments –

Councilmember Hyman suggested the possibility of a council member being a representative (non-voting) on the Water Board.

Councilmember Jackson commented on the consolidation of schools with Mayor Malfregeot excusing him at this time to attend the remainder of the School Board meeting.

Councilmember Wright apprised of the Region VI meeting she attended regarding FEMA updates commenting that the City needed to participate in this matter to ensure FEMA funding, if needed, with the deadline being October 31st.

Councilmember Howe remarked on the MS4 committee which was an unfunded mandate by the State and DEP which the City needed to take seriously. Further, Councilmember Howe commented on the proposed school consolidations and encouraged all to contact the School Board Superintendent as to the proposed plans, etc. Councilmember Howe expressed concerns with the budget and the use of the 1% sales tax to backfill the General Fund. Councilmember Howe requested a meeting with the Mayor and City Manager to discuss budget concerns, as well as positions created via past Council. Mayor Malfregeot apprised of the “See Something – Say Something” signs going up in the neighborhoods, commended the Police Department on a recent drug bust, announced the TIF proceeds received in the amount of \$211,745.55 and informed of the Fall Clean-Up taking place October 10 – October 27.

There being no further business to come before Council, **Motion** by Councilmember Hyman, **Seconded** by Councilmember Howe to adjourn the meeting. **Motion Approved Unanimously.**

James L. Malfregeot, Mayor

APPROVED: October 5, 2023

Annette Wright, City Clerk