

January 4, 2024

The Clarksburg City Council met in REGULAR SESSION on Thursday, January 4, 2024 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
Mayor Jim Malfregeot

ALSO PRESENT:

Tiffany Fell, City Manager
Annette Wright, City Clerk

- 1) **Roll Call**
- 2) **Prayer & Pledge** – given by Councilmember Hyman

(deviating from agenda)

- 4) **Presentation** – Attorney Rusty Webb – Opioid Settlement

Attorney Rusty Webb addressed Council concerning the opioid settlement and presented the City with a check in the amount of \$773,356.54 informing that this check was the first of 13 to be received with said funds to be used in the abatement of the opioid crisis.

Auditor J.B. McCuskey, also in attendance, apprised that his office is working with the Attorney General's Office on the use and tracking of the funds and informed that his office is available for information/questions.

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

Chris Lane – appeared before Council stating that he has yet to receive the information sought under his FOIA requests with City Manager Fell confirming that she would look into the same. Mr. Lane commented that he had concerns with the spending of the ARPA and CARE funds and he hoped that this series of funding for the opioid litigation would be handled appropriately.

(returning to order of agenda)

- 5) **City Manager's Report –**

**City Manager's Report
January 4, 2024
Submitted by Tiffany Fell**

City Parks

Splash Zone / Mini-Golf

Veterans Park

- Indoor Mini Golf facility project – cleaned / painted and prepped for spring
- Dump area improvements behind Amphitheatre. Added silt fencing and addition of socks to improve and support water flow run off

- Equipment both small engine and tractors for winter seasonal upkeep has started
- Routine maintenance trips for trash pick-up by staff
- Garbage Can replacement project – replacing all parks receptacles (50-gallon Drums) with new ones in City Color Blue

Clarksburg City Park

- Frank Loria Field Project – Continue to wait for FieldTurf repairs. Looking at Mid-Jan start
- Indoor Facility – booking continues into March now. The water tank was replaced last month (from the leak). Building rentals continue to fill up where almost to 100% capacity.
- Indoor Facility - waiting on a light replacement and two projects from Ventura brothers (gutter clean-up / and pully system for nets).
- Boxing Event (Feb 24) is going according to plan. Tickets and VIP tables are available now for purchase.

Miscellaneous

- Two new playgrounds have been purchased and delivery is expected for April 2024 with assemblage to follow. Parks in Adamston and Glen Elk will receive the new playgrounds.

Code Enforcement

- Building permits - 13
- Total Job Cost - \$188,401.88
- Fees Collected - \$2,475.48
- Notice of Violations - 25
- Citations - 0
- Condemnations - 2
- Municipal Court Cases - 0
- Demolition Orders - 0
- Structures Boarded or Secured - 7
- Cad Complaints - 10
- Residential Inspections - 7
- Commercial Inspection - 5
- Rental Inspections - 3

Animal Control

- 8 Calls referred to HCAC
- City Attorney working on new hire contract.

City Engineer

- Liberty Avenue Slip
- Milford Street Sewer / Drain Repairs
- Phase 5 Sanitary Sewer Project of LTFC
- 2024 Demolition Projects - List
- Brown Street Slip
- Winding Way Slip
- CD Landfill - Phase 4
- Other Public Issues - Johnny Workman

Other Code Enforcement Items

- All Vacant / Condemned Properties were checked - All areas.
- New Complaints - 14
- Follow-up Inspections - 22
- SeeClickfix Inspections - 10
- Tagged Vehicles - 3
- Illegal Signs Pulled - 3

- Entry Letters Issued - 7
- Yellow Courtesy Tags - 5
- MS4 Information – to Thrasher Group – Annual Report
- Kroger Pylon / Monument Sign - Plan Review
- Work orders Sent - 6
- Work orders Returned - 4
- Zoning Determinations – 5

Finance Department

- B&O Tax - \$124,966.96**
- Business Licenses - \$1,830**
- Citations - \$3,148.75**
- Grass & Weeds - \$500.00**
- Parking Tickets - \$615.00**
- Building Permits - \$10,999**
- Compost Fees - \$208.80**
- Vacant Property Registration - \$2,750**
- Fire Service Fees - \$76,272.74**
- Payment Agreements - \$423.15**
- Accident Reports - \$1,300**
- Demolition - \$15,528.53**

Fire Department

The Clarksburg Fire Department responded to 267 alarms during the month of December, 2023 which resulted in \$35,000.00 fire loss. A breakdown of the Statistics is as follows:

Residential Occupancy	2	\$35,000.00
Commercial Occupancy	0	\$0.00
Vehicle Fire	1	\$0.00
Vehicle Accidents	9	
Brush & Trash Fires	0	\$0.00
False Alarms	10	
Miscellaneous	77	
Medical Calls	167	
Mutual Aid Given	0	
Totals	266	\$0.00

REMINDER: SMOKE DETECTORS SAVE LIVES.....LEARN NOT TO BURN

Police Department

- Patrolman Jaron Morris will start the WV State Police on 01/15/24.
- 2 The Clarksburg Police Department responded to 1766 calls for service in the month of December 2023.
- In December 2023, Det/Lt. Richard White and Det/Sgt. Kevin Collins cleared with arrest, Breaking and Entering's to the Clarksburg Veterinary Office and two break ins to the WV Army National Guard building.

Public Works Department

- Installed 80 feet of 4inch sanitary sewer main Drumond Street
- Maintenance to lift stations.
- Responded to 12 sewer calls.
- 7 camera and line locations
- Cleaned Drop inlets in Broadway and Broadoaks.
- Responded to 5 Nov's
- Secured 3 vacant properties.
- Continuing the development of CD site #4
- Continued City Hall revamp project.
- Picked up 4960 pounds of yard waste.
- Processed 4960 pounds of yard waste at our compost center.

<ul style="list-style-type: none"> • Compost site annual report collect \$14,500.30 thru collection and sales • Repaired 1 traffic lights issues. • Continue working Hewes Ave. Parking facility upgrades. • surplus materials auction is now closed awaiting results • Answered 3 after hours pages.
<p>Robinson Grand Performing Arts</p> <p>2023 at the Robinson Grand</p> <ul style="list-style-type: none"> -3 full-time employees -18 part-time employees - A dedicated team of event volunteers -135 events -47,000 guests through the doors -\$700,000 in gross ticket sales -\$130,000 in gross concession sales -Planning for a bigger and better 2024 <p>For information about the events already scheduled for 2024 go to www.therobinsongrand.com</p>
<p>Wastewater Treatment Plant</p> <ul style="list-style-type: none"> • The Skimmer arm on Final #1 has dropped. We are currently draining the tank and preparing to repair the arm and get it back into service as quickly as we can. • Scada control is currently out on our Main Gate. Citco is supposed to be here this week to look at it. • <u>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.</u>

6) **Unfinished Business:** **None.**

7) **New Business:**

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

For approval on First Reading of an Ordinance of the City of Clarksburg, Providing for the Abandonment of an Unopened and Unimproved Alley Adjacent to Property Owned by George Isaac Brown and Nancy DeFrank Brown in the City of Clarksburg, Clark District, Harrison County, West Virginia Shown in 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 Quitclaim Deed Reserving therefrom Utility Right-of-Way

Motion Approved Unanimously.

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

For approval on First Reading of an Ordinance of the City of Clarksburg to Renew Cable Franchise with Spectrum Mid-America LLC

Under discussion, City Manager Fell informed that this is a renewal with a 15-year expiration date with Spectrum paying the City 5% of the gross proceeds under this non-exclusive agreement.

Motion Approved Unanimously.

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

To take off the table the Consideration of a Resolution of City Council of the City of Clarksburg, West Virginia Authorizing the Execution of a Grant Proposal through the Land and Water Conservation Fund and Designating Not More Than \$275,000 of ARPA Funds for the Proposed Splash Pad

Motion Approved Unanimously.

Motion By: Councilmember Hyman
Seconded By: Councilmember Wright

For adoption of a Resolution of City Council of the City of Clarksburg, West Virginia Authorizing the Execution of a Grant Proposal through the Land and Water Conservation Fund and Designating Not More Than \$275,000 of ARPA Funds for the Proposed Splash Pad

Motion Carried 4-3.

	FOR	AGAINST
Councilmember Howe		√
Councilmember Hyman	√	
Councilmember Jackson	√	
Councilmember Worth		√
Councilmember Wright	√	
Vice Mayor Riffle	√	
Mayor Malfregeot		√

8) **Council Comments** – Council thanked all for attending the meeting. Councilmember Jackson requested the discussion of a strategic plan to focus on the direction of the City. Councilmember Howe commented that he hoped that we could continue to look at other locations for the placement of a splash pad opining that the splash pad would be beneficial if placed downtown. Councilmember Worth remarked that he was not against the splash pad project; however, putting it in Nutter Fort does not help in revitalizing the downtown and city neighborhoods; therefore, he was opposed to the Nutter Fort location. Councilmember Wright expressed excitement with the splash pad project noting the number of children that would utilize the same. Councilmember Wright also reminded all of the First Fridays event tomorrow and encouraged support therefor. Mayor Malfregeot reminded all that if they see something to say something and expressed pride in this council for getting things accomplished without fighting.

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

 James L. Malfregeot, Mayor

APPROVED: January 18, 2024

 Annette Wright, City Clerk