

January 18, 2024

The Clarksburg City Council met in REGULAR SESSION on Thursday, January 18, 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
Richard Marsh, City Attorney
Annette Wright, City Clerk

1) **Roll Call**

2) **Prayer & Pledge** – given by Mayor Malfregeot

3) **Presentations –**

a) Officer Award(s) – Chief Kiddy presented Sergeant Justin Moore with a Medal of Valor and plaque for his heroic actions taken during a crime and subsequent car chase. Also, Sergeant Justin Moore was named “Officer of the Year” and presented with a certificate therefor.

b) “Stalking Awareness Month”

c) “Human Trafficking Prevention Month”

Proclamations in recognition of “Stalking Awareness Month” and “Human Trafficking Prevention Month” were presented to Amber Abbott with Hope, Inc. by Councilmembers Wright and Worth.

4) **Petitions, Communications, and Public Hearings:** - No one appearing therefor.

5) **Motion** by Councilmember Hyman, **Seconded** by Councilmember Howe for approval of the minutes of the Regular Session of Council held on December 21, 2023. **Motion Approved Unanimously.**

Motion by Councilmember Worth, **Seconded** by Vice Mayor Riffle for approval of the minutes of the Regular Session of Council held on January 4, 2024. **Motion Approved Unanimously.**

6) **City Manager's Report –**

**City Manager's Report
January 18, 2024
Submitted by Tiffany Fell**

City Parks

Splash Zone / Mini-Golf

Veterans Park

- ❖ Snow removal at facility including all parking areas at all locations.
- ❖ All major equipment maintenance upkeep (oil change, filters, etc).
- ❖ Gutter addition to upper shelter (Hilltop)

- ❖ Replace 6x6" posts on fireplace shelter (by pool)
- ❖ Cleanup from the flooding on the trail.

Clarksburg City Park

- ❖ Indoor Facility – replaced a light and installed a pully system for the netting and cleaned out the gutters surrounding the upper part of the building. The exhaust system for the facility – one of the fans needs attention – plans are to outsource the project as it is beyond maintenance abilities.
- ❖ Servicing mowers, trimmers, exhaust system with indoor facility.
- ❖ Loria Field – High winds caused the netting to fall on the first base side. Plans to have Ventura bros to reattach.
- ❖ Boxing Event (Feb 24) is going according to plan. Tickets and VIP tables are available now for purchase.

Miscellaneous

- ❖ Memorial Day Weekend – Plans are opening the pool, ribbon cutting of the pickleball project, two free concerts (JUMP – Friday 24 & Queen City Funk Sunday 26). Want to make it a huge event with the City Council, County Commission and Parks Board to be involved with the weekend schedule of events.
- ❖ Two ticketed events have been locked as contracts as signed and we are looking to releasing the bands on February 1st. Currently we have six events scheduled with another four that are under review.
- ❖ The hiring of all pool staff has begun for summer 2024 with lifeguards, maintenance, concessions and amp. Applications can be found on the website and Facebook page.

Code Enforcement

Building permits - 20

Total job cost - \$548,657.57

❖ Fees collected - \$6,841.00.

❖ Notice of violations - 20

❖ Citations - 6

❖ Condemnations - 2

❖ Municipal Court Case - 3 cases continued.

❖ Demolition orders - 0

❖ Structures boarded or secured - 13

❖ Cad complaints - 10

❖ Condemned / vacant properties - weekly checks completed.

❖ Residential new construction / repair - 7

❖ Commercial new construction / repair - 5

❖ Rental inspections - 6

Animal Control

- 7 Calls referred to HCAC

City Engineer

- Liberty Avenue Slip
- Milford Street Slip / Drain Repairs
- Phase 5 Sanitary Sewer Project od LTPC
- 2024 Demolition List - Properties under review
- Brown Street Slip
- Winding Way Slip
- CD Landfill - Phase 4
- New Dollar General Plan Review - Milford Street

<ul style="list-style-type: none"> • Other Public Issues - Johnny Workman <p>Other Code Enforcement Items</p> <ul style="list-style-type: none"> • New Complaints - 15 • Follow-up inspections - 24 • Seeclickfix inspections - 9 • Tagged vehicles - 10 • Entry Letters - 8 • Illegal signs removed - 5 • Assisted CPD to remove vagrants from 4 properties. • Plan Reviews - Milford Street - Dollar General Store, Kroger Pylon / Monument Sign review. • Bryan Reed working with the County to re-address 6 city properties. • Zoning determinations / Property information - 8 properties • 525 Stanley Avenue - Exterior property cleaned-up (by work order) Gordon Shoemaker • Planning and Zoning Maps / Ordinances - under review - WVU College of Law.
Finance Department
Fire Department
<ul style="list-style-type: none"> ❖ The Clarksburg Fire Department to date has answered 140 calls for service. ❖ The Fire Department has already completed over 200 man hours of training within the department within the first 16 days of the year. ❖ Firefighters from the Fire Department welcomed home Paul Rasmussen a long time 911 telecommunicator as he returned from a lengthy hospital and rehab stay. These firefighters lined the street and assisted Paul and his family in settling back into his residence. ❖ Captain Pat Sanjulian and firefighters from "C" shift assisted Johnny Workman and the Public Works Department to remove a dangerous piece of metal hanging over the side of the roof of the Waldo building during the recent snow event. ❖ The Fire Department reminds you to close your bedroom door at night. Doing this simple step could save your life in the event of a house fire.
Police Department
<ul style="list-style-type: none"> ❖ Congratulations to Patrolman Franklin Sprouse for being selected as December 2023 Officer of the Month. ❖ Patrolman Jaron Morris has started training at the WV State Police Academy on 01/15/24 with a graduation date of 04/27/24. ❖ Congratulations to Patrolman Michael Blankenship for his promotion to Patrolman First Class on 01/16/24.
Public Works Department
•
Robinson Grand Performing Arts
<p>During the first two weeks of January the Robinson Grand has made the following upgrades/improvements.</p> <ul style="list-style-type: none"> ▪ painted the lobby area ▪ cleaned the carpets in the performance hall -cleaned out ▪ reorganized the scene shop -made an upgrade to the stage lighting <ul style="list-style-type: none"> ❖ The stage rigging inspection that was scheduled for mid-January has been moved to mid-February.

<ul style="list-style-type: none"> ❖ Events will resume on January 20 with another "Born & Bred" Concert. ❖ A volunteer appreciation event will be held on January 21. We have a great team of volunteers and want to thank them for everything that they do. ❖ The Robinson Grand will host the WV Thespian Festival on January 27-28 ❖ There are 14 public events currently scheduled. Tickets for these events can be purchased at www.therobinsongrand.com
<p>Wastewater Treatment Plant</p> <ul style="list-style-type: none"> ❖ The Discharge Monitoring Report (DMR) was submitted for the Month of December 2023 with no violations to report. The process treated approximately 256 million gallons of wastewater. Received 124,050 gallons of Septage. Generated \$5,706.50 in Revenue from all Sources. ❖ The two new Raw Pump VFD are slated to be here today, January 17th. They will be installed as well. ❖ Scada control is still currently out on our Main Gate. Citco is scheduled to be here January 18th. ❖ The Sulfur Dioxide Scales have gone bad. Obtained 3 quotes and hopefully will see the new scale system in 3-4 Weeks. ❖ <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>

City Clerk's Information:

- a) Zoning form in connection with an application to operate an ABCA licensed private club, private wine restaurant or tavern filed by LaScala Restaurant Group, 336 E. Pike Street – returned to applicant on January 3, 2024

7) **Unfinished Business:**

With notices regarding the public hearing appearing in *The Exponent Telegram* on January 9, 2024 and January 16, 2024, Mayor Malfregeot declared the public hearing open with no one appearing therefor. Upon closing the public hearing,

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

For approval of Second and Final 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.

With notices regarding the public hearing appearing in *The Exponent Telegram* on January 9, 2024 and January 16, 2024, Mayor Malfregeot declared the public hearing open with no one appearing therefor. Upon closing the public hearing,

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

For approval of Second and Final Reading of an Ordinance of the City of Clarksburg to Renew Cable Franchise with Spectrum Mid-America LLC

Motion Approved Unanimously.

8) New Business:

- a) **Motion By:** Councilmember Hyman
Seconded By: Councilmember Wright

For approval on First Reading of an Ordinance of the City of Clarksburg to Rezone and Reclassify 849 Milford Street from R2 to B2

Motion Approved Unanimously.

- b) **Motion By:** Councilmember Worth
Seconded By: Councilmember Wright

For the purchase of 25 Verkada Outdoor Bullet Cameras and 5 Verkada Outdoor LPR cameras at a 65% discount off the retail price with a total sum of approximately \$91,000 utilizing Opioid Litigation Funds.

Discussion regarding the purchase of the cameras was held with Chief Kiddy answering various questions, as well as reference being made to the MOU regarding the use of the opioid funding.

Motion Carried 6-1.

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

9) Council Comments --

Councilmember Hyman expressed concern with the purchase of the cameras without a bidding process and that he would like to talk about the use of the opioid funding at a work session. Council congratulated Sgt. Moore on his achievements, thanked police, fire and public works for their work in the inclement weather and thanked everyone for attending the meeting. In closing, Mayor Malfregeot reminded all that if they see something to say something.

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: February 1, 2024

Annette Wright, City Clerk

ORDINANCE OF THE CITY OF CLARKSBURG TO REZONE AND RECLASSIFY 849
MILFORD STREET FROM R2 TO B2

WHEREAS, Jonathan Henry currently owns real property situate at 849
Milford Street, Clarksburg, West Virginia;

WHEREAS, such real property is identified on the tax maps as District 03 –
Clark-Clarksburg Corp., Map 0002, Parcel No. 201.

WHEREAS, such real property is currently zoned as R2.

WHEREAS, by letter dated November 7, 2023, Jonathan Henry requested
that such property be rezoned from R2 to B2 so as to allow for an automotive
repair business.

WHEREAS, on January 10, 2024, the Clarksburg Planning and Zoning
Commission held a public hearing on the request to rezone.

WHEREAS, at the January 10, 2024 meeting, the Planning and Zoning
Commission voted to recommend to Council to rezone the property as
requested.

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

THEREFORE, BE IT RESOLVED that the real property identified on the tax
maps as District 03 – Clark-Clarksburg Corp., Map 0002, Parcel No. 201 is hereby
rezoned as a “B2” classification.

This ordinance is effective immediately upon passage.

PASSED by Council of the City of Clarksburg on FIRST READING on this 18th
day of January 2024.

PASSED by Council of the City of Clarksburg on SECOND AND FINAL
READING, following a public hearing, on this 1st day of February 2024.

MAYOR JAMES MALFREGEOT

ATTEST:

ANNETTE M. WRIGHT
CITY CLERK

APPROVED AS TO FORM

RICHARD R. MARSH
CITY ATTORNEY