

SEPTEMBER 12, 2022

The Clarksburg City Council met in CONFERENCE (Work) SESSION on Thursday, September 12, 2022, at 5:30 PM at the Clarksburg Municipal Building - Council Chambers, 222 West Main Street, Clarksburg, West Virginia, with Mayor Marino presiding.

COUNCIL MEMBERS PRESENT:

Will Hyman
Gary Keith
Jim Malfregeot
Jerry Riffle
Wayne Worth

ALSO PRESENT:

Mark Kiddy, Interim City Manager
Richard Marsh, City Attorney
Annette Wright, City Clerk

COUNCIL MEMBER(S) ABSENT:

Vice Mayor Lillie Junkins
Mayor James Marino

With attendance taken upon arrival by the City Clerk, Council proceeded with the following:

1. Discussion regarding ARPA funding as it relates to Public Works, Waste Water Treatment Plant, Police Department, Fire Department and other City needs/programs and the allocation of those funds – Councilmember Hyman referenced the Interim City Manager’s outline of City needs with Interim City Manager Kiddy advising that the sewer line on Park Boulevard will cost approximately \$1.1 million to clean the line(s) (not to replace the line) and once cleaned the City’s vac truck should be able to maintain the lines. Mr. Kiddy stated that there are several bridges in need of attention including Dublin Bridge, which averages approximately 200 cars per day. Mr. Kiddy informed of the inspection report from the DOH identifying these bridges and the necessary repairs needed. Mr. Kiddy noted that we have applied for grants to help with the bridge repair costs; however, we will not hear anything about the grant until a later date. Mr. Kiddy opined that building up the Rainy Day Fund was necessary to address the City’s infrastructure needs and that also setting up a bridge maintenance escrow account would also help with bridge repair costs, etc. Mr. Kiddy informed of the situation on Liberty Avenue (on the Milford Street side) wherein the road is slipping into the West Fork River and informed of Mr. Brown’s discussions with the Corp of Engineers who indicated they would go 50/50 with the City on this project.

With regard to the dam, Water Board General Manager Jason Myers informed that the Water Board was receptive to a partial removal but not the complete removal of said dam. Mr. Myers invited all to the Water Board meeting on September 13th at 3:00 p.m. wherein the topic of discussion will be the dam.

Continuing with the City’s needs, Mr. Kiddy opined that roofs at the Public Works and North View Fire Station needed addressed now to prevent further damage with the consensus being to place the matter on the next regular agenda. Mr. Kiddy apprised of the prices he received to power-wash the parking garage (approx. \$35,000) and City Hall (approx. \$3,065) and recommended that we hold off on the parking garage at this time as there are additional concerns that need addressed at the parking garage. Mr. Kiddy stated that the portable radios for the police and fire were needed as parts are no longer made for the City’s current radios and suggested \$400,000 be dedicated for the radios. Mr. Kiddy informed that the Fire Department’s air packs are set to expire in 2025. Brief discussion was held concerning a Fire Department cost recovery fee with Mr. Marsh apprising that we have not heard back from the Commission on our request to raise the amount; however, we can put the ordinance with the existing permitted amount on the next agenda. Councilmember Worth remarked that the ARPA money was basically emergency infrastructure money.

Discussion was held concerning the 2004 excavator, the streetsweeper and some of the Public Works’ vehicle fleet. Concluding discussion, it was the consensus of Council to allow the Administration to move forward on the bids and to place the same on the next regular meeting agenda. Also, brief discussion was held concerning the creation of escrow accounts.

2. Library – Director Jill Rafter – This matter to be addressed at a future meeting due to Director and Board’s unavailability this evening.

3. Water Board’s request for ARPA funds – General Manager Jason Myers provided a handout to Council regarding the Chestnut Street Water Line Replacement Project explaining that this line is the largest and most critical line as it feeds water to 96% of the county. Said handout included the email exchanges and correspondence relating to the project area and the costs relative to said project.

Mr. Myers noted that the Water Board did not receive ARPA funds and they needed to know something from the City as they have been asking for financial assistance for over a year and they need to get their financing in place this project. Mr. Myers added that the City would be making a substantial amount from the B&O taxes paid by the contractors/subcontractors. Mr. Myers informed that this was the largest project in the State which is proposed to start next year. Councilmember Hyman suggested Council meet with the County and the Water Board concerning this project.

4. All demolition projects slated for FY 2022-2023 - John Workman and Tom Brown - Mr. Brown remarked that \$200,000 was budgeted for FY 2022-2023 and that five (5) structures consisting of one (1) structure left over from last year and four (4) fired-burned structures. Councilmember Keith inquired if there was an on-going demo list with Mr. Brown informing that he is working on a list with Councilmember Keith cautioning on the program noting the amount of funding required therefor. Councilmember Worth remarked that we needed to ease our way from the demolition program to land banking.

5. Update on Small Business (Grants) - John Whitmore - see attached - staff report dated September 12, 2022 and attached hereto as "Attachment 1."

6. Discussion regarding the vacant Kroger building - Mr. Whitmore informed that the structure is going to be subdivided into commercial spaces with one occupant being O'Reilly's Auto Parts; however, no building permit has been issued for the interior subdivision work.

7. Discussion regarding a downtown streetscape design before the paving next Spring -Mr. Brown informed that the timeframe for this project is 2023-2025 and that he would get in touch with the DOH to see if he can obtain additional information.

8. Discussion regarding the creation of a youth sports committee - Councilmember Riffle shared that he wanted to put together a committee, like the other committees, to invest in and benefit our youth. Councilmember Riffle noted the lack of youth participation and the need to give the sports league a voice, help those that can't afford the costs, help with transportation or purchase equipment. Councilmember Riffle remarked that Ms. Blackham's participation would allow us to seek grants to cover expenses, etc. Councilmember Worth inquired of Councilmember Riffle if he could draw up a plan as to how this would work with Councilmember Riffle opining on the need to work with the Board of Education, as well. Concluding discussion, Councilmember Keith opined that this matter was worth further discussion.

9. Collections Update - Finance Department - Finance Director Kim Karakiozis provided Council with a handout illustrating grass and weeds collections, vacant property registration collections, demolition collections, Fire Fee collections, B&O Tax and License collections.

10. Discussion regarding the current utility ordinance - Mr. Kiddy noted that we do have an existing ordinance; however, we want to amend said ordinance to include more specific requirements with said ordinance to be placed on the next regular meeting agenda.

Meeting concluded.

James Marino, Mayor

Approved: October 6, 2022

Annette Wright, City Clerk

CITY OF CLARKSBURG, WV
ECONOMIC DEVELOPMENT DEPARTMENT
SMALL BUSINESS ASSISTANCE GRANT STAFF REPORT
SEPTEMBER 12, 2022

Update Since August 11, 2022: Small Business Assistance Grants were approved by Clarksburg City Council on August 18, 2022 and awarded:

\$25,000:

\$25,000 Grant Awards for the following individuals for the associated business that is being used to expand their individual economic activity that was compromised by the COVID-19 Pandemic:

- Kenneth Tyson – MR TACO LLC – Mr. Taco
- Matt Policano – Kelly’S LLC – Kelly’s 2.0
- Keith Newman – Compass Investment Properties LLC – Grilled Club café
- Curt Leiden – Gore Fore Virtual Sports Suite LLC – Gore Fore
- Angela P Leipold – Allora Vintage LLC – The Morris
- Crystal Rowe – Teddy Bee’s Bakery LLC – Teddy Bee’s Bakery

\$10,000:

\$10,000 Grant Awards for businesses that were impacted by the COVID-19 Pandemic which have not received federal funds to date:

- Anne Hart – Brown Hart LLC
- Kevin Watson – Watson Law PLLC
- Kim Harvey – Gore Luxe Development LLC
- Clifford and Rochelle Henderson – Cosmo’s Kitchen LLC

Council had also approved a \$10,000 award to Mark Ortiz and Kelly Heal-Ortiz – Drs. Ortiz and Heal-Ortiz Inc. After Council approval, applicant changes to the underlying application created a conflict where the application was no longer eligible for consideration of award. Staff has not executed an award agreement with Mark Ortiz and Kelly Heal-Ortiz. Additionally, while initially presented as a recommended awardee, My Mother’s Daughter was not included in the final Council action, as there was uncertainty of the business’s recently changed operations. Staff recommends a revision to the previous award for Drs. Ortiz and Heal-Ortiz Inc., be redirected to My Mother’s Daughter or into American Rescue Plan Act (ARPA) funds for other projects.

“Attachment 1”

Program Highlights:

A total of 30-applications were received. Three applications sought funds below \$24,500, six applications sought funds over \$25,000. Applicants sought a total of \$834,431 in grant funds. Seven structures will be occupied by businesses that were awarded funds.

Challenges:

- **Funding Constraints.** Use classifications for the direct spending of ARPA funds is limited in ways which were not fully realized until the program was operational. Use of City of Clarksburg General Funds was not fully resolved and may require Home Rule intervention as warranted.
- **Funding Timelines.** Some applicants were unable to continue in the program as funding award dates were not certain. Other prospective applicants had short time frames for funding decisions, limiting opportunity for participation. Some prospective applicants were unable to complete an application.
- **Funding Priorities.** The metrics used to score applications changed three times over the course of the initial evaluation. Initial reviews also prioritized fund uses that were later not permitted or required application changes to be permitted.
- **Publicity.** Some business owners were dissuaded from participating due to misunderstanding of program goals. Other business owners were not fully aware of the opportunity.

Comparisons:

Throughout this program, Council has provided input indicating a strong preference for new business incubation and generation with priority for blight reduction/reversal. The Evolution Wytheville project which occurred in 2018 was the initial source for a Clarksburg based program. Evolution Wytheville provided competitive grants to four businesses for a total amount of \$75,000.00. Evolution Wytheville required participants register in mid-January, attend six entrepreneur courses from February to early March, provide a business plan in late March, and then proceed to selection, with winners announced in early May. David Manley, Executive Director of the Joint IDA of Wythe County, VA emphasized the use of skills building courses.

Total expenditures to date (\$190,000) are substantial but are comparable to Evolution Wytheville. The Clarksburg program provided a mean of \$19,000 per business while Wytheville provided \$18,750. Clarksburg's Small Business Assistance Grant program provided direct funds for new businesses created in 2022 and some existing businesses. Businesses were not ranked against one another for quality of services provided, community investment, or private financing availability.

Other jurisdictions such as Valdosta, GA; Bergen County, NJ; Waterford, CT; and Kings County, CA have also instituted similar ARPA small business assistance grant programs with emphasis on businesses with lower numbers of employees and for expenses as determined by the application.

Staff Analysis:

The American Rescue Plan Act presents challenges when administering funds for small business expenses. A spatial mismatch also occurred, as many downtown business locations had expenses related to physical infrastructure that were not allowable under the Final Treasury Rule. To best facilitate future funding rounds or other unique expenses that may not be fully realized in West Virginia State Code Chapter 8 Municipal Corporations, Economic Development Department staff recommends examining Home Rule powers with modification or application to the Board as necessary to facilitate grant and/or loan awards to individuals and/or businesses.

Using ARPA funds for new business grants has been demonstrated to be feasible for the City of Clarksburg, WV. Staff recommends an additional allotment of ARPA funds to continue to provide small business assistance grants to individuals for businesses established after January 1, 2022 and with ownership that is/was economically impacted by the COVID-19 pandemic. A draft revised application is provided in this report starting on Page 4. With known funding constraints, a program application period can be established on a three-month cycle.

Additional analysis will continue with site observation to establish if the grants are providing measurable value improvements and employment to see if increased daytime occupancy in the city is maintained.

DRAFT City of Clarksburg, WV

New Small Business Assistance Grants - Application

The information provided in this form and any submitted attachments allows the City of Clarksburg to evaluate your grant application.

Section 1 – Applicant Information

Business Name:

Business Address:

Owner Name:

Owner Address:

Are you a Minority/Veteran/Woman Owned Business:

Phone Number:

Email Address:

Federal Tax ID No.:

How many employees do you expect to employ:

Section 2 – Business Information

Who is your target market?

Industry Sector related to your business:

Please provide the nature of your business:

Do you have a recent Business Plan?

Would you be interested in learning more about Small Business Administration businesses programs?

Would you be interested in learning more about federal contractor resources available?

Section 3 – COVID Impact, Grant Request, and Use of Funds

Please describe how your new business or plans to open a new business have been impacted by the COVID-19 pandemic and the need for financial assistance:

Since March 1, 2020, have you or your business applied for federal financial assistance from other local, state or federal sources?:

If yes, please list the funding source (name), amount requested and status of your application:

Explain in detail how grant monies will be utilized – be specific in outlining scope of efforts:

Any awarded funds for the activities listed in this section will require a subrecipient agreement that details a period of performance and regular requests for reimbursement. Please describe the timeline for spending SBAG funds:

Provide any other pertinent information which would be helpful in the grant decision making process (If attaching documents not listed in this application, please list attachments here. Please list any contributions of funds beyond what is requested here for matching):

Section 4 – Detailed Budget for Requested Funds

Please use the table below to indicate the expense category and amount requested for each to help us understand how you would use the requested funds.

Expense Category	Amount Requested
TOTAL	

Please use additional pages as necessary or provide similar information in attachment form.

Section 5 –Application Attachments

All applications must include proof of business incorporation after January 1, 2022.

The following items should be included with this application form. If an item is unavailable, please note on this application.

- Copy of lease or documented ownership of building.
- Copy of Business Plan if available.
- Current WV SOS registration information.
- Current City of Clarksburg Business License.