



The City of Morgantown

389 Spruce Street
Morgantown, West Virginia 26505
(304) 284-7439 Fax: (304) 284-7525
www.morgantownwv.gov

AGENDA MORGANTOWN CITY COUNCIL REGULAR MEETING

Tuesday, April 05, 2022 at 7:00 PM

1. **CALL TO ORDER:**

2. **ROLL CALL:**

3. **PLEDGE:**

4. **APPROVAL OF MINUTES:**

A. March 22, 2022, Regular Meeting Minutes

B. March 29, 2022, Special Meeting Minutes

C. March 29, 2022, Committee of the Whole Meeting Minutes

5. **CORRESPONDENCE:**

A. Morgantown Human Rights Commission Recognition for Leadership

B. Fair Housing Month Proclamation - Christal Crouso, Fairmont-Morgantown Housing Authority Executive Director

C. Sexual Assault Awareness Month Proclamation - Maggie Von Dolteren, RDVIC Outreach Coordinator & Andrea Winters

D. Week of Engagement Proclamation - Dr. Kristi Wood-Turner, Assistant Dean for Community Engagement

6. **PUBLIC HEARINGS:**

7. **UNFINISHED BUSINESS:**

A. Boards & Commissions

8. **PUBLIC PORTION WHICH SHALL BE SUBJECT TO RULES ESTABLISHED BY COUNCIL AND ADOPTED BY RESOLUTION:**

9. **SPECIAL COMMITTEE REPORTS:**

- A. Civilian Police Review & Advisory Board - Mayor Selin, Ex-officio
- B. Special Committee on Unsheltered Homelessness - Members: Mayor Selin, Deputy Mayor Trumble, Councilor Vega, Councilor Harshbarger, Councilor Butcher. Next scheduled meeting: April 21, 2022, 2pm via Zoom

10. CONSENT AGENDA:

- A.** Consideration to **APPROVE a BID Award for Digital Kiosk Purchase for Hazel Ruby McQuain Park**

11. NEW BUSINESS:

- A.** Consideration to **APPROVE City Council Policy on Executive Sessions**
- B.** Consideration to **APPROVE a Resolution authorizing application for a Rebuilding American Infrastructure with Sustainability and Equity Grant**
- C.** Consideration to **APPROVE a Resolution authorizing a Supplemental Agreement with West Virginia Department of Transportation Division of Highways for Pleasant Street Streetscape**

12. CITY MANAGER'S REPORT:

- A. ARPA Implementation Strategy Report
- B. 2021 Finance Audit Report Review

13. REPORT FROM CITY CLERK:

14. REPORT FROM CITY ATTORNEY:

15. REPORT FROM COUNCIL MEMBERS:

16. EXECUTIVE SESSION:

- A. Pursuant to West Virginia Code section 6-9A-4(b)(12) to discuss potential litigation
- B. Pursuant to West Virginia Code section 6-9A-4(b)(9) to discuss real estate in the City of Morgantown

17. ADJOURNMENT:

For accommodations please call or text 304-288-7072

City of Morgantown

SPECIAL MEETING March 29, 2022

Special Meeting March 29, 2022: The Special Meeting of the Common Council of the City of Morgantown was held in City Hall Council Chambers on Tuesday, March 29, 2022, at 6:04 p.m.

PRESENT: Mayor Jenny Selin, Deputy Mayor Danielle Trumble, Council Members Joe Abu-Ghannam, Ixya Vega, Dave Harshbarger, and Brian Butcher. Bill Kawecky was absent.

The meeting was called to order by Mayor Selin.

Executive Session: Pursuant to West Virginia Code Section 6-9a-4(b)(2)(a) to discuss Personnel Matters in considering new appointments for Board and Commissions. Motion by Deputy Mayor Trumble, second by Councilor Vega, to go into executive session. Motion carried by acclamation. Present: City Council. Time: 6:06 p.m.

Human Rights Commission

6:00 p.m. – Ash Orr – Via Phone Interview

Civilian Police Review & Advisory Board

6:15 p.m. – James Stevens

Human Rights Commission

6:30 p.m. – Zoey Vilasuso

ADJOURNMENT:

There being no further business, motion by Deputy Mayor Trumble, second by Councilor Harshbarger, to adjourn the meeting. Time: 7:13 p.m.

City Clerk

Mayor

City of Morgantown

MINUTES COMMITTEE OF THE WHOLE MEETING March 29, 2022

The Committee of the Whole Meeting of the Common Council of the City of Morgantown was held in City Council Chambers on Tuesday, March 29, 2022, at 7:29 p.m.

PRESENT: City Manager Kim Haws, Assistant City Manager Emily Muzzarelli, City Attorney Ryan Simonton, Mayor Jenny Selin, Deputy Mayor Danielle Trumble, and Council Members Joe Abu-Ghannam, Ixya Vega, Dave Harshbarger, and Brian Butcher. Bill Kawecki was absent.

The meeting was called to order by Deputy Mayor Trumble.

PRESENTATIONS:

A. Ambassador Program (ARPA Funding) – Vanessa Reeves – Special Projects Coordinator

Special Projects Coordinator Vanessa Reeves provided council and administration with an update on the City Ambassador program that supports a safe, vibrant, and welcoming environment in the downtown and riverfront area.

B. Recycle Right – Vanessa Reeves – Special Projects Coordinator

Special Projects Coordinator Vanessa Reeves provided council and administration with an update on the Recycle Right Morgantown program, which works to educate the public on how to recycle right.

C. Mountaineer Country 2021 Annual Report and 2022 Market Plan – Susan Riddle – President & CEO

Visit Mountaineer Country CVB President & CEO Susan Riddle and Joe Vessecchia provided to council and administration the 2021 Mountaineer Country Annual Report and the 2022 Market Plan.

D. Morgantown Parking Authority Maintenance Shop and Break Area

Item was moved to the next Committee of the Whole meeting for April 2022.

PUBLIC PORTION:

Deputy Mayor Trumble opened the public portion and asked if there was anyone wishing to speak.

There being no one wishing to speak, Deputy Mayor Trumble closed the Public Portion.

ITEMS FOR DISCUSSION:

ADJOURNMENT:

There being no further business, motion by Councilor Vega, second by Mayor Selin, to adjourn the meeting.
Time: 8:12 p.m.

City Clerk

Mayor



The City of Morgantown

389 Spruce Street
Morgantown, West Virginia 26505
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Office of the Mayor

PROCLAMATION

Whereas, Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of Monongalia County; and

Whereas, rape, sexual assault, and sexual harassment impact out community as seen by statistics indicating that one of five women will have experienced sexual assault by the time they complete college (Fisher, Cullen & Turner, 200); and

Whereas, we must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

Whereas, staff and volunteers of West Virginia sexual assault programs and other professionals have come together as the West Virginia Foundation for Rape Information Services (WV FRIS) to support each other in their work and provide the State of West Virginia and its citizens with a central source of information on sexual assault; and

Whereas, with leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in Monongalia County through prevention education, increased awareness and holding perpetrators who commits acts of violence responsible for their actions; and

Whereas, the Rape and Domestic Violence Information Center (RDVIC) strongly supports the efforts of national, state and local partners, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.

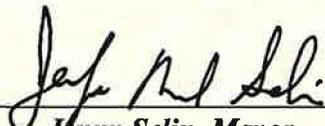
Now therefore be it resolved, that I, Jenny Selin, Mayor of the City of Morgantown, West Virginia, on behalf of the City Council, join anti-sexual violence advocates and support service programs in the belief that all community members must be part of the solution to end sexual violence. Along with the United States government and the State of West Virginia, the Council does hereby proclaim April 2022 as

Sexual Assault Awareness Month

in Monongalia County and applauds the efforts of the many victim service providers, police officers, prosecutors, national and community organizations, and private sector supporters for their efforts in promoting awareness about sexual assault.

Seal:





Jenny Selin, Mayor
April 4, 2022



The City of Morgantown

389 Spruce Street
Morgantown, West Virginia 26505
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www.morgantownwv.gov

Office of the Mayor

PROCLAMATION

- Whereas,** service to others is a hallmark of the American character, and central to how we meet our challenges; and
- Whereas,** Morgantown is home to compassionate West Virginians who work diligently to help their neighbors; and
- Whereas,** volunteerism and community engagement are proven cost-effective strategies to meet city needs; and
- Whereas,** service expands economic opportunities by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and
- Whereas,** service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and
- Whereas,** the staff at West Virginia University Center for Community Engagement coordinates and executes this week of community-wide engagement and volunteerism; and
- Whereas,** Points of Light have declared April 17 through April 23, 2022, as National Volunteer Week.

Now therefore be it resolved, that I, Jenny Selin, Mayor of the City of Morgantown, West Virginia, on behalf of the City Council, do hereby proclaim the third week in April 2022, as

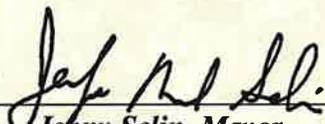
Week of Engagement

in the City of Morgantown and encourage residents to recognize the positive impact of engagement in our city, and to find ways to give back to their communities.

In Witness thereof, we have hereunto set our hands and caused the Seals of the city and County of Monongalia, to be affixed this third week in April 2022.

Seal:





Jenny Selin, Mayor
April 5, 2022

Boards & Commissions

- **Board of Zoning Appeals – 2 Vacant and 2 Alternates open**

Members: Logan Shamberger, *Vacant position (3-year term 1/1/20 – 12/31/2022)*, Heidi Cook, *Vacant position (3-year term 1/1/22 – 12/31/24)*, Chris Benison, and Kevin Meehan (Alternate member).

Term to expire 12/31/22 – Vacant position

No one has applied at this time.

- **BOPARC Board – 1 vacant**

Members: Danielle Trumble, Jenny Thoma, Cal Shamberger, Rachel Fetty, Jenny Selin, *Vacant position (6-year term 7/1/17 – 6/30/23)*, and Susan Klingensmith.

Interviewed: Peter Giacobbi 7/27/21, Jim Heiko 8/10/21, Ash Orr 8/31/21, Lisa Di Bartolomeo 10/26/21.

No one has applied at this time.

- **Cultural Arts Commission – 1 Vacant 1 Term to Expire 3/31/2022**

Members: *Vacant position (4/1/2021 – 3/31/2022)*, Richard McEwuen, Mark Downs, Mark McCoy, Nikki Bowman-Mils, Ron Dulaney, Joshua Williamson, Brian Butcher.

Scheduled to interview: Larue Williams 4/19/22

Term to expire 3/31/22 – Vacant position (4/1/2021 – 3/31/2022) Deborah West resigned.

Applicant who has applied: Larue Williams

- **Civilian Police Review & Advisory Board – 9 Vacant**

No Members at this time:

Applied and interviewed: Rachel Fetty 8/10/21, Mary Clark 9/21/21, Ross Jones 10/5/21, Jan Derry 10/19/21, Richard Burks 11/30/21, Stephen Prince 11/30/21, Joseph Scotti 12/7/21, Robert Bob Cohen 12/7/21 (*letter from NAACP recommending him*), Shirley Robinson 12/21/21, Nicholas Anderson-Amore 2/1/22, Ronald Allen 2/1/22, Dr. Dady Dadyburjor 2/15/22, Brian Blackburn 2/15/22, Megan Gandy 2/22/2022, Amy Chandler 2/22/2022

Scheduled to interview: James Stevens 3/29/22, Michael Rockis 4/5/22

Terms to expire: 3 open positions not filled will expire on 5/17/2022.

Applicant who has applied: James Stevens, and Michael Rockis

- **Fairmont – Morgantown Housing Authority – 1 Term to Expire 8/3/2022**

Members: Jay Rogers, Margaret Stout, Marcella Yaremchuk, John Fallon, and Brian McAllister

Terms to expire 8/3/2022: Margaret Stout

No one has applied at this time.

- **Fire Code Board of Appeals – 3 Vacant & 2 term to Expire 4/30/2022**

Members: *Vacant position – Legal (3-year term 5/1/19 – 4/30/22)*, Pat Esposito, *Vacant position – General Contractor (3-year term 5/1/19 – 4/30/22)*, Edward Heyden, Larissa Cason, Mark Lambert, *Vacant position - ALT Member (3-year term 5/1/9 – 4/30/22)*, and Jonathan McGee.

Scheduled to interview: Mark Lambert 5/3/22

Terms to expire 4/30/2022: Mark Lambert, Jonathan McGee, and Vacant positions above

Applicants have applied: Mark Lambert

- **Health & Wellness Commission – 2 Vacant**

Members: Vacant position (3-year term 1/1/21 – 12/31/23), Lynn Castro, Kimberly Kelly, Vacant position (3-year term 1/1/20 – 12/31/22), Margaret Karcher, Sabina Nduaguba, Ixya Vega, and Ronalie Abeyratne (student).

Term to expire 12/31/2022: Vacant position (3-year term 1/1/20 – 12/31/22), Margaret Karcher, and Ronalie Abeyratne

Interviewed: Joseph Scotti, PhD. (12/7/21)

No one has applied at this time.

• **Historic Landmarks Commission – 1 to Expire 11/4/2022**

Members: Jessica Eichlin, Shannon Tinnell, Vacant position (4-year term 11/5/21– 11/4/25), Mark Lambert, and Bill Kawecki.

Scheduled to interview:

Term to expire 11/4/2022: Jessica Eichlin

Applicant who has applied:

• **Human Rights Commission – 4 Terms to Expire 6/30/2022**

Members: Ash Orr, Daniel Trejo. Bonnie Brown, Vacant position 2-year term 7/1/2020 – 6/30/2022), Rosalyn Lauderback, Don Spencer, Jena Martin, and Tim Harston.

Resignation: Jan Derry – Starts: 3/18/22

Scheduled to interview: Ash Orr 3/29/22, Zoey Vilasuso 3/29/22,

Terms to expire 6/30/2022: Ash Orr, Bonnie Brown, and Vacant position 2-year term 7/1/2020 – 6/30/2022).

Applicant who has applied: Ash Orr

• **ICC Board of Appeals – 2 Vacant and 1 to Expire 4/30/2022**

Members: Vacant position - Master Electrician (5-yr term – 5-yr term 5/1/20 – 4/30/25), Jim Pompili, Barry Dickson, Pat Esposito, Vacant position - Civil Engineer (5-year term 5/1/21 – 4/30/26)).

Terms to expire 4/30/2022: Pat Esposito

No one has applied at this time.

• **Library Board – 1 Term to Expire 6/30/2022**

Members: Meredith Hartery, Judith Lannin Panagakos, Penny Pugh, Sue Carpenter, and Linda Durfee.

Terms to expire 6/30/2022: Penny Pugh

No one has applied at this time.

• **Parking Authority – 4 Terms to Expire 6/30/2022**

Members: Shane Mardis, Charles McEwuen, Amy Dale, Jeanne Hagen, and Brian Butcher

Terms to expire 6/30/2022: Shane Mardis, Charles McEwuen, Amy Dale, and Jeanne Hagen.

No one has applied at this time.

• **Personnel Board – 1 Term to Expire 6/30/2022**

Members: Suzanne Gosden Kitchen, Vacant position (3-yr term 7/1/21 – 6/30/24), Sarah Stevenson

Terms to expire 6/30/2022: Sarah Stevenson

Applicant who has applied: Larissa Cason

Interviewed: Larissa Cason 3/1/2022

• **Planning Commission – 1 Vacant and 2 Terms to Expire 12/31/2022**

Members: Sam Loretta, Tim Stranko, William Blosser, William Petro, Mike Shuman, Peter DeMasters, Vacant position (3-year term 1/1/22 – 12/31/24), AJ Hammond, Danielle Trumble.
Terms to expire 12/31/21: William Blosser and Peter DeMasters
No one has applied at this time.

• **Sister Cities Commission – 4 Vacant and 3 to Expire 5/31/2022**
Members: George Leis, Helene Friedberg, Elizabeth Finklea, 3 Vacant positions (6/1/21 – 5/31/24), Bryan Phillips, Vacant position (6/1/20 – 5/31/23), Ixya Vega, Lola Contreras (Ex-Officio), Vacant (Ex-Officio).
Terms to Expire 5/31/2022: George Lies, Helene Friedberg, and Elizabeth Finklea.
No one has applied at this time.

• **Traffic Commission – 2 Vacant**
Members: 1st Ward Francis Brownfield, 2nd Ward Tony Tarantini, 3rd Ward Charlie Byrer, 4th Ward Vacant position 4/4/21 – 4/3/2024, 5th Ward Vacant position 4/4/21 – 4/3/2024, 6th Ward Sharon Patrick, 7th Ward Martin Dombrowski, Damien Davis Engineering Department, William Runyan Morgantown Police Department, William Blosser Planning Commission, Dave Harshbarger, Chip Wamsley, Matthew Cross.
No Terms to Expire in 2022.
No one has applied at this time.

• **Transit Authority Board of Directors – 2 to Expire 12/31/2022**
Members: Carol Heiberger, Jenny Dinsmore, Marly Hazen, Jeremy Evans (County/City), Terri Cutright (County), Ron Bane (County, and Wesley Nugent (County).
Terms to expire 12/31/2022: Marly Hazen and Jeremy Evans
No one has applied at this time.

• **Tree Board – 1 Vacant and 2 to Expire 11/14/2022**
Members: Donna Foster, Matthew Cummons, Vacant position (3-yr term 11/15/20 – 11/14/23), Dan Brown, Jon Weems, Dave Barnett, Greg Dahle, Joe Abu-Ghannam, Marchetta Maupin.
Terms to Expire 11/14/22: Dan Brown and Jon Weems
No one has applied at this time.

• **Urban Landscape Commission – 2 Vacant and 2 to Expire 11/14/2022**
Members: Vacant position – Horticulture (3-yr term 7/1/20 – 6/30/23), Michael Hasenmyer, Kara Hurst, Vacant position – Plant Health (3-yr term 7/1/21 – 6/30/24), Mel Burch, Danielle Trumble, Marchetta Maupin (ex-officio).
Resigned: Kara Hurst
Terms to Expire 11/14/22: Michael Hasenmyer and Vacant Position
No one has applied at this time.

• **Ward & Boundary Commission – 3 Vacant**
Members: 1st Ward Sarah Barnes, 2nd Ward Cindy O’Brien, 3rd Ward Vacant (2-yr term 7/1/21 – 6/30/23), 4th Ward Vacant (2-yr term 7/1/21 – 6/30/23), 5th Ward Johnathon Trumble, 6th Ward Alice Meehan, 7th Ward Vacant (2-yr term 7/1/21 – 6/30/23).
No terms to Expire in 2022.
No one has applied at this time.

- **Woodburn School Redevelopment Commission – 2 Vacant and 3 to Expire 12/31/2022**

Members: Chris Haddox, Johnathon Trumble, Evan Fedorko, *Vacant position (3-year term 1/1/22 – 12/31/24)*, *Vacant position (3-year term 1/1/22 – 12/31/24)*, Marti Shamberger, Ron Dulaney, Danielle Trumble.

Terms to Expire 12/31/22: Chris Haddox, Johnathan Trumble, and Evan Fedorko

No one has applied at this time.



THE CITY OF
MORGANTOWN
WEST VIRGINIA

Arts & Cultural Development
389 Spruce Street
Morgantown, WV 26505
304.284.7472

MEMORANDUM

Date: March 21, 2022
To: Kim Haws – City Manager
Through: Emily Muzzarelli – Assistant City Manager
From: Vincent E. Kitch - Director *Vincent E. Kitch*
RE: Digital Kiosk Purchase for Hazel Ruby McQuain Park

Bids were opened at 2:00 pm on March 21, 2022, for the digital electronic kiosks at Hazel Ruby McQuain Park.

For promotions at Hazel Ruby McQuain Park, the city inherited a Main Street Morgantown kiosk that has been in place for several years. This kiosk requires printed posters for each event limiting our ability to provide information and advertising for multiple events. A double-sided digital kiosk was desired so that information including rules, regulations and upcoming events can be promoted easily.

This kiosk can be updated by city staff any time and include much more information. The project includes bringing electricity to the location, design, and fabrication of kiosk frame, repurposing the exiting poles to match, and purchase of the new equipment. This project is fully funded from a recent grant made by the Hazel Ruby McQuain Charitable Trust

CONTRACTOR

COST

1. City Neon \$45,270.60 Base Bid

Engineering has reviewed the submitted bid for completeness and adherence to the Bid Call requirements and recommends award to the bidder, City Neon.



City Council Policy
on
Executive Sessions of City Council

Introduction

The Common Council of The City of Morgantown (“City Council”) conducts public meetings pursuant to the West Virginia Open Governmental Proceedings Act, as codified at *W. Va. Code* §§ 6-9A-1 *et seq.* (“OGPA”), including by holding portions of such meetings in executive session closed to the public pursuant to *W. Va. Code* §6-9A-4. This City Council Policy (the “Policy”) establishes the rules for conducting executive sessions of the meetings of City Council.

Policy

1. Scope and application. This Policy applies to public meetings held by City Council and to any and all executive sessions held within such meetings. This Policy is adopted in accordance with OGPA and consistent with Open Meetings Advisory Opinion 20220-1, adopted by the Open Governmental Meetings Committee of the West Virginia Ethics Commission on March 3, 2022. This Policy will be interpreted to be consistent with OGPA and applicable decisions of courts having jurisdiction over related matters. To the extent there is a conflict, or apparent conflict, between the provisions of this Policy and OGPA or binding judicial precedent, OGPA and decisional law shall prevail over the provisions of this Policy.

2. Definitions. Terms used in this Policy, unless specifically defined otherwise in the Policy, have the meanings supplied in OGPA.

3. Executive Session Procedures. City Council will conduct executive sessions in accordance with the following procedures:

a. Any matter on the public meeting agenda may be considered in executive session if it is permissible to do so under OGPA.

b. City Council will move into executive session only by majority vote of its members present at any public meeting.

c. The motion to enter executive session will identify the authority under OGPA for the executive session. This identification may be made by describing the purpose of the executive session – e.g. to consider matters affecting the acquisition or development of real estate – or by citing the specific portion of OGPA authorizing the executive session.

d. The executive session will include all members of City Council present, except any member who is disqualified from participating by law or applicable rule or regulation, and any other persons City Council determines appropriate.

e. No minutes nor any other record of the executive session will be made.

f. Each person present in the executive session shall have a duty to maintain as confidential all matters discussed in the executive session, and no such person may disclose, or allow to be disclosed, the information addressed in executive session. Disclosure of the matters discussed in executive session may be made only in the following instances: (1) when City Council affirmatively acts to permit such disclosure, and then only to the extent permitted by the City Council action and applicable law; and (2) when required by law.

g. City Council will exit executive session by majority vote of the members present.

h. The presiding officer of the City Council shall record the motion and votes to enter and exit executive session, noting the time of each and the vote of each member.

Adopted this ____ day of _____, 2022

The Common Council of The City of Morgantown, West Virginia

By: Jenny Selin
Its: Mayor

Attest:

Christine Wade
City Clerk

Resolution No. 2022-_____

**RESOLUTION AUTHORIZING APPLICATION FOR A
REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY
GRANT**

The City Council of the City of Morgantown hereby resolves that the City Manager, or designee, is authorized to submit application for a grant or grants offered by the United States Department of Transportation, denominated Rebuilding American Infrastructure with Sustainability and Equity (“RAISE”) grants, authorized by the Infrastructure Investment and Jobs Act, in the approximate amount of Eight Million Dollars (\$8,000,000.00) to support improvement of rail trails within the City of Morgantown with lighting and sidewalk connectors, and improvements incidental thereto, and that the City Manager or designee may also submit on behalf of the City of Morgantown any and all such other documents or necessary or helpful to the submission and processing of such application.

Adopted this 5th day of April, 2022:

Hon. Jennifer Selin, Mayor

Christine Wade, City Clerk

RESOLUTION NO. 2022-____

**RESOLUTION AUTHORIZING A SUPPLEMENTAL AGREEMENT WITH
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION DIVISION OF
HIGHWAYS FOR PLEASANT STREET STREETScape**

The City of Morgantown hereby resolves that the City Manager, or a designee, is authorized to execute the attached Supplemental Agreement with West Virginia Department of Transportation Division of Highways relating to the Pleasant Street Streetscape Transportation Alternatives.

Adopted this ____ day of _____, 2022

Mayor

City Clerk



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

D. Alan Reed, P.E.
State Highway Engineer

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

March 15, 2022

Mr. A. Kim Haws
City Manager
City of Morgantown
389 Spruce Street
Morgantown, West Virginia 26505

Dear Mr. Haws:

The West Virginia Division of Highways is pleased to announce that the City of Morgantown has been awarded a 2021 Transportation Alternatives grant for the Morgantown Pleasant Street Streetscape Phase III project. The grant consists of \$240,000 of federal funds with \$60,000 of matching funds provided by the City of Morgantown for a project total of \$300,000.

We will be contacting you to discuss the project details. In the meantime, should you have any questions please do not hesitate to contact Ms. Kylena Nunnally, Project Manager, with our Grant Administration Unit within Planning Division at (304) 414-6959.

Sincerely,

A handwritten signature in blue ink that reads "Jimmy Wriston, P.E.".

Jimmy Wriston, P.E.
Secretary of Transportation/
Commissioner of Highways

JW:St



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
 Charleston, West Virginia 25305-0430 • (304) 558-3505

D. Alan Reed, P.E.
 State Highway Engineer

Jimmy Wriston, P. E.
 Secretary of Transportation
 Commissioner of Highways

March 24, 2021

The Honorable Ronald Dulaney
 Mayor
 City of Morgantown
 389 Spruce Street
 Morgantown, West Virginia 26505

Dear Mayor Dulaney:

The enclosed proposed supplemental agreement is for the Pleasant Street Streetscape Transportation Alternative (TA) project (State Project: U331-MOR/GA-19. 00) in Monongalia County. Please review the proposed supplemental agreement carefully as it will indicate the manner in which your project will be changed. If this supplemental agreement does not fully reflect the scope of work envisioned by your request, please make any changes you feel are appropriate and return the revised document for our consideration.

If this proposed supplemental agreement is acceptable, please sign all three originals, then return them along with your Resolution to Ms. Kylena Nunnally, West Virginia Division of Highways, Planning Division, Building 5, Room 740, 1900 Kanawha Boulevard, East, Charleston, West Virginia 25305. *Do not date the front page, paragraph one*, as this date will be entered when the agreement is fully executed. Once the proposed supplemental agreement is fully executed, you will receive one original for your files.

In addition please submit a check in the amount of \$60,000 to cover the required sponsor's additional funding, along with your signed agreements. Should you have any questions, please contact Ms. Kylena Nunnally, Project Manager with our Grant Administration Unit within Planning Division, at (304) 414-6959 or by email at Kylena.C.Nunnally@wv.gov.

Sincerely,

Jimmy Wriston, P. E.
 Secretary of Transportation/
 Commissioner of Highways

JW:Nt

Enclosures

WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
SUPPLEMENTAL AGREEMENT 2
FOR
CHANGE IN FUNDING
STATE PROJECT: U331-MOR/GA-19. 00
FEDERAL PROJECT: TAP-2020(175)D CONSTRUCTION
PLEASANT STREET STREETScape
TRANSPORTATION ALTERNATIVES
MONONGALIA COUNTY

THIS AGREEMENT, executed in triplicate, made and entered into this _____ day of _____, 20____, by and between the **WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS**, hereinafter called "**DEPARTMENT**" and the **CITY OF MORGANTOWN**, hereinafter called "**SPONSOR**" supplementing Original Agreement between the aforementioned parties, dated May 29, 2018 and Supplemental Agreement 1, dated June 28, 2021. This agreement

rescinds and replaces the funding of the original Agreement, dated May 29, 2018, and Supplemental Agreement 1 dated June 28, 2021.

WITNESSETH that,

WHEREAS, the original Agreement provided for the participation of **DEPARTMENT** and **SPONSOR** in a project for design of Americans With Disabilities Act (ADA) compliant sidewalk; and

WHEREAS, SPONSOR, has received Transportation Alternatives grant awards for Federal Fiscal Years 2020 and 2021; and

WHEREAS, DEPARTMENT desires to cooperate with **SPONSOR** in accomplishing the project and bring the project to construction; and

WHEREAS, by Resolution bearing the date of the _____ day of _____, 20_____, the City of Morgantown directed the proper authorities to execute, acknowledge and deliver this Agreement, a copy of which Resolution is affixed hereto and made a part hereof;

NOW, THEREFORE, it is mutually agreed as follows:

I. REVISED MAXIMUM AMOUNT PAYABLE

A. That the total eligible project cost set forth in the aforementioned agreement is hereby seven hundred eighty thousand dollars (\$780,000.00). That the project funding shall be divided between Design and Construction Phases with separate state authorizations for each phase: The total funding for the Construction Phase, including construction inspection, will be seven hundred eighty thousand dollars (\$780,000.00) with the federal aid amount at eighty percent (80%) being six hundred twenty-four thousand dollars (\$624,000.00). **SPONSOR'S** twenty percent (20%) match for the estimated total eligible project construction cost is one hundred fifty-six thousand dollars (\$156,000.00). **SPONSOR** will also be responsible, at the one hundred percent (100%) level, for any and all costs in excess of the total eligible project cost as set by this agreement.

See **Table 1.0** for a breakdown of current project funding.

B. That **SPONSOR** will submit to **DEPARTMENT**, as the minimum match, a check payable to the West Virginia Division of Highways for the sum of sixty thousand dollars (\$60,000.00) for the twenty percent (20%) match amount. The check shall be submitted with the Agreement upon execution by **SPONSOR**. The **SPONSOR** previously submitted a check dated for June 18, 2021, for the sum of ninety-six thousand dollars (\$96,000) with a check number of 122408.

II. INCORPORATED BY REFERENCE

It is understood and agreed upon by the parties hereto that all the terms and provisions contained in the hereto referenced Agreement dated May 29, 2018 and Supplemental Agreement 1 dated June 28, 2021 between the **DEPARTMENT** and the **SPONSOR**, shall continue in full force and effect except as modified and/or altered by this Supplemental Agreement #2.

IN WITNESS WHEREOF, the parties hereto have caused their respective names to be signed by their duly authorized officers.

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION,
DIVISION OF HIGHWAYS**

(signature) *(title)*

CITY OF MORGANTOWN

(signature) *(title)*

(To be executed in triplicate)

Distribution:
City of Morgantown
Planning Division
Legal Division

APPROVED AS TO FORM ON

3-15-22

ATTORNEY LEGAL DIVISION
WEST VIRGINIA DEPARTMENT
OF TRANSPORTATION.
DIVISION OF HIGHWAYS



NUMBER: 220325

**TABLE 1.0 PLEASANT STREET STREETScape
 FUNDING BREAKDOWN
 FFYS 2020 & 2021
 STATE PROJECT: U331- MOR/GA- 19. 00
 FEDERAL PROJECT: TAP-2020(175)D CONSTRUCTION**

FUNDING TYPE	FEDERAL FUNDS	SPONSOR MATCHING FUNDS	TOTAL FUNDING
CONSTRUCTION PHASE TAP-2020(175)D			
TA Grant Funds 2020	\$384,000.00	\$96,000.00	\$480,000.00
TA Grant Funds 2021	\$240,000.00	\$60,000.00	\$300,000.00
Total Construction Funds	\$624,000.00	\$156,000.00	\$780,000.00

Notes:
 Received \$96,000 check dated 6/18/21. Check #122408
 Sponsor will need to submit \$60,000 check for matching funds for FFY 2021 award.