



# 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

Morgantown City Hall Council Chambers

Tuesday, June 07, 2022 at 7:00 PM

1. **CALL TO ORDER:**

2. **ROLL CALL:**

3. **PLEDGE:**

A. Little Bellas Morgantown - Rachelle Thorne

4. **APPROVAL OF MINUTES:**

**A.** May 17, 2022, Special Meeting minutes

**B.** May 17, 2022, Regular Meeting minutes

**C.** May 31, 2022, Special Meeting minutes

**D.** May 31, 2022, Special Meeting minutes - Authorizing Settlement Opioid Litigation Claim

**E.** May 31, 2022, Committee of the Whole Meeting minutes

5. **CORRESPONDENCE:**

A. Little Bellas Morgantown - Rachelle Thorne

B. Morgantown Recognition for leadership with Morgantown Planning Commission

C. LGBTQ+ Pride Month Proclamation - Ash Orr

D. Juneteenth Proclamation - Delegate Danielle Walker

6. **PUBLIC HEARINGS:**

**A.** An Ordinance amending the FY 2021-2022 Annual Budget of the City of Morgantown as shown in the revised budget (Revision 04) attached hereto and made a part of this Ordinance as the same applies to the General Fund

**B. An Ordinance amending the FY 2021-2022 Annual Budget of the City of Morgantown as shown in the revised budget (Revision 02) attached hereto and made a part of this Ordinance as the same applies to the Coal Severance Fund**

**7. UNFINISHED BUSINESS:**

**A. Consideration of APPROVAL of (Second Reading) of An Ordinance amending the FY 2021-2022 Annual Budget of the City of Morgantown as shown in the revised budget (Revision 04) attached hereto and made a part of this Ordinance as the same applies to the General Fund (First reading May 17, 2022)**

**B. Consideration of APPROVAL of (Second Reading) of An Ordinance amending the FY 2021-2022 Annual Budget of the City of Morgantown as shown in the revised budget (Revision 02) attached hereto and made a part of this Ordinance as the same applies to the Coal Severance Fund (First reading 5/17/2022)**

**C. 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.

**10. CONSENT AGENDA:**

**11. NEW BUSINESS:**

**A. Consideration of APPROVAL of A Resolution authorizing application for a Transportation Alternative Program Grant for Morgantown Municipal Airport Streetscape Project**

**B. Consideration of APPROVAL of A Resolution authorizing application for a Transportation Alternative Program Grant for a Connector Bridge over Don Knotts Boulevard to Mountaineer Heritage Park and the Rail/Trail**

**C. Consideration of APPROVAL of A Resolution authorizing application for a Transportation Alternative Program Grant for additional funding for Walnut Street Streetscape Project**

**D. Consideration of APPROVAL of A Resolution authorizing application for a Transportation Alternative Program Grant for Reconfiguration Design for area of Mineral Avenue/Deckers Creek Boulevard to Powell Avenue**

**E. Consideration of APPROVAL to submit an application to the WV Department of Environmental Protection to enter property in and around White Park into the Voluntary Remediation Program**

**12. CITY MANAGER'S REPORT:**

**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)(9) to discuss potential litigation.

B. Pursuant to West Virginia Code section 6-9A-4(b)(2)(A) to discuss personnel matters.

**17. ADJOURNMENT:**

**For accommodations please call or text 304-288-7072**

# City of Morgantown

## SPECIAL MEETING May 17, 2022

**Special Meeting May 17, 2022:** The Special Meeting of the Common Council of the City of Morgantown was held in City Hall Council Chambers on Tuesday, May 17, 2022, at 6:01 p.m.

**PRESENT:** Mayor Jenny Selin, Deputy Mayor Danielle Trumble, Council Members Joe Abu-Ghannam, Bill Kawecki, Dave Harshbarger and Brian Butcher. Ixya Vega 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 Harshbarger, to go into executive session. Motion carried by acclamation. Present: City Council. Time: 6:02 p.m.

6:00 p.m. – Keenan McClane – Human Rights Commission

6:15 p.m. – Brennan Williams – Traffic Commission 5<sup>th</sup> Ward

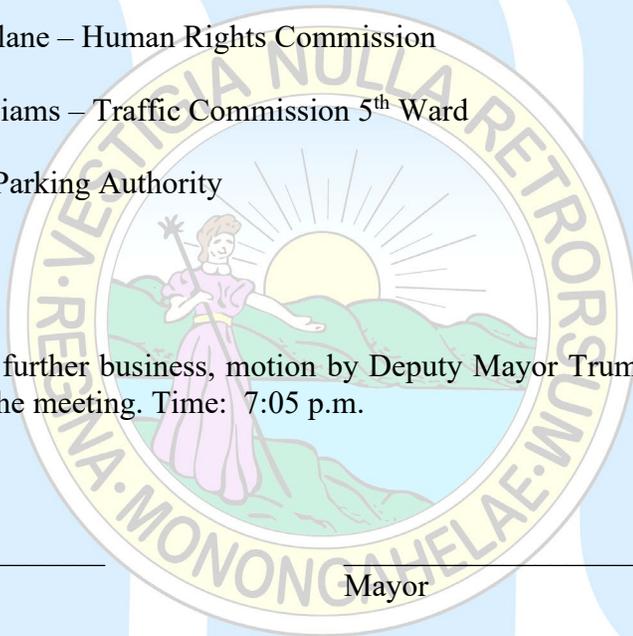
6:30 p.m. – Amy Dale – Parking Authority

**ADJOURNMENT:**

There being no further business, motion by Deputy Mayor Trumble, second by Councilor Harshbarger, to adjourn the meeting. Time: 7:05 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



# City of Morgantown

## SPECIAL MEETING II May 31, 2022

**Special Meeting II May 31, 2022:** The Special Meeting of the Common Council of the City of Morgantown was held in City Hall Council Chambers on Tuesday, May 31, 2022, at 7:17 p.m.

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

The meeting was called to order by Mayor Selin.

### UNFINISHED BUSINESS:

- A. A Resolution authorizing settlement of opioid litigation claim

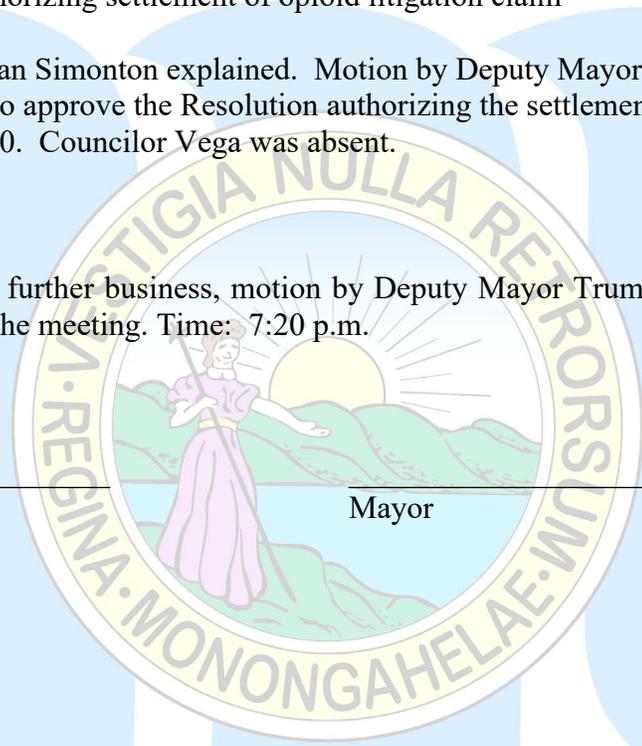
City Attorney Ryan Simonton explained. Motion by Deputy Mayor Trumble, second by Commissioner Butcher, to approve the Resolution authorizing the settlement of opioid litigation claim. Motion carried 6-0. Councilor Vega was absent.

### ADJOURNMENT:

There being no further business, motion by Deputy Mayor Trumble, second by Councilor Harshbarger, to adjourn the meeting. Time: 7:20 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



# City of Morgantown

## SPECIAL MEETING II May 31, 2022

**Special Meeting II May 31, 2022:** The Special Meeting of the Common Council of the City of Morgantown was held in City Hall Council Chambers on Tuesday, May 31, 2022, at 7:17 p.m.

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

The meeting was called to order by Mayor Selin.

### UNFINISHED BUSINESS:

- A. A Resolution authorizing settlement of opioid litigation claim

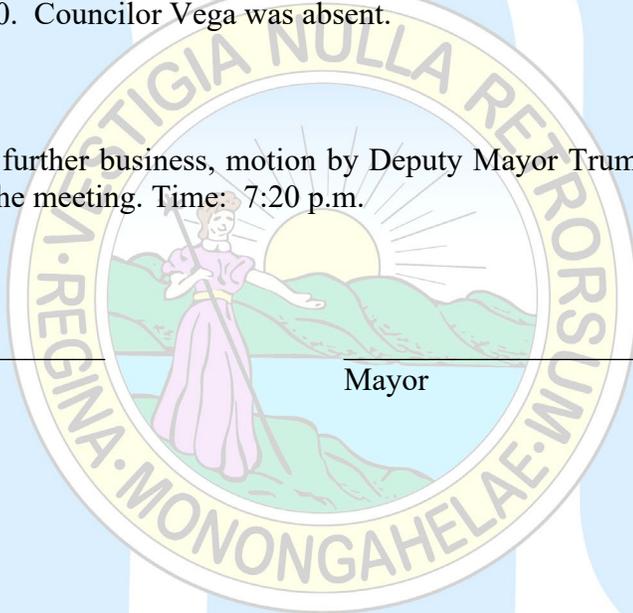
City Attorney Ryan Simonton explained. Motion by Deputy Mayor Trumble, second by Commissioner Butcher, to approve the Resolution authorizing the settlement of opioid litigation claim. Motion carried 6-0. Councilor Vega was absent.

### ADJOURNMENT:

There being no further business, motion by Deputy Mayor Trumble, second by Councilor Harshbarger, to adjourn the meeting. Time: 7:20 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



# City of Morgantown

Item 4E.

## *MINUTES* COMMITTEE OF THE WHOLE MEETING May 31, 2022

The Committee of the Whole Meeting of the Common Council of the City of Morgantown was held in City Council Chambers on Tuesday, May 31, 2022, at 7:23 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, Bill Kawecki, Dave Harshbarger, and Brian Butcher. Ixya Vega was absent.

The meeting was called to order by Deputy Mayor Trumble.

### **PRESENTATIONS:**

**A. Youth Cycling Coalition – Greg Corio – Assistant Vice President of the Bradley-Smith-Elderly Economic Development at WVU.**

Greg Corio and Andrew Hoover gave a brief overview of what the Youth Cycling Coalition does and programs that has started within the city.

**B. City Ambassadors – Vanessa Reaves – Special Projects Coordinator**

Vanessa Reaves gave a brief overview of what the City Ambassadors do within the city.

### **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:**

**EXECUTIVE SESSION:** Pursuant to West Virginia Code section 6-9A-4(b)(9) to discuss the Acquisition or Development of Real Estate in the First Ward. Motion by Councilor Butcher, second by Councilor Kawecki, to go into executive session. Motion carried by acclamation. Time: 8:21 p.m. Present: City Council. City Manager, City Attorney.

**EXECUTIVE SESSION:** Pursuant to West Virginia Code section 6-9A-4(b)(2)(A) to discuss matters relating to Personnel Evaluations.

There being no further business, motion by Councilor Kawecki, second by Councilor Harshbarger, to adjourn the meeting. Time: 10:48 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**AN ORDINANCE AMENDING THE FY 2021-2022 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND.**

The City of Morgantown hereby ordains:

That the FY 2021-2022 Annual Budget of the General Fund of the City of Morgantown is amended as shown in the revised budget (Revision 04) attached hereto and made a part of this ordinance.

First Reading:

Adopted:

\_\_\_\_\_  
Mayor

Filed:

Recorded:

\_\_\_\_\_  
City Clerk

**REQUEST FOR REVISION TO APPROVED BUDGET**

Ora Ash, Deputy State Auditor  
 West Virginia State Auditor's Office  
**200 West Main Street**  
 Clarksburg, WV 26301  
 Phone: 627-2415 ext. 5114  
 Fax: **304-340-5090**  
 Email: **lgs@wvsao.gov**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER \_\_\_\_\_  
 Fiscal Year Ending: **2021-2022**  
 Fund: **001**  
 Revision Number: **4**  
 Pages: **1 of 1**

City of Morgantown  
 GOVERNMENT ENTITY

Person To Contact Regarding Request:  
 Name: **Kevin Tennant**  
 Phone: **304-284-7407**  
 Fax: **304-284-7418**  
 Email: **kevin.tennant@morgantownwv.gov**

389 Spruce Street  
 STREET OR PO BOX  
 Morgantown 26508  
 CITY ZIP CODE

**Municipality**  
 Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
301-02-05	Prior Year Taxes	200,000		30,000	170,000
301-06	Supplemental Taxes	75,000		8,000	67,000
301-07	Tax Loss Restoration		12,954		12,954
302	Tax Penalties, Interest & Publication Fees	38,000		8,000	30,000
303	Gas and Oil Severance Tax	50,000	5,989		55,989
304	Excise Tax on Utilities	1,125,000		60,192	1,064,808

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)** 3,401,862

**Explanation for Account # 378, Municipal Specific:**  
**Explanation for Account # 369, Contributions from Other Funds:**

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
409	Mayor's Office	9,323	4,112		13,435
412	City Manager's Office	718,952	273,849		992,801
417	City Attorney	460,000	500,400		960,400
420	Engineering	549,287		300,068	249,219
422	Personnel Office	383,594	12,375		395,969
436	Building Inspection	1,341,148	240,000		1,581,148
440	City Hall	994,381	293,769		1,288,150
444	Contributions / Transfers to Other Funds	8,660,849	2,037,000		10,697,849
569	Local Government Access Channel	202,740		53,180	149,560
700	Police Department	9,063,761	435,358		9,499,119

**NET INCREASE/(DECREASE) Expenditures** 3,401,862

**APPROVED BY THE STATE AUDITOR**

BY: Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

**REVENUES (CONT)**

City of Morgantown

LGSD: BR City of Morgantown

CONTROL NUMBER: 2021-2022

001

4

BUDGET REVISION REQUEST-SUPPLEMENT

FY

FUND

REV #

ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
305	Business and Occupation Tax	13,950,000	3,167,871		17,117,871
306	Wine & Liquor Tax	625,000	225,000		850,000
308	Hotel Occupancy Tax	775,000	36,000		811,000
309	Amusement Tax	5,000		2,500	2,500
320	Fines, Fees & Court Costs	300,000		62,000	238,000
325	Licenses	180,000		57,000	123,000
326	Building Permit Fees	180,000	28,000		208,000
327	Miscellaneous Permits	15,000		1,100	13,900
329	Inspection Fees/Vacant Property Fees	113,500	9,000		122,500
345	Rents/Royalties and Concessions	12,000		6,000	6,000
350	Refuse Collection (Garbage and Trash Fees)	1,460,000	166,000		1,626,000
352	Fire Protection Fees	3,987,000	183,900		4,170,900
365	Federal Government Grants	385,900		185,900	200,000
366	State Government Grants	20,000	23,079		43,079
367	Other Grants	15,600		15,600	
368	Contributions/Transfer from Other Entities	180,000	2,800		182,800
376	Gaming Income	8,000	3,000		11,000
380	Interest Earned on Investments	80,000		45,000	35,000
381	Reimbursements		2,261		2,261
382	Refunds and Rebates	40,000	16,000		56,000
383	Sale of Fixed Assets	10,000		11,500	-1,500
397	Video Lottery	90,000	37,000		127,000
399	Miscellaneous Revenues	15,200		24,200	-9,000
<b>NET INCREASE/(DECREASE) Revenues (THIS PAGE)</b>					<b>3,489,111</b>

**Explanation for Account # 378, Municipal Specific:**

**Explanation for Account #369, Contributions from Other Funds:**

**EXPENDITURES (CONT'D)**

City of Morgantown

LGSD: BR

City of Morgantown

CONTROL NUMBER:

2021-2022

001

4

BUDGET REVISION REQUEST-SUPPLEMENT

FY

FUND

REV#

ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
706	Fire Department	6,695,477	84,000		6,779,477
750	Streets and Highways	3,351,621		100,620	3,251,001
752	Signs and Signals	276,720		276,720	
754	Central Garage	640,575	9,887		650,462
800	Garbage Department	1,530,000	166,000		1,696,000
900	Parks & Recreation	1,778,150	7,900		1,786,050
424	Contributions to Comms/Authorities	387,500	18,000		405,500
906	Arts & Humanities	148,661	49,800		198,461
	#N/A				
<b>NET INCREASE/(DECREASE) Expenditures (this page)</b>					<b>-41,753</b>

**AN ORDINANCE AMENDING THE FY 2021-2022 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE COAL SEVERANCE FUND.**

The City of Morgantown hereby ordains:

That the FY 2021-2022 Annual Budget of the Coal Severance Fund of the City of Morgantown is amended as shown in the revised budget (Revision 02) attached hereto and made a part of this ordinance.

First Reading:

Adopted:

\_\_\_\_\_  
Mayor

Filed:

Recorded:

\_\_\_\_\_  
City Clerk

**REQUEST FOR REVISION TO APPROVED BUDGET**

Ora Ash, Deputy State Auditor  
 West Virginia State Auditor's Office  
**200 West Main Street**  
 Clarksburg, WV 26301  
 Phone: 627-2415 ext. 5114  
 Fax: **304-340-5090**  
 Email: **igs@wvsao.gov**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER \_\_\_\_\_  
 Fiscal Year Ending: **2021-2022**  
 Fund: **002**  
 Revision Number: **2**  
 Pages: **1 of 1**

City of Morgantown  
 GOVERNMENT ENTITY

Person To Contact Regarding Request:  
 Name: **Kevin Tennant**  
 Phone: **304-284-7407**  
 Fax: **304-284-7418**  
 Email: **kevin.tennant@morgantownwv.gov**

389 Spruce Street  
 STREET OR PO BOX  
 Morgantown 26508  
 CITY ZIP CODE

**Municipality**  
 Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
310	Coal Severance Tax	52,000	43,406		95,406
380	Interest Earned on Investments	150		80	70
	#N/A				

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)** 43,326

**Explanation for Account # 378, Municipal Specific:**  
**Explanation for Account # 369, Contributions from Other Funds:**

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
900	Parks & Recreation	60,150	43,326		103,476
	#N/A				

**NET INCREASE/(DECREASE) Expenditures** 43,326

**APPROVED BY THE STATE AUDITOR**

BY: **Deputy State Auditor, Local Government Services Division** Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

**AN ORDINANCE AMENDING THE FY 2021-2022 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND.**

The City of Morgantown hereby ordains:

That the FY 2021-2022 Annual Budget of the General Fund of the City of Morgantown is amended as shown in the revised budget (Revision 04) attached hereto and made a part of this ordinance.

First Reading:

Adopted:

\_\_\_\_\_  
Mayor

Filed:

Recorded:

\_\_\_\_\_  
City Clerk

**REQUEST FOR REVISION TO APPROVED BUDGET**

Ora Ash, Deputy State Auditor  
 West Virginia State Auditor's Office  
**200 West Main Street**  
 Clarksburg, WV 26301  
 Phone: 627-2415 ext. 5114  
 Fax: **304-340-5090**  
 Email: **lgs@wvsao.gov**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER \_\_\_\_\_  
 Fiscal Year Ending: **2021-2022**  
 Fund: **001**  
 Revision Number: **4**  
 Pages: **1 of 1**

City of Morgantown  
 GOVERNMENT ENTITY

Person To Contact Regarding Request:  
 Name: **Kevin Tennant**  
 Phone: **304-284-7407**  
 Fax: **304-284-7418**  
 Email: **kevin.tennant@morgantownwv.gov**

389 Spruce Street  
 STREET OR PO BOX  
 Morgantown 26508  
 CITY ZIP CODE

**Municipality**  
 Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
301-02-05	Prior Year Taxes	200,000		30,000	170,000
301-06	Supplemental Taxes	75,000		8,000	67,000
301-07	Tax Loss Restoration		12,954		12,954
302	Tax Penalties, Interest & Publication Fees	38,000		8,000	30,000
303	Gas and Oil Severance Tax	50,000	5,989		55,989
304	Excise Tax on Utilities	1,125,000		60,192	1,064,808

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)** 3,401,862

**Explanation for Account # 378, Municipal Specific:**  
**Explanation for Account # 369, Contributions from Other Funds:**

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
409	Mayor's Office	9,323	4,112		13,435
412	City Manager's Office	718,952	273,849		992,801
417	City Attorney	460,000	500,400		960,400
420	Engineering	549,287		300,068	249,219
422	Personnel Office	383,594	12,375		395,969
436	Building Inspection	1,341,148	240,000		1,581,148
440	City Hall	994,381	293,769		1,288,150
444	Contributions / Transfers to Other Funds	8,660,849	2,037,000		10,697,849
569	Local Government Access Channel	202,740		53,180	149,560
700	Police Department	9,063,761	435,358		9,499,119

**NET INCREASE/(DECREASE) Expenditures** 3,401,862

**APPROVED BY THE STATE AUDITOR**

BY: Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

**REVENUES (CONT)**

City of Morgantown

LGSD: BR City of Morgantown

CONTROL NUMBER: 2021-2022

001

4

BUDGET REVISION REQUEST-SUPPLEMENT

		FY		FUND	REV #
ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
305	Business and Occupation Tax	13,950,000	3,167,871		17,117,871
306	Wine & Liquor Tax	625,000	225,000		850,000
308	Hotel Occupancy Tax	775,000	36,000		811,000
309	Amusement Tax	5,000		2,500	2,500
320	Fines, Fees & Court Costs	300,000		62,000	238,000
325	Licenses	180,000		57,000	123,000
326	Building Permit Fees	180,000	28,000		208,000
327	Miscellaneous Permits	15,000		1,100	13,900
329	Inspection Fees/Vacant Property Fees	113,500	9,000		122,500
345	Rents/Royalties and Concessions	12,000		6,000	6,000
350	Refuse Collection (Garbage and Trash Fees)	1,460,000	166,000		1,626,000
352	Fire Protection Fees	3,987,000	183,900		4,170,900
365	Federal Government Grants	385,900		185,900	200,000
366	State Government Grants	20,000	23,079		43,079
367	Other Grants	15,600		15,600	
368	Contributions/Transfer from Other Entities	180,000	2,800		182,800
376	Gaming Income	8,000	3,000		11,000
380	Interest Earned on Investments	80,000		45,000	35,000
381	Reimbursements		2,261		2,261
382	Refunds and Rebates	40,000	16,000		56,000
383	Sale of Fixed Assets	10,000		11,500	-1,500
397	Video Lottery	90,000	37,000		127,000
399	Miscellaneous Revenues	15,200		24,200	-9,000
<b>NET INCREASE/(DECREASE) Revenues (THIS PAGE)</b>					<b>3,489,111</b>

**Explanation for Account # 378, Municipal Specific:**

**Explanation for Account #369, Contributions from Other Funds:**



**AN ORDINANCE AMENDING THE FY 2021-2022 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE COAL SEVERANCE FUND.**

The City of Morgantown hereby ordains:

That the FY 2021-2022 Annual Budget of the Coal Severance Fund of the City of Morgantown is amended as shown in the revised budget (Revision 02) attached hereto and made a part of this ordinance.

First Reading:

Adopted:

\_\_\_\_\_  
Mayor

Filed:

Recorded:

\_\_\_\_\_  
City Clerk

**REQUEST FOR REVISION TO APPROVED BUDGET**

Ora Ash, Deputy State Auditor  
 West Virginia State Auditor's Office  
**200 West Main Street**  
 Clarksburg, WV 26301  
 Phone: 627-2415 ext. 5114  
 Fax: **304-340-5090**  
 Email: **lgs@wvsao.gov**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER \_\_\_\_\_  
 Fiscal Year Ending: **2021-2022**  
 Fund: **002**  
 Revision Number: **2**  
 Pages: **1 of 1**

\_\_\_\_\_  
 City of Morgantown  
 GOVERNMENT ENTITY

Person To Contact Regarding Request:  
 Name: **Kevin Tennant**  
 Phone: **304-284-7407**  
 Fax: **304-284-7418**  
 Email: **kevin.tennant@morgantownwv.gov**

\_\_\_\_\_  
 389 Spruce Street  
 STREET OR PO BOX  
 Morgantown 26508  
 CITY ZIP CODE

\_\_\_\_\_  
**Municipality**  
 Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
310	Coal Severance Tax	52,000	43,406		95,406
380	Interest Earned on Investments	150		80	70
	#N/A				

**NET INCREASE/(DECREASE) Revenues (ALL PAGES)** 43,326

**Explanation for Account # 378, Municipal Specific:** \_\_\_\_\_  
**Explanation for Account # 369, Contributions from Other Funds:** \_\_\_\_\_

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
900	Parks & Recreation	60,150	43,326		103,476
	#N/A				

**NET INCREASE/(DECREASE) Expenditures** 43,326

**APPROVED BY THE STATE AUDITOR**  
 BY: \_\_\_\_\_  
 Deputy State Auditor, Local Government Services Division Date

\_\_\_\_\_  
 AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

**Boards & Commissions VACANT Positions:**

Updated: 6/2/2022

- **Board of Zoning Appeals: - 2 Vacant & 2 Alternates – City Resident (Minimum 3yrs)**  
 1 – 3yr – 3yr term: 1/1/2020 – 12/31/2022  
 1 – 2yr – 3yr term: 1/1/2022 – 12/31/2024  
 1 – 1yr – 3yr term for Alternate: 1/1/2021 – 12/31/2023  
 1 – 3yr – 3yr term for Alternate: 1/1/2020 – 12/31/2022
- **BOPARC Board: – 1 Vacant – City Resident**  
 1 – 6yr – 6yr term: 7/1/2017 – 6/30/2023
- **Cultural Arts Commission: - 1 Vacant – City Resident**  
 1 – 1yr – 4yr term: 4/1/2022 – 3/31/2024
- **Civilian Police Review & Advisory Board: - 9 Vacant – City Resident or Work within City boundary**  
 3 – 1yr – 3yr term: 5/18/2021 – 5/17/2022  
 3 – 2yr – 3yr term: 5/18/2021 – 5/17/2023  
 3 – 3yr – 3yr term: 5/18/2021 – 5/17/2024
- **Fire Code Board of Appeals: – 3 Vacant & 2 Alternates - City Resident**  
 3 – 3yr terms: 5/2/2019 – 4/30/2022 (Legal, Professional Engineer, and General Contractor)  
 2 – 3yr terms for Alternates: 5/1/2019 – 4/30/2022
- **Health & Wellness Commission: – 1 Vacant – City Resident**  
 1 – 2yr – 3yr term: 1/1/2020 – 12/31/2022
- **Human Rights Commission: - 1 Vacant – City Resident**  
 1 - 1yr – 2yr term: 7/1/2021 – 6/30/2023
- **ICC Board of Appeals: – 3 Vacant**  
 1 – 5yr – 5yr term: 5/1/2020 – 4/30/2025 – Master Electrician  
 1 – 1yr – 5yr term: 5/1/2021 – 4/30/2026 – Civil Engineer  
 1 – 2yr – 5yr term: 5/1/2022 – 4/30/2027 – Civil Engineer
- **Personnel Board: - 1 Vacant – City Resident**  
 1 – 1yr - 3yr term: 7/1/2021 – 6/30/2024
- **Planning Commission: – 2 Vacant – City Resident Ward Specific**  
 1 – 2yr – 3yr term: 1<sup>st</sup> Ward 1/1/2021 – 12/31/2023 (Sam Loretta resigned 4/21/22)

1 – 1yr – 3yr term: 7<sup>th</sup> Ward 1/1/2022 – 12/30/2024

- **Sister Cities Commission: – 4 Vacant – City Resident**  
 3 – 2yr – 3yr terms: 6/1/2021 – 5/31/2024  
 1 – 1yr – 3yr term: 6/1/2020 – 5/31/2023
- **Traffic Commission: – 2 Vacant – City Resident Ward Specific**  
 1 – 3yr term: 4<sup>th</sup> Ward – 4/4/2021 – 4/3/2024
- **Tree Board: – 1 Vacant**  
 1 – 3yr – 3yr term: 11/15/2020 – 11/14/2023
- **Urban Landscape Commission: 3 Vacant – City Resident**  
 1 – 2yr – 3yr term: 7/1/2019 – 6/30/2022 – Landscape Design  
 1 – 3yr – 3yr term: 7/1/2020 – 6/30/2023 – Horticulture  
 1 – 1yr – 3yr term: 7/1/2021 – 6/30/2024 – Plant Health
- **Ward & Boundary Commission: 3 Vacant – City Resident Ward Specific**  
 3 – 2yr terms: 7/1/2021 – 6/30/2023 - Wards 3, 4, & 7
- **Woodburn School Redevelopment Commission – 2 Vacant – City Resident**  
 2 – 2yr – 3yr terms: 1/1/2022 – 12/31/2024

Resolution No. 2022-\_\_\_\_\_

RESOLUTION AUTHORIZING APPLICATION FOR A  
TRANSPORTATION ALTERNATIVE PROGRAM 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 Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Five Hundred Thousand Dollars (\$500,000.00) for the Airport Complete Sidewalk Streetscape Project including construction of sidewalks from the new Mileground Road Upgrades, up to the terminal, which will include ADA accessibility, electrical conduits, and lighting, 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 7<sup>th</sup> day of June, 2022:

\_\_\_\_\_  
Hon. Jennifer Selin, Mayor

\_\_\_\_\_  
Christine Wade, City Clerk

## MORGANTOWN MUNICIPAL AIRPORT SIDEWALK STREETScape CONSTRUCTION

The 2022 TAP Grant application will be the construction of a streetscape project (**TAP Design Awarded in 2020**) from the Mileground to the terminal to include ADA accessibility, electrical conduits, sidewalks, and lighting. This will benefit the upgrades to the airport runway extension which will allow for more commercial flights and bigger planes to fly into Hart Field and will lead to an access of the proposed industrial park to be constructed within the parameters of the airport.

Resolution No. 2022-\_\_\_\_\_

RESOLUTION AUTHORIZING APPLICATION FOR A  
TRANSPORTATION ALTERNATIVE PROGRAM 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 Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) for design of a connector pedestrian/bike bridge from First Ward Neighborhood across Don Knotts Boulevard to Mountaineer Heritage Park and Rail Trail, 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 7<sup>th</sup> day of June, 2022:

\_\_\_\_\_  
Hon. Jennifer Selin, Mayor

\_\_\_\_\_  
Christine Wade, City Clerk

**CONNECTOR BRIDGE FROM FIRST WARD NEIGHBORHOOD TO RAIL/TRAILS ACROSS DON KNOTTS BLVD.**

The Connector Bridge will provide a safe pedestrian/cycling connectivity across Don Knotts Blvd. from White Park (First Ward Neighborhood) Trail System (already installed) to the Rail Trail System (already installed). The project will establish the optimal connection for crossing, to include the examination of bridge or surface connection.

Resolution No. 2022-\_\_\_\_

RESOLUTION AUTHORIZING APPLICATION FOR A  
TRANSPORTATION ALTERNATIVE PROGRAM 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 Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Three Hundred Thousand Dollars (\$300,000.00) for additional funding for the Walnut Street Streetscape Project, 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 7<sup>th</sup> day of June, 2022:

---

Hon. Jennifer Selin, Mayor

---

Christine Wade, City Clerk

**CONTINUATION FOR WALNUT STREET STREETScape PROJECT**

This project will be additional funding for the continuation of the Walnut Street Streetscape Project which will consist of sidewalk upgrades, ADA accessibility, complete streets development in harmony with existing project. (Prior Award 2014)

This streetscape project will contribute to existing transportation/community development plans within the City's Master Plan. With all the economic and tourism development such as the renovation recently of the Hazel Ruby McQuain Park, additions of new boat launch, and kayak/bike rental building, Walnut Street is seeing more foot traffic. Businesses on Walnut Street has increased as well as upgrades to buildings, adding another layer to the downtown environment.

Resolution No. 2022-\_\_\_\_\_

RESOLUTION AUTHORIZING APPLICATION FOR A  
TRANSPORTATION ALTERNATIVE PROGRAM 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 Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Two Hundred Thousand Dollars (\$200,000.00) for design of reconfiguration of Mineral Ave and Deckers Creek Boulevard with Powell Avenue, 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 7<sup>th</sup> day of June, 2022:

\_\_\_\_\_  
Hon. Jennifer Selin, Mayor

\_\_\_\_\_  
Christine Wade, City Clerk

## **RECONFIGURATION OF MINERAL STREET/DECKERS CREEK BLVD AND POWELL AVE INTERSECTION**

The 2022 Tap Design Grant Application consists of Improving multimodal, and specifically pedestrian, safety at the Mineral / Deckers Creek Blvd intersection with Powell Avenue has been identified as a Tier 1 priority in our region's most recent TIP + Interim Year 2030 Projects. More than two dozen recent (< 3 years) crash records in our system, including our area's only bicycle fatality in the past two decades, indicate a potential need for a broader scope of improvements. This design grant would explore comprehensive upgrades for all transportation users at this intersection including, but not limited to intersection realignments, operational upgrades, and pedestrian, cycling, and transit user facilities.



# Voluntary Remediation Program

West Virginia Department of Environmental Protection  
Office of Environmental Remediation

## Application Instructions

### Program Overview

The Voluntary Remediation Program (VRP) encourages voluntary remediation and redevelopment of contaminated or potentially contaminated sites in West Virginia by providing financial incentives and limiting liability under environmental laws and rules. The program is authorized by W.V. Code §22-22 (Voluntary Remediation and Redevelopment Act), regulated by 60CSR3 (Voluntary Remediation and Redevelopment Rule), and administered by the Office of Environmental Remediation (OER).

W.V. Code §22-22	Voluntary Remediation and Redevelopment Act <a href="https://www.wvlegislature.gov/wvcode/code.cfm?chap=22&amp;art=22">https://www.wvlegislature.gov/wvcode/code.cfm?chap=22&amp;art=22</a>
60CSR3	Voluntary Remediation and Redevelopment Rule (last revised 6/1/2020) <a href="http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=53312&amp;Format=PDF">http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=53312&amp;Format=PDF</a>

### Licensed Remediation Specialists

A Licensed Remediation Specialist (LRS) must be contracted by an applicant for preparation of an application and supervision of the remediation. A LRS is tested, certified, and licensed by WVDEP. The LRS is responsible for all remediation activities at a site and has a duty to protect the safety, health, and welfare of the public in the performance of his or her professional duties.

A list of Licensed Remediation Specialists for hire is located on OER's webpage:

[https://apps.dep.wv.gov/oer/l\\_list4.cfm](https://apps.dep.wv.gov/oer/l_list4.cfm)

### Pre-Application Conference

All potential applicants may request a pre-application conference with WVDEP staff prior to submission of an application. The conference will include a discussion of the conditions of the site and the potential future use of the site. Brownfield applicants, as defined by Section 2.8 in the Voluntary Remediation and Redevelopment Rule (60 CSR 3), are required to participate in a pre-application conference.

To request a pre-application conference, contact the Office of Environmental Remediation (304-926-0499).

### Application Fee

The application fee must be submitted in the form of a check payable to the West Virginia Department of Environmental Protection. Applications cannot be reviewed prior to receipt of the correct application fee. The check must be submitted with a cover letter containing the applicant's name, site name, site address, and county. The application fee and cover letter must be mailed to:

Attention: Jessica Henson  
Office of Environmental Remediation  
West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

To determine the application fee for a site, refer to Section 7 of the application.

WITHDRAWALS: If an applicant withdraws an application prior to determination of eligibility to participate by WVDEP or if WVDEP rejects the application and the applicant does not re-submit a revised application within twenty-five (25) days, the applicant will receive a refund of one-half the application fee paid. The application fee is non-refundable if an applicant fails to enter into a Voluntary Remediation Agreement within thirty-one (31) days of the acceptance of an application.

## Application Submittal

Submit an electronic copy of the completed, signed application and required attachments to [DEPOERFileCopy@wv.gov](mailto:DEPOERFileCopy@wv.gov). NOTE: Scanned signatures are required and accepted on applications.

If the electronic copy cannot be emailed, it may be placed on digital media and mailed with the application fee as indicated below.

Mail the application fee with cover letter to:

Attention: Jessica Henson  
Office of Environmental Remediation  
West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

## Application Review and Process

The WVDEP will review the application within forty-five (45) days of receipt of the application and the application fee, and unless an extension of time is agreed to and confirmed in writing, will approve the application, approve the application with corrections, or deny the application. The WVDEP will provide their determination to the applicant in writing.

Upon acceptance of an application, WVDEP will enter into a Voluntary Remediation Agreement (VRA) with the applicant within thirty-one (31) days after the application has been accepted. If an agreement has not been negotiated by this time, either party may withdraw from negotiations. However, if it becomes impractical to reach an agreement within thirty-one (31) days, the time limit may be extended by mutual agreement and confirmed in writing.

A WVDEP project manager is assigned to each project as the WVDEP designated representative at the site. The project manager will work with the applicant and LRS to properly remediate the site and ultimately issue a Certificate of Completion.



# Voluntary Remediation Program

West Virginia Department of Environmental Protection  
Office of Environmental Remediation

## Voluntary Remediation Program Application

### Section 1 – PROGRAM ELIGIBILITY

	YES	NO
1. Has the site been listed or proposed to be listed on the National Priorities List developed by the USEPA pursuant to Title I of the Comprehensive Environmental Response, Compensation, and Liability Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is the site subject to a unilateral order issued by the USEPA pursuant to §104 through §106 of the Comprehensive Environmental Response, Compensation, and Liability Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the site subject to a unilateral enforcement order under §3008 or §7003 of the Resource Conservation and Recovery Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Is the site subject to a unilateral enforcement order for corrective action issued pursuant to any provision of Chapter 22 of the West Virginia Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Was the release which is subject to remediation created through gross negligence or willful misconduct by the applicant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answered "yes" to any of the above questions, contact the Office of Environmental Remediation (304-926-0499) for assistance.

**Section 2 – APPLICANT INFORMATION****Applicant**

Applicant's Legal Name City of Morgantown, West Virginia			
Aliases or Other Names By Which Applicant Is Known or Does Business			
Address 389 Spruce Street		City Morgantown	State WV
Zip Code 26505			
Type of Entity <input type="checkbox"/> Private Business <input type="checkbox"/> Non-Profit Corporation <input type="checkbox"/> Federal Government <input type="checkbox"/> State Government <input checked="" type="checkbox"/> Local Government <input type="checkbox"/> Other:			
Relationship to Property <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Prospective Purchaser <input type="checkbox"/> Prospective Operator <input type="checkbox"/> Other:			
Contact Name Emily Muzzarelli, P.E.		Contact Title Assistant City Manager	
Phone 304- 284-7406	Alternate Phone		Email emuzzarelli@morgantownwv.gov

**Co-Applicant 1 (if applicable)**

Co-Applicant's Legal Name			
Aliases or Other Names By Which Co-Applicant Is Known or Does Business			
Address		City	State
Zip Code			
Type of Entity <input type="checkbox"/> Private Business <input type="checkbox"/> Non-Profit Corporation <input type="checkbox"/> Federal Government <input type="checkbox"/> State Government <input type="checkbox"/> Local Government <input type="checkbox"/> Other:			
Relationship to Property <input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Prospective Purchaser <input type="checkbox"/> Prospective Operator <input type="checkbox"/> Other:			
Contact Name		Contact Title	
Phone	Alternate Phone		Email

**Co-Applicant 2 (if applicable)**

Co-Applicant's Legal Name			
Aliases or Other Names By Which Co-Applicant Is Known or Does Business			
Address		City	State
Zip Code			
Type of Entity <input type="checkbox"/> Private Business <input type="checkbox"/> Non-Profit Corporation <input type="checkbox"/> Federal Government <input type="checkbox"/> State Government <input type="checkbox"/> Local Government <input type="checkbox"/> Other:			
Relationship to Property <input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Prospective Purchaser <input type="checkbox"/> Prospective Operator <input type="checkbox"/> Other:			
Contact Name		Contact Title	
Phone	Alternate Phone		Email

**Billable Party**

Billable Party City of Morgantown		Phone 304- 284-7406	
Mailing Address 389 Spruce Street		City Morgantown	State WV
Zip Code 26505			
Billable Party Contact Name Emily Muzzarelli, P.E.		Billable Party Contact Title Assistant City Manager	Billable Party Contact Email emuzzarelli@morgantownwv.gov

**Legal Right to Perform Work Required**

One or more of the following forms of proof of the applicant's legal right to perform the work required is attached to the application:	
<input checked="" type="checkbox"/> Property Deed	<input type="checkbox"/> Property Access Agreement

**Financial Capabilities**

Provide a brief description of the applicant's financial capabilities to successfully complete the voluntary remediation and satisfy any contractual obligations entered into by the applicant that relate to the voluntary remediation.

The City of Morgantown will be utilizing city funding for initial investigative sampling and reporting; grant funding through the West Virginia Land Stewardship Corporation will be utilized for Voluntary Remediation Program-related costs, up to \$25,000. Costs in exceedance of \$25,000 will be covered by municipal funds and/or future grants.

One or more of the following forms of proof of the applicant's financial capability is attached to the application.

- Annual Report or Prospectus for a Publicly Held Company
- Letter of Credit or financial reference from Financial Institution
- Grant Award
- Other: **City's Annual Budget Report**

Is a party other than the applicant providing the proof of financial capability?

No

Yes

Demonstrate the relationship to the applicant.

**Confidentiality Claim**

Information obtained by WVDEP for the Voluntary Remediation Program is available to the public unless the applicant demonstrates that the information or parts thereof, if made public, would divulge methods, processes, or activities entitled to protection as trade secrets (any information protected from disclosure under WV Code §29B-1-4(1)).

- Applicant asserts a confidentiality claim.
- Applicant does not assert a confidentiality claim.

If asserting a confidentiality claim, specify the items for which confidentiality is being claimed.

**Section 3 – TECHNICAL CAPABILITIES**

**LRS Contact Information**

LRS Name Lydia Work	Company Environmental Standards, Inc.	LRS Number 148
Address 2501 Chapline Street, PO Box 6562	City Wheeling	State WV
Zip Code 26003	Phone 304-552-1442	Alternate Phone Email lwork@envstd.com

**Experience**

Has the LRS previously managed West Virginia Voluntary Remediation Program projects?		
<input checked="" type="checkbox"/> Yes	List the three most recent projects that the LRS has managed.	
	<b>VRP #</b>	<b>Project Name</b>
	16008	Town of Bath - NBRT
	13626	Empire – La Brea Parcel C
	18028	Upshur County Commission – Youth Camp
<input type="checkbox"/> No	Provide a brief description of any experience applicable to this project.	

**Section 4 – SITE DESCRIPTION**

**Physical Location**

Site Name White Park	Size (acres) 184.4		
Physical Address 1001 Mississippi St.	City Morgantown	Zip Code WV	County 26501
Driving Directions (if necessary)			

**GIS Data**

Collection Point <input checked="" type="checkbox"/> Center of Site <input type="checkbox"/> Main/Front Door <input type="checkbox"/> Main Entrance/Front Gate <input type="checkbox"/> Other:			
Latitude (decimal degrees) 39.610001	Longitude (decimal degrees) -79.962654	Horizontal Datum NAD 83	Accuracy (≤5 meters required) <5 meters

**Additional Locational Data**

At least one site map identifying the VRP project site boundaries is attached to the application and also provided as a georeferenced digital file (kml, shp, or dwg).

If necessary, provide a brief description of any other identifying information that will serve to clearly and concisely identify the property.  
 The Property will be parceled into two sections: Southside Trail and Upland Area. Cobun Creek Reservoir is excluded

**Legal Description**

Provide tax map information for each tax map parcel within the site boundaries.

District	Address/Description	Map No.	Parcel No.	Deed Book	Page No.	Acres
9 – Morgantown- 1st Ward	40.724 AC; Near City; Vacant Land	48A	6	740	209	40.74
9 – Morgantown- 1st Ward	24 Alkire Drive	48	41	740	209	33.51
9 – Morgantown- 1st Ward	Off Route 64; Vacant Land	48A	7	740	209	7.118
9 – Morgantown- 1st Ward	University Ave	49	8	186	72	10.408
9 – Morgantown- 1st Ward	Mississippi Street		42	Unknown	Unknown	17.912

**Survey**

A survey of the property has been made and is attached to the application. (optional)

**Property Owner**

Applicant is property owner.

Owner  
 City of Morgantown

Address 389 Spruce Street	City Morgantown	State WV	Zip Code 26505
Owner Contact Name Emily Muzzarelli, P.E.	Owner Contact Title Assistant City Manager		
Phone 304-284-7406	Alternate Phone	Email emuzzarelli@morgantownwv.gov	

The site has more than one current property owner, and additional property owner information is attached to the application.

**Operator**

n/a       Applicant is operator.       Property owner is operator.

Operator

Address	City	State	Zip Code
Operator Contact Name	Operator Contact Title		
Phone	Alternate Phone	Email	

The site has more than one current operator, and additional operator information is attached to the application.

**Section 5 – EXISTING ENVIRONMENTAL INFORMATION**

**Site Identification**

List all WVDEP and USEPA identification numbers assigned to the site (solid waste, UST/LUST, CERCLIS, RCRIS, UIC, etc.).

Issuing Agency	Type	Identification Number
WVDEP	CERCLIS	WVD98766168

**Environmental Permits**

List all past, present, and pending permits issued by WVDEP or USEPA relating to the site.

Issuing Agency	Type	Permit ID	Issue Date	Expiration Date

**Site Assessment**

Have any environmental site assessments, sample collections, or analyses been performed on the site?

Yes    No

The following environmental site assessments, sample collections, or analyses have been performed and are attached to the application:

Phase I    Phase II    Other: CERCLIS - PA (DEP, 1989), SIR (DEP, 1991), SIR (Triad, 2009), SIR (Triad, 2019) (available in DEP records)

**Past Proceedings**

Has the property (or any activity conducted on the property) ever been the subject of an administrative (e.g. consent order), civil, or criminal investigation related to protection of the environment?

No

Yes   Provide a brief explanation and dates of actions.

**Section 6 – REMEDIATION OBJECTIVES**

Post-Remediation Use	
	Future Property Use (check all that apply) <input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Recreational <input type="checkbox"/> Residential <input type="checkbox"/> School <input type="checkbox"/> Vacant <input type="checkbox"/> Unknown <input type="checkbox"/> Other:
Redevelopment	
<input type="checkbox"/> In Progress <input checked="" type="checkbox"/> Imminent <input type="checkbox"/> n/a	Provide a brief description of redevelopment plans.  Proposed location of the White Park Southside recreational trail, which would connect to the existing Woodland and Lakeshore Trails around the Cobun Creek Reservoir.

**Section 7 – FEE CALCULATION**

**(A) Size of Property**

Total Square Feet of Surface Area of Property (rounded to nearest 1,000 square feet) 8,032,000	Total Acres (total square feet divided by 43,560) 184.4
---	--

Determine the points for size of property:

< 1 acre (10 points)

≥ 1 acre, but < 5 acres (20 points)

≥ 5 acres (30 points)

**(B) Years of Operation**

Years Property Operated for Any Non-Residential Activity (Treat partial years as complete years.)

Determine the points for years of operation:

≤ 10 years (10 points)

> 10 years, but < 20 years (20 points)

≥ 20 years (30 points)

Undetermined (30 points)

**(C) NAICS Code**

North American Industry Classification System (NAICS) Code(s) for Activities Conducted on the Property  
324

Review the tables below. If more than one NAICS Code applies, use the one which results in the greatest number of points.

Table A	
316	Leather and Allied Product Manufacturing
322	Paper Manufacturing
324	Petroleum and Coal Products Manufacturing
325	Chemical Manufacturing
326	Plastics and Rubber Products Manufacturing
331	Primary Metal Manufacturing
332	Fabricated Metal Product Manufacturing
333	Machinery Manufacturing
334	Computer and Electronic Product Manufacturing
335	Electrical Equipment, Appliance, and Component Manufacturing
336	Transportation Equipment Manufacturing
339	Miscellaneous Manufacturing

Table B	
113	Forestry and Logging
211	Oil and Gas Extraction
212	Mining (except Oil and Gas)
213	Support Activities for Mining
221	Utilities
311	Food Manufacturing
312	Beverage and Tobacco Product Manufacturing
313	Textile Mills
314	Textile Product Mills
315	Apparel Manufacturing
321	Wood Product Manufacturing
323	Printing and Related Support Activities
327	Nonmetallic Mineral Product Manufacturing
337	Furniture and Related Product Manufacturing
486	Pipeline Transportation
488	Support Activities for Transportation
511	Publishing Industries (except Internet)
526	Waste Management and Remediation Services

Determine the points for NAICS Code:

NAICS Code not in Table A or B (10 points)

NAICS Code in Table B (20 points)

NAICS Code in Table A (30 points)

NAICS Code undetermined (30 points)

**Total Points**

Part A Points 30	+	Part B Points 30	+	Part C Points 30	=	Total Points 90
---------------------	---	---------------------	---	---------------------	---	--------------------

Determine application fee based on total score:

30 or 40 (\$1,000.00)

50 or 60 (\$3,000.00)

70, 80, or 90 (\$5,000.00)

**Section 8 – STATEMENT OF AFFIRMATION**

I certify that I am fully authorized to act on behalf of the applicant. I affirm that the information provided in this application and its attachments, to the best of my knowledge and belief, is true, complete, and accurate. Upon approval of this application, I will execute a Voluntary Remediation Agreement (VRA) within thirty-one (31) days of the date of WVDEP's acceptance letter.

Applicant      Print Name: Emily Muzzarelli, P.E.      Title: Assistant City Manager

\_\_\_\_\_  
Signature      Date

Co-Applicant 1      Print Name: \_\_\_\_\_      Title: \_\_\_\_\_

\_\_\_\_\_  
Signature      Date

Co-Applicant 2      Print Name: \_\_\_\_\_      Title: \_\_\_\_\_

\_\_\_\_\_  
Signature      Date

I certify that I have prepared and/or approved the site assessment provided with this application.

LRS      Print Name: Lydia Work

  
\_\_\_\_\_  
Signature      June 2, 2022  
Date

## ATTACHMENTS

Indicate the items attached to the application.

### Required Attachments

- Proof of Legal Right to Perform Work Required (Section 2)
- Proof of Financial Capability (Section 2)
- Site Map(s) and Georeferenced Digital File(s) (Section 4)
- Environmental Site Assessment(s) (Section 5)
- Conceptual Site Model Worksheet

### Conditional Attachments

- Survey of Property (Section 4)
- Additional Property Owner Information (Section 4)
- Additional Operator Information (Section 4)
- Other:
- Other:
- Other:
- Other:
- Other:



# Voluntary Remediation Program

West Virginia Department of Environmental Protection  
Office of Environmental Remediation

## Conceptual Site Model Worksheet

### Section 1 – SITE CHARACTERISTICS

#### Geologic Setting

Geologic Setting Characteristics  
 Alluvial Setting    Fractured Rock    Karst    None Listed

#### Soil

Soil Type (check all that apply)  
 Gravel    Sand    Silt    Clay    Fill Material

#### Groundwater

Depth to Groundwater Range (feet) 0-20	Groundwater Flow Direction NW	Underlying Aquifer <input type="checkbox"/> Confined <input type="checkbox"/> Perched <input checked="" type="checkbox"/> Unconfined <input type="checkbox"/> Unknown
Are there any known discharge points from the underlying aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Distance from Known Discharge Points to Site (miles) Cobun Creek Reservoir, adjacent

#### Surface Water

List each local surface water body (lake, pond/impoundment, river, spring/seep, stream, wetlands).

Type	Name or Identifying Information	Distance from Site (feet)
Lake	Cobun Creek Reservoir	0
Stream	Cobun Creek	0
River	Monongahela River	5000

#### Site Activities

Past or Current Site Activities  
 Deep/Surface Mining    Injection or Extraction Wells    Monitoring Wells    Waste Storage/Disposal

**Section 2 – SITE USE**

**Historical Site Use**

Land Use (check all that apply)  
 Agricultural     Commercial     Industrial     Recreational     Residential     School     Vacant  
 Other:

List past and current property owners/operators, a description of operations, and the approximate dates of ownership/operation.

Approximate Dates	Owner/Operator Name	Description of Operations
Late 1800s – 1950s	Eureka Pipeline Company/Standard Oil	Pumping station and tank farm (crude oil)
1950s-1970s	Eureka Pipeline Company/Pennzoil	Decommissioning tanks, parceling and sale of area
1980s - Present	City of Morgantown	Recreation, portions vacant

**Current Site Use**

Land Use (check all that apply)  
 Agricultural     Commercial     Industrial     Recreational     Residential     School     Vacant  
 Other:

If necessary, provide additional current site use description.

**Future Site Use**

Land Use (check all that apply)  
 Agricultural     Commercial     Industrial     Recreational     Residential     School     Vacant  
 Unknown     Other:

If necessary, provide additional future site use description.

**Historical Adjacent Property Use**

Land Use (check all that apply)  
 Agricultural     Commercial     Industrial     Recreational     Residential     School     Vacant  
 Other:

If necessary, provide additional historical adjacent property use description.

**Current Adjacent Property Use**

Land Use (check all that apply)  
 Agricultural     Commercial     Industrial     Recreational     Residential     School     Vacant  
 Other:

If necessary, provide additional current adjacent property use description.

**Section 3 – CONTAMINANT SOURCE CHARACTERISTICS**

**Nature of Contamination**

Provide a brief description of the type, source, and extent of the contamination.

Limited areas of the site have elevated concentration of petroleum constituents and arsenic in soils.

**Evidence of Contamination**

Known or Suspected Source(s) of Contamination (check all that apply)

- Analytical data
- Free product or sheen on groundwater surface
- Free product or sheen on ponded water
- Free product or sheen on surface water body
- Odor
- Other:
- Oil, tar, or other non-aqueous phase contaminant (≥1,000 sq ft)
- Ponded contaminants
- Stained saturated soil or backfill
- Stressed biota (fish kills, stressed vegetation, etc.)

**Source(s) of Contamination**

Known or Suspected Source(s) of Contamination (check all that apply)

- Aboveground Storage Tank System (AT)
- Adjacent Property (AP)
- Burial or Dumping of Wastes (BD)
- Other (OT):
- Drums or Storage Containers (DS)
- Industrial Accident (IA)
- Routine Industrial Operations (IO)
- Surface Spill or Discharge (SD)
- Underground Storage Tank System (UT)
- Unknown (UK)

**Contaminants**

For each contaminant, indicate: Source(s) of contamination as labeled above (AT, AP, BD, etc.)  
Known (K) and suspected (S) contamination for each media affected

Contaminant	Source(s)	Soil	Groundwater	Surface Water	Sediments	Air
<i>Example</i>	<i>BD, IO</i>	<i>K</i>	<i>K</i>	<i>S</i>		
Chlorinated Solvents						
Dioxins						
Metals	UK	K	S			
PCBs						
Pesticides / Herbicides						
Petroleum	AT, SD	K	S			
SVOCs	AT, SD	K	S			
VOCs	AT, SD	K	S			
Other:						
Other:						
Other:						
Other:						

## Section 4 – INTERIM REMEDIAL ACTIONS

### Interim Remedial Actions

Are there any interim remedial actions that have or will take place on the site?

No

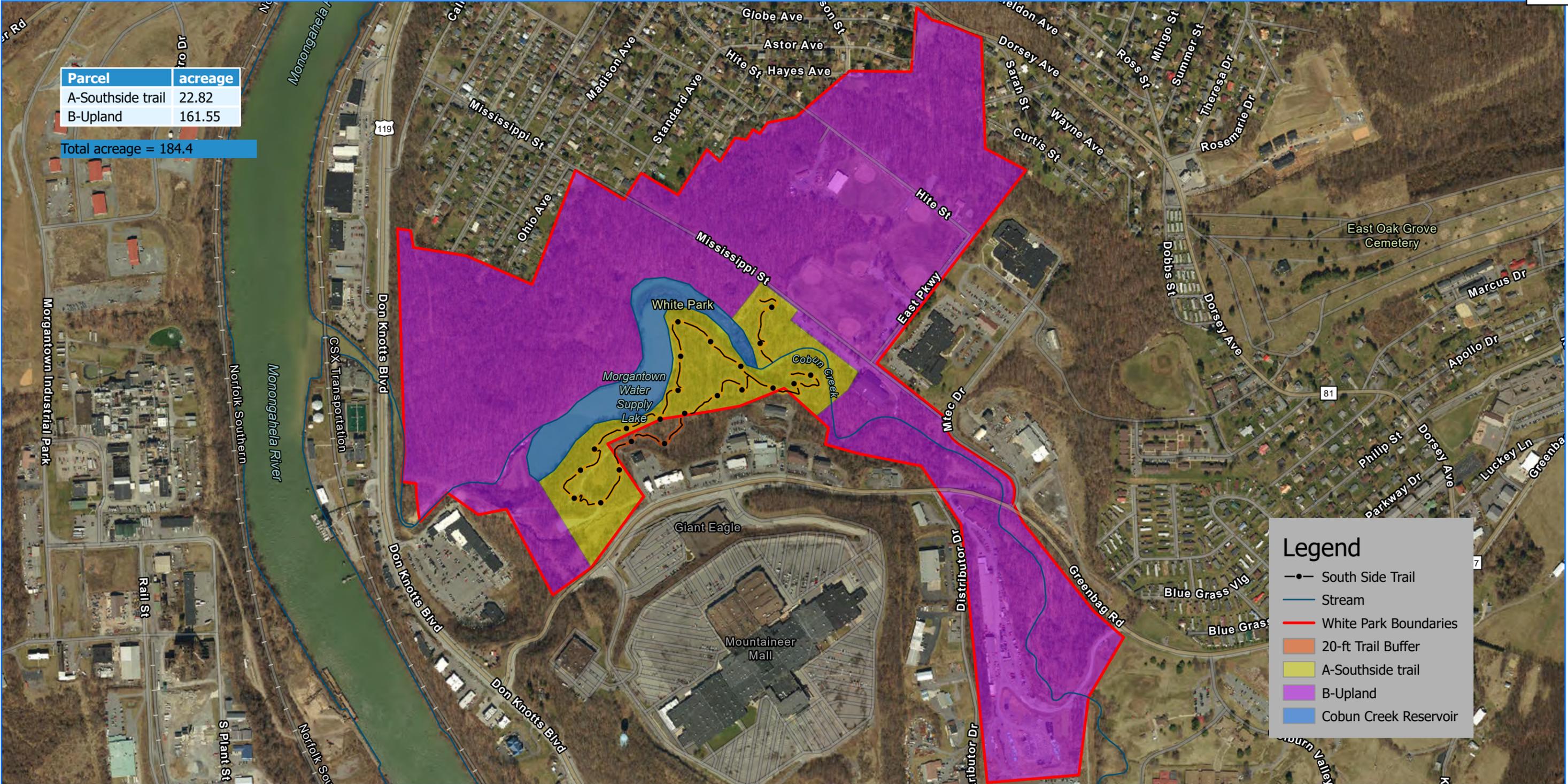
Yes

Specify the remedial actions.

Remedial Action	Planned	Initiated	Completed
Containing contamination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excavating contaminated soil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Providing temporary water supplies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recovering free product	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removing regulated substance from storage tank(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removing storage tank(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Section 5 – AFFECTED MEDIA, TRANSPORT MECHANISMS, EXPOSURE PATHWAYS, AND RECEPTORS

Affected Media				
Affected or Potentially Affected Media (check all that apply)				
<input checked="" type="checkbox"/> Soil <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> Sediments <input type="checkbox"/> Air				
Transport Mechanisms				
Identify contaminant transport mechanisms.				
Contaminant	Erosion/Runoff	Fugitive Dust	Leaching	Volatilization
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Local Water Supplies				
Indicate the supply for each local water need and the distance of the supply from the site.				
Local Water	Surface	Downstream Distance (feet)	Well	Downgradient Distance (feet)
Public Water System (secondary)	<input checked="" type="checkbox"/>	<50	<input type="checkbox"/>	
Private Residential	<input type="checkbox"/>		<input type="checkbox"/>	
Agricultural	<input type="checkbox"/>		<input type="checkbox"/>	
Industrial / Commercial	<input type="checkbox"/>		<input type="checkbox"/>	
Is the groundwater connected to or part of an aquifer that serves as a source of drinking water? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Other Surface Water Use				
Surface Water Use (check all that apply)				
<input type="checkbox"/> Boating <input checked="" type="checkbox"/> Fish and Wildlife Habitat <input type="checkbox"/> Recreational Fishing <input type="checkbox"/> Subsistence Fishing <input type="checkbox"/> Swimming <input type="checkbox"/> Not Used <input type="checkbox"/> Other				
Exposure Pathways				
Current and Future Exposure Pathways (check all that apply)				
Inhalation <input checked="" type="checkbox"/> Soil Particles <input type="checkbox"/> Vapors released from Groundwater <input checked="" type="checkbox"/> Vapors released from Soil		Dermal Contact <input type="checkbox"/> Groundwater <input type="checkbox"/> Sediments <input checked="" type="checkbox"/> Soil <input type="checkbox"/> Surface Water		Ingestion <input type="checkbox"/> Groundwater <input type="checkbox"/> Sediments <input checked="" type="checkbox"/> Soil <input type="checkbox"/> Surface Water <input type="checkbox"/> Aquatic Organisms <input type="checkbox"/> Plants <input type="checkbox"/> Terrestrial Animals
Receptors				
Current and Future Receptors (check all that apply)				
Human <input type="checkbox"/> Residential <input type="checkbox"/> Commercial / Industrial <input checked="" type="checkbox"/> Construction / Outdoor Maintenance Worker <input checked="" type="checkbox"/> Recreational / Trespasser <input type="checkbox"/> Other:		Ecological <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Terrestrial		



Parcel	acreage
A-Southside trail	22.82
B-Upland	161.55

Total acreage = 184.4

**Legend**

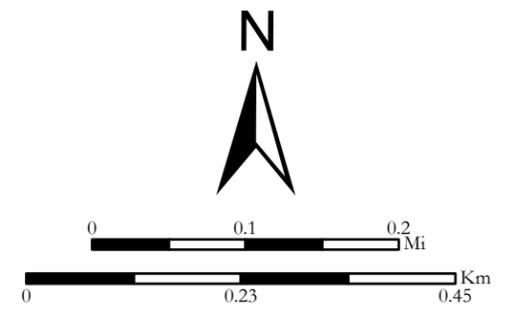
- South Side Trail
- Stream
- White Park Boundaries
- 20-ft Trail Buffer
- A-Southside trail
- B-Upland
- Cobun Creek Reservoir



# White Park VRP Boundaries and Parcels

Esri Community Maps Contributors, WVU Facilities, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

06/02/2022



Coordinate System: State Plane 83 WV North NAD83 US Survey Feet-csref