

REGULAR MEETING January 23, 2018: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, January 23, 2018 at 7:00 p.m.

PRESENT: City Manager Paul Brake, Heather Carl City Clerk Secretary, City Attorney Ryan Simonton, Mayor Kawecki, and Council Members: Rachel Fetty, Ryan Wallace, Jenny Selin, Ron Dulaney, Deputy Mayor Mark Brazaitis. Assistant City Manager Angela Cline, City Clerk Linda Tucker and Councilor Wendell was absent.

The meeting was called to order by Mayor Kawecki.

APPROVAL OF MINUTES: January 4, January 9, and January 16, 2018 Special Meeting Minutes were approved by acclamation.

CORRESPONDENCE: Deputy Mayor Brazaitis addressed Mon County Delegates with a letter about legislation on annexation; municipal fee service; decreasing delegates & senators; re-routing trucks downtown. He stated that our cities, and Morgantown, are the key to the state's economy. He noted that Morgantown's future is inextricably linked to what happens in Charleston. He mentioned that a neighbor said that by enhancing the library would be a reason they would stay in Morgantown. **Ex. A.**

Councilor Fetty mentioned an e-mail from Glenn Walker addressing the City and County on their fiduciary duties. **Ex. B.**

PUBLIC HEARINGS: AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE WATERWORKS SYSTEM OF THE CITY OF MORGANTOWN.

Mayor Kawecki declared the Public Hearing open.

There being no appearances, Mayor Kawecki declared the Public Hearing closed.

PUBLIC HEARING: AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WATER PORTION OF THE EXISTING COMBINED UTILITY SYSTEM OF THE CITY OF MORGANTOWN INCLUDING BUT NOT LIMITED TO A WATERLINE EXTENSION PROJECT IN THE ROCKLEY ROAD AREA.

Mayor Kawecki declared the Public Hearing open.

There being no appearances, Mayor Kawecki declared the Public Hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE SETTING FORTH RATES, FEES, AND CHARGES FOR SERVICE TO CUSTOMERS OF THE WATERWORKS SYSTEM: The below entitled Ordinance was presented for second reading.

AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE WATERWORKS SYSTEM OF THE CITY OF MORGANTOWN.

City Manager explained, Council suspended the rules to have Tim Ball, MUB Director answer questions to Council. Motion by Wallace, second by Selin, to adopt the above entitled Ordinance. Motion carried 6-0.

AN ORDINANCE AUTHORIZING IMPROVEMENTS TO ROCKLEY ROAD AREA: The below entitled Ordinance was presented for second reading.

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WATER PORTION OF THE EXISTING COMBINED UTILITY SYSTEM OF THE CITY OF MORGANTOWN INCLUDING BUT NOT LIMITED TO A WATERLINE EXTENSION PROJECT IN THE ROCKLEY ROAD AREA.

City Manager explained, motion by Selin, second by Wallace, to adopt the above entitled Ordinance. Motion carried 6-0.

BOARDS AND COMMISSIONS: Mayor announced to Council does anyone have reports for Boards & Commissions & Special Committee Reports:

Deputy Mayor Brazaitis noted Met Theatre is looking for capital improvements, a grant would help with the roof. He reported that the Sister Cities Commission was notified that the Human Rights Commission will possibly offer international students recognition as members of the Morgantown community. Deputy Mayor requested the City Attorney to research the legality of distribution of certificates. He reported that the Cities Sister City Guanajuato has resolved their traffic problem by having a network of traffic/walking underneath the city. **Ex. A.**

Councilor Dulaney noted that the Woodburn Redevelopment Commission has several openings and encouraged citizens to call the City Clerk or go on-line to apply for openings.

Councilor Wallace reported that Council had a preliminary interview last week of 5 candidates of the 32 that applies for the Health & Wellness Commission. Council will be interviewing 5 more candidates, and thank you to everyone that applied.

Councilor Selin noted the Clerk's Boards & Commission report and questioned Marti Shamberger' status and that she should be interviewed. She requested the Clerk to make that change on her report and interview candidates soon.

Mayor Kawecky mentioned his excitement of the Mon Arts Center on the Agenda this evening and the future of the Arts in our Community.

PUBLIC PORTION:

Mayor Kawecky declared the Public Portion open.

Laura Jones, 309 Wagner Road, Executive Director of Health Right, mentioned to Council the struggle that they have with the Health Care of the Homeless during the winter months.

Jason Batten, 23 Pioneer Villas, Friendship House Program Director, read a letter asking for Council's support next year with the care of the Homeless during the winter months.

Austin Rempel, 424 Ash Street, noted his concerns about the designating parking in South Park.

Zachary Freedman, 517 Park Street, requested that Council add 305 Jackson to the South Park Permit area.

Renee Hernandez, 723 Louise Avenue, brought her Birth Certificate with her this evening due to her concern of the Human Rights issues in this Country and how immigrants are being treated. She requested more information about the Woodburn Redevelopment openings. She mentioned her situation and being on Social Security Disability and her years of suffering with a medical condition.

There being no more discussion, Mayor Kawecky declared the Public Portion closed.

SPECIAL COMMITTEE REPORTS: Noted above under Boards & Commissions.

NEW BUSINESS:

A SUPPLEMENTAL RESOLUTION PROVIDING AS TO PRINCIPAL AMOUNTS, DATES, MATURITY DATES, REDEMPTION PROVISIONS, INTEREST RATES, INTEREST AND PRINCIPAL PAYMENT DATES, SALE PRICES AND OTHER TERMS OF THE COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2018 A (WEST VIRGINIA INFRASTRUCTURE FUND) OF THE CITY OF MORGANTOWN; APPROVING AND RATIFYING THE LOAN AGREEMENT RELATING TO SUCH BONDS AND THE SALE AND DELIVERY OF SUCH BONDS TO THE WEST VIRGINIA WATER DEVELOPMENT AUTHORITY; DESIGNATING A REGISTRAR, PAYING AGENT AND DEPOSITORY BANK; AND MAKING OTHER PROVISIONS AS TO THE BONDS: The above entitled Resolution was presented for approval.

City Manager explained. Council suspended the rules to have Tim Ball, MUB Director and John Stump, Steptoe & Johnson Attorney to answer any questions. Motion by Wallace, second by Dulaney, to approve the above entitled Resolution. Motion carried 6-0.

CITY MANAGER'S REPORT:

New Business:

1. Citizen Request to Amend South Park Designated Parking District

The City has received a request from Kate Levine-Freedman to have a blue curb painted at a property located at 305 Jackson Avenue. In order to make a modification to an existing parking district, an ordinance must be executed to make this change. In lieu of placing this on the January 30 Committee of the Whole agenda, the City Manager recommended forwarding this request to the February 6 Regular City Council meeting agenda.

After discussion, Council suspended the rules to let Zack Freedman, 517 Parks Street to comment on this request. Council by consensus moved the item to the January 30th Committee of the Whole Meeting.

2. Letter of Support – Morgantown Utility Board (MUB) Grant Application to Healthy Watershed Consortium

The Morgantown Utility Board (MUB) is proposing to submit a grant application to the U.S. Endowment for Forestry and Communities to establish a Land and Drinking Water Protection Program. MUB has been a leader in source water protection efforts across the state of West Virginia. MUB developed a very comprehensive, forward-looking Source Water Protection Plan, which serves as a model for drinking water utilities across the state. This plan includes establishing a program to protect land upstream from drinking water intakes. MUB is now building a new reservoir to provide additional water storage for its secondary intake; protecting land about this intake is an important priority to this project.

A motion is recommended approving MUB's request for a letter of support to the Healthy Watersheds Consortium Grant Program for its proposed program to protect land upstream from drinking water intakes.

City Manager explained. Council suspended the rules to have Tim Ball, MUB Director answer questions. Motion by Deputy Mayor Brazaitis, second by Dulaney to approve a letter of support for the Healthy Watersheds Consortium Grant Program. Motion carried 6-0.

Letter of Intent – Metropolitan Theater (Met) Grant to the 2019 Cultural Facilities and Capital Resources Program

We are proposing to submit a grant to West Virginia's Commission on the Arts (a state agency) for a capital improvement project (part of a multi-phase project) for a number of needed building improvements at the Metropolitan Theater. The first iteration includes a \$373,000 plan to replace the 20-year-old membrane roof, HVAC control, repair/update electrical egress lighting for emergency exits and updating long standing rigging system. The grant program is 50% match, thus \$186,500 will be requested from the state, and the remaining amount is recommended from the Capital Escrow Fund.

Staff will make additional recommendations for additional capital improvements for the Met in future years. Assuming we are successful in securing the proposed grant, the state requires waiting two years before applying again. Should be successful in gaining the grant funds, the City will be required to complete the construction project by June 30, 2019.

A motion approving the letter of intent and setting aside the needed grant match, in the Capital Escrow Fund, to pursue the needed maintenance at the Theater.

City Manager explained. After discussion, motion by Wallace, second by Fetty to approve letter of intent and money to the needed maintenance at the Met Theater. Motion carried 6-0.

Information:

1. Morgantown Municipal Airport (MGW) – Runway Length Extension Project

Included in the packet is an overview of the Morgantown Municipal Airport runway extension project. The plan includes extending the runway from 5,199 to 6,200 feet to accommodate primarily corporate jet general aviation needs, as well as university sport teams. The expansion of aviation infrastructure will have an economic development multiplier impact on the City, as well as the greater region. This project has continued to have strong support from WVU, Monongalia County and the County's development authority.

At the last City Council meeting, the City Manager brought a proposed loan proposal, in the amount of \$2.2 million to complete the airport T Hanger project. The hangers consist of spaces for 45 single engine and light twin aircrafts.

At Tuesday's meeting, the City Manager gave the latest update on the project and status of the studies mandated by the Federal Aviation Administration necessary for the runway length extension initiative

2. 2017 Annual Report – Morgantown Planning Commission

City Manager presented a copy of the annual report from the Planning Commission. Per West Virginia State Code, the Planning Commission is required to report the operations of the commission as well as individual activities.

No Council vote is needed as this is provided for information purposes.

3. MUB Billing with Republic/Memo of Understanding

City Manager explained the billing and Memo of Understanding with MUB. After discussion Deputy Mayor suggested that at the February COW a report be presented on statistics on how the billing process is working.

No Council vote is needed as this is provided for information purposes.

REPORT FROM CITY CLERK: Heather Carl City Clerk's Secretary, announced that the City is accepting applications for Firefighter until April 11, 2018, and a reminder that we also are accepting applications for Police Officer until March 23, 2018.

REPORT FROM CITY ATTORNEY: No report.

REPORT FROM COUNCIL MEMBERS:

Councilor Fetty: Councilor Fetty referred to Ms. Hernandez’s comments stating that WV is the largest State having the most people on SSI and Welfare in the Country. She concurs with Deputy Mayor Brazaitis on his comments on the Legislative issues. She noted that the local governments know what their constituents need and the Delegates and Senators listen should listen for our constituents are also their constituents.

Councilor Wallace: Councilor Wallace mentioned that health in WV is ranked very low and looks forward to the Wellness Commission looking at this issue for Morgantown. He commented on a bill that our Legislatures are considering, the “Single-member district bill” requesting that our area Delegates/Senators consider this wisely. He reported that in Wiles Hill there has been a home broken into and cars have been broken into recently. He is requesting constituents to be aware of their surroundings to lock their doors at home and on their cars.

Councilor Selin Councilor Selin reported that she had no trash issues in the 4th Ward this week. She noted that the City Clerk’s office has certificates that can be produced to hand out at graduation for International Student Certificates. She mentioned she participated in a webinar on January 17th, 2018 on Rail Trails. She reported attending the WVML Meeting and noted how “Home Rule” will work for all Cities.

Councilor Dulaney: Councilor Dulaney commented that he was very impressed with WVML as it seems that their primary thrust are Cities and their concerns at the local level. He noted it was nice to meet with colleagues from other Cities and discuss issues and meet with Delegates/Senators. He encouraged citizens to follow the bills in Charleston as the legislature continues till March.

Deputy Mayor Brazaitis: Deputy Mayor Brazaitis reported that the Ice Rink is having compressor problems. He mentioned the news about airport is positive and noted participating in Sunday’s women’s march. He referenced Homelessness as an issue that the needs a community-wide solution. He encouraged people from around the world to visit Morgantown. He noted that a resident suggested a “restaurant week” restaurants would offer reduced-price menu to encourage citizens to dine out. He hoped Council Wendell feels better. **Ex A.**

Councilor Wendell: Absent

Mayor Kawecki: Mayor Kawecki reported that there will be a grant workshop in Charleston for Grant Writing for more information go to www.wvculture.org. He announced the following activities: WVU Women’s Basketball, 1/24/18; Read to Rover, Library, 1/25/18; In Vino Veritas, M.T. Pockets, 1-27-18.

EXECUTIVE SESSION: Pursuant to West Virginia Code section 6-9A-4(B) (12) to discuss litigation. Motion by Wallace, second by Deputy Mayor Brazaitis, to go into executive session. Motion carried by acclamation. Present: City Manager, City Attorney and Council. Time 9:38 p.m.

ADJOURNMENT: There being no further business adjourn by unanimous consent at 10:23 p.m.

City Clerk

Mayor

A FULL TRANSCRIPT OF ALL COUNCIL MEETINGS ARE AVAILABLE ON DVD AT THE MORGANTOWN CITY LIBRARY

Cx A

Mark Brazaitis, deputy mayor, councilor from Ward 6

1-23-2018

Correspondence

My letter:

Dear Senators Beach and Prezioso and Delegates Fleischauer, Frich, Pyles, Statler, and Williams,

I hope this finds you all well. Thank you, as always, for representing the people of Morgantown and surrounding communities in Charleston.

This legislative session in Charleston has been startling because of what might be called a war on municipalities. Four examples:

There's hostility to commonsense legislation that would make it easier, or at least less cumbersome, for municipalities to annex pockets of property adjacent to or surrounded by cities.

There's a disastrous proposal—House Bill 4041—on the table to allow people who pay municipal service fees but who aren't part of those municipalities to vote in local elections—come on down, residents of Pennsylvania, Maryland, Ohio, Kentucky, and elsewhere—we might not make it easier for you to vote early, but apparently some WV legislators want you to vote twice—in your own places of residence and in WV cities.

There's House Bill 4002, which in addition to likely decreasing the number of women and people of color in the WV house and senate would surely disempower municipalities—Morgantown in particular—because it would take our five house delegates and scatter them far and wide.

And if Delegate Pyles' proposal to give municipalities the ability to re-route trucks around downtown does any better than it did the last time around, when, alas, it went nowhere, it would be a post-Christmas miracle—no matter that this would enhance our economy by allowing us to create a more welcoming and beautiful downtown.

I know you know that West Virginia's cities, and Morgantown in particular, are the keys to our state's economic success. Our cities, because of their higher density populations, are the centers of economic, educational, and cultural activity. Think of Morgantown's assets: airport, Ruby hospital, Met Theater, downtown restaurants and shops, waterfront, Marilla Park, Krepps Park, White Park, Morgantown Ice Arena, West Virginia University, etc., etc.—it's where so much in our community happens.

Do we really want to wound the beating heart of our community?

Glenn Walker
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To: Monongalia County Commission
Morgantown City Council
Morgantown City Manager
Editor, *The Dominion Post*
From: Glenn Walker, C.P.A., C. F. E.
Date: January 11, 2018
In Re: Accountability and Responsibility



Accountability and responsibility are prime objectives of any organization. These fiduciary duties are crucial for public trust. Why are these mandates missing in the policy-making decisions of the City of Morgantown and Monongalia County Commission?

They have been replaced by a new doctrine called *Hurry Up Before People Notice—and Before Public Input.*

An example:

1. \$30,000,000 plus for the High Street “white elephants” called the Justice Center and the Sheriff’s Annex: a rapid decision without taxpayer input—*Hurry Up!*
2. A one-plus-year construction project costing over \$1,000,000 to remove concrete around the courthouse. What a waste. *Hurry Up!*
3. The inability of the city and county to resolve the bus station. One proposal is to spend \$4 million to renovate the existing station while moving the bus station to another location, costing \$300,000 to \$400,000. *Hurry Up!*

Accountability and responsibility—fiduciary duties—do not operate on “Hurry Up.”

Glenn Walker

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