

REGULAR MEETING April 2, 2019: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, April 2, 2019, at 7:10 pm.

PRESENT: City Manager Paul Brake, Assistant City Manager Emily Muzzarelli, City Attorney Ryan Simonton, City Clerk Christine Wade, Mayor William Kawecki, and Council Members: Rachel Fetty, Ryan Wallace, Deputy Mayor Jenny Selin, Ron Dulaney and Mark Brazaitis. Barry Wendell was absent.

The meeting was called to order by Mayor Kawecki.

APPROVAL OF MINUTES: March 19, 2019, Special Meeting minutes, March 19, 2019 Regular Meeting minutes, March 26, 2019, Special Meeting minutes, and March 26, 2019, Committee of the Whole Meeting minutes, were approved by consensus.

CORRESPONDENCE: Mayor Kawecki presented a Proclamation for Fair Housing Month. He presented the Proclamation to Mr. Chris Fletcher.

Councilor Fetty received correspondence related to the intersection of High Street and Prairie Avenue. She shared that this intersection is a high traffic area as it is an entrance way into Morgantown High School. She added that there have been a few accidents at that intersection lately and that a Crossing Guard was struck a few years ago. She also added that there was a three-car pileup at that intersection. She believes the intersection could use some signage, some traffic calming mechanisms, and adds that this intersection and the surrounding area should be added to the list of intersections of concern. Councilor Fetty also received a letter from Mr. Cochran regarding the MUB's acquisition of the River Road PSD. Mr. Cochran raised some concerns about the way the public meetings took place and made suggestions for trying to pay the debt on the loan that River Road is bringing with it in order to try to lower their rates which are going to be higher. As well, she received a letter from Ronald Wilkinson regarding the lighting area between the Hazel Ruby McQuain Park and the Marriott for folks who live in the Waterfront Place area. They are requesting lighting along the trail for safety reasons. As well, a suggestion by Michael Bradley that we add additional signage for bicycles on our tighter and narrower streets, along with turning those streets into one-way streets. She directed Mr. Bradley to <bikewalkmorgantown.com> for the survey and she hopes that the rest of the public is aware of this. Council Fetty will forward the correspondence to the Pedestrian and Bike Board for their consideration.

Councilor Wallace spoke regarding Republic Services and garbage pickup. He shared that an individual in his neighborhood, particularly Derek Lathey is concerned about a lack of and reoccurring lack of pick up. He stated that he received some communication from Larry Calemine from Suncrest, regarding the sidewalk planning. Mr. Calemine was not aware of any meetings or public comment regarding the sidewalk planning until he received something in the mail. Councilor Wallace raises this as a concern for procedural notification as he is not aware of the current communication strategy. Additionally, Councilor Wallace stated that he received a letter from Jerry Cochran regarding the MUB acquisition and River Road PSD. He shared that Mr. Cochran was in attendance this evening so he will allow him to speak regarding this.

Councilor Dulaney received the same letter from Mr. Cochran that Council Wallace received. He has corresponded with Caroline Shay who is the property owner on Mansion Avenue regarding a citation however he believes that the issue was resolved. He mentioned the matter because it has been the subject of some social media fiery debate. Councilor Dulaney thanked the City Engineer and the Director of the Parking Authority who teamed up and addressed the issue. He shared that he understood that the ticket had been waived and that no further ticketing would be issued until the policies are made clearer.

PUBLIC HEARING: AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF ALL AND A PORTION OF PARCELS OF REAL ESTATE IN THE FIRST WARD OF THE CITY OF MORGANTOWN FROM I-1, INDUSTRIAL DISTRICT TO B-2, SERVICE BUSINESS DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WERE FULLY SET FORTH HEREIN

Mayor Kawecki declared the Public Hearing open.

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

PUBLIC HEARING: AN ORDINANCE AMENDING ARTICLE 1743 "FLOODPLAIN ORDINANCE"

Mayor Kawecki declared the Public Hearing open.

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

UNFINISHED BUSINESS:

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF ALL AND A PORTION OF PARCELS OF REAL ESTATE IN THE FIRST WARD: The below entitled Ordinance was presented for second reading.

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF ALL AND A PORTION OF PARCELS OF REAL ESTATE IN THE FIRST WARD OF THE CITY OF MORGANTOWN FROM I-1, INDUSTRIAL DISTRICT TO B-2, SERVICE BUSINESS DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING

CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WERE FULLY SET FORTH HEREIN

City Manager explained, Council suspended the rules to allow Chris Fletcher, Director of Planning, to explain and answer questions. After discussion, motion by Fetty, second by Wallace, to approve the above entitled Ordinance. Motion carried 6-0, Barry Wendell was absent.

AN ORDINANCE AMENDING ARTICLE 1743 “FLOODPLAIN ORDINANCE”: The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING ARTICLE 1743 “FLOODPLAIN ORDINANCE”

City Manager explained, Council suspended the rules to allow Damien Davis, City Engineer, to explain and answer questions. After discussion, motion by Wallace, second by Brazaitis, to approve the above entitled Ordinance. Motion carried 6-0, Barry Wendell was absent.

BOARDS & COMMISSIONS:

Motion by Fetty, second by Brazaitis, to reappoint, by consensus, Lisa Darden to the Housing Advisory Commission.

Motion by Deputy Mayor Selin, second by Fetty, to reappoint, by consensus, Ruth Donaldson to the Housing Advisory Commission.

Motion by Brazaitis, second by Wallace, to reappoint, by consensus, Erica Hetzel 6th Ward to the Traffic Commission.

Motion by Dulaney, second by Brazaitis, to reappoint, by consensus, Edward Hayden to the Fire Code Board of Appeals.

Motion by Dulaney, second by Deputy Mayor Selin, to reappoint, by consensus, Mark Lambert to the Fire Code Board of Appeals.

Motion by Dulaney, second by Brazaitis, to reappoint, by consensus, Zachary Cruze to the Morgantown Museum Commission.

Motion by Fetty, second by Dulaney, to accept the recommendation to reappoint Shane Mardis to the Fire Civil Service Commission.

Motion by Brazaitis, second by Deputy Mayor Selin, to reappoint, by consensus, Jan Derry to the Human Rights Commission.

PUBLIC PORTION:

Mayor Kawecki declared the Public Portion open.

Jerry Cochran, 1137 Crest Drive, asked for a delay in voting on the River Road Ordinance rate change. He spoke about his concerns regarding the waterworks rates on River Road.

There being no further speakers, Mayor Kawecki declared the Public Portion closed.

SPECIAL COMMITTEE REPORTS: None

CONSENT AGENDA:

- A. ASSET PURCHASE AGREEMENT – CITY OF MORGANTOWN, MORGANTOWN UTILITY BOARD AND RIVER ROAD PUBLIC SERVICE DISTRICT

After discussion, motion by Wallace, second by Fetty, to move all items under the Consent Agenda to New Business.

- B. BOND ORDINANCE – ASSUMPTION, AND RE-DESIGNATION, OF THE RIVER ROAD PUBLIC SERVICE DISTRICT’S WATER REVENUE BOND

- C. ORDINANCE AUTHORIZING THE ACQUISITION OF THE ASSETS OF THE WATERWORKS SYSTEM OF RIVER ROAD PUBLIC SERVICE DISTRICT AND APPROVING AN ACQUISITION AGREEMENT BY AND AMONG RIVER ROAD PUBLIC SERVICE DISTRICT, THE CITY OF MORGANTOWN, AND MORGANTOWN UTILITY BOARD

NEW BUSINESS:

- A. **ASSET PURCHASE AGREEMENT – CITY OF MORGANTOWN, MORGANTOWN UTILITY BOARD AND RIVER ROAD PUBLIC SERVICE DISTRICT:** The above entitled Asset Purchase Agreement was presented for first reading.

Council suspended the rules to allow Tim Ball, General Manager MUB, to speak and answer questions. Motion by Fetty to amend the Ordinance until they have the opportunity to review. Motion failed 2-4 with Fetty and Brazaitis voting Yes. Wendell was absent.

After discussion, motion by Wallace, second by Dulaney, to approve the Asset Purchase Agreement as is to the second reading. Motion carried 5-1, with Fetty voting No. Barry Wendell was absent.

B. RIVER ROAD PUBLIC SERVICE DISTRICT'S WATER REVENUE BOND ORDINANCE: The below entitled Bond Ordinance was presented for first reading.

BOND ORDINANCE – ASSUMPTION, AND RE-DESIGNATION, OF THE RIVER ROAD PUBLIC SERVICE DISTRICT'S WATER REVENUE BOND

Motion by Wallace, second by Dulaney, to approve the Bond Ordinance to the second reading. Motion carried 5-1, with Fetty voting No. Barry Wendell was absent.

C. ORDINANCE AUTHORIZING THE ACQUISITION OF THE ASSETS OF THE WATERWORKS SYSTEM OF RIVER ROAD PUBLIC SERVICE DISTRICT: The below entitled Ordinance was presented for first reading.

ORDINANCE AUTHORIZING THE ACQUISITION OF THE ASSETS OF THE WATERWORKS SYSTEM OF RIVER ROAD PUBLIC SERVICE DISTRICT AND APPROVING AN ACQUISITION AGREEMENT BY AND AMONG RIVER ROAD PUBLIC SERVICE DISTRICT, THE CITY OF MORGANTOWN, AND MORGANTOWN UTILITY BOARD

Motion by Wallace, second by Deputy Mayor Selin, to approve the Ordinance to the second reading. Motion carried 5-1, with Fetty voting No. Barry Wendell was absent.

D. AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE WATERWORKS SYSTEM OF THE CITY OF MORGANTOWN: The below entitled Ordinance was presented for first 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 allow Tim Ball to explain and answer questions. After discussion, motion by Selin, second by Wallace, to approve the above entitled Ordinance to second reading. Motion carried 6-0 with Barry Wendell absent.

E. AN ORDINANCE AUTHORIZING SALE OF REAL ESTATE NEAR THE MORGANTOWN MUNICIPAL AIRPORT: The below entitled Ordinance was presented for first reading.

AN ORDINANCE AUTHORIZING SALE OF REAL ESTATE NEAR THE MORGANTOWN MUNICIPAL AIRPORT

City Manager explained, after discussion, motion by Fetty, second by Wallace, to table for further discussion. Motion carried 6-0 with Barry Wendell absent.

F. AN ORDINANCE ANNULLING A PORTION OF BEVERLY ALLEYWAY: The below entitled Ordinance was presented for first reading.

AN ORDINANCE ANNULLING A PORTION OF BEVERLY ALLEYWAY AND PROVIDING FOR DEDICATION OF ADDITIONAL PUBLIC RIGHT-OF-WAY TO BEVERLY ALLEY

City Manager explained, after discussion, motion by Wallace, second by Dulaney, to approve the above entitled Ordinance to the second reading. Motion carried 6-0. Barry Wendell was absent.

CITY MANAGER'S REPORT:

New Business:

1. **AWARD BID FOR AIRPORT TOWING TRACTOR, BID CALL 2019-02**

City Manager explained, after discussion, motion by Selin, second by Fetty, to approve the Award Bid Call 2019-02 to the Aero Specialties Ground Support Equipment in the amount of \$94, 576.87. Motion carried 6-0 with Barry Wendell absent.

REPORT FROM CITY CLERK:

City Clerk Christine Wade spoke about the upcoming city election on April 30, 2019. For more information visit the city website. She shared that the last day to register to vote is April 9, 2019, and that on April 12, 2019, at 10 a.m. the public test of the voting machines will take place in Council Chambers. The event is open to the public and will be televised on Channel 15. She shared that Absentee ballots are ready to be sent to those who would like to vote absentee. The last day to file a Write-in certificate of announcement is April 16, 2019, and Early voting is April 17-27, 2019, excluding Sunday.

Early voting is for everyone and will be held at City Hall and the North Side Fire Station. Ms. Wade stated that all the official candidates for the election are listed on the website. She stated that the entry level police officer testing is April 13, 2019. She explained the feature “Notify Me” which is on the city website and encouraged citizens to sign up if they would like to be kept informed via email or text.

REPORT FROM CITY ATTORNEY: None

REPORT FROM COUNCIL MEMBERS:

Councilor Fetty: shared the Designing Across Divides conference was last week and a meet your neighbor dinner as well. She thanked the Mayor, Deputy Mayor, and Councilor Wendell for participating. Many people attended from different parts of the city. The purpose of the conference was to provide people with an opportunity to interact with others that represent segments of the population who sometimes have challenges related to design. One of the local professors, Peter Butler, provided a great charette for his students where anyone could contribute ideas about sidewalks, roadways, aesthetic improvements, or any improvements you could imagine. She shared that it was a great experience and is requesting that the information be provided to the City and to Council as she stated it could help us feel more imaginative about what our city can do. Councilor Fetty shared that the speakers were fantastic and very helpful. One of the speakers, Usra Ghazi from America Indivisible, made her aware of the idea of a Civic Health Index which is a way that communities are organized to define and address public problems. She shared that sometimes we have in our communities some distressed public officials, or concerns about the way things are communicated, from one group to another and she would like everyone to consider to look into the Civic Health Index as a way to evaluate where we are at in terms of our civic health and what we can do better. She stated that this assessment does focus on some of the goals and ideals for a more welcoming community. In the interest of furthering civic health, she would like to urge citizens who have been affected by Greenbag Road to attend a public meeting at South Middle School on April 16, 2019, from 4p-7p concerning the plan for Greenbag Road. This road may divert traffic from downtown and she stressed how important it is to hear from the community. She raised as a suggestion that anyone who is interested in roads, or sidewalks, or getting around town, to go to <bikewalkmorgantown.com> to complete a survey and see the interactive map. Please complete the survey so that whatever plan is decided upon will reflect your wishes.

Councilor Wallace: mentioned the annexation plan and asked when he would receive a copy. The City Manager advised to call him tomorrow. He shared that the 21st annual kids fair is Saturday, April 6, 2019, from 10a-3p at the mall and that there will be blood pressure checks, bike helmet fittings, and child seat safety checks to name a few with 53 exhibitors. He encouraged anyone who is available to attend on April 6, 2019. The Monongalia County Starting Points Literacy Easter egg hunt is Saturday, April 13, 2019, in Arnettsville, WV. See the Monongalia County Starting Points Facebook page for complete details. Future study area five is the Wiles Hill neighborhood and Third Ward area which is under review for possible zoning changes. He shared that there is a meeting on Wednesday, April 17, 2019, at 6p at the Wiles Hill Community Center. This topic will be discussed at the meeting and there will be a public portion. Wallace shared that there was a free event upcoming and it is the Community baby shower for those who are expecting. The event is on Monday, May 6, 2019, from 10a-12p at the Morgantown public library. He shared that he is happy to see the Civic Plus app on the city’s website. He appreciates the work the Communications Department has done on this and shared that it is user friendly and provides a great amount of information. He noted that he had a unique experience where he was exposed to the reality of what it would be like to be homeless and it was sobering. He stated that he knows that many things are being done to assist the homeless but asks that anything that can be done for this problem is needed 10-fold. He noted that it was shocking to see residents who experience this. As a body he shared that he would like to encourage us to continue to help improve the lives of the homeless in and around Morgantown. Councilor Wallace asked, “Now that we have Home Rule as a permanent program, do we have a revised agenda regarding the discussion of the sales tax.” City Manager advised that he will discuss at the main meeting in May.

Deputy Mayor Selin: stated that this Thursday night, April 4, 2019, is the best night of the year in her opinion at the Metropolitan Theatre, as the Banff Mountain Film Festival will be held at 7p, and tickets can be purchased ahead of time to see short films of varying outdoor sports which are humorous with a variety of sporting and subject areas. Friends of Deckers Creek and others are sponsoring a cleanup this Saturday, April 6, 2019, from 9a-12p. There will be tree planting afterward at Marilla park at noon and the meeting area will be at the basketball court at Marilla Park. This is an opportunity for folks to volunteer to make a difference as there are a lot of items left there during winter, etc. to be disposed of or just picked up. She shared that on April 13, 2019, there will be an Arts Walk and that is the opening day of the trails. She shared that this is the first time this has been along the waterfront and it is sponsored by the Mon River Trails Conservancy (MRTC). Go to the waterfront and see what artists have at all of the participating businesses, as there are many other really cool things going on. Deputy Mayor commented regarding trash service issues and Republic Services, advising that this has affected those in the 4th and 7th ward because the service is on Friday. Sometimes trash or recycling is not picked up during the week and by the weekend there are concerns. She advised that she attended a meeting, along with some Council members and four representatives from Republic Services, to share some of the issues. Of those being discussed was communication, noting that the Call Center was not providing accurate information to the customers. Another item which was discovered is that if residents do not get messages from Republic on a regular basis perhaps MUB may not have the correct telephone number. It is recommended that that residents call MUB to ensure they have the correct telephone number if messages are not being received by them. Regarding service, the main reason that there were problems on Fridays was due to a lack of drivers. They have had to provide sign on bonuses and pulling drivers from another Region to assist. They are also working on training for drivers in this area because they live here and familiar with the streets, and are able to train them the way they choose. Also, some of the complaints were “we have had the worst service ever and I would like to have my pick up date changed.” Lastly, at Wiles Hill School on Friday there was a priority setting session for BOPARC board members and it lasted for most of the day and all board members participated. They went through the history of the BOPARC organization, some goals and aspirations, and at the end they left with 6-7 of the most important priorities. Those included maintenance and improvement of facilities, upgrades, etc. She also stated that she was thankful for those who

were involved in that meeting. Come over to Krepps Park and see the improved slide and ship with a double slide and features.

Councilor Dulaney: shared that last night was the Jerome Park Neighborhood Association meeting and the focus was celebrating some of the successes such as the new garden. A swing set was removed because it was not up to date. A new swing is coming and it will include seats for children and adults. He shared that the Woodburn Association of Neighbors meets tomorrow, Wednesday, April 3, 2019, at 6p at the old Woodburn School building. There are a number of items on the agenda and he shared that there will be some City Council candidates attending. Councilor Dulaney advised that there will be light refreshments, and that it is family friendly. The Woodburn Association of Neighbors is planning a park clean up at Whitmore Park on April 13, 2019, from 9a-11a and trash bags and rubber gloves will be provided. If you have trash bags or power tools please bring them. This event has been posted on the Woodburn Association of Neighbors Facebook page. He shared that on April 27, 2019, the Woodburn School Redevelopment Association will be hosting a block party from 1p-4p and there will be many events. Many organizations will be participating and providing music, as well tours of the old school where Councilor Dulaney will be leading. He commented that he would like to reiterate to folks to please participate in these opportunities to provide public feedback such as the survey at <bikewalkmorgantown.com>. The level of participation is a measure of community engagement.

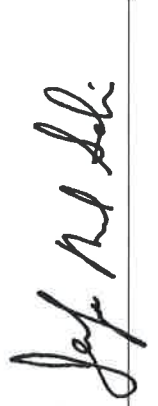
Councilor Brazaitis: shared that the Mon Valley Green Space Coalition gave a compelling presentation to Morgantown's Land Reuse and Preservation Agency on the possible construction of a greenbelt around the city, something many have advocated for. He noted that one of the crucial pieces to Morgantown Greenbelt is the Haymaker Forest which at 42 acres could also serve as the crown jewel of the city's park system. A greenbelt could appeal to tourists and residents alike, as well as promote healthy lifestyle choices, and would offer a far less congested means to commute. The Friends of Deckers Creek is having a fund raiser on April 13, 2019, from 6p-9p. There will be a silent auction which includes the opportunity for a sky diving adventure over Pittsburgh. He advised also that there will be a garden planting session at Jerome Park on April 13, 2019, at 10:30am. He congratulated the neighborhood association as this is finally becoming a reality.

Councilor Wendell: absent

Mayor Kawecki: congratulated the City Manager who will be attending Harvard for a three week program. He shared that this is a testimony to the quality of people we have leading us. He thanked City Council for their patience in going through the boards and commissions which go on and on to put things in order and it is a good learning experience for all of us. It is important that we support the boards and commissions and he is thankful for all of the participation of the volunteers. The Banff film festival is difficult to get into because it is very popular so he commented to get your tickets early. This Friday there is a family walk at the Botanic Gardens, and the High Street Jazz Band is making a formal presentation at the Tanner Theatre which is at the old Post Office building with a \$10.00 fee. The Creative Arts Center's (CAC) 50th Birthday Celebration is on April 12, 2019. The World Music Concert will be at the CAC on April 13, 2019, and it is free and featuring 2 steel bands. He reminded that on April 13, 2019, there will be an Art Walk along the Wharf on the trail. This activity goes to support the Rails-to-Trails. He shared that there is an old-time dance at Marilla Park for \$5.00, and on April 14, 2019, at the WVU Core Arboretum there will be a flower walk which is interesting to see and it is free. Lastly, the Great Spring Egg Hunt is on April 14, 2019 at the Botanic Gardens.

ADJOURNMENT: There being no further business, motion by Dulaney, second by, to adjourn the meeting. Time: 9:35 p.m.


City Clerk


Mayor

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