

REGULAR MEETING May 7, 2019: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, May 7, 2019, at 7:09 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, Mark Brazaitis, and Barry Wendell.

The meeting was called to order by Mayor Kawecki.

APPROVAL OF MINUTES: April 16, 2019, Special Meeting minutes were approved by acclamation.

CORRESPONDENCE: Mayor Kawecki read several Proclamations for Law Enforcement Officer’s Memorial Day, Gene Vance Jr. Day, and Building Safety Month. He presented a Proclamation for National Association of Letter Carriers Food Drive Day to Guy Panrell, and for Municipal Clerk’s Week to City Clerk Christine Wade.

Councilor Brazitis spoke of correspondence received from Dr. Jonell Strough related to White Park. She spoke about contaminants within the soil in White Park and asks to please work with the Morgantown Utility Board (MUB) to identify an alternative route that avoids the park all together. From Lara Farina she expresses concern about the plans for a new pipeline through White Park. Elizabeth Halliday Reynolds asks to find an option to save as much forest as possible in White Park. Colleen Harshbarger states concern for the potential pipeline through White Park. Angela Carver states opposition to cutting any trees in White Park or altering the park for water lines. Devan Smart strongly urges MUB to work on developing alternative routes for the potential pipeline through White Park. Councilor Wendell noted correspondence from Richard Cohon regarding contaminants within the soil in White Park. Council Wallace received correspondence from Joel Murphy and Dennis Murphy regarding annexation. They are asking for additional information on the annexation plan. Councilor Dulaney received correspondence from Jim Manella requesting that there be a public meeting to discuss with Council and Administration the benefits of annexation into the city. Also, that all proposed property owners be informed of such public meeting. He also received correspondence from Elizabeth Halliday Reynolds regarding her concerns for White Park. He also received correspondence from John Kilwein expressing his concerns for keeping the green space within White Park. Councilor Fetty received correspondence from Pamela Cubberly regarding a pipeline through White Park. She also received correspondence from our Delegate Barbara Evans Fleischauer, Kathryn Madison, Michael Bradley, Steve Knudsen, and Judy Werner. Specifically, Mr. Bradley shared his concerns for White Park. Deputy Mayor Selin received many of the same correspondence which has already been provided by the other council members. She received requests from folks on the city line to see if they are in the annexation plan and if this will affect them.

PUBLIC HEARING:

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

Mayor Kawecki declared the Public Hearing open.

Tim Ball, MUB General Manager, spoke regarding the above Bond Ordinance.

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

UNFINISHED BUSINESS:

BOND ORDINANCE – ASSUMPTION, AND RE-DESIGNATION, OF THE RIVER ROAD PUBLIC SERVICE DISTRICTS WATER REVENUE BOND: The below entitled Ordinance was presented for third reading.

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

City Manager explained. After discussion, motion by Dulaney, second by Deputy Mayor Selin, to approve the above entitled Bond Ordinance. Motion carried 7-0.

BOARDS & COMMISSIONS:

Motion by Dulaney, second by Brazaitis, to reappoint by consensus, Harold Shaver to the Museum Commission.

Motion by Brazaitis, second by Dulaney, to reappoint by consensus, Richard McEwan to the Museum Commission.

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

PUBLIC PORTION:

Tim Ball, 278 Greenbag Road, spoke regarding the pipeline route through White Park. The project is on hold indefinitely

and the original route that has been abandoned.

Council suspended the rules to ask questions of Mr. Ball.

Jonell Strough, 608 Hess Street, spoke of her concerns regarding the construction in White Park, specifically potential contaminants to waterways.

George Racin, 781 Des Moines Avenue, spoke of his concerns regarding the pipeline construction in White Park.

Kathryn Madison, 825 Madison Avenue, spoke of her concerns regarding the pipeline construction in White Park.

Ella Belling, 505 Madison Avenue, spoke of her concerns regarding the pipeline construction in White Park.

Joan Beard, 632 Astor Avenue, spoke of her concerns regarding the pipeline construction in White Park. She suggested that the public be able to walk the alternative routes that MUB has suggested.

Vaike Haas, 1532 Western Avenue, spoke about cultural preservation in White Park and potential contaminants that may be caused by the construction of the pipeline.

Gary Schlobohm, 120 Clay Street, spoke of his concerns regarding the potential 1% sales tax in Morgantown and the effects that it will have on businesses.

Cheryl Baker, 611 Hayes Street, spoke of her concerns regarding the pipeline construction in White Park.

Adam Polinshi, 450 Brooke Avenue, spoke of his concerns regarding the pipeline construction in White Park, specifically how it would affect the bike clubs at local schools that use the park.

Vanessa Reeves, 819 Ohio Avenue, provided a statement from the Morgantown Green Team regarding the pipeline construction at White Park. She also spoke of her concerns regarding the route of the pipeline construction.

Elizabeth Sneathen, 179 Bluegrass Village, spoke of her concerns regarding the pipeline construction in White Park. She also spoke of her support for the 1% sales.

Twyla Meding, 450 Worthington Street, spoke about her concerns regarding the pipeline construction in White Park.

Lara Farina, 532 Madison Avenue, spoke of her concerns regarding the transparency about the pipeline construction at White Park.

John Rice, 1457 Anderson, spoke of his concerns regarding the forced annexation of businesses outside of city limits.

Evelyn Ryan, 225 Dewey Street, spoke about broadcast issues on Channel 15 and her concerns of the 1% sales tax and the annexation of businesses by the city.

Susan Elkin, 408 Cobun Creek Road, spoke of her concerns regarding the pipeline construction in White Park, specifically regarding contamination.

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

SPECIAL COMMITTEE REPORTS: None

CONSENT AGENDA: None

NEW BUSINESS:

AN ORDINANCE ESTABLISHING A SALES AND USE TAX AND REDUCING BUSINESS AND OCCUPATION TAX RATES: The below entitled Ordinance was presented for second reading.

AN ORDINANCE ESTABLISHING A SALES AND USE TAX AND REDUCING BUSINESS AND OCCUPATION TAX RATES

City Manager explained, City Attorney explained, asked to suspend the rules to allow Finance Director Jim Goff to speak. After discussion, motion by Brazaitis, second by Deputy Mayor Selin, to approve the above entitled Ordinance to second reading. Motion carried 7-0.

PROPOSED ANNEXATION PLAN

City Manager explained. City Council will hold town meetings regarding the annexation plan.

CITY MANAGER'S REPORT:

NEW BUSINESS:

1. AWARD PUBLIC SAFETY BUILDING RENOVATIONS – BID CALL 2019-11

City Manager explained, after discussion, motion by Deputy Mayor Selin, second by Brazaitis, to approve the BID call 2019-11 with Lombardi Development Co. as the base bid. Motion carried 7-0.

REPORT FROM CITY CLERK: Christine Wade announced the newly elected members for City Council from last week's election. New members include Zack Cruze Ward 3, and Dave Harshbarger Ward 6. Members who were re-elected include Rachel Fetty, Jenny Selin, Ron Dulaney, Bill Kawecki, and Barry Lee Wendell. The new council will take their seats at the first meeting in July 2019.

REPORT FROM CITY ATTORNEY: None

REPORT FROM COUNCIL MEMBERS:

Councilor Fetty: thanked the Clerk's office for their professionalism during the election process and for personally handling voter's registration issues. Councilor Fetty noted comments from residents regarding the potential pipeline through White Park, the lack of communication regarding such, and stated regarding what transpired in the past week that she hopes that they will take additional steps to ensure there is more transparency. She commented that many community events happened in the past few weeks, as well as Boards and Commissions, she is grateful to those who have been involved. As well regarding the elections she is grateful for those who came out and voted, and she urged people to become more involved.

Councilor Wallace: shared information regarding the successful community baby shower held by the Mon County Starting Points and various entities. He shared concerns regarding garbage along the rail trail and he suggested that council discuss adding some garbage cans along the city owned segments of the trail. He shared that his is happy to hear that annexation is moving forward and asks for discussion of section 921 of the City Code specifically regarding the existence of septic systems in the city.

Deputy Mayor Selin: thanked those folks running the election and those who voted, as well for those people attending meetings and providing input. She shared that it is very important to hear from people and she wanted them to know that their input is valued. Deputy Mayor Selin advised the Celebration for American group is meeting this Thursday, May 9, 2019, at 6pm at Tanner's Alley downtown to discuss the Fourth of July celebration. She invites council members to attend and participate as part of the committee if they are interested. As well, at the Neighborhood Coordinating Council meeting she asks that we request for at least one person from each neighborhood association attend. She shared that this is not a complicated task, but it does require several people and the committee is down to 5 or 6 members. One of the responsibilities would be helping people line up for the parade for example. She shared that this is a patriotic event and that the people who are in town during the Fourth of July do really appreciate the activities.

Councilor Dulaney: noted that the Museum filmed its third series in the Morgantown Memories documentary series, and it was on Charlene Marshall. They are in the process of editing it and producing it. He shared that it follows a series on Pamela Ball and one on Al Anderson. The Museum is seeking corporate or individual sponsors for these films so if there is anyone who would like to contribute to a non-profit please contact the Museum. Councilor Dulaney also shared that TK's Fruit Produce & Bubble Tea has moved to Walnut Street and he feels it will be a great addition to Walnut Street near Spruce.

Councilor Brazaitis: spoke of Endangered Species Day being May 17, 2019. He shared that species are vanishing at a far faster rate than Wildlife Biologists predicted noting that there are currently 16,306 endangered species worldwide, up from 16,118 last year. West Virginia has 22 species, 14 endangered species, and eight threatened species listed under the Federal Endangered Species Act. If folks want to save endangered species and their habitat, support green space initiatives wherever you live. He shared that bulldozing and destruction of trees has begun on the Haymaker Forest behind the Circle K and from the perspective of birds this is not a good time to begin such devastating work since it is nesting season. Councilor Brazaitis shared that from our perspective we could be losing the jewel in the crown of our park system. He shared that our parks are overtaxed and that we need more green space, noting that the Haymaker Forest would be perfect because of its location adjacent to three city wards. With its 42 acres and its function as a host for numerous birds and mammals, and the fact that the trails already exist, to lose any part of the Haymaker Forest would be a huge loss for the community. He shared regarding White Park that he supports any work to keep MUBs work out of the park entirely. Councilor Brazaitis shared that he enjoyed participating in the community clean up on April 27, 2019.

Councilor Wendell: provided the following.

The three big issues tonight were annexation, the sales tax, and the pipeline proposed through White Park from the new reservoir. To survive as a viable entity, the city must annex territory adjacent to it, and I'm glad we are talking about that. We have only asked for areas that are already urbanized and may be difficult to improve. I hope we can annex, at some point, areas about to be built, so that we can mandate street width, drainage, sidewalks and open space for neighborhood parks and playgrounds.

I have stated opposition to increasing the sales tax, as it is regressive. But like the user fee, we have few choices. If the state would raise the severance tax on natural resources, instead of lowering it, and return that money to municipalities, I would prefer that. The same is true of income tax for those in the upper brackets. We can't impose those things as a municipality.

This week, bulldozers are at work destroying Haymaker Forest for development. I wish we had followed the original consensus on Council that this property could be had for a park, and that is probably my biggest regret of this past term. That, and not standing up to opponents of the park purchase who attacked Councilor Brazaitis in a personal and offensive way. We may have a chance to redeem ourselves with White Park. I'm glad that MUB has scheduled meetings to discuss this proposal, and might change it. Thanks to Tim Ball for coming to tonight's meeting and discussing the pipeline proposal. Although it will add to the cost of the reservoir project, we should do what we can to protect our green space and to avoid the possibility of our water being contaminated from pollutants lurking underground along the route of the proposed line.


I was put off by some of the negativity in the election last week, and the possible fraud in my ward, that as far as I know, has not been fully investigated. Still, I'm happy with the results of the election.

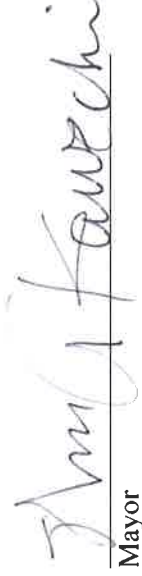
There was another shooting at a school in Colorado today. We are still waiting for Congress and the West Virginia Legislature to do something about the proliferation and easy access to guns in our society. This is the disgrace of America and West Virginia.

In other news, my class at Osher Life-Long Learning, "The Great Hits of 1966," continues Thursday at 10 A.M. at Mountaineer Mall. I'm departing from the Top 10 to play and talk about two of the best songs of the year and maybe the decade, "Eleanor Rigby" by The Beatles and "God Only Knows" by The Beach Boys. Stop by.

Mayor Kawecki: suggested that folks look online for the West Virginia Botanic Garden and the Morgantown Library for events which are taking place. He noted the Fifteenth Annual Blue and Gold mine sale which is at Mylan Puskar Stadium as it is always a nice event for folks who like to find treasures left behind by students. He shared that there is a new play called "I never saw another butterfly" which is at M. T. Pockets Theatre on May 15, 2019. He shared that there will be a High Street cruise in on May 15, 2019, as well. There will be the downtown Arts Walk on May 17, 2019, and on May 18, 2019, there will be the 8th Annual Gene Vance Jr. Day at the Courthouse square.

ADJOURNMENT: There being no further business, motion by Wendell, second by Brazaitis, to adjourn the meeting.
Time: 11:05 p.m.


City Clerk


Mayor

*** ALL COUNCIL MEETINGS ARE AVAILABLE ON DVD IN THE CITY CLERKS OFFICE***