

**COMMITTEE OF THE WHOLE MEETING MAY 29, 2018:** The Committee of the Whole meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, May 29, 2018 at 7:02 p.m.

**PRESENT:** City Manager Paul Brake, City Attorney Ryan Simonton, Deputy Mayor Mark Brazaitis, Council Members Ryan Wallace, Jenny Selin, Ron Dulaney and Barry Wendell. Mayor Bill Kawecki, Rachel Fetty, and Ron Dulaney was absent.

Deputy Mayor Brazaitis called the meeting to order.

1. Convention and Visitors Bureau – Susan Riddle will be presenting at the June meeting
2. Supplemental Parameters Resolution Series 2018B - Cobun Creek Water Reservoir Project – Tim Ball
3. Supplemental Resolution Series 2018A-2 – Rockley Road Water Project – Tim Ball
4. Water Rate Ordinance – Rockley Road Water Project – Tim Ball

Tim Ball, MUB Director, explained to Council the Supplemental Parameters Resolution Series 2018B from the Cobun Creek Water Reservoir Project. He noted that after receiving the Core of Engineering permit, construction of the new dam and reservoir is almost ready to begin, pending approval from Council on the Resolution. He stated that will add details be bond document that were unknown at the time of the original approval, as well as authorizing the Mayor to approve future bond documents. He continued stating that the Rockley Road Water Project (Supplemental 2018A-2 also needs similar adjustments and follow-up approvals.

After discussion and questions answered by Tim Ball, MUB Director. Deputy Mayor Brazaitis continued to the Public Portion.

**PUBLIC PORTION:**

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

Penny Kostka, 895 Fairfax Drive, noted her frustration and concern over being told from the Code Department that she would have to do a FOIA to get a public record.

Patrick Hathaway, 359 Sanford Street, President of the First Ward Neighborhood Association, mentioned neighborhood issues with the Oak Grove Cemetery's current state of maintenance. He requested that the City contact the caretakers about the upkeep of the property.

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

**ITEMS FOR DISCUSSION:**

1. Supplemental Parameters Resolution Series 2018B – Cobun Creek Water Reservoir Project

Council referred Resolution to the June 5<sup>th</sup>, 2018 meeting agenda by consensus.

2. Supplemental Resolution 2018A-2 – Rockley Road Water Project

Council referred Resolution to the June 19<sup>th</sup>, 2018 agenda by consensus.

3. Water Rate Ordinance – Rockley Road Water Project

Council referred the Ordinance to the June 5<sup>th</sup>, 2018 agenda by consensus.

4. An Ordinance to Approve Current Replacement Pages to the City Code.

City Manager explained. After discussion referred to the June 5<sup>th</sup>, 2018 agenda by consensus.

5. Right-Of-Way and Easement Agreement with Lumos Networks of West Virginia.

City Attorney Ryan Simonton explained that this will grant Lumos Network the right to plant underground cables on the Morgantown Municipal Airport Property. After discussion, Council referred easement to the June 5<sup>th</sup>, 2018 agenda by consensus.

6. Ordinance Amending Table 1331.05.01 and Section 1331.06 of the City of Morgantown Planning and Zoning Code as they related to Veterinary Clinic Uses.

Chris Fletcher, City Planner, explained Ordinance noting that this will allow a veterinary clinic to move into a business/residential area. After discussion, Council referred to the June 5<sup>th</sup>, 2018 agenda.

7. An Ordinance Amending Articles 1329, 1331, 1333, 1335, 1335, 1337, 1339, 1345. 1351, 1361, and 1365 of the City of Morgantown Planning and Zoning Code as they relate to Mixed and Multi-Use Development and related Performance and Design Standards.

Christ Fletcher, City Planner, explained Ordinance stating that this amendment will simplify, enhance and provide more clarity to promoting and regulating multi-use, nonresidential development patterns. He noted that this Ordinance will also provide balance, protection for neighborhoods in the building environment.

8. An Ordinance authorizing the City to submit an Amendment to its written plan to the Home Rule Board.

City Manager explained that given two previous failed attempts by the city to restrict truck access to state routes downtown, the topic, “put certain individuals or entities on the defensive” when it was raised at the May 16, 2018 meeting. He reported that the WV Municipal League took an interest in the initiative, for it could have an impact on cities statewide. He noted that in the meantime the City will work with the WV DOH officials and hopes to meet with the Secretary of Transportation Tom Smith. After discussion, City Manager

Brake commented that the truck issues will be addressed with the Secretary of Transportation and the other issues should be held back.

Council delayed Home Rule Ordinance until further notice.

**ADJOURNMENT:**

There being no further business, Council by consensus adjourned the committee of the whole meeting at 8:23 pm.

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City Clerk

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Mayor