

**REGULAR MEETING June 4, 2019:** The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, June 4, 2019, at 7:07 pm.

**PRESENT:** Acting City Manager, Director of Development Services Chris Fletcher, City Attorney Ryan Simonton, City Clerk Christine Wade, Mayor William A. Kawecki, and Council Members: Rachel Fetty, Ryan Wallace, Deputy Mayor Jenny Selin, Ron Dulaney, and Mark Brazaitis. Assistant City Manager Emily Muzzarelli and Barry Wendell were absent.

The meeting was called to order by Mayor Kawecki.

**APPROVAL OF MINUTES:** May 7, 2019, Regular Meeting minutes, and May 28, 2019, Committee of the Whole Meeting minutes were approved as printed by consensus.

**CORRESPONDENCE:**

Mayor Kawecki declared the Public Hearing open.

Councilor Brazaitis shared comments from Cyra Burkhart regarding climate change, and another resident regarding protecting the environment. Councilor Wallace shared communication from Joshua Eid-Ries regarding the downtown parking situation. Deputy Mayor Selin communicated comments from Steven Frisch regarding annexation. Councilor Fetty shared comments from Tim Gumney regarding blue curb parking permits, Mandy Timmons regarding tree removal at 600 Madigan Avenue, a dozen cats at the corner of Brockway and Maryland, Thomas Jefferson regarding annexation, and Margaret Roberts regarding White Park.

Mayor Kawecki shared with the audience that all communications received by the Council members are addressed.

Tim Ball, MUB General Manager, presented a route of the new alternate routes for the construction of the raw water pipeline. He provided an update on the public meetings regarding this issue and how the public has responded to the alternate routes. He shared that MUB expects to select a route and approve a recommendation at their monthly meeting on, June 20 at 3 p.m. in Council Chambers. MUB will then appear before City Council for the approval of the selected route. The date for this is TBD.

Motion by Wallace, second by Brazaitis, to suspend the rules to allow questions for Mr. Ball.

**PUBLIC HEARING – AN ORDINANCE AMENDING THE FY 2018-2019 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**

Mayor Kawecki declared the Public Hearing open.

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

**PUBLIC HEARING - AN ORDINANCE AMENDING THE FY 2018-2019 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**

Mayor Kawecki declared the Public Hearing open.

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

**UNFINISHED BUSINESS:**

**AN ORDINANCE AMENDING THE FY 2018-2019 ANNUAL BUDGET GENERAL FUND:** The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING THE FY 2018-2019 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

Acting City Manager, Director of Development Services Christopher Fletcher explained. After discussion, motion by Wallace, second by Deputy Mayor Selin, to approve the above entitled Ordinance. Motion carried 6-0 with Wendell being absent.

**AN ORDINANCE AMENDING THE FY 2018-2019 ANNUAL BUDGET COAL SEVERANCE FUND:** The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING THE FY 2018-2019 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

Motion by Deputy Mayor Selin, second by Dulaney, to approve the above entitled Ordinance. Motion carried 6-0 with Wendell being absent.

**BOARDS & COMMISSIONS:**

Motion by Dulaney, second by Wallace, to reappoint Danielle Trumble, by consensus, to the BOPARC Commission.

Motion by Fetty, second by Wallace, to appoint Olivia Pape, by consensus, to the Health & Wellness Commission.

Motion by Selin, second by Dulaney to appoint Ryan Lewis, to the Health & Wellness Commission.

Motion by Dulaney, second by Brazaitis, to reappoint Katherine Levine-Freedman, by consensus, to the Human Rights Commission.

Motion by Fetty, second by Brazaitis, to reappoint Amy Dale, by consensus, to the Parking Authority.

Motion by Brazaitis, second by Wallace, to appoint Vaike Haas, by consensus, to the Tree Board.

**PUBLIC PORTION:**

Mayor Kawecki declared the Public Portion open.

The following spoke regarding the raw water pipeline construction:

- Kathrynne Madison
- Tom Bloom
- Alan Kaiser
- Erica Pallie
- Katherine Cash
- JoNell Strough
- Elizabeth Sneathen
- Danielle Trumble
- Twylah Meding

Patrick Hathaway spoke about his concerns regarding BOPARC finances and asked council to consider additional funding for its summer programming.

Bill Rice voiced his concern that the public needs to pay more attention and provide input during public comment periods. He also commended the public for taking public input.

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

**SPECIAL COMMITTEE REPORTS: None**

**CONSENT AGENDA: None**

**NEW BUSINESS:**

**AN ORDINANCE AMENDING THE MORGANTOWN PARKING AUTHORITY:** The below entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING ARTICLE 155 OF THE CITY CODE GOVERNING THE MORGANTOWN PARKING AUTHORITY

Acting City Manager Director of Development Services Christopher Fletcher explained. After discussion, motion by Deputy Mayor Selin, second by Dulaney, to approve the above entitled Ordinance to second reading. Motion carried 6-0 with Wendell being absent.

**AN ORDINANCE AMENDING OFF-STREET PARKING RATES:** The below entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING SECTION 365.05 OF THE CITY CODE GOVERNING OFF-STREET PARKING RATES

Acting City Manager Director of Development Services Christopher Fletcher explained, motion by Deputy Mayor Selin, second by Dulaney, to approve the above entitled Ordinance to second reading. Motion carried 6-0 with Wendell being absent.

**AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE RELATING TO FRONT-LOAD GARAGE:** The below entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING SECTIONS 1329.02, 1333.07, 1335.07, 1339.07, AND 1339.07 OF THE CITY OF MORGANTOWN PLANNING AND ZONING CODE RELATING TO FRONT-LOAD GARAGE

Acting City Manager Director of Development Services Christopher Fletcher explained. After discussion, motion by Dulaney, second by Wallace, to approve the above entitled Ordinance to second reading. Motion carried 6-0 with Wendell being absent.

**AN ORDINANCE AMENDING THE STATE BUILDING CODE:** The below entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING SECTION 1713.01 OF THE CITY CODE UPDATING THE STATE BUILDING CODE

Acting City Manager Director of Development Services Christopher Fletcher explained. After discussion, motion by Wallace, second by Dulaney, to approve the above entitled Ordinance to second reading. Motion carried 6-0 with Wendell being absent.

## **CITY MANAGER'S REPORT:**

### **Information:**

Chris Fletcher, Director of Development Services spoke on behalf of the City Manager Paul Brake about the Draft Strategic Plan for Diversity, Equity and Inclusion provided by the Human Rights Commission. Review of this plan will be moved to a future council agenda.

**REPORT FROM CITY CLERK:** City Clerk Christine Wade encouraged citizens to sign up for the Notify Me program on the city website. She shared information regarding the city's public meeting video on demand service which can be found on the city website. She mentioned that citizens are encouraged to sign up to receive the Morgantown Messenger, a monthly community newsletter. She also mentions that the Clerk's office is looking to upgrade the software system used for the published city code, as well as agendas and minutes.

**REPORT FROM CITY ATTORNEY:** City Attorney shared that he, along with the City Clerk, met with representatives from the League of Women Voters to discuss the conduct of our city elections. They have offered assistance with preparing training materials, as well as public outreach materials, and training for our poll workers and members of the public. He shared that the meeting was a very helpful meeting and that those attending were a wealth of knowledge. He stated that additional information will be provided to the Council in the future information and that he looks forward to their assistance. He shared regarding the Human Rights Commission (HRC). He shared that he met with the City Manager to discuss the Diversity, Equity and Inclusion plan. He stated that they have prepared two resolutions that will be available for council's consideration at the next council meeting. As well he stated that there will also be a proposed Anti-Bullying Ordinance. The HRC, along with the City Manager, have asked that he review the plan to enact the ordinance. He noted that this is another great project for the city to look forward to.

## **REPORT FROM COUNCIL MEMBERS:**

**Councilor Fetty:** thanked Mr. Rice for his comments regarding asking residents to share their comments. She shared that MUB has done an admirable job attempting to fix an error that was made regarding owning White Park. As a member of the BOPARC she has an obligation to our parks and recreation, as well as the residents. She appreciates the statements of Commissioner Tom Bloom, but she believes that council has done a great job. What is missing is some understanding of our ongoing responsibility to our residents for monitoring taxes and water rates, but also for protecting the common good of our city. Regarding BOPARC funding, a forwarding of \$25,000.00 from last year to this year is not the same as allocating funds for our parks this year. She shared that it is important for the citizens to be aware that most of the decisions that council is making financially within our city are directly related to a lack of funding from our external sources such as the county and the state. She is looking forward to seeing the plan from the HRC and she appreciates their efforts. She will be missing the next council meeting and wanted to share that she will miss the councilmen that will be leaving, and it has been a pleasure serving with them. The First Ward Neighborhood Association will be June 24, 2019. On July 13, 2019, the Housing Advisory Council Fair is from 11a-2p at the Morgantown Mall. Councilor Fetty stated that The Relatives As Parents Program is important to her and that it is a situation throughout our state and throughout our country, which relates also to the drug epidemic. There will be a training on Thursday, June 6, 2019, at the WVU extension office located at 34 Commerce Drive in Westover. Please contact Beth at <bnair@k12.wv.us> for this workshop.

**Councilor Wallace:** shared that tomorrow is Global Running Day and that there are running events all over the world tomorrow and in Morgantown. There is the Bob Baker Mile event at the WVU track at 7pm, and all are welcome to attend. Councilor Wallace requested that we have a contest to update the city flag with something that more currently reflects what the city represents. An email example will be forwarded to council asking that we change our flag. He shared that he will miss the next council meeting and that tonight will be his last council meeting. He stated that he has thoroughly enjoyed his time on council. He is happy for the plans to move to Canada but will miss all. He thanked council, city staff, city citizens, public servants, WVU, and non-profits for allowing him to be a part of the community. He plans to return to visit as a member of the public.

**Deputy Mayor Selin:** spoke regarding the MUB chart and looks forward to what comes out of the decision. She has many concerns and considerations but will wait for the outcome of testing. She appreciates Wallace's service, commitment, and enthusiasm in representing his community and he will be missed. She shared that council does not always agree but they know they always want the best for the community. She congratulated Wallace for his new endeavor. She stated that it is important to consider how this city moves forward as they put together their next set of council members and think about how they spend tax dollars, as well as how they treat our constituents with items such as annexation and any of their other concerns. Also regarding the bullying item which council will revisit at the next meeting she would like to see a copy go to the library staff and to the BOPARC staff to see if they have any reaction as they would be some of the entities that would be involved in day to day following of the provisions. On June 6, 2019, at 6pm the Celebration of American Committee will be meeting to work on the 4<sup>th</sup> of the July parade. She stated that she would like one other council member to attend if possible. She noted that there will be no fireworks this year, but she anticipates when the new park opens again next year that there will be. She invited anyone interested to participate in the parade on the 4<sup>th</sup> of July and noted that people of all ages are invited. She stated that everyone participating will lead the parade down High Street at 6pm. She shared that on Saturday, June 15, 2019, there will be a Fun Run at the Botanic Garden. There is a registration and information can be found at [www.wvbg.org](http://www.wvbg.org) for this event.

**Councilor Dulaney:** thanked Councilor Wallace and wife for what they have done for the community in the past and that it has been his pleasure to serve with him. He reminded the public that June is the period for public comment for the Annexation. There are several ways that the public can participate in comment. He noted that related documents are available online at the city's website, at the city clerk's office, city manager's office and at the library. Comments can be sent to city hall via mail attention Communication's office. He shared that they are asking for public input and planning public forums which will occur in July. He thanked Councilor Wallace for following up on the pleasant street garage issue. He noted that the manager of the CO-OP asked for vouchers for customers as well. Councilor Dulaney asked if we will do that and asked for the status on that decision so that we can make that information known. The Façade Improvement Program is showing results such as the dramatic improvements at Christian Help. The Museum Commission is planning the Best Chef fundraiser and they are seeking volunteers to assist. Interested individuals can call the museum at 304-319-1800. The Woodburn Association of Neighbors is hosting a yard sale on Saturday, June 15, 2019, from 8a-2p (rough time frame). This group met last night a Crosley's regarding the MPO's traffic study, where Richwood meets Willey street. He noted that they are looking for public input regarding that. Those plans can be viewed on the MMPO's website at [www.plantogether.org](http://www.plantogether.org). He urged folks to please see what is going on and let your voice be heard. The Jerome Park Neighborhood Association's next meeting is July 1, 2019, at 7pm at the Mt. Herman Baptist church. There are openings on the Woodburn School Redevelopment Commission, and they are seeking applications. He shared that interested parties are not required to live in Woodburn to be a member. Meetings are held on the last Tuesday of the month at 6pm generally at the Boys and Girls club.

**Councilor Brazaitis:** Volkswagen settlement with West Virginia, the results of the automobile manufacture emissions standards of its vehicles provides 2.6 million dollars to the WV Department of Transportation. With that settlement, Morgantown's Green Team is pushing for more public transportation and more electric vehicle infrastructure in the state. The Green Team is also working on a statement regarding White Park, its bottom line is that it is a hasty decision. And will be the worst decision. He noted that there will be free parking downtown from 4p-9p on Thursday, Friday and Saturday until August 11, 2019. The Animal Friends thrift shop financially supports the no-kill shelter. They accept volunteers and walk ins on Tuesday, Thursdays and Friday's from 11a-5p, and on Saturdays from 10a-5p. He shared regarding MUB and White Park, MUB did not follow the proper procedure relating to its raw water pipeline through White Park thinking it owned White Park. He commented that that route would have torn up the park and would have required the removal of hundreds of trees. He noted that MUB never should have been allowed to stake out the original route, and that June 20, 2019, does not give MUB enough time to make the appropriate decision. He shared that proper time should be given to test the soil and proper calculation of at-risk trees. Arborists should ask for a delay. He thanked Wallace for his dedication and service and family.

**Councilor Wendell:** absent

**Mayor Kawecki:** shared that he appreciates our volunteers particularly today at an event with the Ukraine Veterans. He shared that the exchange of information was two-fold, learning much and remarkable sharing. He shared that this is one of the things he finds most attractive about our city is the amount of acceptance and diversity, as well as contributions by our various community organizations. These characteristics of this city were demonstrated with activities with White Park, the Green Team and the Tree Board stepped forward to make sure that we are doing the right thing. He shared that he attended a Mayor's conference on Entrepreneurism, along with 80 other Mayors. He noted that he was surprised to find in an adjacent conference that there was a representative from the WVU Business school who deals with entrepreneurship with the kids in middle schools. He will be meeting with the WVU Business school and hopefully bring to the council the willingness to participate with the Coffman's and the National League of Cities with this entrepreneurship. He stated that he will be bringing forth additional information. He shared upcoming events in the area such as Greg Short and friends at Black Bear Burrito on June 6, 2019; Krepps Critters at Krepps Park also on June 6, 2019, a free nature filled program which is first come first serve, call 304-291-7425 ext. 204 for information; June 6, 2019, at the Creative Arts Center, a musical titled Storming Heaven musical which was written by local folks and the cost is \$15.00; Dual opening reception at Mon Arts Center on June 7, 2019; movies at the library on June 10, 2019; Button up hand sewing lessons at Morgantown library to learn how to sew ; an Arts Walk downtown on June 14, 2019; and Pop up plaza on June 18, 2019, at the courthouse square. He stated to go and enjoy the arts and community events.

**ADJOURNMENT:** There being no further business, motion by Dulaney, second by Wallace, to adjourn. Time: 9:25 p.m.

  
City Clerk

  
Mayor

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