

REGULAR MEETING June 18, 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 18, 2019, at 7:00 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: Deputy Mayor Jenny Selin, Ron Dulaney, and Mark Brazaitis. City Manager Paul Brake, Assistant City Manager Emily Muzzarelli, Rachel Fetty and Ryan Wallace was absent.

The meeting was called to order by Mayor Kawecki.

APPROVAL OF MINUTES: May 21, 2019, Regular Meeting minutes were approved by consensus as printed.

CORRESPONDENCE: Mayor Kawecki read a letter from MUB General Manager Tim Ball regarding the alternate routes for the construction of the raw water pipeline. Mr. Ball wrote about conducting soil sampling prior to making a recommendation on a route for the raw water pipeline. Due to delays in testing, MUB will postpone the selection of a new route to a later date yet to be determined. Councilor Brazaitis read a letter from Ralph Pell expressing how he is not for the annexation. Councilor Brazaitis read 3 more letters regarding MUB and the plans to route the water pipeline through White Park. Councilor Wendell announced that he had received many emails regarding the Pipeline and the Annexation. Mayor Kawecki read two proclamations recognizing and thanking outgoing council members Mark Brazaitis and Ryan Wallace for their service.

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

Mayor Kawecki declared the Public Hearing open.

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

PUBLIC HEARING - AN ORDINANCE AMENDING SECTION 1731.01 OF THE CITY CODE UPDATING THE STATE BUILDING CODE

Mayor Kawecki declared the Public Hearing open.

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

UNFINISHED BUSINESS:

AN ORDINANCE AMENDING ARTICLE 155 OF THE CITY CODE GOVERNING THE MORGANTOWN PARKING AUTHORITY: The above entitled Ordinance was presented for second reading.

Acting City Manager, Director of Development Services Christopher Fletcher explained. After discussion, motion by Dulaney, second by Brazaitis, to approve the above entitled Ordinance. Motion carried 5-0 with Fetty and Wallace absent.

AN ORDINANCE AMENDING SECTION 1731.01 OF THE CITY CODE UPDATING THE STATE BUILDING CODE: The above entitled Ordinance was presented for second reading.

Acting City Manager, Director of Development Services Christopher Fletcher explained. After discussion, motion by Deputy Mayor Selin, second by Dulaney. Motion carried 5-0 with Fetty and Wallace absent.

BOARDS & COMMISSIONS: Mayor Kawecki asked council to announce what boards and commissions they have served on the past 2 years.

Deputy Mayor Selin served on the following boards and commissions: Pedestrian Safety Board, Airport Advisory Board, MMPO, Sunnyside Up, MAP, Botanic Gardens Board, and BOPARC.

Councilor Dulaney served on the following boards and commissions: Planning Commission, Woodburn School Redevelopment Commission, Morgantown History Museum Commission, and MMMPO alternate.

Councilor Brazaitis served on the following boards and commissions: Met Theatre Commission, Morgantown Green Team, and Sister Cities Commission.

Councilor Wendell served on the following boards and commissions: Bicycle Board and the Urban Landscape Commission.

Mayor Kawecki asked all of council to think about which boards and commissions they may wish to serve on in the upcoming term.

PUBLIC PORTION:

Mayor Kawecki declared the Public Portion open.

The following list below are those that spoke against the annexation plan:

- Bob Hall – 1878 Point Marion Road
- Matt Gutta – 101 Vienna Lane

- Meg Baughman
- Ted Hastings
- Lee Casadeem – 927 Regan Street
- Mike Anderson – 10 Scott Avenue
- Jennifer Hastings – 521 Grand Street

Amy Root, 804 Grand Street, spoke in support of the Morgantown Human Rights Commissioner’s “Open for All” campaign.

Andrew Barnes, WV Avenue, spoke to council about the West Virginia Council of International Programs and encouraged council and the public to volunteer for the program.

Jennifer Hastings, 521 Grand Street, spoke not only about the annexation plan but about the Greenbag Road Roundabout.

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

SPECIAL COMMITTEE REPORTS:

Deputy Mayor Selin spoke about the Celebration of America parade which will be held on High Street on July 4th. WVU Baseball Coach Randy Mazey will be the Parade Marshall. The public and groups can sign up to participate in the parade or the bike parade by filling out the forms on the city website. Deputy Mayor Selin spoke about a recent Pedestrian Safety Summit which was attended by local, state and federal government and WVU. The Summit was centered on ways to improve pedestrian safety in and around Morgantown.

CONSENT AGENDA: None

NEW BUSINESS:

A RESOLUTION AUTHORIZING THE CITY HUMAN RIGHTS COMMISSION TO CONDUCT AN “OPEN FOR ALL” CAMPAIGN WITH BUSINESSES AND ORGANIZATIONS IN THE CITY OF MORGANTOWN: The above entitled Resolution was presented for first reading.

Acting City Manager, Director of Development Services Christopher Fletcher explained. Motion to suspend the rules to allow Jan Derry and Don Spencer to speak. A pamphlet was handed to all council members “Open to All” Campaign and a script of the pledge for all downtown businesses, Non-Profit and local organizations. They ask that if the businesses would read the pledge that was given to them, and sign that they would receive a sticker for their door to display that they are “Open to All”. See City Clerk for this information. After discussion, motion by Brazaitis, second by Dulaney, to approve the above entitled Resolution. Motion carried 5-0 with Fetty and Wallace absent.

A RESOLUTION FOR ESTABLISHMENT OF A MINORITY LIAISONS COORDINATING COUNCIL: The above entitled Resolution was presented for first reading.

Acting City Manager, Director of Development Services Christopher Fletcher explained. Motion by Deputy Mayor Selin, second by Brazaitis, to amend the above entitled Resolution. After discussion, motion by Deputy Mayor Selin, second by Brazaitis to approve the above entitled Resolution with a minor amendment. Motion carried 5-0 with Fetty and Wallace absent.

AN ORDINANCE PROHIBITING BULLYING IN CITY SERVICES, ACTIVITIES, PROGRAMS, AND FACILITIES SERVING YOUTH: The above entitled Ordinance was presented for first reading.

Acting City Manager, Director of Development Services Christopher Fletcher explained. Motion by Brazaitis, second by Wendell, to approve the above entitled Ordinance to second reading. Motion carried 5-0 with Fetty and Wallace absent.

A RESOLUTION APPROVING AND AUTHORIZING TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) THE FY 2019-2023 FIVE-YEAR CONSOLIDATED PLAN, THE FY 2019-32030 ANNUAL ACTION PLAN, AND THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE: The above entitled Resolution was presented for first reading.

Acting City Manager, Director of Development Services Christopher Fletcher explained. Motion by Dulaney, second by Brazaitis, to approve the above entitled Resolution. Motion carried 5-0 with Fetty and Wallace absent.

CITY MANAGER’S REPORT:

Informational:

1. Draft Annexation Plan – Open Houses

In response to City Council request, the following schedule has been finalized for open house events pertaining to the City’s draft annexation plan. The open houses are intended to provide residents and businesses opportunities to learn more about the draft annexation plan, the benefits of annexation, and the annexation process. The format of these events will be finalized upon City Manager Paul Brake’s return. This schedule will be available on the City’s webpage and publicized through press and social media outlets.

- THU, 11 JUL 2019 from 6 p.m. to 8 p.m. North Elementary gymnasium
- MON 15 JUL 2019 from 6:30 p.m. to 8:30 p.m. BOPARC Marilla Center
- THU, 18 JUL 2019 from 1 p.m. to 3 p.m. Morgantown Municipal Airport ARFF Training Room

- MON 22 JUL 2019 from 6 p.m. to 8 p.m. Morgantown Event Center Marriott at Waterfront Place

Acting City Manager, Director of Development Services Christopher Fletcher, spoke about the draft annexation plan. He mentioned that there will be four open houses held throughout the month of July. The format of these meetings is still being finalized, but he encouraged the public to attend these meetings.

2. 2019 Mountain Line Bus Shelter Project Update

Bus shelters are an integral part of our local transit system and infrastructure. Not only do they provide riders a protected area in public spaces from inclement weather, they also enhance visibility of mass transit options. Appended hereto is an update from the Engineering Department concerning City Administration and Mountain Line Transit (MLTA) efforts to establish fixed bus stops across the city that will include bus shelter facilities. Three (3) locations have been identified as a part of the initial installation, two (2) of which are located downtown. Downtown bus shelters will be painted black to complement recent downtown right-of-way enhancements. MLTA is in the process of ordering shelters and Staff is scheduling work associated with site improvements. Related right-of-way encroachment agreements will be executed. Additional sites are being explored and will be selected based on ridership numbers, bus driver reports, property ownership, and engineering judgement.

Acting City Manager, Director of Development Services Christopher Fletcher gave an update about the Mountain Line Bus Shelter Project Update. Three new shelters are being planned; two in downtown Morgantown and one in White Park. Additional locations are being explored.

New Business:

1. Morgantown Traffic Commission Recommendation – Traffic Control Reconfiguration at the Laurel / Parkview / Elmhurst Intersection

Appended hereto is a memorandum from City Engineer Damien Davis concerning the Morgantown Traffic Commission’s 05 JUN 2019 recommendation to reconfigure present traffic control measures at the intersection of Laurel Street, Parkview Drive, and Elmhurst Street. This recommendation is based on a traffic study completed by the Traffic Commission and City Engineer’s Office that evaluated historical crash and speed data and field observations. The study was initiated following requests by residents and the Suncrest Neighborhood Association. Appreciable improvements in both crash and speed data have been realized following traffic calming installation (speed humps) along Laurel Street. Please refer to the appended memorandum that includes a map illustrating the recommended traffic control reconfiguration. Staff concurs with this recommendation and requests City Council authorization to proceed in removing the two (2) stop signs from their present locations on Laurel Street and installing two (2) new stop signs on Parkview Drive and Elmhurst Street.

Acting City Manager, Director of Development Services Christopher Fletcher explained. After discussion, motion by Wendell, second by Brazaitis, to approve the above entitled recommendation from the Traffic Commission to reconfigure the intersection of Laurel Street, Parkview Drive and Elmhurst Street, by removing the stop signs at Laurel Street and two new ones would be placed on Parkview and Elmhurst. Motion Carried 5-0 with Fetty and Wallace absent.

2. ABCA Floor Plan Extension – Gene’s Beer Garden | Al Bonneroo Event

Gene’s Place has made a request for a temporary floor plan extension for SAT, 29 JUN 2019 from 3 p.m. to 9 p.m. in conjunction with the Greenmont Neighborhood Block Party. Gene’s will offer live music and sell food and beer. The Al Bonneroo event is a fundraiser benefiting *Pet Helpers of Marion and Monongalia County*. Staff recommends City Council authorizes the requested floor plan extension to be sent to the ABCA.

Acting City Manager, Director of Development Services Christopher Fletcher explained. Motion by Dulaney, second by Brazaitis, to approve the above Floor Plan Extension for Gene’s Beer Garden. Motion Carried 5-0 with Fetty and Wallace absent.

3. ABCA Floor Plan Extensions (2) – Classics 3 | Bo Harper Memorial Ride

Classics 3 Restaurant and Lounge at 1384 Greenbag Road has made a request for temporary floor plan extensions for the following dates. Live music will be offered as a part of these fundraising events. Staff recommends City Council authorizes the requested floor plan extensions to be sent to the ABCA for the following dates.

- FRI, 12 JUL 2019 from 6 p.m. to 11 p.m. for the Triple S Bike Night and pre-registration for the Bo Harper Memorial Ride
- SAT, 17 AUG 2019 from 11 a.m. to 11 p.m. for the Bo Harper Memorial Ride event

Acting City Manager, Director of Development Services Christopher Fletcher explained. Motion by Brazaitis, second by Dulaney, to approve the above Floor Plan Extension for Classics 3. Motion Carried 5-0 with Fetty and Wallace absent.

REPORT FROM CITY CLERK: Christine thanked Councilor Brazaitis for his service and leadership. She also discussed new council orientation which take place on June 27, 2019. She mentioned to citizens that have questions regarding the City Code online, to please contact the City Clerk’s office.

REPORT FROM CITY ATTORNEY: Ryan Simonton gave an update on the city’s Land Reuse Agency. He also discussed the Home Rule program and asked for input from council on any Home Rule initiatives they would like to see.

REPORT FROM COUNCIL MEMBERS:

Councilor Fetty: Absent

Councilor Wallace: Absent

Deputy Mayor Selin: Suncrest Neighborhood annual picnic at Krepps on July 9, 2019, potluck at 5pm. They like to invite all members of the city. They will be having a concert "Bumper Jackson" as well. She gave her regards to councilor Brazaitis for his service, energy, commitment and willingness to work with others to accomplish what he set out to do during his 2-year tenure. Fourth of July parade is coming up. Announcements: Ralph breaks the internet movie, June 28 at Jack Roberts park; Folk on the Hill concert June 20th Wiles Hill 5-9p.m.

Councilor Dulaney: Councilor Dulaney announced that the History Museum's "Best Chef" Cookoff Fundraiser will be in early August and all proceeds will go to the Museum. Councilor responded to Mr. Hastings' earlier statements regarding the community gardening. He mentioned he was confused that the plans were made by the MMMPO. He shared that the study which was done in 2015 does show dedicated left turn lanes. During the open house it clearly showed traffic circles. He is unsure how that transitioned to the traffic circle. Mayor shared that this change came from direction of the DOT. Councilor Dulaney asked what the mechanisms the city has and why isn't the Planning and Traffic Commissions participating? Acting City Manager, Director of Development Services Christopher Fletcher explained that he can get a status for council and ask for timelines along the way from day one. Selin asked to suspend the rules to speak and explain. Councilor Dulaney mentioned that he attended the Fair meeting Monday evening.

Councilor Brazaitis: He announced that he is grateful to fellow council members, administration, and honored to have served with everyone and will miss them. He wished the best to his successor all the best. He mentioned the accomplishments that he set out to do, only 3 of them stood out for him, they are the Safer Grant, Paris Climate Agreement and the Non-discrimination Ordinance. He stated that Haymaker forest was a lost opportunity. He mentioned the MUB's raw waterline going through White Park and stated that it should not go through, but around to preserve the trees. Commitment to city will not change. Although this is his last meeting as a City Council member, his commitment will not change, he will continue to fight for what will make it a stronger, healthier, greener and a more livable, tolerant and dynamic City. He stated that it has been an honor to serve the City of Morgantown.

Councilor Wendell: Provided the following.

I missed the last two meetings of Council. Joe has a friend of many years who is ill in San Francisco, and the rabbi I met when she was a student in 1991, who was the rabbi at Beth Chayim Chadashim in Los Angeles for twenty-five years, was retiring, the temple honored her at a brunch June 2. Joe was her student rabbi from 2007-2009 and she married us in 2008. I felt that, after three years, it was time to revisit California.

You can read more about our trip on my blog themorgantowner.blogspot.com. The part that's relevant is how the success of San Francisco has made it nearly unlivable. Most of the beautiful old architecture is preserved, but except for long-term renters with rent control, no one can afford to move there now, with rents for small apartments starting at \$3,000 monthly and the cost of a modest home over one million. The city restricted parking and tore down a freeway, so rich people use Uber and Lyft to get to work, the tech companies have private bus systems for their workers, and people drive around town, helmetless, on electric scooters, or zoom through the parks on expensive bicycles. The public transportation badly needs an upgrade.

Los Angeles is the home to more very rich people than anywhere, movie and rock-stars, entertainment moguls and professional athletes, and yet there are 40,000 people living on the street, in tents under freeways and on several blocks in the middle of town. People told us they are afraid to ride the subways and light rail lines; traffic is horrible. A proposed levy for the public schools was defeated while we were there.

I wasn't involved in politics in Los Angeles, nor was Joe in San Francisco. We still have dozens of friends there and we saw many of them. It was good to see smiling faces.

I support the efforts of the Human Rights Commission to make Morgantown a more open city, and to have a more diverse work force. Laws and regulations will help, but there are still minds that need to be changed, and cultural cues that need to be picked up. I can dress down, put on an accent, travel alone and pass for a native in Appalachia, but I know that as a bicoastal gay Jew, I am often thought of as "too sensitive," or "too opinionated." I've been told openly and been given non-verbal cues that I "don't fit in." Much harder for people who are visually African American, Latinx, more obviously gay or trans. We need the laws, but we need hearts and minds to be more open as well.

I'm glad that MUB has considered different routes for its pipeline from the new reservoir. I agree with people from the Mon Valley Greenspace Coalition that the pipeline should completely avoid White Park. It never should have been routed through there in the first place. The note from them suggests that the carbon capture value of the trees be counted, the cost of cleaning up contamination in the park be considered, and if new trails will be built, that they be included in the cost estimates for the pipeline.

I am willing to listen to people about annexation. Yes, Mylan should have been included in the original plan. I've heard lots of people in the last two years call for "metropolitan government" and I believe this annexation is a step toward that, using the City of Morgantown as the basis for it, as it should be. I grew up less than a mile outside of Baltimore City, past an artificial boundary used for residential segregation before 1968, and a way to avoid taxes. People have decried the decay of downtown Morgantown, but I don't see anyone clamoring to have their parade in the town center developments, and people don't take their out-of-town visitors to see the Target and Wal-Mart off I-79. Where I grew up, developed like mad in the 1950s, developers left land for schools, neighborhoods had sidewalks, playgrounds and basketball courts within walking distance. As a city, we can make that happen. This Council has the will to make Morgantown, all of Morgantown, the envy of West Virginia. We need everyone to come in and be with us.

I want to acknowledge the passing of Ken Weiss, the son of Zelda Stein Weiss, and a close cousin of County Commissioner Tom Bloom. Condolences to his family and many friends.

This is the last meeting of this Council. Five of us will be back in July, hardened and chastened by the events of the last two years. I am sad to see my friend and fellow-Councilor Ryan Wallace and his alter-ego/wife Christine leave town. They were a great asset to Morgantown and will be missed.

A prophet is one who tells you the truth you don't want to hear, and they are often punished for it. Mark Brazaitis has been the Council's prophet these last two years and paid a price for it. We need you, Mark, to stay involved and speak the truth.

It's been an honor to be elected to Morgantown's Council, twice now, and to get to know the fine people of our city and be able to make it a great place to live.

Mayor Kawecki: Mayor Kawecki participated in the bicycle pedestrian workshop with many entities and deliberated over many of the current issues and how we might improve them. The process was encouraging and there was dialogue and cooperation, one that he has not seen. **Announcements:** **6/19/2019** - Taste of WV that supports the American Red Cross at the Morgantown Marriott at 6pm. Cost is \$35 to \$60 and coincides with West Virginia Day; **6/20/2019** - Folk on the Hill Concert Wiles Hill Park 5p.m.; **6/21/2019** - High Street Cruise 4p.m. downtown High Street; **6/22/2019** - WV Birthday Celebration with events downtown at 12p.m.; **6/29/2019 to 6/30/2019 (Various times)** - Play coming up with the WV Public Theatre "The 39 Steps" at WVU Creative Arts Center. Cost is \$15 to \$25; Movies in the park can be found on the BOPARC site and are free.

ADJOURNMENT: There being no further business, motion by Dulaney, second by Brazaitis, to adjourn the meeting. Time: 9:42 p.m.


City Clerk


Mayor

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