

City of Morgantown
430 Spruce Street, Morgantown, WV 26505

MINUTES
REGULAR MEETING
January 3, 2023

Regular Meeting: January 3, 2023: The regular meeting of the Common Council of the City of Morgantown was held in the Monongalia County Commission Chambers on Tuesday, January 3, 2023, at 7:05 pm.

Present: City Manager Kim Haws, Assistant City Manager Emily Muzzarelli, City Attorney Ryan Simonton, City Clerk Christine Wade, Mayor Jenny Selin, Deputy Mayor Danielle Trumble, and Council Members Joe Abu-Ghannam, Bill Kawecki, Ixya Vega, and Dave Harshbarger. Brian Butcher was in attendance via Zoom.

The meeting was called to order by Mayor Selin.

Approval of Minutes: December 20, 2022, Legislative Session Meeting minutes; December 20, 2022, Regular Meeting minutes were approved as printed, by acclamation.

Correspondence: City Clerk Christine Wade shared information related to the April 25, 2023, Municipal Election.

Public Hearing: None

Unfinished Business: None

Boards & Commissions:

Motion by Deputy Mayor Trumble, second by Councilor Kawecki, to reappoint, by consensus, William Blosser to the Planning Commission as the 3rd Ward Representative for another 3-year term. New term: 1/1/2023 – 12/31/2025.

Public Portion:

Mayor Selin declared the Public Portion open.

The following citizens spoke regarding the BOPARC Ice Rink and the closing for extensive renovations:

Kelly Burd-Hess, Aaron Modecki, Luke Smith, Finnley Satake, William Poling, Cooper Lohiser, Noah Babel, Owen Mongold, Ewan Petersavage, Lance Leitenberger, Braxton Cramey, Weston Mazy, Benjamin Lee, Adante Shepherd, Kristen Dieffenbach, Matthew Nelson, Nicholas Rymer, Frank Oliver, Jared Mazezka, Jack Post, Cory Kourtsis, Joe Adams, Ryan Wilen, Conor, McCallister, Mindy Hollander, Bella Martinez, Sara McMullen, Shoji Satake, Steven Wheeler, Beth Ryan, Randy Mazy, and Jamie Summerlin.

Todd Stainbrook questioned when the BOPARC Renovation BID was for the architect. He asked what happened to the monies for the BOPARC Bond. He also asked who was negotiating the City Manager's contract.

Debra Gordey, 52 Dustin Lane, asked Assistant City Manager Emily Muzzarelli why she felt that four other departments in the city (not Civil Service) need to have hazardous duty pay.

James Giuliani, 256 Prairie Avenue, stated that a community is those who come together and fight for what is right. He stated, that is what happened tonight at this meeting, everyone present spoke from the heart about the ice rink about when it will be closed down for renovations. He noted that there is a lack of communication within the city and wants to change that. He will be running in the upcoming city election.

There being no other individuals to speak, Mayor Selin declared the public portion closed.

Special Committee Reports: None

Consent Agenda: None

New Business:

An Ordinance amending Article 162: The below-entitled Ordinance was presented for first reading.

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An Ordinance amending Article 162 Woodburn Commission

Deputy Mayor Trumble explained. Motion by Councilor Kawecki, second by Councilor Vega, to approve the above-entitled Ordinance to second reading. Motion carried 7-0.

City Manager's Report: expressed appreciation to city council members who were able to attend the city's recent Christmas lunch noting that it was well attended by city employees and that he believed that they really appreciated a sense of support from city council. The city applied for some grant dollars, and they received notice that our grants were approved. He believes and anticipates that about a million dollars will go to the airport and \$6 million will be allocated towards the new fire substation.

Report from City Clerk: she shared that the West Virginia Municipal League conference is coming up in mid-February and to notify her if they would like to attend. She also reminded folks that there is still a need for poll workers for the upcoming election and to reach out to the Clerk's office if anyone 18 or older and who is registered to vote in the county is interested in assisting with the election as a poll worker.

Report from City Attorney: shared that council members had recently requested information about utility locations within the public rights of ways. They had some discussion of the council's ability to adopt standards for excavations and installations in the rights of way as well as aesthetic standards. Our Development Services Department is working on developing a form of proposed aesthetic standards and the Engineering Department is resuming work on some previously prepared updates to the provisions of the city code related to excavations and installations in the rights of way. He received a request from Comcast to renew their franchise. That is an existing franchise and should not result in a lot of new build out, which is what led to some of the council member questions. He reached out to contact their representative and begin the process of working on that renewed franchise agreement for them to continue providing cable services in the city. They are working on design for the First Street relocation, this is part of the project that will also realign Campus Drive to intersect with Beechurst Avenue for which Council previously adopted an ordinance authorizing the annulment of a portion of Campus Drive and dedication of additional right of way in the new location. They will be proposing a similar transaction with respect to First Street below Beechurst heading toward the river and are expecting a design that will show the proposed relocation area this month which would hopefully allow us to have that ordinance in front of council in February. DOH's project is planned to start construction this spring, and the timeline of the First Street project which is a city project is expected to coincide.

Report from Council Members:

Councilor Abu-Ghannam: shared that it is welcome back to students and teachers tomorrow and next week to our university. He thanked the City Manager, the city staff, as well as the Fire Department for their assistance with the scary storm that took place the Friday before Christmas. He was one of the people that experienced the heavy winds as it blew over a 75-foot pine tree in his backyard and landed just right to not hit any neighbor's houses. The arborist from South Park stated that you have about 13 hours to go see it before it is completely out of the ground. He shared that he understands what everyone is talking about tonight about BOPARC and the ice rink as he is a wrestling coach. He understands the concerns for losing a year, it's extremely detrimental when he is coaching and especially with the kids if they take a season off. He understands everything that folks have shared, and he wants everyone to know that they are being heard. He thanked everyone for taking the time to come out and talk to council.

Councilor Kawecki: shared that he does appreciate what he heard tonight. He appreciates the presentation, by that he means instead of having a lot of fingers pointing and accusations, he heard folks speak from their point of view and what this circumstance meant to them, and that helps his appreciation for what's being done. He does encourage folks to continue their voice and participation as they really do need their input well before decisions are made. He shared that they do attempt to get information such as this out, however, there is always someone who hasn't heard. He thanked everyone again for their presentation and stated that when people tell council what it means to them from their point of view it is very helpful.

Councilor Vega: shared that she did not realize about the 18-month shutdown until she started receiving about 15 to 20 emails about it starting two days ago. She is very sympathetic, especially to parents who don't want to travel out of state, noting that if this was her family that she would not be able to play any type of sport after that because her parents got off work very late and it was up to her to take care of her brother after school. While they were told that there were certain communications had with certain leaders or certain groups, we're clearly not seeing that here. And like folks said, it all comes down to communication and folks look to their local government to be the ones to communicate that with them. She believes that more transparency is needed on that point and hopes that they can work with BOPARC to come up with some solutions and communicate that ahead of time with folks, so they feel like they're being a part of the process as well. The legislative session starts on the 11th of this month and goes on until the 11th of March. There are always things that come up that affects municipalities, so she encourages everybody to pay attention to what things can look like during legislative session and feel free to reach out to their state representatives that represent us here in Morgantown.

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Deputy Mayor Trumble: shared that she loves to see a lot of participation at council meetings. She was on the other side of the microphone many times for many years before she sat in the decision-making seat. She is a little frustrated to hear that there was a lack of communication or perceived lack of communication because as chair of the BOPARC Board and the BOPARC board took no action on this. They were informed, like most of the community, that this was going to be the path forward. She found out at 10 o'clock on a Wednesday, and she insisted on having a meeting with their user groups and they found out at nine o'clock on Thursday less than 24 hours of us knowing we're able to try to get a meeting together. She cannot control the spread of information from there, but the representatives of each user group were invited to a meeting and most of them came. They had a conversation and she thought that they had a productive conversation. It's not a conversation that anyone wanted to have. She shared that her son is now nine and a half, six or seven when COVID hit and was a lacrosse player, and lacrosse never came back for his age group after COVID. She does understand the effect that it has on these children. She has been reading all the emails that she has received, and she has been to the ice rink talking to members of MHA. She has talked to people on the phone, she participated in that meeting and insisted on having that meeting last Thursday. She apologized to anyone who feels that they were not open about that and had to read about it in the Dominion Post. In the meeting on Thursday with the representatives of the user groups, they were told that Ben Connolly from the Dominion Post had already reached out and a public statement was going to be made and they were having that meeting with them to make sure that those groups were informed ahead of time. She understands that maybe information doesn't spread with that pipeline quite as quickly as if it's printed in the newspaper, but they attempted, and it was told that Ben had already reached out and a statement was made. She is more than willing to have conversations with anyone. Coach Wilson emailed and invited her and the mayor to two girls' hockey games this weekend and she has it on her calendar currently and fully intends to come. Anyone who wants to have a personal conversation with her can speak to her at the hockey games. She would love to continue hearing from folks and would love to open again lines of communication with not only user groups and stakeholders, but the other partners that they should really have heard from. She stated that she heard that WVU Hockey would lose enrollment, but she did not hear a lot about what they could offer in assistance.

Councilor Harshbarger: thanked everyone who spoke stating that it was helpful to hear directly from everyone regarding all their concerns and issues. He is sorry he missed the holiday party while he was out of town. To his fellow councilors, his first Morgantown Utility Board meeting was last month. He would like to hear input in terms of what would be helpful for him to bring forward to bring back from that meeting and start to work on a report that would be helpful. He asks that they give that some thought. He looks forward to their input on that. Their next board meeting is later in the month, January 24.

Councilor Butcher: shared why he participated via Zoom. For anybody that doesn't know, he is currently suffering from an unknown neurological condition. He spends most of his days in a dark room with sunglasses on as the bright light is not great for him and that explains why he has been off camera most of the time for this meeting. Morgantown RAMP, an organization that he has been involved in, has been getting people into hotel rooms since the beginning of November and they have had consistent stays throughout that entire time. They recently had a larger than expected capacity due to the negative wind chills and the larger population of manhours and individuals. They are back to normal numbers now and he is glad that they have that resource this year. He thanked everybody that's been volunteering and helping with that, especially since he has not able to drive for work, and has been stuck inside at home, trying to help people coordinate. Everyone on council has been helpful towards the warming shelter, the city management has been helpful towards this warming shelter efforts as well. He thanked everyone who showed up tonight, it is great to hear from so many different members of the community and have everybody so vocal about something that they feel so passionate about. He shared that he feels just as blindsided by the idea that the ice rink would be closing for that long as others do because the last time he had heard about it we would not have had to close for that length of time. He heard about it in the paper just the same time as everybody else did. It would seem to him that we are again in this kind of situation where at least to the perception of the stakeholders involved we have not gotten their input and they are the kind of agency that they feel as if they are part of this decision-making process. We need to correct that in whatever way that we can and make this a more equitable process for those that are the stakeholders for what we are trying to do.


Mayor Selin: shared that she has been manager of an ice rink before. She grew up on ice in Madison, Wisconsin with a good high school hockey team. She lived in Finland for a year and near her house were nine sheets of ice that could be used for hockey within walking distance. They had several outdoor rinks because it was cold, and they could support them and some rinks inside of a building. So, in our situation where we want to build the best rink we possibly can, it was determined pretty much just by logistics that it would be almost impossible to do what we had always wanted to do, what we had always promised to do. And so, because it would take so long to get all the individual components that it would be hard to reassemble them and get them put together and still maintain the short season that we had promised. Because this was determined in this way, in the way that it just became impossible to do it, what is going on with BOPARC is assembling different solutions for trying to develop some ice, and that the information isn't available yet. As a member of the BOPARC board, and as Mayor of Morgantown, it's very important that we figure out how to work together toward whatever that solution is that's developed. She called and asked if the information was available, and it was not. It will take a while to figure out how that might be accomplished or whether that can be accomplished. The reason to start this early is so that they can look at all the different possibilities and how you can possibly get to march and have your tryouts and know what you're going to have for next year. She appreciates everyone coming and speaking, it helps to know how important that season is. This is definitely a very difficult situation for everyone. She appreciates the enthusiasm for ice and noted that she too has a huge enthusiasm for ice.

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EXECUTIVE SESSION: Pursuant to West Virginia State Code Section 6-9A-4(b)(9) to discuss matters protected by attorney-client privilege. Motion by Councilor Vega, second by Councilor Abu-Ghannam, to go into executive session. Motion carried by acclamation. Time: 9:30 p.m. Present: City Council, City Manager, and City Attorney.

ADJOURNMENT: There being no further business, motion by Councilor Vega, second by Councilor Harshbarger, to adjourn the meeting. Time: 10:59 p.m.


City Clerk


Mayor

