

**City of Morgantown**  
389 Spruce Street, Morgantown, WV 26505

**REGULAR MEETING**  
**June 16, 2020**

The Regular Meeting of the Common Council of the City of Morgantown was held via Webex on Tuesday, June 16, 2020, at 7:03 p.m.

To protect public health during the COVID-19 pandemic, personal attendance at the meeting was not permitted. When it was time, the public participated in the public portion by videoconference at the following link: <https://cityofmorgantown.my.webex.com/meet/cityofmorgantown> with meeting number (access code) 793 734 477, or by calling in at the following number 408-418-9388 and using the access code 793 734 477. The meeting was broadcast on Channel 15 and by streaming hosted on the City's website at [www.morgantownwv.gov](http://www.morgantownwv.gov). Any person wishing to speak at the meeting completed a form at <https://www.morgantownwv.gov/FormCenter/Public-Comment-Sign-Up-Sheet-14/Public-Comment-Regular-Meeting-fo-61> or provided their name, phone number, and the topic on which they would like to speak by texting 304-288-0847 or texting 304-288-7072 prior to the start of the meeting. The public could submit written comments for the public portion of the meeting by sending written comments via email to the City Clerk at [cwade@morgantownwv.gov](mailto:cwade@morgantownwv.gov), specifying in the subject line "Public Comment 06/16/2020" and indicating in the body of the email if they would like their comment read aloud during the public portion of the meeting.

**PRESENT:** Via Webex were Interim City Manager Emily Muzzarelli, City Attorney Ryan Simonton, City Clerk Christine Wade, Mayor William A. Kawecki, Deputy Mayor Rachel Fetty, and Council Members Zackery Cruze, Jenny Selin, Ron Dulaney, Dave Harshbarger, and Barry Wendell.

The meeting was called to order by Mayor Kawecki.

**APPROVAL OF MINUTES:** June 2, 2020 Special and Regular Meeting minutes will be brought back to the July 7, 2020, Regular Meeting for approval.

**CORRESPONDENCE:** Councilor Wendell shared that he has received 154 emails related to a movement to defund the police. Councilor Selin shared that she has received calls and emails related to our trash service, and perhaps the same emails Councilor Wendell received.

**PUBLIC HEARING: AN ORDINANCE AUTHORIZING AN EASEMENT TO SEGRA AT THE MORGANTOWN MUNICIPAL AIRPORT**

Mayor Kawecki declared the Public Hearing open.

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

**PUBLIC HEARING: AN ORDINANCE AUTHORIZING AN EASEMENT TO CITYNET AT THE MORGANTOWN MUNICIPAL AIRPORT**

Mayor Kawecki declared the Public Hearing open.

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

**PUBLIC HEARING: AN ORDINANCE ACCEPTING EASEMENT AT RIVERVIEW DRIVE**

Mayor Kawecki declared the Public Hearing open.

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

**PUBLIC HEARING: REMOVAL OF BLUE CURB PARKING ON EIGHT STREET**

Mayor Kawecki declared the Public Hearing open.

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

# City of Morgantown

## **UNFINISHED BUSINESS:**

**BOARDS & COMMISSIONS:** None

## **PUBLIC PORTION:**

Mayor Kawecki declared the Public Portion open.

Marly Hazen, 1093 Sabraton Avenue, spoke on behalf of the Mountain Line Transit Authority, and informed council of the bus shelter locations that will be updated before winter.

Debra Gordey, 52 Dusin Lane, spoke in support of appointing Eric Powell as Chief of Police, and spoke in opposition of defunding the police department.

**SPECIAL COMMITTEE REPORTS:** None

## **CONSENT AGENDA:**

**AN ORDINANCE AUTHORIZING AN EASEMENT TO SEGRA:** The below entitled Ordinance was presented for second reading.

AN ORDINANCE AUTHORIZING AN EASEMENT TO SEGRA AT THE MORGANTOWN MUNICIPAL AIRPORT

**AN ORDINANCE AUTHORIZING AN EASEMENT TO CITYNET:** The below entitled Ordinance was presented for second reading.

AN ORDINANCE AUTHORIZING AN EASEMENT TO CITYNET AT THE MORGANTOWN MUNICIPAL AIRPORT

**AN ORDINANCE ACCEPTING EASEMENT AT RIVERVIEW DRIVE:** The below entitled Ordinance was presented for second reading.

AN ORDINANCE ACCEPTING EASEMENT AT RIVERVIEW DRIVE

**AN ORDINANCE AUTHORIZING AN EASEMENT TO ZAYO:** The below entitled Ordinance was presented for first reading.

AN ORDINANCE AUTHORIZING AN EASEMENT TO ZAYO AT THE MORGANTOWN MUNICIPAL AIRPORT

All items were unanimously approved.

## **NEW BUSINESS:**

**AN RESOLUTION APPROVING THE 2020-2021 BUDGETS FOR THE MORGANTOWN MUNICIPAL AIRPORT FUND, THE AIRPORT IMPROVEMENT FUND, THE SALES AND USE TAX FUND, AND THE METROPOLITAN THEATRE FUND:** The above entitled Resolution was presented for first reading.

Interim City Manager Emily Muzzarelli explained. Council suspended the rules to allow Finance Director Jim Goff, Airport Director Jon Vrabel, and Director of Arts and Culture Vincent Kish speak. Motion by Councilor Selin, second by Councilor Dulaney, to approve the above entitled Resolution. Motion carried 7-0.

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

### **Information:**

#### **A. Morgantown Police Department and Code of Conduct**

Interim City Manager Emily Muzzarelli stated a number of ways that the Morgantown Police Department works to protect the rights of all citizens and enforce the law equally and justly to all. These examples include annual training in de-escalation



# City of Morgantown

and implicit biases and the use and review of body camera and in-car camera video by all officers for every use-of-force incident.

## **B. Update on Pennsylvania Avenue Encampment**

Interim City Manager Emily Muzzarelli provided an update on the encampment along Pennsylvania Avenue. The City of Morgantown met with community leaders last week and developed a plan to ensure that individuals sheltered in the encampment have access to safe and affordable housing. As of last Friday, seven individuals of the encampment were moved into housing or substance abuse programs. The task force is accepting supplies as a donation.

## **C. Update on 2020 Census**

Interim City Manager Emily Muzzarelli stated that the City is at a 46% self-response rate for the 2020 Census. Door to door Census takers will begin making their rounds in mid-July.

### **New Business:**

#### **A. Bid Award for Remaining Forest Avenue House Demolition**

Interim City Manager Emily Muzzarelli stated that staff is recommending awarding the bid to Blue and Gold Development in the amount of \$24,349. After discussion, motion by Councilor Dulaney, second by Councilor Cruze, to approve the remaining Forest Avenue House Demolition to the Blue and Gold Development. Motion carried 7-0.

#### **B. City Appointment with Mon County Development Authority**

Interim City Manager Emily Muzzarelli stated that a city appointed position is currently vacant with the Mon County Development Authority since the departure of Paul Brake. Council appointed and approved Interim City Manager Muzzarelli to the position. Motion carried 7-0.

**REPORT FROM CITY CLERK:** shared that this Thursday there will be a new board and commission member orientation led by City Attorney Ryan Simonton. She thanked the board and commission members who are sticking with us through this time and continuing successful meetings. An "All Hands" board and commission member overview will be scheduled this month and all members will receive an email invite to participate via webex. The Police Civil Service Commission met last week to discuss the Entry-level police application and testing which was scheduled initially in April and then postponed due to Covid, and then scheduled again for June 27th. The testing has been postponed again until October. Once that date in October has been established, we will advise. So, if someone would like to become a police officer there is more time to apply and for those who may be listening if you've already applied, we will be reaching out to all of the applicants to advise of the new date.

**REPORT FROM CITY ATTORNEY:** shared that he did not have a formal oral report for the evening but advised that if council had any questions about a status or any other questions, he would be glad to address them.

### **REPORT FROM COUNCIL MEMBERS:**

**DEPUTY MAYOR FETTY:** shared that it is heartbreaking to see such tremendous suffering and simultaneously heartening to see a building consensus in what citizens of our great country should and can expect from our police and law enforcement. She has been heartened by the protests that have taken place in Morgantown. Unfortunately, she has not been able to make it to as many of them as she would have hoped but stated that she wants everyone to know that folks on the street have her full support. She is grateful to Chief Preston and our current Chief for upholding critical values during this time and shared that it is hard for professionals who work very hard to make sure that terrible things don't happen in their communities. She has been grateful for the MPDs response to the protesters in our streets and to the voiced concerns of our community. She was contacted by Dr. Carr from the NAACP who submitted a letter to MPD regarding some requests to participate in some of the hiring discussions that will occur in the future about a permanent police chief, and she is heartened generally by the response of the Chief in response to these really deep concerns. She thanked Chief Preston for establishing guidelines for our entire MPD that have made it possible for us to say that we are working very hard to make sure that these tragedies don't occur. It is heartening that our entire police force has really worked very hard to implement a number of things that have been requested across the country. She reminded everyone that we are still in the middle of an epidemic that is going on all over the country. She is extremely glad to be in West Virginia, really happy and proud about our numbers and our rates of infection, but she urges everyone to practice social distancing wherever you go and to wear a mask wherever possible. She shared that they had a hearing earlier today regarding nuisance complaints and she feels even though it's the first this

# City of Morgantown

has been held for a very long time that it went off without a hitch. She urged everyone to consider going swimming or to take advantage of the parks and the pools as they are open. The pools have been at capacity on some days but they have been set up with grids so you can know where you are in relation to other families. She thanked our citizens, our staff, and Council for working together to address these challenging and difficult issues.

**COUNCILOR CRUZE:** he shared that he always prides himself with his role on Council for being very engaged and very transparent and he wanted to ask people to be patient with him in the next upcoming weeks. He knows that he may be dropping the ball on a lot of things recently as he has had some significant health issues with one of his children. As well, he had surgery on Thursday and recovery with that has been going well. He stated that he is trying to balance the needs of being a father with his role on council and sometimes that's not easy. If someone does need something reach out to him via text or call and he will get back to you. The library is doing virtual summer library reading and programs are starting up so check those out because they're going to be really cool.

**COUNCILOR SELIN:** she gave a shout out to those who are demonstrating against racism, and violence against black and minority populations, and black lives matter. She appreciates the sincerity and anguish and strong yet nonviolent behavior those who are protesting as well as the professionalism of our police force in protecting the protesters and continuing to do the good work that they have done. She appreciates Chief Preston and appreciates those who are going to follow in his footsteps, and the rest of the force because it's very difficult time, very sad time, and it takes a lot of work to try to keep the community moving forward. She stated that we do have a very professional police force. She has been going to Krepps Park pool and they folks have been well taken care of. People are minimizing their time spent in the locker room and they are practicing social distancing by sitting inside square blocks that are separated from each other. Once in the pool people are doing a good job of keeping separate and the guards are doing a good job of reminding kids when their close to each other except for if they're in a family unit. She appreciates the shout out to the library or people who are being creative about how to provide service at a time when sometimes you cannot be there in person.

**COUNCILOR DULANEY:** he expressed appreciation for those who are using their voices for positive change and thinks that this is an important moment that we're working through. He expressed appreciation to the Morgantown Police Department under the leadership of Chief Preston and echoed some of the thoughts that have already been expressed. He stated that certainly no person or no unit organization is perfect, but he thinks Chief Preston has put us in a good position moving forward where we are ahead of the curve and they've been very proactive and in policing well, and he appreciates that and he thanked them.

**COUNCILOR HARSHBARGER:** he thanked those using their voice for racial justice and doing so in a peaceful way. He stated that it is reassuring to hear from Chief Preston that many of the asks being made to us via email that our policies and code of conduct already in place and being demonstrated. He shouted out to Chief Preston on that. For those that have been involved in helping with the camp at Deckers creek and finding permanent housing solution, thank you for that. On our Trail we've received some grants and are in the process of regrading it, laying down a new crushed limestone surface from the Pennsylvania line down to mile marker 3 coming in towards Morgantown and then coming up Decker's Creek going past Kroger and up towards Masontown and beyond. Most of that section, about 2/3 of it, will be resurfaced this summer. This will be a big improvement due to the increase in foot traffic and bike traffic on the rail trail. The traffic commission under Drew Gatlin is looked at creating some walking loops within neighborhoods around the city. There are five different areas that are one-mile loops.

**COUNCILOR WENDELL:** Councilor Wendell provided the following.

“Obviously, the big issue now is the call for reducing funding to the police. I have defended our police force, and gotten some support for that. There are also some raising questions about WVU Police. When I told someone that we have WVU Police, County Sheriffs and State Police active in Morgantown, I was questioned about why we need four police forces in our small city. A good question.

I posted on Facebook that I received numerous emails favoring defunding the police, but I did not agree that we should do that in Morgantown. We are not Minneapolis, New York or Los Angeles. Still, I was attacked for even mentioning receiving the emails, as well as for defending our police.

I understand the anger and frustration in the Black community. There is a group petitioning WVU to do a better job of confronting racism, overt and covert, at the University. I signed that.

I wish the Fetty/Anderson and Cruze/Hamilton households complete and speedy healing, bodies and souls.”

**MAYOR KAWECKI:** he appreciates all the things that have been done from the walking trails to the expressions of sympathy that we have around the various activities and concerns that have been expressed to them. He appreciates the council reacting in a positive manner. He asks people to not be dismayed with the circumstance that they are facing at the moment, whether it be the virus or whether it be the inequities of our society, these are things that they will move through and hopefully improve on and learn from. He asks folks to simply be kind to one another and to take care of yourselves so that you might be useful in helping take care of others. To be tolerant and to work together and solve some of the current problems. The planetarium is still active and they're still doing their



# City of Morgantown

virtual tours, their activities can be found online. We are beginning to see some performances by some of the local musicians and those are in conjunction with some of our restaurants. The Convention and Visitors Bureau has a good list of things going on, too. People are beginning to stretch, but still please be careful and please do look at social separating and wearing your mask.

**EXECUTIVE SESSION:** Pursuant to West Virginia Code Section 6-9A-4 (2) (B) (12) to discuss potential or pending litigation. Executive session was not needed.

**ADJOURNMENT:** There being no further business, motion by Councilor Wendell, second by Councilor Dulaney, to adjourn the meeting. Time: 8:25 p.m.

  
City Clerk

  
Mayor

