

City of Morgantown
430 Spruce Street, Morgantown, WV 26505

MINUTES
REGULAR MEETING
July 25, 2023

Regular Meeting: July 25, 2023: The regular meeting of the Common Council of the City of Morgantown was held in the Monongalia County Commission Chambers on Wednesday, July 25, 2023, at 7:08 pm.

The meeting was called to order by Mayor Selin.

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

Approval of Minutes: June 11, 2023, Special Meeting minutes and June 11, 2023, Regular Meeting minutes were approved as presented by acclamation.

Correspondence:

Presentation of the Zoning Text Amendment – Director of Development Services Rickie Yeager explained the Ordinance. After discussion, council moved this item to the August 15, 2023, Regular Meeting agenda.

Presentation from Morgantown Area Partnership on the Annual Report and the Downtown Safety Plan by Executive Director Amy Loomis.

Public Hearing: None

Unfinished Business: None

Boards & Commissions:

Motion by Councilor Kawecki, second by Councilor Trumble, to reappoint, by consensus, Suzanne Gosden Kitchen, to the Personnel Board for another term 3-year term: 7/1/2023 – 6/30/2026.

Motion by Deputy Mayor Abu-Ghannam, second by Councilor Harshbarger, to appoint, by consensus, Gabe DeWitt, to the Board of Zoning Appeals 3-year term and will be taking over an existing term: 1/1/2022 – 12/31/2024.

Motion by Councilor Trumble, second by Deputy Mayor Abu-Ghannam, to reappoint, by consensus, Susan Klingensmith, to BOPARC for another 6-year term: 7/1/2023 – 6/30/2029.

Motion by Councilor Harshbarger, second by Councilor Kawecki, to reappoint, by consensus, Johnathan Trumble, to the Ward Boundary Commission as the 5th Ward Representative for another 2-year term: 7/1/2023 – 6/30/2025.

Public Portion:

Mayor Selin declared the Public Portion open.

Tricia DiCenso, 214 Wall Street, spoke regarding the criminal activity, drug use, cleanliness, and the safety of downtown.

Michael DiCenso, 58 High Street, spoke regarding the criminal activity, drug use, cleanliness, and the safety of downtown.

Todd Stainbrook, 1035 Bakers Ridge Road, spoke regarding the status of the city.

Mike Anderson, 10 Scott Avenue, property owner, spoke regarding his property on Scott Avenue that is being damaged.

Lucien Lewin, 215 Wall Street, spoke regarding all the dealing of drugs in the area of Wall Street and thanked the police officers for increasing their patrols.

City of Morgantown

Jonathan Lewin, 215 Wall Street, has seen improvements in the recent weeks with rodents. He also spoke about the trash and requested that open trash receptacles be removed.

Maryann Folz, 828 Bloody Run Road, spoke about running for Mon County Commission. She also spoke regarding the homelessness issues and would like to talk with council members to brainstorm and come up with a solution.

Ray Glymph, 300 High Street, spoke about the homeless and drug issues downtown. He stated that he would like to help in any way.

Mark Downs appreciated everyone's frustration and wants to help in any way he can.

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

Council suspended the rules to allow Councilor Butcher to speak about someone distributing machetes.

Special Committee Reports: None

Consent Agenda: None

New Business:

An Ordinance Amending the FY 2023-2024 Annual Budget: The entitled Ordinance below was presented for first reading.

An Ordinance Amending the FY 2023-2024 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

Finance Director Kevin Tennant explained. After discussion, motion by Councilor Kawecki, second by Councilor Michael, to approve the above-entitled Ordinance to second reading. Motion carried 6-1, with Councilor Trumble voting no.

A Bid Award 2023-13 General Construction for High Street Tree Fencing Project: The Bid Award 2023-13 is being presented for approval.

Assistant City Manager Emily Muzzarelli explained. After discussion, motion by Deputy Mayor Abu-Ghannam, second by Councilor Harshbarger, to approve the above Bid Award 2023-13 to Anderson Excavating in the amount of \$68,593 for the construction of fencing on High Street. Motion carried 7-0.

City Manager's Report: shared that the presentation that Amy Loomis from Morgantown Area Partnership provided in representing the downtown business was excellent, stating that she has given us some hope. There are solutions coming on the horizon, even though there have been a good number already. We are not where we want to be, but he feels that together with the local businesses, Main Street Morgantown, the City, and others, were trying hard to address the issues. He shared that we've come to grips with how to handle the illegal dumping of refuse into public rights-of-way. Over the weekend citations were issued by Code Enforcement for those kinds of activities. Our Police Department is stepping up their patrol and he anticipates that there will be an even greater police presence downtown. He appreciates the cooperation we get from Main Street Morgantown and the relationship we have. The only way we're going to solve this problem is working together.

Report from City Clerk: welcomed our new council member Weez Michael and shared that she looks forward to working with her. The Police Civil Service Commission will be holding Entry Level Police Officer exams on October 28, 2023. Information related to applying can be found on the city's website. Search for job opportunities and scroll down to the police department. The application process is primarily online, and it is simple. When you apply online it automatically comes to the Clerk's office and folks will receive a notification that they have successfully applied. However, if we have folks who would like to apply in paper and not online, we can certainly help do that as well. As of right now, we have 11 applicants. She asked that the council keep sharing the information about our open exam October 28. She shared information related to Municipal Government Week which will be in October, sharing that we had a good response last year and is open to new ideas on how council would like to celebrate with our residents and folks who navigate through our city in October. Regarding our boards and commissions, Clerk Wade welcomed folks to apply as there are many vacancies. Information can be found on our city's website at Morgantownwv.gov.

Report from City Attorney: shared that he will be attending the US Attorney's Association meeting at the WVML Conference. The association is a group of lawyers who represent local governments in West Virginia. They meet semiannually in coordination with the West Virginia Municipal League meetings, share experiences, work on best practices, and then do some other activities for the group.

City of Morgantown

It's really a good place to find out from our legal side what is going on in West Virginia cities with issues they're facing and how they're addressing them.

Report from Council Members:

Councilor Abu-Ghannam: thanked BOPARC stating that Jazz on the Green was fantastic. He provided a Tree Board update sharing that they are doing a site visit at Woodburn next week to look about the different locations for tree planting as well as discuss which trees to plant. The Sister Cities Commission meeting is Thursday, and it will be his first time sitting on that commission in place of the former council member Ixya Vega. He stated that he will do his best to live up to the high standard that she set.

Councilor Kawecki: there will be a South Park Association of Neighbors meeting this Wednesday, 6:30 pm begins to social, 7:00 pm is the meeting, and that will be at Eaton Park, which is not the restaurant but the greenery that's located off Park Street that the city has negotiated with the owners to use as a public space. Councilor Kawecki shared that he was looking at the obituary this past Sunday and he saw Billy Coffindaffer had passed. He shared that he was a man who had made significant contributions to this community and had been at the forefront of doing good things, for no other purpose other than community good. It's sad to see him pass, but his life and value is a testimony in what he leaves behind.

Councilor Michael: shared that their Third Ward sign for Wiles Hill should be done by mid-August. She is excited that they moved quickly on the sign and thanked Assistant City Manager Emily Muzzarelli and Mayor Selin for helping to get this taken care of. She will be meeting with some of the community members, and they are going to start doing a quarterly get together at Eureka Cafe. Tomorrow they are going to look at alleyways, sidewalks, and some abandoned houses, and they will be discussing these items with the City Manager and the Mayor.

Deputy Mayor Trumble: shared that she looks forward to attending the Municipal League conference next week. If folks reach out to her during this time, she may be a little slower than normal to get back to you. BOPARC is having a gallery dedication Saturday, July 29, 2023, from 3:00 pm to 6:00 pm at the Wiles Hill Gallery and it's going to be named the Deborah D. Palmer Gallery. There will be a show, refreshments, and a couple of speeches. To address something that was said during the public portion, she believes that people are putting a lot of undue expectation on Main Street Morgantown as an organization. She is thrilled with the work that they are doing and thrilled that there's been a lot of movement. We are being very successful with a lot of events, with some of our economic development, with the districting, and many of the initiatives that are happening. She does appreciate that they stepped up to the plate to become a partner for a downtown safety plan, but to say that it's their job to measure success on that she believes is misplaced. Public safety is not the responsibility of Main Street Morgantown. It's great that they're willing to help but public safety is a city responsibility and it's ultimately up to the city to set what success looks like or doesn't look like in that regard. When people say that Main Street needs to step up their volunteer efforts with trash cleanups for example, that's not their job. These are downtown business owners who come together to work together to try to make the district better. It's great that we do volunteer cleanups, and it's great that they're willing to work with the city on a safety plan, but at the end of the day, these are responsibilities of the city. She brings up things during meetings that some people may think are inappropriate for a public meeting, but as was pointed out, she brings these things up many times before they get on an agenda. At the last meeting, Councilor Michael asked for an executive session to discuss some personnel issues, which would have been a great time to discuss that, but it's not on this agenda so she brought it up during this public meeting. At the last meeting, she asked for a Charter review subcommittee, and she has heard no movement on that. She wants people to be aware that this is never the first course of action, this is her "frustrated, I'm going to put it out in the open" course of action.

Councilor Harshbarger: following Councilor Kawecki's statements of Billy Coffindaffer, Councilor Harshbarger shared that when he moved back to Morgantown in 1995, he was a part of the Chamber's Vision 2000, and he had the vision of the Wharf District and the rail trail, and it really helped to set the stage. He was a great legacy. He thanked those who spoke during the public portion stating that the issues brought up tonight are very important and they are working on them. Sometimes they're not as visible as to what they are but know that every one of us feels very passionate about those issues. Council Harshbarger shared that there was a MUB Board meeting last Friday, and it was a light agenda, but in terms of what might be relevant to council, they're still meeting with Westover and doing what you would say is their due diligence in establishing what needs to be done and corrected with the storm water and wastewater treatment. In terms of the rail trail, the most recent update is trying to get the lighting under the bridge of Don Knotts Boulevard closest to the amphitheater. The hang up right now is where the power source is coming from, if it's going to come from the bridge itself, or from the amphitheater. The idea was from the bridge itself, but there's going to be construction on the bridge which might not be the best location. So, Thrasher is supposed to provide back to the rail trail board if the electrical power from the amphitheater can power the lights on the bridge, and we've been waiting a month for that. The Collins Ferry Connector trail is open. It hasn't had a formal ribbon cutting, but it is open, and is usable. Once a few additional amenities are plugged in there will be a formal ribbon cutting for the rail trail board.

Councilor Butcher: shared his apology for not being able to attend the Jazz on the Green, instead he was at the West Virginia Campus Workers meeting, which is a newly formed union that is trying to fight for collective bargaining at West Virginia University. There were

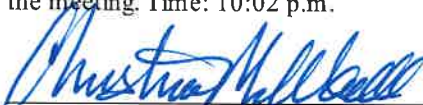
City of Morgantown

probably over 200 people there, most of them faculty. It was a very informative meeting, a lot of numbers people probably don't think about in terms of the kind of investment loss that they've had over time and how administrative spending has grown. Councilor Butcher felt it important to highlight because of the city's financial future and the city's fate is closely tied to the university. He stated that if we had a budget hole the size in comparison that WVU has it would be front page news every single day, and they would be asking for all of us to resign more than they already do. Anytime we can highlight the kind of crisis that WVU is in, and how much we are tied to that crisis, and how much we should be understanding and trying to work through what that looks like for the future of our city. He thanked the City Administration again this week because there was a street that was in bad shape and two days later it was patched up. He hopes this street can get on the next paving list. Councilor Butcher congratulated Lindsey Jacobs, she is a community member here and works at Mountain State Justice. She's going to open a business downtown here soon and it is a bookstore. He thanked all our business owners that came to tonight's meeting sharing that they are interested in working on making sure and improving things that are happening downtown. He appreciates hearing their concerns, and appreciates them for working forward towards things, and having good faith meetings with people.

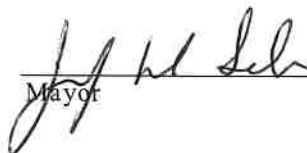
Mayor Selin: shared that the matters that people brought up are important, not just the property owners, but important to their customers, to this council, to city administration and staff, and to Main Street. She stated that nobody is saying that Main Street is responsible for any task beyond what their stated tasks are, but it is very important that people figure out ways that they can work together. Through Main Street, if property owners can work together, if they can help pull together other constituent groups and urge improvement where they see the need for improvement and help participate in that improvement, she very much appreciates that. She stated that our city administration and staff are one part of the solution, but it's going to take everyone to make our downtown the best that it can be and it's going to take people having faith in the downtown, people holding each other accountable, people seeing what they can do to ask for what they need and band together to get some of the services that they need. She appreciates the current efforts by police, current efforts with our administration, trash removal and enforcement, and the suggestions made by various council members in that regard. She appreciates other constituent groups that that have been upset and have put their own efforts out there to remove trash, but also make sure that people utilized enforcement so that we're not just cleaning up after people who should take care of their own trash. It really takes everyone working together. Mayor Selin stated that we have a very hard-working staff, and she has yet to meet a single yes person. We have a lively city staff that works very hard and administers their departments the very best that they can. She has seen a lot of stepping up and coming up with some good solutions. She referenced the Finance Director tonight who stepped up and produced more documentation when the council requested it, even on short notice. We have a lot of great council people who look at things from different perspectives and we try to weave things together and come up with a whole city because that's what we all need, and that's what the citizens expect. She mentioned that periodically they have neighborhood walkthroughs to look at some of their current issues. Tomorrow they will walk through the Wiles Hill neighborhood and look at some of the issues that Councilor Michaels is interested in. If your ward would like to have another walkthrough, we'd be glad to help schedule one to address issues. Usually there's not more than one every month or two, but it's a good thing to do.

EXECUTIVE SESSION: Pursuant to West Virginia State Code Section 6-9A-4(2)(9) to discuss acquisition and or development of real estate in the First Ward. Motion by Deputy Mayor Abu-Ghannam, second by Councilor Harshbarger, to go into executive session. Motion carried by acclamation. Time: 9:10 Present: City Council, City Manager, and City Attorney.

ADJOURNMENT: There being no further business, motion by Councilor Butcher, second by Deputy Mayor Abu-Ghannam, to adjourn the meeting. Time: 10:02 p.m.



City Clerk



Mayor