

REGULAR MEETING September 6, 2016: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, September 6, 2016 at 7:00 p.m.

PRESENT: Interim City Manager & Airport Director Glen Kelly, City Attorney Ryan Simonton, City Clerk Linda Tucker, Mayor Shamberger, Council Members: Ron Bane, Deputy Mayor Bill Kawecki, Wes Nugent, Jenny Selin, Jay Redmond, and Nancy Ganz.

The meeting was called to order by Mayor Shamberger.

APPROVAL OF MINUTES: August 16, 2016 Special Meeting Minutes, August 30, 2016 Special Meeting Minutes, and August 16, 2016 Regular Meeting Minutes were approved by acclamation.

CORRESPONDENCE: Mayor Shamberger presented a proclamation to Joan Gibson, Rebecca Davis, Susan Arnold and DAR members to encourage citizens to celebrate September 17-23 as Constitution Week. Councilor Selin noted a letter to be part of the record from Dr. Paula Fitzgerald objecting to the new yellow curb lines that have been painted in the Suncrest neighborhood. **Exhibit A.**

PUBLIC HEARING – AN ORDINANCE AMENDING SECTIONS 1329.02, 1349.08, AND 1365.04 OF THE CITY OF MORGANTOWN PLANNING AND ZONING CODE AS THEY RELATE TO BICYCLE STORAGE REQUIREMENTS.

Mayor Shamberger declared the Public Hearing open.

Frank Gmeindl, 941 Wilsons Avenue, member of the Bicycle Board, noted his support of amending the zoning code as it relates to storage requirements. He stated that passing the Bicycle Storage zoning test amendment will move the City one step closer to making bicycling irresistible in Morgantown.

Exhibit B.

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

PUBLIC HEARING- AN ORDINANCE AMENDING ARTICLES 1383, 1389, AND 1391 OF THE CITY'S PLANNING AND ZONING CODE GOVERNING ADMINISTRATIVE APPEALS AND THE ESTABLISHMENT, POWERS AND DUTIES, AND JUDICIAL REVIEW OF THE BOARD OF ZONING APPEALS.

Mayor Shamberger declared the Public Hearing open.

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

PUBLIC HEARING- AN ORDINANCE AMENDING ARTICLE 1329.02, TABLE 1331.05.01, ARTICLE 1365.04, AND ARTICLE 1365.07 OF THE CITY'S PLANNING AND ZONING CODE AS THEY RELATE TO PARKING LOT AND PARKING STRUCTURE USES.

Mayor Shamberger declared the Public Hearing open.

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

PUBLIC HEARING- AN ORDINANCE AUTHORIZING A PARKING SPACE LEASE WITH MOTOWN TAXI AT THE MORGANTOWN MUNICIPAL AIRPORT.

Mayor Shamberger declared the Public Hearing open.

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

PUBLIC HEARING- AN ORDINANCE AUTHORIZING THE CITY TO SUBMIT AN AMENDMENT TO ITS WRITTEN PLAN TO THE HOME RULE BOARD.

Mayor Shamberger declared the Public Hearing open.

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

UNFINISHED BUSINESS:

AN ORDINANCE AMENDING SECTIONS 1329.02, 1349.08, AND 1365.04 OF THE CITY OF MORGANTOWN PLANNING AND ZONING CODE AS THEY RELATE TO BICYCLE STORAGE REQUIREMENTS: The below entitled Ordinance was presented for the second reading.

AN ORDINANCE AMENDING SECTIONS 1329.02, 1349.08, AND 1365.04 OF THE CITY OF MORGANTOWN PLANNING AND ZONING CODE AS THEY RELATE TO BICYCLE STORAGE REQUIREMENTS.

Motion by Ganz, second by Selin, to adopt the above entitled Ordinance. After discussion, Council suspended the rules to have Chris Fletcher, City Planner to explain and answer questions. Motion by Kawecki, second by Nugent to table ordinance so that Planner Fletcher can get more clarification for Council. Motion by Bane to take ordinance off the table, second by Kawecki. Council suspended the rules to have Planner explain Bicycle Storage Comparison Table (**Exhibit C**) and answer questions. After discussion, motion carried 7-0.

AN ORDINANCE AMENDING ARTICLES 1383, 1389, AND 1391 OF THE CITY'S PLANNING AND ZONING CODE GOVERNING ADMINISTRATIVE APPEALS AND THE ESTABLISHMENT, POWERS AND DUTIES, AND JUDICIAL REVIEW OF THE BOARD OF ZONING APPEALS: The below entitled Ordinance was presented for the second reading.

AN ORDINANCE AMENDING ARTICLES 1383, 1389, AND 1391 OF THE CITY'S PLANNING AND ZONING CODE GOVERNING ADMINISTRATIVE APPEALS AND THE ESTABLISHMENT, POWERS AND DUTIES, AND JUDICIAL REVIEW OF THE BOARD OF ZONING APPEALS.

Motion by Selin, second by Ganz, to approve the adopt the above entitled Ordinance. Motion carried 7-0.

AN ORDINANCE AMENDING ARTICLE 1329.02, TABLE 1331.05.01, ARTICLE 1365.04,

AND ARTICLE 1365.07 OF THE CITY'S PLANNING AND ZONING CODE AS THEY RELATE TO PARKING LOT AND PARKING STRUCTURE USES: The below entitled Ordinance was presented for the second reading.

AN ORDINANCE AMENDING ARTICLE 1329.02, TABLE 1331.05.01, ARTICLE 1365.04, AND ARTICLE 1365.07 OF THE CITY'S PLANNING AND ZONING CODE AS THEY RELATE TO PARKING LOT AND PARKING STRUCTURE USES.

Motion by Bane, second by Ganz, to adopt the above entitled Ordinance. Motion carried 7-0.

AN ORDINANCE AUTHORIZING A PARKING SPACE LEASE WITH MOTOWN TAXI AT THE MORGANTOWN MUNICIPAL AIRPORT: The below entitled Ordinance was presented for the second reading.

AN ORDINANCE AUTHORIZING A PARKING SPACE LEASE WITH MOTOWN TAXI AT THE MORGANTOWN MUNICIPAL AIRPORT.

Motion by Ganz, second by Bane, to adopt the above entitled Ordinance. Interim City Manager Glen Kelly explained. After discussion, motion carried 7-0.

AN ORDINANCE AUTHORIZING THE CITY TO SUBMIT AN AMENDMENT TO ITS WRITTEN PLAN TO THE HOME RULE BOARD: The below entitled Ordinance was presented for the second reading.

AN ORDINANCE AUTHORIZING THE CITY TO SUBMIT AN AMENDMENT TO ITS WRITTEN PLAN TO THE HOME RULE BOARD.

Motion by Ganz, second by Redmond, to adopt the above entitled Ordinance. Interim City Manager Glen Kelly explained. After discussion, City Attorney Ryan Simonton explained timeline of Ordinance. Motion carried 7-0.

BOARDS AND COMMISSIONS: By acclamation Council appointed Barry Wendell, Sue Carpenter to the Library Board and reappointed George Lies and Helene Friedberg to Sister Cities Commission.

PUBLIC PORTION:

Mayor Shamberger declared the Public Portion open.

Bill Johnson, 673 Clearview Avenue, President WV Botanic Garden, supports the Ordinance under New Business this evening executing an 82-acre parcel known as Tibbs Run. He noted that the Botanic Garden is a refreshing asset to this community.

There being no more appearances Mayor Shamberger declared the Public Portion closed.

SPECIAL COMMITTEE REPORTS: No reports.

NEW BUSINESS:

AN ORDINANCE AUTHORIZING EXECUTION WITH THE WEST VIRGINIA BOTANICAL GARDEN, INC. FOR AN 82-ACRE PARCEL KNOWN AS THE TIBBS RUN PROPERTY: The below entitled Ordinance was presented for the first reading.

AN ORDINANCE AUTHORIZING EXECUTION WITH THE WEST VIRGINIA BOTANICAL GARDEN, INC. FOR AN 82-ACRE PARCEL KNOWN AS THE TIBBS RUN PROPERTY.

Interim City Manager Glen Kelly explained. Motion by Ganz, second by Selin to approve the above entitled ordinance to second reading. Motion carried 7-0.

AN ORDINANCE AMENDING TABLE 1331.05.01 “PERMITTED LAND USES: OF THE CITY’S PLANNING AND ZONING CODE AS IT RELATES TO CHURCHES, PLACES OF WORSHIP: The below entitled Ordinance was presented for the first reading.

AN ORDINANCE AMENDING TABLE 1331.05.01 “PERMITTED LAND USES: OF THE CITY’S PLANNING AND ZONING CODE AS IT RELATES TO CHURCHES, PLACES OF WORSHIP.

Councilor Selin stated that she is a member of this church and will abstain from voting on this Ordinance. Interim City Manager Glen Kelly explained, motion by Kawecki, second by Ganz, to approve the above entitled Ordinance to second reading. Council suspended the rules to have Planner Chris Fletcher explain ordinance and answer questions. After discussion, motion carried 6-0. Councilor Selin abstained.

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION AND IMPROVEMENTS TO THE SANITARY SEWER PORTION OF THE CITY OF MORGANTOWN AND FINANCING COST THEREOF THROUGH THE ISSUANCE OF NOT MORE THAN 30,000,000 IN AGGREGATE AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS SERIES 2016C.: The below entitled Ordinance was presented for the first reading.

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION AND IMPROVEMENTS TO THE SANITARY SEWER PORTION OF THE CITY OF MORGANTOWN AND FINANCING COST THEREOF THROUGH THE ISSUANCE OF NOT MORE THAN 30,000,000 IN AGGREGATE AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS SERIES 2016C.

Interim City Manager Glen Kelly explained, motion by Ganz, second by Kawecki, to approve the above entitled Ordinance to second reading. Council suspended the rules to have Tim Ball, MOB General Manager explain Bond Ordinance and answer questions. After discussion, motion carried 7-0.

CITY MANAGER’S REPORT:

New Business:

1. Festival Permit Requested for West Virginia Public Theatre(WVPT)

Attached is a request for a festival permit from the West Virginia Public Theatre to host a fund raising event called “WVPT Oktoberfest”, a German-themed event, to be held at the WV National Guard Readiness Center on October 8, 2016 from 10:00 am – 6:00 pm. The City anticipates no problems with this event and Interim City Manager recommends that City Council authorize a festival permit to be sent to the ABCA for October 8, 2016 to endorse the event.

Motion by Kawecki, second by Bane to authorize a festival permit to host a fund raiser called “WVPT Oktoberfest” at the Readiness Center on October 8, 2016. Motion carried 7-0.

2. Salt Bid – Bid Call 2017

Salt bids were opened on August 18, 2016. Attached is the Memorandum from the Public Works Department. Interim City Manager Glen Kelly recommends Council to approve the awarding of this contract as listed to Cargill Salt.

After discussion, motion by Kawecki second by Bane to approve the contract for salt to Cargill Salt. Motion carried 7-0.

3. WVDOH Announces Upcoming Highway Project

The WVDOH has announced proposed plans for a new roundabout project at the intersection of University Avenue, Collins Ferry Road and Baldwin Street in the City of Morgantown. Interim City Manager Glen Kelly request council’s guidance on a response is as a body should be done during this public comment period. The public response period ends on September 19, 2016.

After discussion motion by Selin, second by Nugent to support Figure 5. (**Exhibit D**) Motion carried 7-0. Councilor Ganz motioned to amend to add an ingress/egress from the current WVU parking. Second by Selin. Motion carried 7-0 Council directed Interim Glen Kelly to send a letter to D.O.H with Figure 2. (**Exhibit E**) & Figure 5. (**Exhibit D**) combined and have the engineers come up with the best scenario.

Information:

1. Mainstreet Downtown Lighting

Interim City Manager Glen Kelly informed Council that Main Street Downtown Lighting would need the blessing of the D.O.H. before anything can be done. He noted that the poles in downtown are owned by Mon Power, and any changes would need to be coordinated through the utility. He explained to Council that there is \$40,000 in funding for this project in the City’s capital escrow account.

2. Suncrest Painting of Yellow Lines

Interim City Manager Glen Kelly commented that this project has been in the works for years. He noted his embarrassment that that the city staff failed to communicate its plan effectively to the residents in Suncrest. He informed a letter ((**Exhibit F**) was sent to over 400 Suncrest resident from City Engineer Damien Davis. Interim City Manager Glen Kelly reported that the project will be suspended to allow residents with questions to call the City.

After discussion and suggestions from Council, Mayor Shamberger asked if there were any further comments. No further comments, City Manager moved on to the next item.

3. Trick or Treat

Interim City Manager Glen Kelly announced Trick or Treat will be held on Monday October 31st from 5:30pm until 7:30pm. Motion by Kawecki, second by Ganz to approve having Trick or Treat on October 31st. Motion carried 7-0.

REPORT FROM CITY CLERK: No report.

REPORT FROM CITY ATTORNEY: No report.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane: No report.

Deputy Mayor Kawecki: No report.

Councilor Nugent: No report.

Councilor Selin: No report.

Councilor Redmond: Councilor Redmond noted that he receives Channel 15 audio complaints. He has some friends that are Uber drivers and they were asking where they should park in the downtown? He suggested to the Interim City Manager Glen Kelly to come up with some regulations for the Uber drivers. He felt compelled to address the vagrancy and panhandling taking place in our downtown and read a letter he wrote as part of the record. **(Exhibit G)**

Councilor Ganz: Councilor Ganz noted the panhandlers are asking the students to give to them and students are very generous. She noted that by funding addiction and mental health programs and help with decreasing these issues. She requested Business downtown at night begin contributing and helping with the solutions. She complimented WVU & President Gee for entertaining Legislatures in his booth and enjoyed the gold rush and stated how proud she is of the Olympians and athletes.

Mayor Shamberger: Mayor Shamberger thanked everyone who attended "Meet Your Neighbor Event" sponsored by the Coordinating Council on Homelessness. She noted that the Friendship Room has opened on Willey Street and they have all kinds of activities available. She announced she attended the movie premiere of "Girls on the Run", at Mon General which shows young girls and how they can attain confidence. She stated that you can also see this movie on You Tube. She reminded everyone of the Brad Paisley concert on 9-9 to be aware of the traffic that evening. She wanted everyone to mark their calendars for

the Morgantown Marathon which will start be from 9-16 to 9-18 and will bring lots of racers to the area and traffic. She requested Council to started thinking of their Legislative items for 2017 and to come up with 2 to 3 items. She announced that the CC for Social Justice on 9-11-16 is having an event “How to make Our Community a More Livable Place” at the Unitarian-Universalist Fellowship, 429 Warwick. She announced the Botanic Garden Fall Mushroom Walk 9-11-16; Adult Coloring Day 9-12-16; Wine & Jazz Festival 9-18-16; Botanic Garden 9-17; Botanic Garden 9-18 and International Street Festival 9-24-16.

EXECUTIVE SESSION: Pursuant to WV State Code Section 6-9A-4(b)(2)(A) motion by Bane, second Ganz to go into executive session in order to discuss personnel matters in recruitment for a new City Manager. Present: Council. Time: 9:35 pm

REGULAR SESSION: Motion by Deputy Mayor Kawecki, second by Ron Bane to authorize the Mayor To contact the search firm who Council has approved for the City Manager’s position. Motion carried unanimously.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 10:10 p.m.

City Clerk

Mayor

A FULL TRANSCRIPT OF ALL COUNCIL MEETINGS ARE AVAILABLE ON DVD AT THE MORGANTOWN CITY LIBRARY

Dr. M. Paula Fitzgerald
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August 30, 2016

Dear Mr. Kelly, Mr. Davis and Members of the Morgantown City Council:

I object strongly to the new yellow curb lines that have been painted in the Old Suncrest neighborhood. Because of this change, I have lost about three parking spaces and now have no parking on the front or the side of my home. I object to this change a variety of reasons.

- 1) I spoke with Mr. Davis, the City Engineer, and asked him to identify the problem the City is trying to solve by greatly reducing the amount of street parking in our neighborhood. He cited issues concerning WVU football and basketball parking, as well as attendance at the WVU Creative Arts Center events. I live at the corner of Fairlawns Ave. and Kenmore St. I do not believe I have ever had a person choose to park in front of my home for a WVU football game nor a CAC event. On occasion, when WVU is playing well and facing a strong opponent, I may have a car in front of my house for basketball. I estimate that this happens perhaps four (4) times a year.
- 2) The people most affected by this change were given no notice. Mr. Davis stated that he spoke to the Suncrest Neighborhood Association about a year ago and noted that changes would be coming. He also announced the specific changes, again at the neighborhood association meeting, on Thursday, August 25. When I asked about how many people were in attendance, he agreed with my estimate of 20ish. Thus, only 20 people who probably regularly attend a neighborhood meeting were told what was going on. They had less than 5 days to respond. Mr. Davis suggested that, if I wanted notice of these things happening, I should attend these meetings. I believe that that is an unrealistic expectation.
- 3) There are at least two unintended consequences to the City's actions. First, property values in our neighborhood will decrease because of a lack of adequate parking for visiting family and friends, as well as service workers who maintain and repair homes. Each of the residents paid a premium for the convenience of on-street parking. Those without garages or sizable driveways are at a particular disadvantage.

Second, it is very likely that neighbors will now be competing for parking spaces—reducing the overall “neighborliness” of our community. As illustrated in the attached, property owners have informal systems of rights to available curbside parking. Those of us losing parking will now be using “other neighbor’s curbs.” This will likely result in anger, angst and disagreement within our neighborhood.

I request that the following to occur:

- 1) I would like to know how eliminating parking spots along Kenmore St., Rotary St. and Mulberry St. from Fairlawns Ave. to University Avenue addresses the concerns about parking from WVU football, basketball and CAC events. Patrons of these events simply do not park here. If you

believe otherwise, I would like to see the data. Specifically, I would like to see the cost/benefit rationale and calculations completed, as well as the data that supports the presumption that WVU events create a regular hazard at this end of the neighborhood.

- 2) I would like all parking on the University Ave. side of Fairlawns St. restored. This action has significantly inconvenienced the people living in the neighborhood—where will my friends park for gatherings? Where will repair and maintenance workers (plumbers, cleaners, carpenters, etc.) park when working on my home? Many of my neighbors and I are now inconvenienced on a daily basis by a solution to a problem that occurs on an infrequent basis. We need a solution.
- 3) In the future, each homeowner affected by a City decision that impacts the citizen's life and property value should be individually notified, via a door knocker or letter, and given adequate time to provide to the changes. Five days' notice to 20 people is simply not adequate
- 4) I would like an inspection of the quality of the lines painted on Monday, Sept. 29. They are sloppy, at best, and again reduce the aesthetics and monetary value of our home.

In sum, people respond very negatively when something they had (such as adequate parking) is taken away. This change in my neighborhood has been made without notice to, or input from, those affected, has left me with no street parking, is likely to inconvenience me on a regular basis, and fails to solve any problems while reducing property values.

I look forward to hearing from you and to resolving these concerns.

Sincerely,

M. Paula Fitzgerald, PhD

Attachment

<http://grist.org/cities/who-parked-in-my-spot-neighbors-cars-and-your-curb-space/>

September 6, 2016

Public comment to Morgantown City Council on Bicycle Storage zoning text amendment

My name is Frank Gmeindl. I live at 491 Wilson Avenue.

I am a Morgantown bicyclist, a member of the Morgantown Municipal Bicycle Board, former chairman of the Bicycle Board, former member of the Metropolitan Planning Organization Citizen Advisory Committee and former member of the Morgantown Traffic Commission. I am also a certified bicycling instructor.

I am here today to provide some context that will hopefully encourage you to vote yes on the Bicycle Storage zoning text amendment.

Nationwide, making communities bicycle friendly has been demonstrated to improve the communities' safety, health, property values, business climate and social climate.

For the past 4 years, Morgantown has been the only West Virginia community recognized by the National League of American Bicyclists as a Bicycle Friendly Community.

Over the past 4 years, Morgantown has made progress implementing the Greater Morgantown Bicycling Plan that City Council unanimously adopted in 2012.

Clearly, more people of all ages and appearances are riding bicycles in Morgantown today.

Last month, the Bicycle Board submitted a Bicycle Friendly Community award renewal application. We are moderately confident that we will at least keep our bronze status.

Last week, I attended the new I-79 exit 123 ribbon cutting ceremony. Eldon Callen; University Town Center developers; Governor Tomblin; Oliver Luck and WVDOH Commissioner Paul Maddox all stated that the success of that \$22M project was the result of continuous leadership and communication, coordination and collaboration among all key stakeholders.

From the beginning of that project, the Bicycle Board was represented on the MPO CAC and accommodating bicyclists was in the project plan practically from the beginning. Now, there are Shared Lane Markings, Share the Road signs and a Bike Lane over there.

The same kind of leadership and communication, coordination and collaboration that realized that new bicycle friendly interchange will be required in any development and any transportation project in Morgantown. The leader and the key stakeholders must be able to see their project with a cyclist's eye view.

- Is there a safe and convenient place to store my bike?
- Is there a quick, easy and safe route to my destination on which I won't get harassed?
- Is there a safe and convenient place that I can park my bike when I get there?
- Is there a place that I clean up before my meeting or my class or shopping?

If a cyclist doesn't have positive answers to questions such as these, he or she will probably not ride the bike but rather choose a means of transportation that provides positive answers.

Today, in Morgantown, it looks like the single occupancy motor vehicle provides the best solution.

However, we are gradually making strides towards making bicycling more attractive.

- We have short-term bicycle parking throughout the WVU campus and on High Street and Walnut Street.
- All our busses have bike racks. All the PRT stations have bike racks.
- We have a grant for applying Shared Lane Markings and Bicycles May Use Full Lane signs throughout the City and for providing sheltered bicycle parking at bus shelters.
- Bicycle storage is required for developments of significant impact in the downtown business area.

Passing the Bicycle Storage zoning text amendment will move us one step closer to making bicycling irresistible in Morgantown.

Frank Gmeindl

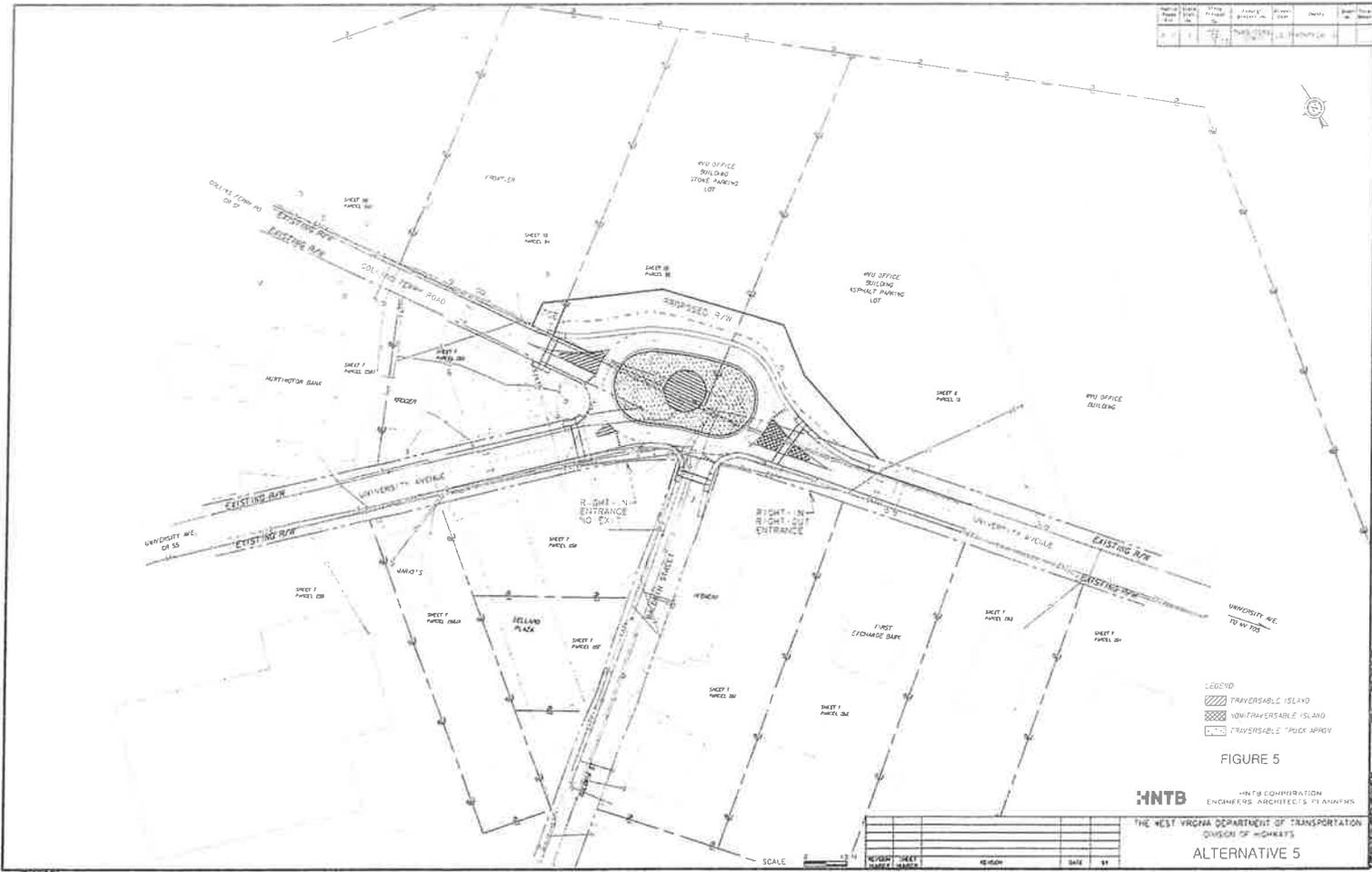
City	LT Residential Storage	ST Residential Storage	LT Retail Storage	ST Retail Storage	LT Office Storage	ST Office Storage	LT Restaurant Storage	ST Restaurant Storage
Morgantown, WV	1 bicycle storage space per unit Requires all new developments in the B-4 District; or developments of 12 units or more or more; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments of 22 units or more in the B-4 District or 12 units or more in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments over 10,000 square feet in the B-4 District or 15,000 square feet in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments over 10,000 square feet in the B-4 District or 15,000 square feet in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments over 10,000 square feet in the B-4 District or 15,000 square feet in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments over 10,000 square feet in the B-4 District or 15,000 square feet in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments over 10,000 square feet in the B-4 District or 15,000 square feet in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.	1 bicycle storage space per 20 automobile parking spaces. Requires developments over 10,000 square feet in the B-4 District or 15,000 square feet in other areas; or requires developments of 1 acre or greater in the B-4 District; or 2 acres of more in other areas.
Cambridge, MA	1 bicycle storage space per unit for multi-family units, an additional .05 bicycle storage spaces per unit for 20+ unit projects after the 20 th unit; in some cases 1 bicycle storage space per 2 units; and no spaces required for No bicycle storage spaces required for Single-Family Residential units. Transient housing; is .02 spaces per room.	1 bicycle storage spaces per unit on lot for multi-family housing. .05 bicycle storage spaces per unit for elderly housing. .05 bicycle storage spaces per unit for group housing and transient housing, and no bicycle storage spaces required for Single-Family Residential units.	1 bicycle storage space per 1,000 square feet.	.6 bicycle storage spaces per 1,000 square feet.	.3 bicycle storage spaces per 1,000 square foot for general offices; .22 bicycle storage spaces per 1,000 square feet for research facilities, and .2 bicycle storage spaces per spaces per 1,000 square feet for medical offices	None required	.2 bicycle storage spaces per 1,000 square feet.	1 bicycle storage space per 1,000 square feet.
Portland, OR	1.5 bicycle storage spaces per unit for multi-family units in the Central City area, 1.1 bicycle storage spaces per unit for multi-family units in other areas. For group housing, 2 bicycle storage spaces minimum or 1 bicycle storage space per 20 residents over 59 residents, and 1 bicycle storage space per residents in Dormitory's. No spaces required for Single-Family Residential.	2, or 1 bicycle storage space per 20 units. No bicycle storage spaces required for Single-Family Residential units.	2, or 1 bicycle storage space per 12,000 sq. ft. of net building area	2, or 1 bicycle storage space per 5,000 sq. ft. of net building area	2, or 1 bicycle storage space per 10,000 sq. ft. of net building area	2, or 1 bicycle storage space per 40,000 sq. ft. of net building area	2, or 1 bicycle storage space per 12,000 sq. ft. of net building area	2, or 1 bicycle storage space per 5,000 sq. ft. of net building area

City	LT Residential Storage	ST Residential Storage	LT Retail Storage	ST Retail Storage	LT Office Storage	ST Office Storage	LT Restaurant Storage	ST Restaurant Storage
Boulder, CO	1.5 bicycle storage spaces per dwelling unit without a garage, .75 bicycle storage spaces per ever 3 cooperative dwelling and dormitory bed, and .75 bicycle storage spaces per ever 5 other group quarter beds	.5 bicycle storage spaces per dwelling unit without a garage, .25 bicycle storage spaces per ever 3 cooperative dwelling and dormitory bed, and .25 bicycle storage spaces per ever 5 other group quarter beds.	.25 bicycle storage spaces per 750 square feet of floor area, with a minimum of 4 bicycle storage spaces (long-term),	.75 bicycle storage spaces per 750 square feet of floor area, with a minimum of 4 bicycle storage spaces (long-term or short-term).	.75 bicycle storage spaces per 1,500 square feet of floor area, with a minimum of 4 bicycle storage spaces (long-term or short-term).	.25 bicycle storage spaces per 1,500 square feet of floor area, with a minimum of 4 bicycle storage spaces (long-term or short-term).	.25 bicycle storage spaces per 750 square feet of floor area, with a minimum of 4 bicycle storage spaces (long-term or short-term).	.75 bicycle storage spaces per 750 square feet of floor area, with a minimum of 4 bicycle storage spaces (long-term or short-term).
Pittsburgh, PA	.6 bicycle storage spaces per 3 units for 12 or more unit developments	.4 bicycle storage spaces per 3 units for 12 or more unit developments	None required	0-4 required automobile parking spaces; require 0 bicycle storage spaces; 4-20 required automobile parking spaces; require 1 bicycle storage spaces; 21-40 required automobile parking spaces; over 40 require 1 bicycle storage space per every 10 automobile parking spaces or fraction thereof. (reduction in the number of automobile parking spaces shall be reduced by no more than one (1) space for each bicycle storage space, but by no more than thirty (30) percent of the total required spaces.)	None required	0.5 employees require 0 bicycle storage spaces; 6-20 employees require 1 bicycle storage spaces; 21-80 employees require 2 bicycle storage spaces; over 80 employees require 1 bicycle storage space per every 20 employees or fraction thereof.	None required	0-4 required automobile parking spaces; require 0 bicycle storage spaces; 4-20 required automobile parking spaces; require 1 bicycle storage spaces; 21-40 required automobile parking spaces; over 40 require 1 bicycle storage space per every 10 automobile parking spaces or fraction thereof. (reduction in the number of automobile parking spaces shall be reduced by no more than one (1) space for each Bicycle storage Space, but by no more than thirty (30) percent of the total required spaces.)
Burlington, VT	1 bicycle storage space per 4 multi-family dwelling unit, or dormitory resident, 1 bicycle storage spaces per 10 elderly housing dwelling unit	1 bicycle storage space per 10 multi-family dwelling unit, elderly housing unit, or dormitory resident.	1 bicycle storage space per 20,000 square feet of building area.	1 bicycle storage space per 5,000 square feet of building area.	1 bicycle storage space per 5,000 square feet of building area.	1 bicycle storage space per 8,000 square feet of building area for medical offices, and 1 bicycle storage space per 10,000 square feet of building area for all other offices.	1 bicycle storage space per 10 employees.	6 bicycle storage spaces per 100 automobile storage spaces (per ordinance reading).

Cambridge, MA Off Street Parking and Loading Ordinance: http://www.cambridgema.gov/cdd/projects/planning/~link.aspx?_id=99595E81D3EE84B849085C49182A50448_z=z
Portland, OR Parking and Loading Ordinance: <https://www.portlandoregon.gov/bps/article/53320>

Boulder, CO Development Standards: https://www2.municode.com/lib/or/co/boulder/codes/municipal_code?nodeId=TI19LAUSCO_CH9DEST_9-9-6PAST
Pittsburgh, PA Bicycle storage: https://www.municode.com/lib/pa/pittsburgh/codes/code_of_ordinances?nodeId=PIZO00_TITNINEZO00_ARTIVDEST_CH914PALO0AC_914.05BIPA
Burlington, VT Parking Ordinance: <https://www.burlingtonvt.gov/sites/default/files/u119/20160331%20ART08-Parking.pdf>

Exhibit D



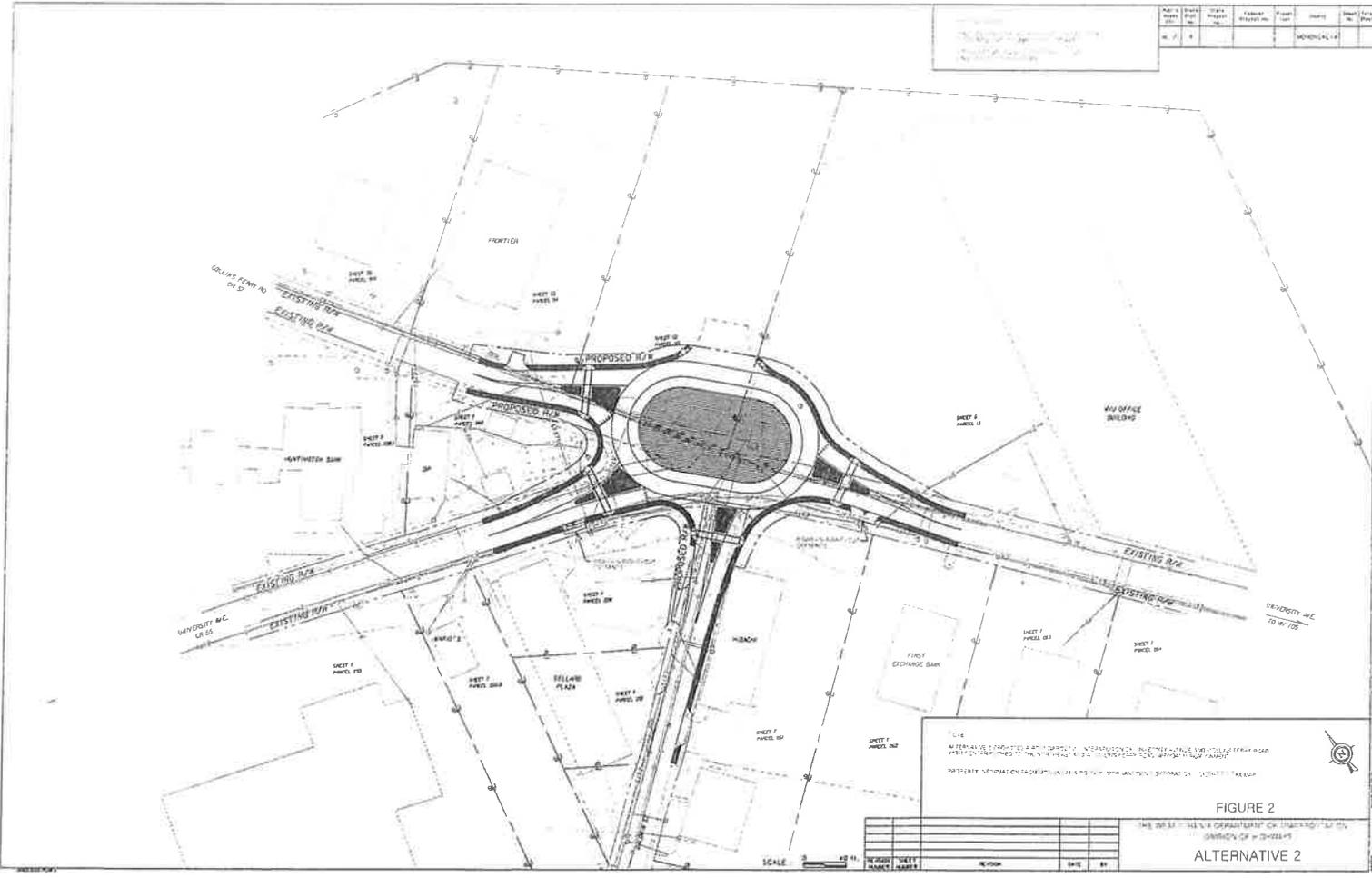


FIGURE 2

ALTERNATIVE 2

Exhibit F



The City of Morgantown

*Public Works Department
389 Spruce Street
Morgantown, West Virginia 26505
J. Damien Davis, P.E., CFM
Director of Public Works and Engineering
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Dear Suncrest Resident,

As you may be aware the City's Public Works Department has begun painting the curbs yellow in your neighborhood. This will limit parking to one side of most streets. In some cases streets designated "Primary Emergency Response Routes" by the City's Fire Department will have parking removed from both sides.

Limited access has been an ongoing issue for many years and as a result of repeated request from the residents of the neighborhood, the City's Police and Fire Departments, and EMS Services the City has taken action.

Many of the streets in this area are too narrow to accommodate parking on both sides. This has presented problems for Police, Fire and EMS responding to emergencies and also for the residents accessing their property during many of the events that take place in the area.

We understand that this is a major change. We have placed finishing the painting on hold until Monday, September 12th so that we can hear your questions, comments and/or concerns. We will review all the comments received and make adjustments where appropriate. If you have comments please call 304-284-7412 or 304-284-7405 or you can email them to bmorgan@morgantownwv.gov or callen@morgantownwv.gov

Sincerely,

Damien Davis
City Engineer

Tonight I feel compelled to address an issue that has been under discussion by this body. That issue is the vagrancy and panhandling that is taking place in our downtown. Of course the question is what can we do about it. At our meeting last Tuesday, the police chief presented a view of this issue that was centered on the rights of the vagrants and panhandlers. This was followed up by a story in the newspaper on Saturday that reiterated this view point.

Tonight I would like to present my viewpoint and that view is centered on the rights of the citizens. These rights include the ability to go and move about downtown without stress, without fear, and without intimidation. The chief stated that the individuals causing problems downtown have the right to assemble and have the right to free speech, and that the issue of panhandling and vagrancy is not a police enforcement issue, but instead an issue related to the modern ills of our society. I respectfully disagree. First it's important to make a clear distinction between our homeless population and vagrants. Homelessness is a condition borne of circumstance and misfortune. The homeless we should help are the ones looking to overcome their situation and become productive members of society again. They truly deserve our help. Most of the homeless among us are not vagrants. They seek and accept the many services available to them on the path to recovery. Vagrancy, on the other hand, is a condition of selection and choice. Most of the vagrants among us are not homeless. However, they seek to pray upon the sympathetic, while picking and choosing which services they find convenient to them. The most ridiculous thing I have heard during these discussions was the statement that many of the vagrants don't like the free food they are offered by the grace of our community, and would rather beg for money to buy pizza. Yes, some of these individuals suffer the ills of modern society such as drug addiction and mental instability. And help is there for them if they choose to accept it. But who among us doesn't personally know someone suffering in the same way? And are they ungratefully praying upon the rest of us?

The activity we are witnessing downtown is not going on in front of the Mountainlair because the university wouldn't tolerate it. It's not going on at Suncrest Town Center, or University Town Center, or the malls, or any other shopping district, because it wouldn't be tolerated there either. But it's going on in downtown Morgantown, and it's going on because we tolerate it. Yes, part of the problem is we're dealing with public property, and yes, part of the problem is the location of many social service agencies near or in the downtown area. However, neither of these should be an excuse. These are people making a conscious choice to behave badly and we must stop tolerating it. To essentially state that we are powerless is an untenable position for our city to take, and an unfortunate position for our chief law enforcement officer to adopt.

If our current loitering or panhandling laws cannot be used to solve this problem then we must look to redefine our laws in a way that gives us the legal authority to act, along with working towards establishing other mechanisms available to business and property owners that will

give them greater control of their sidewalks, as we have already done with our outside dining permit process.

One thing I can agree with the chief about is the need for a detention center for the temporary confinement of the chronic violators in their own best interest and the public's best interest. I hope that the community can help us to accomplish this much needed facility.

For now, the police chief has told us that people must be willing to file complaints and appear in court. So beginning tomorrow I will be spending as much time downtown as possible searching for and indeed welcoming violations for which I can file a complaint. I encourage everyone who wants an end to this problem to join me in a day-to-day effort to combat this cancer that has invaded our historic shopping and entertainment district. As well, I call upon good citizens who are willing, and able, to gather regularly and peaceably on the steps of the First Baptist Church on High Street. Good citizens have as much a right to be there as the individuals who gather there now.

These efforts may sound like grandstanding to some, but I can speak from experience. As a downtown business owner for more than 20 years I lived the problem first hand. I believe the present and future of our downtown is at stake. We're facing increasing competition in our business sector with much more to come. The time for action is now.

We don't need another study, or a task force, or a committee. We need the will to put an end to individuals willfully flaunting the bounds of modern decency to further their own ends. We need the will and we need it now.