

City of Morgantown
430 Spruce Street, Morgantown, WV 26505

MINUTES
REGULAR MEETING
August 15, 2023

Regular Meeting: August 15, 2023: The regular meeting of the Common Council of the City of Morgantown was held in the Monongalia County Commission Chambers on Wednesday, August 15, 2023, at 7:10 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: Motion by Councilor Harshbarger, second by Councilor Kawecki, to approve the July 25, 2023, Special Meeting minutes and July 25, 2023, Regular Meeting minutes as presented by acclamation.

Correspondence:

Morgantown Police Department Social Worker – Kelly Rice, LICSW, introduced herself and provided a brief overview of what she has accomplished in the past employment upon retirement with the Federal Bureau of Prisons. She also shared what she has experienced with the MPD since her first day.

Public Hearing: An Ordinance Amending Section 1329, table 1331.05.01, and table 1365.4.01 as it related to establishing a New Firearm Sales Establishments use in the Planning and Zoning Code

Mayor Selin declared the public hearing open.

Jody Hollingshead, Founder of Protect Morgantown, spoke regarding the new Firearm Sales Establishments Use Ordinance and wanted to thank City Council and the Planning Commission for working on getting the city code changed.

Shay Straight spoke in favor of the amended Ordinance regarding the New Firearm Sales Establishment.

John Whitmore spoke in favor of the Ordinance.

There being no one else to speak, Mayor Selin declared the public hearing closed.

Public Hearing: 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

Mayor Selin declared this Public Hearing Open.

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

Unfinished Business:

An Ordinance Amending the New Firearm Sales Establishments: The entitled Ordinance below was presented for approval.

An Ordinance Amending Section 1329, table 1331.05.01, and table 1365.4.01 as it relates to establishing a New Firearm Sales Establishments use in the Planning and Zoning Code

Development Service Director Rickie Yeager explained. After discussion, motion by Councilor Kawecki, second by Councilor Harshbarger, to approve the above-entitled Ordinance. Motion carried 7-0.

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

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 Harshbarger, second by Councilor Kawecki, to approve the above-entitled Ordinance. Motion carried 5-2 with Councilor Michael and Councilor Trumble voting No.

Boards & Commissions: None

Public Portion:

Mayor Selin declared the Public Portion open.

Anthony Stake spoke regarding Firefighter pay.

Tricia DiCenso, 214 Wall Street, spoke in support of the increased police presence downtown. She also spoke in opposition to the Needle Exchange Program & Health Right.

John Whitmore stated that he appreciated the Comprehensive Plan.

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

Special Committee Reports: None

Consent Agenda: None

New Business:

Authorizing Rules of Council: The Rules of Council were presented for approval.

City Attorney Ryan Simonton explained. After discussion, there was a motion by Councilor Butcher, second by Councilor Trumble, to amend and remove the time limit on the amount of time the public has to speak during the public hearings portion. Motion carried 6-1 with Mayor Selin voting no. After further discussion, motion by Councilor Butcher, to amend 4(d) and 5(b) to allow 2 council members to have an item put on the agenda, there was not a second motion, so it failed. Motion by Councilor Kawecki, second by Councilor Harshbarger, to approve the Rules of Council upon amendment. Motion carried 7-0.

Planning Commission Recommendation on Petition to amend Permitted uses in professional, residential, and office district to allow mixed use dwelling, multi-family dwelling, and mixed-use building uses as conditional uses: The Planning Commission recommendation to amend permitted uses was presented for approval.

Director of Development Services Rickie Yeager explained. After discussion, there was a motion by Councilor Trumble, second by Councilor Michael to approve the recommendation of the Planning Commission on the petition to amend the Permitted uses and file. Motion carried 7-0.

A Resolution Authorizing & Accepting a Grant from the Federal Aviation Administration (FAA) for the Runway Extension Phase 3 Construction at the Morgantown Municipal Airport: The above-entitled Resolution is being presented for approval.

Airport Director Jon Vrabel explained. After discussion, motion by Deputy Mayor Abu-Ghannam, second by Councilor Kawecki, to approve the above-entitled Resolution. Motion carried 7-0.

A Resolution Authorizing & Accepting a Grant from the Federal Aviation Administration (FAA) for the Runway Extension Environmental Remediation at the Morgantown Municipal Airport: The above-entitled Resolution is being presented for approval.

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Airport Director Jon Vrabel explained. Motion by Councilor Harshbarger, second by Councilor Butcher, to approve the above-entitled Resolution. Motion carried 7-0.

A Resolution Authorizing & Accepting a Grant from the Federal Aviation Administration (FAA) for the Runway Extension Property Acquisition Phase 3 at the Morgantown Municipal Airport: The above-entitled Resolution is being presented for approval.

Airport Director Jon Vrabel explained. Motion by Deputy Mayor Abu-Ghannam, second by Councilor Michael, to approve the above-entitled Resolution. Motion carried 7-0.

A Bid Award 2023-12 MGW 18-36 Extension Construction Phase 3 at the Airport: The Bid Award 2023-12 is being presented for approval.

Airport Director Jon Vrabel explained. After discussion, there was a motion by Deputy Mayor Abu-Ghannam, second by Councilor Harshbarger, to approve the above Bid Award 2023-12 to Mountaineer Infrastructure, LLC in the amount of \$2,474,397.00. Motion carried 7-0.

A Bid Award 2024-01 First Street Relocation Project: The Bid Award 2024-01 is being presented for approval.

Assistant City Manager Emily Muzzarelli explained. After discussion, there was a motion by Councilor Harshbarger, second by Councilor Michael, to approve the above Bid Award 2024-01 to Parrotta Paving Company in the amount of \$1,179,076.00 for the First Street Location Project. Motion carried 7-0.

City Manager's Report: shared that over the last number of years, the city has had some difficulty with filling certain vacant positions and recruiting, and they have tried all types of things such as an advertising campaign, to just hitting the streets. City administration, in conjunction with input from a variety of individuals, has developed an employee referral incentive program. The intent of the incentive program is to provide an incentive award to current employees who bring new talent to the city by referring applicants who are subsequently selected and successfully employed in hard to fill positions within the city. They are hoping that what this does is help all employees engage in their greatest successes in terms of recruitment. It is their intent to implement this incentive program to help encourage participation by city staff in recruitment and retaining good strong employees in city. City Manager Haws stated that the entire city and neighborhoods are impacted tremendously by the congestion that's created by the construction on Willey Street. He shared that they are glad that work is being done, however, he would like to encourage as is for our citizens to consider alternate routes. They have identified three routes or detours to take to help facilitate and dissipate that traffic in a more reasonable kind of way. The first one is Route 7 to Hartman Run Road. The second one is route 7 to I68. And the third is Beechurst to 705. He received a call from Republic stating that they're having some major problems collecting, and what they've asked is that while the construction is going on, that they be granted the ability to be able to start earlier before the construction on the road starts so they can get it done. The CDBG as part of our CDBG grant programs within the city will be handing food boxes out. This is going to be done on Saturday at 10 o'clock at the Salvation Army.

Report from City Clerk: shared that the Police Civil Service Commission will administer the police officer entry level testing on Saturday, October 28, 2023, at 9am, and that will be located at the Public Safety building at 300 Spruce Street. An information sheet outlining the requirements for employment for Morgantown Police Department, pre-employment, physical agility, screening information, and medical certificate of fitness form can all be located on our city's website. The Police Civil Service Commission voted to include resources for the written exam some time ago and we have seen more passing scores due to the use of these resources. Regarding boards and commissions, there are quite a few vacancies. She encouraged folks who may be wanting to be involved in our city government to take a look at our boards and commissions pages on the website. Lastly, the third week of October each year is municipal government week and there have been many conversations about what we are going to do this year. The date is October 16 through the 20th. She shared that she is interested in any ideas council or city administration may have, how we would like to celebrate and educate our folks or the citizens about what we do as a city government.

Report from City Attorney: shared that he recently reviewed a grant award for Robyn Hess, our Grants Coordinator, that will designate and reallocate some CDBG funds to the continued improvements to the Norwood Fire station. He worked on a Memorandum of Understanding for the city and BOPARC which is going to designate the new playground and amenities at the Woodburn Community Complex as part of BOPARC's park system and for their ongoing management. He is continuing to work on updates to the litter code, as well as local provisions of the International Property Maintenance Code, and some related provisions of the solid waste code with respect to building officials Code Enforcement Division enforcement of those literal provisions. Regarding the Marilla pool project which has so far explained construction of a new Marilla pool at the park, the initial estimates had been to have a supplemental

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resolution finalizing the details of that project before Council this month. The design lead on the project is still working on some design documents and construction documents, so that's delayed from its planned date which had been discussed earlier. Attorney Simonton attended last week a site visit at the Fliegl reservoir discussing the fishing, swimming, non-motorized boating, and trail men entities that will be constructed at the site. As for a water service, West Virginia DNR had representatives out there who were also very excited about these opportunities and been contacted by the city engineer proposing the opening of a public right of way in the third ward for pedestrian access which he expects to be the next council meeting agenda.

Report from Council Members:

Deputy Mayor Abu-Ghannam: shared that the next First Ward meeting is September 25 at Jack Roberts Park beginning at 6pm. They will be discussing plans for Halloween. The students return to school next week. He encouraged residents to be cognizant of the buses in time for which they leave to go to work as the bus schedule may impact that. Councilor Abu-Ghannam thanked Republic Services stating that he has neighbors who put in their sheets that they were sent in, and they've been getting their small garbage cans.

Councilor Kawecki: The South Park Association of Neighbors is having their annual sale this Saturday and last count he heard is that about 40 families are participating. He also shared that this has always been a good and fun outing, and well attended. Councilor Kawecki stated that at the Municipal League meeting, he had the opportunity to go through the new Wheeling Police Department facility. The interesting thing about it is that their manpower requirements are approximately the same as Morgantown. The City of Wheeling has approximately the same population or 29,000, we are approximately 30,000. They are having the same recruiting issues, and they have the same deficit in terms of the number of vacancies that they have almost equal to ours. He mentioned this because in the paper there was reference to the Defense in Depth facility, and the article speculated as to whether that was helping with recruiting. Councilor Kawecki stated that he made that same statement to the Police Department in Wheeling, saying their new facility was impressive, and asked if it was that helping with their recruiting, the answer was no. Councilor Kawecki stated that he did not believe that Defense in Depth will help with recruiting, at plus for our Police Department in terms of training. He shared that Defense in Depth does equal what the new building in Wheeling had in terms of their facility, of weight training, and simulation. The thing they lacked in Wheeling that we have is the actual physical gun gallery. He suggested that we incentivize how we might distribute our monies and appreciates what the city is trying to do in terms of recruiting. He thinks we have a reasonably good situation here in Morgantown. The Municipal League is offering training, it is the Fundamentals for Municipal Leadership that they're sponsoring. One member of the council has already jumped in and will be taking advantage of the training, unfortunately, at her own expense. He believes it is worth the idea of trying to build a knowledgeable base for municipal government, and he applauds the Municipal League for hosting. He would like to see if there isn't something that we can do that might incentivize either that program over our own in terms of creating interest in municipal government. Regarding, garbage collection with Republic, he would dearly appreciate that when they empty the garbage particularly in those large containers on a very rainy day, if they would just simply close the lid so that customers did not have to fight not only with the large garbage can but have it full of water.

Councilor Michael: shared an update on the three abandoned houses. She believes we have to wait a couple more weeks on that to get some answers. Councilor Michael stated that the sign will be done next Friday and that she is happy about that because they haven't had a sign for about four years.

Councilor Trumble: shared that her Ward sign has been missing for two years but it's being installed tomorrow. As the City Manager eluded, the Willey Street project is much needed, and folks need to have patience. It is very much impacting traffic through the Woodburn neighborhood and the other adjacent neighborhoods. The police indicated that they would be doing extra patrolling through there and were getting a speed camera. People should be cautious and please remember that it is a neighborhood. She understands that traffic's made you late and you're tired of sitting, but this is a neighborhood and there could be children. They are very happy that the work is being done, everyone be patient. BOPARCs last sounds of the summer concert is happening on Thursday at 6pm. It is the Celebrate Woodburn so very near and dear to our neighborhood, and it will be in Whitmore Park, just below the original Mario's Fishbowl. Thursday, the 17th Chris Haddox, Lords of Leicester, and Tim Mashburn are all musicians with ties to the Woodburn neighborhoods, so they are very excited. We only have two Ruby Summer concerts left, with Sam Bush playing this week, and Smashmouth next week. Those are Fridays starting at seven. Woodburn is also having a yard sale on Saturday at 8am and there are about a dozen families participating. This Saturday is also the Moonlight Market downtown in the evening at the Farmer's Market pavilion. Councilor Trumble stated that she was asked by the board of Morgantown Community Resources to do a monthly update to council on some of the activities that are going on there. The Helpful Harvest program through the United Way distributed \$45,000 of produce to local pantries and community partners. They received a donation of about 2000 pounds of local produce. They got a large donation of clothing which is going to be spread through other H-3 partners for some of the clients living there. Bartlett House, Lauren's Wish, things like that. They wanted her to note that a longtime employee of United Way who has been running the Helpful Harvest program named Tim Berry is moving on from Morgantown and he's been integral at H-3 through a lot of the things that have happened there so he will be missed. Wellspring is a mental health facility. They have now opened, and they have served 152 separate clients in

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Morgantown. Bartlett house has served 51 clients in July, 100% of those have a housing plan. 12 people were able to be moved into more permanent housing in July. Just this year alone, the total housed from Bartlett's Triage Shelter hit 93. They are getting people into housing, which is great. The Sobering Center had a few additional intakes in July and is also finding that the Narcan vending machine is being well utilized by a lot of folks on the property and others just stopping in. Laurens Wish has been open for most of this year, but they are having their official grand opening ribbon cutting ceremony on Saturday, August 26 at 11am and everyone is invited. Catholic Charities served 31 households through their food pantry and 14 households in July through their Utility Assistance Program. The Salvation Army was able to serve 2694 meals, they had 62 volunteers for a total of 148 hours, and they are doing in coordination with the city the Food Box Giveaway. At MCR they are working very hard to get the day room that the city and the county paid for usable. Right now, it is open on Thursday and Friday afternoons for laundry, and they are looking at ways to get that open for shower access. They need a couple of extra sets of eyes to be able to maintain those and make sure everyone is safe. Hopefully in the next week or two they will have a schedule for showers. Councilor Trumble stated that she appreciates Firefighter Anthony Stake coming before the body and making us aware of what they still perceive to be some issues with the personnel policies and how they're affecting. It is difficult for an employee to come before this body and management and say that they feel that they're not being treated fairly. It's an ongoing conversation that we keep hearing from a lot of our civil service employees. She shared with Assistant Manager Muzzerelli this week a graphic. She shared that she grew up in the wheeling area, so she has a friend who's on the police force there and they did recently just increase their salary a few \$1,000 for starting officers which now exceeds ours. They are offering a \$20,000 sign on bonus if you are a certified West Virginia officer. These are the kinds of things that other municipalities are doing. She appreciates what Councilor Kawecki was saying when he said things aren't that bad here, but she doesn't think that's what we're consistently hearing from our employees. We need to be willing to listen to our employees. Councilor Michael asked for a session to discuss personnel policies and that has not yet hit an agenda. Councilor Trumble stated again that she is in support of having a work session or an executive session to discuss personnel issues. She is again requesting a charter review subcommittee to look at some election information and other items that are laid out in our charter.

Councilor Harshbarger: asked what the rate is to rent the amphitheater and what the percentage of revenue raised. He asked stating that this information would be helpful to have that information to share when approached and when serving on commissions and boards. He asked for that information to be sent to all the council. He shared that he had a chance to meet and talk with some various stakeholders around the downtown area. He shared that the Japanese invasive knotweed is overtaking Deckers Creek and the entrance not far from Marilla down into the amphitheater. He asked if the city has had a chance to look at All Star Ecology and treating that this fall which is apparently the best time to do it. He shared that he has never seen it as bad as it is right now, they can really hide encampments and make people feel unsafe. Regarding the City Manager's comment about Republic, if they need to come early, they need to come early. He shared that they are not emptying his container, they're reaching in and grabbing what they can grab and tossing it into the trailer. He stated that he used to have to tie his trash bags together so they couldn't do that, and he doesn't want to do that with the big totes. But, if they're not going to dump them, why do we have totes with the bar in the front? Star City was considering giving up ownership at the trailhead off VanVoorhis and they've decided to keep that so it's going to stay in Star City's ownership but they're asking MRTC, the rail trail, to take on all the maintenance which is a little bit more. MRTC maintains the bathroom cleaning, but the mowing is a big new ask. The South Hills Block Party is September 10. It's their annual Block Party, which is on a Sunday and it's roughly from four to seven.

Councilor Butcher: shared that this Thursday the 17th they will have their Suncrest Block Party. They will be holding the Turtle Park dedication at 5:30 pm and then food at 6 pm, Chris Glock will be grilling. On August 23 Planned Parenthood will have an event at Stone Tower Brews at 7pm to meet Councilor Michael. On August 25, there will be an event for Camping for Canines with a goal to raise \$10,000 for Animal Friends of North Central West Virginia. He shared that over the weekend we got a preview of cuts that WVU is looking to make to their programs, and it is very concerning for a lot of people in the community. He stated that the ways in which those cuts are going are concerning for our community. We want to be good partners with WVU, and we are inexorably tied to the fate of WVU. He hopes that we find a better path forward than the kind of cuts that we were seeing proposed. He thanked Councilor Harshbarger for looking into a couple of issues that we had with MUB, and he believes that the kind of turnaround time and the response time that we had on some of those issues, is kind of a testament to how good of an idea it was to put a member of council on that board and to have that direct line of communication. Councilor Butcher brought to city management's attention of erosion in terms of the construction that's happening near Heritage Place. MUB does have it under control and has been speaking with the developers there.

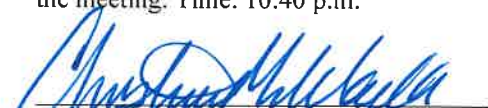
Mayor Selin: she shared her appreciation of everyone's hard work and mention of community activities. There's an MMPO meeting at the exact same time as the Suncrest Neighborhood Association meeting. She is hoping for well-educated and crafted votes done quickly, so she can come back to the picnic. She appreciates all the public comments, and the people who are willing to come and stick their neck out as it were and talk about what they are concerned about. The same with council members, we don't always say the most popular things and it's important that all our voices are heard. She shared that she went to the Botanic Garden on Sunday, had a garden party, and it was well attended and a well-done event. There were so many different ages, and she appreciated that she sat at a table with a young couple that were just starting their respective businesses and then some retirees as well. She noted the importance of learning from each

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other and having good conversations with people of all different ages. Sometimes we forget age as something where you're really expanding the divide and from all those different perspectives. One of the people at the table had just opened a hair salon and it was in a place of the actual location inside the city limits was a place where a lot of the other people the table had gotten their hair cut previously for years and years. Regarding Councilor Butcher's comments about what WVU is going through, she believes it is really complicated and difficult, and believes that sometimes we forget how interwoven our community is with WVU and the different programs that we partner with at WVU. The way that this is working out is going to be difficult for everyone concerned.

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 Fifth and Sixth Ward. Motion by Deputy Mayor Abu-Ghannam, second by Councilor Butcher, to go into executive session. Motion carried by acclamation. Time: 9:09 p.m. Present: City Council, City Manager, and City Attorney.

ADJOURNMENT: There being no further business, motion by Councilor Harshbarger, second by Deputy Mayor Abu-Ghannam, to adjourn the meeting. Time: 10:40 p.m.



City Clerk



Mayor