AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
February 19, 2019
7:00 p.m.

1. CALL TO ORDER:

2. ROLL CALL:

3. PLEDGE TO THE FLAG:

4. APPROVAL OF MINUTES: JANUARY 22, 2019, REGULAR MEETING MINUTES, JANUARY 29, 2019, COMMITTEE OF THE WHOLE MEETING MINUTES, AND FEBRUARY 5, 2019, SPECIAL MEETING MINUTES. FEBRUARY 5, REGULAR MEETING MINUTES WILL BE PRESENTED AT THE MARCH 5, 2019 REGULAR MEETING.

5. CORRESPONDENCE:

6. PUBLIC HEARINGS:
   A. AN ORDINANCE REQUIRING FINANCIAL DISCLOSURE STATEMENT
   B. AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY CODE

7. UNFINISHED BUSINESS:
   A. Consideration of APPROVAL of (SECOND READING) of AN ORDINANCE REQUIRING FINANCIAL DISCLOSURE STATEMENT
   B. Consideration of APPROVAL of (SECOND READING) of AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY CODE
   C. BOARDS & COMMISSIONS:
      HUMAN RIGHTS – TERM – FROM 01 JAN 2019 TO 31 DEC 2021
      MUSEUM – TERM – FROM 01 JUL 2018 TO 30 JUN 2023

8. PUBLIC PORTION WHICH SHALL BE SUBJECT TO RULES ESTABLISHED BY COUNCIL AND ADOPTED BY RESOLUTION:

9. SPECIAL COMMITTEE REPORTS:

10. CONSENT AGENDA:

11. NEW BUSINESS:
   A. Consideration of APPROVAL of A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MONONGALIA COUNTY BOARD OF EDUCATION TO FUND A PROJECT AT MOUNTAINEER MIDDLE SCHOOL
B. Consideration of **APPROVAL of A RESOLUTION REQUESTING GRANT FUNDING FROM THE MONONGALIA COUNTY COMMISSION IN THE AMOUNT OF $25,000 TO BE USED FOR REPOINTING OF BRICKS ON THE NORTH SIDE OF THE MAIN BUILDING, WOODBURN SCHOOL**

12. **CITY MANAGER’S REPORT:**

   **NEW BUSINESS**

   1. **AWARD BID CALL 2019-06 – SUNNYSIDE UP TIF PHASE 3A – BEVERLY AVENUE AREA IMPROVEMENTS**
   2. **AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT FOR PROFESSIONAL ARCHITECTURAL SERVICES – FORMER WOODBURN SCHOOL**

13. **REPORT FROM CITY CLERK:**

14. **REPORT FROM CITY ATTORNEY:**

15. **REPORT FROM COUNCIL MEMBERS:**

16. **EXECUTIVE SESSION:** Pursuant to West Virginia Code Section 6-9(A)(2)(B)(12) to discuss Acquisition or Development of Real Estate in Downtown Morgantown.

17. **EXECUTIVE SESSION:** Pursuant to West Virginia Code Section 6-9(A)(2)(B)(12) to discuss Giuliani et al. v. The City of Morgantown and Morgantown Utility Board, Monongalia County Civil Action No. 17-C-460.

18. **ADJOURNMENT:**

   *If you need an accommodation contact us at (304) 284-7439*
REGULAR MEETING January 22, 2019: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, January 22, 2019, at 7:15 pm.

PRESENT: City Manager Paul Brake, Assistant City Manager Emily Muzzarelli, City Attorney Ryan Simonton, City Clerk Christine Wade, Mayor William Kawecki, and Council Members: Rachel Fetty, Ryan Wallace, Deputy Mayor Jenny Selin, Ron Dulaney, Mark Brazaitis, and Barry Wendell.

The meeting was called to order by Mayor Kawecki.

APPROVAL OF MINUTES: January 8, 2019, Special Meeting minutes were approved by consensus. January 8, 2019, Regular Meeting minutes were approved as corrected by consensus.

CORRESPONDENCE: For Head Ballot Commissioner, Mayor Kawecki administered the Oath of Office to City Clerk Christine M. Wade, and for Ballot Commissioner, City Clerk Christine M. Wade administered the Oath of Office to Daniel Langdon, for the April 30, 2019 Municipal Election. City Clerk Christine M. Wade administered the Oath of Office for Deputy Clerk to Heather R. Carl.

Councilor Brazaitis spoke regarding a letter from the Mon Valley Greenspace Coalition (MVGSC) to Morgantown Utility Board (MUB). MVGSC is a local 501C3 non-profit greenspace advocacy organization which would like to see public non-motorized recreational use of the Cobun Creek reservoir while recognizing the privacy of MUBs mission to protect and provide clean source water to Morgantown and surrounding communities.

Councilor Fetty received correspondence which was provided from Mr. Travinski and some follow up emails from others addressing specific concerns related to city services. These items were provided to the City Manager.

Councilor Wallace and the other Councilors received an anonymous letter regarding the Metropolitan Planning Organization (MPO) regarding some opposition to amending the tier I priority list. Wallace also received several communications between him and Mr. Banks regarding the Ward and Boundaries Commission. Mr. Banks voiced his concerns regarding steps which have been taken and some which were not taken. Wallace also shared a letter from the Executive Director of the Caritas House, Justin Sikos. He advised that the Caritas House operates as an emergency cold house when the Bartlett House is to capacity. Councilor Wallace also received communication from Diana from the City of Keyser and she is interested in beginning a Health and Wellness Commission. Keyser has a new Mayor and they shared that they are planning to work similar to that of Morgantown for health and wellness.

Deputy Mayor Selin shared concern of an out building which is being created near her residence. She provided this information to the City Manager’s office.

Councilor Dulaney stated that he had a follow up telephone conversation with Frank McGreevey who spoke at the previous Council meeting. He has forwarded the information to City Manager Brake. Mr. McGreevey is more interested in purchasing the city owned parcel at White and Hutchens. He specifically is looking for a clear explanation of the process and time frame by which the City will determine what to do with the parcel. This has been forwarded to City Manager Brake. Dulaney received an email from a 5th Ward Constituent regarding parking on their street, and this was forwarded to City Manager Brake. Additionally, Dulaney mentioned the eagerness of one of the Traffic Commissioners regarding resuming meetings.

Mayor Kawecki received a New Year’s card from Morgantown’s Sisters Cities Mayor thanking him for the support and care to the friendly relationship between them and Morgantown. He is looking forward to a fruitful bilateral cooperation with support and facilitation. He sent his wishes that Morgantown will continuously prosper and wished the citizens happiness and health. Mayor Kawecki also received communication from the State Auditor regarding training on auditing and budgeting. Training will be in Clarksburg and Bridgeport, all fees are waived, and he encouraged all Municipal officials to attend.

PUBLIC HEARING: None

UNFINISHED BUSINESS: None
BOARDS & COMMISSIONS:

Motion by Deputy Mayor Selin, second by Brazaitis, to reappoint Jessica Eichlin, by consensus, to the Historic Landmarks Commission for another 4-year term.

Motion by Dulaney, second by Brazaitis, to re-appoint William Hutchens, by consensus, to the Transit Authority for another 2-year term.

Motion by Dulaney, second by Wallace, to appoint Gigi Villarreal, by consensus, to the Planning Commission as the Administrative designee.

Motion by Deputy Mayor Selin, second by Fetty, to appoint Karen Kunz to the Morgantown Utility Board for a 5-year term. Motion carried 6-1.

Motion by Brazaitis, second by Fetty, to appoint Barbara Parsons, by consensus, to the Morgantown Utility Board for the unexpired term.

Councilor Dulaney spoke regarding the direction of the Council in the decision to not appoint the City Manager as a member of the Morgantown Utility Board.

PUBLIC PORTION:

Mayor Kawecki declared the Public Portion open.

Christine Wallace, 339 Virginia Avenue, spoke about the furlough assistance for those affected by the federal government shutdown. She also voiced her concerns regarding district boundaries and the nominees for those areas. She urged City Council to consider the landscape and preservation of communities.

Roger Banks, 444 Overhill Street, spoke regarding the Wards and Boundaries of the districts.

There being no other speakers, Mayor Kawecki declared the Public Portion closed.

SPECIAL COMMITTEE REPORTS: Councilor Wallace spoke of the upcoming WV birthday celebration scheduled for June 22, 2019, and the collaboration among the agencies involved in the planning. The Health and Wellness Commission has identified its 2019 goals and budget requests, and they have been submitted to the City Manager.

CONSENT AGENDA: None

NEW BUSINESS:

Consideration of APPROVAL of A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE “COOPERATIVE AGREEMENT” WITH THE CITY OF MORGANTOWN LAND REUSE AND PRESERVATION AGENCY AUTHORIZING THE AGENCY TO EXERCISE DEFINED POWERS TO PURCHASE TAX-DELINQUENT PROPERTIES

City Manager explained, motion by Wallace, second by Brazaitis, to approve the above entitled Resolution. After discussion. Motion carried 7-0.

CITY MANAGER’S REPORT:

Information:

1. General Fund Schedule of Revenues and Expenditures - November 2018
Attached is a copy of the budget report from November for the General Fund. City Manager explained, quarterly reports will be provided to members of City Council regarding revenues and expenditures balances. No action was taken.

   The report provides an overview of activities, initiatives and progress of the commission over the past year. City Manager explained and noted that a copy of the Planning Commission report will be available to the public on the City website. No action was taken. This was presented for information purposed only.

New Business:

1. Proposed Assistance for Furloughed Government Employees
   A plan to aid city residents who are also federal government employees furloughed by the government shutdown. City Manager explained, motion by Wallace, second by Brazaitis, to allow the administration to provide assistance for furloughed government employees through bill deferment, which will be repaid in equal payments within six months after the shutdown is over. Motion carried 7-0.

2. Recommended Bus Shelter Locations to Traffic Commission
   A proposed location of bus shelters in the downtown area and possibly in other areas. City Manager and Assistant City Manager explained, motion by Wendell, second by Fetty, to approve the requests of bus shelters and direct them to the Traffic Commission. Motion carried 7-0.

3. Financial and Program Transparency Proposal
   Transparency in financial reporting within the City. It was proposed that the City Council direct the City Manager to prepare and make a financial and program transparency proposal and provide it in the next City Council meeting. Motion by Wallace, second by Deputy Mayor Selin, to propose and be ready for the next City Council Meeting. After discussion, motion carried 7-0.

REPORT FROM CITY CLERK: City Clerk Christine Wade provided information regarding the Morgantown Police Department’s recruitment for new officers. She shared that applications are available on the City website and are being accepted until 5:00 pm on March 15, 2019, in the City Clerk’s office. She also spoke about the updates to the website regarding the upcoming City election. Citizens can find voter registration, polling locations and additional election information on the City’s website.

REPORT FROM CITY ATTORNEY: None

REPORT FROM COUNCIL MEMBERS:

Councilor Fetty advised that she is seeing Morgantown resilience which makes it a pleasure to live here. She appreciates the city’s assistance for furloughed employees, and the fact that we are able to make these accommodations. She encourages open heartedness in play long after everyone goes back to work, because if you are not furloughed or incomeless this challenge with management will be a test to take what we are learning from this furlough into the future. She commented about the wards and boundaries situation because there are some pretty delicate boundaries that she has been trying to avoid in respect to allowing the Ward and Boundaries Commission to precede with its functions in the time that it would without any interference from any member of this body. She requested some clarification from council regarding what if anything any sitting city council member could do to address the function of a body that is supposed to operate without the council’s influence. She has been concerned why reports were received too late because we were notified by the commission that this was going to be the outcome. She stated that she has been waiting for this body to do work that it may not have been trained to do. She requests more information on a timeline on the upcoming budget process and how nonprofits can make requests from the city. She is always appreciative of the time the volunteers put in for the boards and commissions in particular MUB. She appreciates the endurance as it has been a long time. She shared that the next Neighborhood meeting is next Monday, January 28, 2019, at 6:30 pm at MTEC.

Councilor Wallace shared his appreciation of the Wards and Boundaries Commission. He is concerned about the function of the commission and wants to ensure that they receive the tools and resources that they need to do their work. He has no intention of meddling in the function of the commission, however, when something is supposed to happen and it does not, he states that it is the council’s job to investigate and do what they can to ensure things happen the way they
should. He believes the Ward and Boundaries did note that the boundaries should be modified. He requests that council meet with the commission to discuss what went wrong and what went right to ensure a better outcome in the future. **Mayor** advised that he sat in on their meeting and stated that they changed their criteria in that they went from 15% to 10%, they added registered voters, the population census, plus, which put the skids on that particular activity. He shared that he did not know if council could have done anything else that would have satisfied all the members of that commission. He does agree that something should be done. The Mayor stated that council should agree that the course of action is to schedule a meeting with them. **Councilor Fetty** is concerned that council does not have the authority to have a joint public meeting. She asks if it is within the parameters of what they do. She is not sure that a debrief is appropriate and states that there is a need for legal counsel. **City Attorney Ryan Simonton** summarized the present discussion that Council is asking the City Manager to provide the resources necessary and to answer questions. He stated that it is important to recall that the Commission’s report which reflected the opinion of the members of the commission said that this is a new process that involved the use of census data. Simonton stated that he understood that the difficulty was analyzing the data to create new boundaries. He noted that a possible solution is to retain a Demographer. **Wallace** stated that he appreciates the input of the council and asked to agree to schedule a meeting with the Wards and Boundaries Commission. He asked for the status of the agreement with the county to transport prisoners to the regional jail. **City Manager** shared that the agreement was provided last week, and it has been signed. Additional information will be provided at the next council meeting. **Councilor Wallace** requested for a financial disclosure statement to be included in the Municipal Election packet, as it falls along the line of transparency. Councilor Wallace asked if the city can implement the disclosure. **City Manager** advised that this topic is already on the Committee of the Whole agenda.

**Deputy Mayor Selin** shared her appreciation of the work of the city employees such as the work on the roads. She noted an upcoming public meeting/collaboration between the Suncrest Neighborhood Association and the Engineering Department of the City of Morgantown regarding Baldwin Street on schedule for paving this year. The meeting is scheduled for January 31, 2019, at 7pm located at Suncrest Middle School. She noted a request to attend and discuss ways to improve pedestrian and bicycle safety in the Suncrest neighborhood, as well as the upcoming paving of Baldwin Street and Krepps area, traffic, buses, and bus stops. Deputy Mayor noted that this is the public’s opportunity to provide input about city streets. She advised that she has heard comments regarding the need to clean the sidewalks and how to get the sidewalks clean downtown, and that possibly in the past that the city may have leased equipment from the University perhaps.

**Councilor Dulaney** noted that the Woodburn School Redevelopment Commission will be holding a public meeting on Thursday, January 31, 2019, at 6 pm at the Boys and Girls Club. He shared relating to the Woodburn site that the city is looking for an Architectural and Engineering firm to design ADA improvements. He and Commission Chair Chris Haddox were invited to serve on the search committee. He advised that they received six proposals and have a list of three finalists who will be interviewed on Wednesday, January 23, 2019. Regarding the quality of downtown experiences, there have been discussions regarding Walnut Street. Merchants met with a few downtown agencies and there were constructive conversations regarding how to serve the underserved and how to address the concerns of shoppers downtown. He noted that there are ongoing meetings with constructive conversations to address vagrancy, addiction, and how to serve the underserved downtown. Councilor Dulaney stated to save the date, June 22, 2019, for the WV birthday celebration downtown where many exciting things will be happening such as good music, drinks, food and family friendly activities.

**Councilor Brazaitis** shared information regarding the movies at the Metropolitan Theatre and noted that 122 people attended the viewing of the Raiders of the Lost Ark. An upcoming film, Black Panther, will be shown with admission at $4.00, and Monsters Inc. will be shown as well. He shared that the Metropolitan Theatre hosted a Martin Luther King celebration on January 21, 2019. Councilor Brazaitis also stated that it is wonderful to support the furloughed employees.

**Councilor Wendell:** Provided the following.

"I've been working on compassion in the new year, although it wasn't always evident tonight. I was ill Saturday, and after I called WVU Medicine, a doctor called me back and said to go to the emergency room. Once there, they admitted me to the hospital. There was a heightened pancreatic enzyme, which scared me because my mother and her father died from pancreatic cancer. I was miserable but got better. The man I shared my room with, my age, with liver and kidney failure, is a Vietnam veteran, poisoned by Agent Orange. My illness was temporary (although I am still healing), but his is permanent. They never figured out exactly what happened to me, but it's not cancer."
Tomorrow, I will speak to a drama class at North Marion High in Farmington about the Holocaust. I wracked my brain thinking of Holocaust-themed books and movies I had read and seen to recommend to them and reviewing them triggered strong emotions and tears. I have no first-hand experience of the Holocaust, as I was born after World War II, but it is part of my DNA. The students are doing a play about refugees from Germany who were turned away from the United States and other countries in 1938, and I feel shame that I haven't done enough to pressure our current administration to take in more refugees from the Middle East and Central America.

I'm proud that Morgantown is offering to defer payments from those affected by the government shutdown. It's a compassionate thing to do and shows again how local government is there when the Federal government is not.

The Urban Landscape Commission meets tomorrow at 4:30 in Council chambers. They will discuss a proposal for Morgantown's policy about memorial gifts such as trees and plaques to be presented to Council.

Suncrest Neighborhood Association meets January 31 from 7 to 8:30 at Suncrest Middle School to hear about repaving Baldwin Street and traffic calms in the area.

Mayor Kawecki shared a letter from Senator Beach which stated that he looks forward to a busy and productive Legislative session and is requesting input on important issues. Mayor will have an opportunity to speak with Beach at the upcoming Municipal League mid-winter conference. The Mayor asked that if Council has anything to pass on to him please provide it. He shared that the Library activities are numerous and to go online to see all those activities. He noted a few activities such as the University magic flute, the Botanic Gardens activities, the Bob Huggins annual fish fry, and the Monongalia Art Center third free form dance gathering.

**ADJOURNMENT:** There being no further business, motion by Wallace, second by Wendell, to adjourn the meeting. Time: 9:30 p.m.

__________________________  ______________________
City Clerk  Mayor

*ALL COUNCIL MEETINGS ARE AVAILABLE ON DVD IN THE CITY CLERKS OFFICE*
COMMITTEE OF THE WHOLE MEETING January 29, 2019: The Committee of the Whole meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, January 29, 2019 at 7:14 p.m.

PRESENT: Deputy Mayor Jenny Selin, Mayor Bill Kawecki, Council Members Rachel Fett, Ryan Wallace, Ron Dulaney, Mark Brazaitis, and Barry Wendell. City Manager Paul Brake and Assistant City Manager Emily Muzzarelli was absent.

Deputy Mayor Selin called the meeting to order.

PRESENTATIONS:

1. Audit Presentation – Tetrick and Bartlett
   
   Audit Presentation will be done during a Regular Meeting in the future.

2. Morgantown Municipal Green Team – Annual Report 2018
   
   Jim Kotcon, Energy Chair, Municipal Green Team
   
   Jim Kotcon gave an Annual Report from 2018. He presented all of what the Green Team had accomplished within the last year, potential impacts and what will be the next steps in the future. (See packet for information)

PUBLIC PORTION:

Deputy Mayor opened the public portion and asked if there was anyone wishing to speak.

Guy Panrell, 757 South Hills Drive, is questioning the ability of the decisions being made by a majority of the City Council. He stated when Council was not able to keep the services of Kernel Glenn Kelly, this will cost the city millions of dollars that would have never cost. He mentioned that if Council really wanted an investment, they could have built a new firehouse and expand the Fire Department. He did mention that the City would be eligible for a lot of Federal Grants that the City is not eligible for now. He also mentions that the citizens who live on the Mileground could have something to look forward to if that part was annexed into the City. He stated that when Council lost the services of the City Clerk, she had a wealth of knowledge of the City Charter, which is written in black and white, but to some is gray. He stated that all he wants is good government and that the City is being short changed, because of too many things going on, that council should not be involved in. He mentions that the only meetings Council should attend is the Regular and Committee of the Whole and feels that the Boards and Commissions are being taken up by Council that should be for the citizens. He mentions the Ward and Boundaries and how he was at one time on the Commission, but then was replaced by someone who did not know what they were doing. He would like to see that Council not be so involved with the Boards and Commissions and give others a chance.

There being no one else wishing to speak, Deputy Mayor Selin closed the Public Portion.

ITEMS FOR DISCUSSION:

1. Audit Presentation – Tetrick and Bartlett
   
   The City will contact Tetrick and Bartlett to reschedule another presentation in the future, no action was taken.

2. Morgantown Municipal Green Team – Annual Report 2018
   
   Jim Kotcon, Energy Chair, Municipal Green Team
After discussion, council requests City administration to continue working with the commission to provide updated data. By consensus, council referred the Resolution that was handed out before the start of the meeting, to the next meeting agenda.

3. Home Rule Plan Amendment  
   a. Use the Board of Zoning Appeals with Respect to the Subdivision and Land Development Ordinance  
   b. Campaign Finance Reporting  

City Attorney explained, after discussion, by consensus, council referred to the next meeting agenda.

4. Ordinance Approving Beverly Alleyway Annulment – Campus Neighborhoods Revitalization Corp  

City Attorney explained, no action taken at this time, but will be brought back to a future Committee of the Whole meeting.

5. Ordinance Approving Right-of-Way and Easement Agreement for Airport Property  

City Attorney explained, no action taken at this time, but will be brought back to a future Committee of the Whole meeting.

6. Ordinance Requiring Financial Disclosure Statement  

City Attorney explained, after discussion, by consensus, council referred item to the next meeting agenda.

7. Ordinance to approve current replacement pages to the city code  

City Attorney explained, by consensus, council referred item to the next meeting agenda.

ADJOURNMENT:  

There being no further business, Wendell motioned to adjourn the committee of the whole meeting at 8:18 pm.

______________________________  ______________________________
City Clerk  Mayor
SPECIAL MEETING February 5, 2019

The Special Meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, February 5, 2019 at 5:03 p.m.

PRESENT: Mayor Bill Kawecki, City Clerk Christine M Wade, Council Members: Deputy Mayor Jenny Selin, Ron Dulaney, and Mark Brazaitis. Rachel Fett, Ryan Wallace and Barry Wendell were absent.

The meeting was called to order by the Mayor.

EXECUTIVE SESSION: Pursuant to WV State Code Section 6-9A-4(b) (2) (A) motion by Brazaitis, second by Dulaney, to go into Executive Session to discuss personnel matters in considering new appointments and re-appointments for Boards and Commissions. Motion carried by acclamation. Mayor, and City Council Members present. Time: 5:04 p.m.

INTERVIEWS FOR MUSEUM AND TRANSIT COMMISSIONS:

5:00 p.m. – Zachary Cruze – Museum and Human Rights
5:20 p.m. – Ashton Bray – Human Rights
5:40 p.m. – Jacob Powers – Human Rights
6:00 p.m. – Clement Solomon – Mountain Line Transit Authority
6:20 p.m. – Jenny Dinsmore - Mountain Line Transit Authority
6:40 p.m. – Marti Shamberger – Human Rights

ADJOURNMENT:

There being no further business, motion by Deputy Mayor Selin, second by Wallace, to adjourn the Special Meeting at 7:18 pm.

City Clerk

Mayor
AN ORDINANCE ESTABLISHING FINANCIAL DISCLOSURE REQUIREMENTS FOR ELECTED OFFICIALS

WHEREAS, West Virginia Code section 6B-2-6 authorizes municipalities to require an annual financial disclosure statement for all elected officials and candidates for elected office; and

WHEREAS, the City Council believes the financial disclosure statement will promote transparent and responsible government;

NOW, THEREFORE, the City of Morgantown hereby ordains that a new Article 111 is established within the City Code as follows:

Article 111. Financial Disclosures for Elected Officials.

Section 111.01. Financial Disclosure Statement.

(a) All elected officials and candidates for elected office of the City shall file the financial disclosure statement required by West Virginia Code Chapter 6B, Article 2, Sections 6 through 8.

(b) The financial disclosure statement required by this section shall be filed with the West Virginia Ethics Commission on February 1 of each calendar year to cover the period of the preceding calendar year, except as otherwise stated in this Section.

(c) A candidate for municipal elected office within the City shall file a financial disclosure statement for the previous calendar year with the Ethics Commission no later than ten days after he or she files a certificate of announcement, unless he or she has previously filed a financial disclosure statement with the state Ethics Commission for the previous calendar year.

(d) No candidate for municipal elected office within the City may maintain his or her place on a ballot, and no municipal elected official may take the oath of officer or enter or continue upon his or her duties or receive compensation from public funds unless he or she has filed a financial disclosure statement with the Ethics Commission as required by this Section.

(e) The Ethics Commission may, upon request of any person required to file a financial disclosure statement, and for good cause shown, extend the deadline for filing such statement for a reasonable period of time; Provided, That no extension of time shall be granted to a candidate who has not filed a financial disclosure statement for the preceding filing period.

(f) A duplicate copy of the financial disclosure statement shall be filed by the Ethics Commission in the office of the Clerk of the City within ten days of receipt by the Ethics Commission, as required by West Virginia Code 6B-2-6(b).

(g) The City Clerk, after a ninety-day period following any municipal election, may destroy or dispose of those statements filed by the candidates who were unsuccessful in the election.
(h) Any person who fails to file a statement required by this section or knowingly files a materially false statement required by this Section shall be subject to the penalties established for violation of the West Virginia Ethics Act.

This ordinance shall be effective upon adoption.

FIRST READING: __________________________

ADOPTED: __________________________

FILED: __________________________

RECORD: __________________________

MAYOR

CITY CLERK
West Virginia Ethics Commission
Financial Disclosure Statement

Contact Information and Signature Sheet
(This Sheet will not be made public or placed on the Internet.)

Please print clearly

Filer's last name: ___________________________ First name: ___________________________
Spouse's last name: ___________________________ First name: ___________________________
County: ___________________________
Mailing address: ________________________________________________________________
__________________________________________________________
__________________________________________________________
Email: ___________________________
Daytime telephone: ( _____ ) ___________________________

Signature and Acknowledgement

I hereby acknowledge, under penalty of perjury, that the information contained in my attached
Financial Disclosure Statement, including all attached worksheets, is to the best of my knowledge true,
correct and complete.

Filer's signature: ___________________________ Date: ___________________________

Revised: 12-9-16
West Virginia Ethics Commission
Financial Disclosure Statement

Revised: 12-9-16

**Directions**
- Please read and answer *every question*—even if your answer is “N/A” (not applicable). Incomplete original Statements will be returned to you for completion or correction.
- You must file a new Financial Disclosure Statement each year you hold or run for a public position.
- If this is your annual filing, the Statement is due by February 1.
- If you are a new appointee, this Statement is due within 30 days of the date of your appointment.
- If you are a candidate for public office, this Statement is due within 10 days of filing your Certificate of Announcement.
- The information you provide on this Statement covers the prior calendar year.
- You may attach additional pages to this form if necessary.

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<td>If yes, title of office: __________________</td>
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<td>Are you a candidate, or do you plan to become a candidate for public office in the next election? N/A ____ Yes ____ No ____</td>
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### 4. Business Names
List all names under which you and/or your spouse conduct or do business. If you or your spouse are self-employed, list the name or names under which you or your spouse conducts the business, trade, sole proprietorship or profession.

- [ ] Mark here if no business names to report
  - Self
  - Spouse

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### 5. Employment
For you and your spouse, list the name and address of each full-time or part-time employer(s) during the preceding calendar year. Include all employment with city, county or state government as well as employment in the private sector. Provide your job title and a general description of your job duties. For purposes of this question, an employer is one who provides you with a W-2 form. This does not include self-employment if listed elsewhere on the Financial Disclosure Statement.

- [ ] Mark here if neither you nor your spouse were employed during the past year.

<table>
<thead>
<tr>
<th>Employer Name and Address</th>
<th>Job title and duties of your position</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Self</td>
<td>1.</td>
</tr>
<tr>
<td>Self</td>
<td>2.</td>
</tr>
<tr>
<td>Self</td>
<td>3.</td>
</tr>
<tr>
<td>Self</td>
<td>4.</td>
</tr>
</tbody>
</table>

### 6. 20% Gross Income Categories for you and your spouse
Did you or your spouse receive more than 20% of your gross income during the past calendar year from any one or more of the categories listed below? Yes _____ No _____ If yes, mark with an ‘X’ all categories that apply to you and/or your spouse.

<table>
<thead>
<tr>
<th>Self</th>
<th>Spouse</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMPANIES</th>
<th>MINING</th>
<th>GOVERNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertising</td>
<td>Surface mining</td>
<td>City or town</td>
</tr>
<tr>
<td>Beer, wine or liquor (or distributor)</td>
<td>Mining equipment</td>
<td>County</td>
</tr>
<tr>
<td>Brokerage/Financial Advisor</td>
<td>Deep mining</td>
<td>State</td>
</tr>
<tr>
<td>Cable television</td>
<td>Oil or Gas</td>
<td>Associations or Organizations</td>
</tr>
<tr>
<td>Chemical</td>
<td>Retail</td>
<td>Labor Association/Organization</td>
</tr>
<tr>
<td>Construction</td>
<td>Wholesale</td>
<td>Professional Association</td>
</tr>
<tr>
<td>Insurance</td>
<td>Exploration</td>
<td>Association that promotes gaming or lottery</td>
</tr>
<tr>
<td>Interstate transportation</td>
<td>Production &amp; Drilling Utilities</td>
<td>Association of public employees or public officials</td>
</tr>
<tr>
<td>Intrastate transportation</td>
<td></td>
<td>Trade Association or Organization</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>Electric</td>
<td>Other</td>
</tr>
<tr>
<td>Media</td>
<td>Gas</td>
<td></td>
</tr>
<tr>
<td>Promotional</td>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Race tracks</td>
<td>Water</td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wholesale</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waste disposal</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UTILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banking, Savings &amp; Loan Associates</td>
</tr>
<tr>
<td>Loan or Finance Companies</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FINANCIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic Development</td>
</tr>
<tr>
<td>Hospitals or other health care providers</td>
</tr>
<tr>
<td>Information Technology</td>
</tr>
<tr>
<td>Legal service providers</td>
</tr>
<tr>
<td>Lobbying</td>
</tr>
</tbody>
</table>
### 7. For-Profit Business
List the name and address of each for-profit business on which either you or your spouse serves on the Board of Directors or as an officer. Describe the type of business.

- Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a for-profit business.

<table>
<thead>
<tr>
<th>Name and address of the business</th>
<th>Description of the business</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
</tbody>
</table>

### 8. Non-Profit Organization
List the name and address of each non-profit organization on which either you or your spouse serves on the Board of Directors or as an officer. Describe the non-profit organization.

- Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a non-profit organization.

<table>
<thead>
<tr>
<th>Name and address of the organization</th>
<th>Description of the non-profit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
</tbody>
</table>

### 9. Sales or Contracts with State, County or Local Government
During the past calendar year, did you or your spouse have any sales or contracts with any unit of state, county or local government? Yes ☐ No ☐

(Sales or contracts for goods or services may be either direct or through a partnership, corporation or association in which either you or your spouse owned or controlled more than 10 percent.)

If yes, identify the government agency that purchased the goods or services, and describe the nature of the goods or services. (See the instruction sheet for more information about the Ethics Act’s prohibition against having an interest in a public contract under W. Va. Code § 6B-2-5(d).)

<table>
<thead>
<tr>
<th>Name of Government organization</th>
<th>Description of goods or services provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>self ☐ spouse ☒ Example: State of WV DHHR</td>
<td>Foster home placement studies</td>
</tr>
<tr>
<td>self ☐ spouse ☐ Example: Clay County Sheriff’s Department</td>
<td>Rental of garage space for patrol cars</td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
<tr>
<td>self ☐ spouse ☐</td>
<td></td>
</tr>
</tbody>
</table>

### 10. Adult Children – Public Employment
List the name and business address of any adult child or step-child employed by any unit of state, county or local government.

- Mark here if this question does not apply to you.

<table>
<thead>
<tr>
<th>Name of child or step-child</th>
<th>Business address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
11. DEBTS

A. Owed to others: List the names of all persons residing or transacting business in the state who you owe more than $5,000 (in the aggregate) on the date of this Statement. Include debts you owe in the name of any other person and debts on which you are a cosigner.

You DO NOT have to report:
1. Debts to immediate family members, parents or grandparents
2. Home mortgages for your primary and secondary residences
3. Loans for autos maintained for the use of your immediate family
4. Student loans
5. Debts resulting from the ordinary conduct of your business, profession or occupation
6. Debts to a financial institution or to a credit card company

If any debt over $5,000, which is otherwise non-reportable, required the approval of the state or any of its political subdivisions, or if a loan was obtained from the “Linked Deposit Program” (W. Va. Code § 12-1A-1 et seq.), you must list the debt.

☐ Mark here if you owe no debts as described above.

---

B. Owed to you: List the names of all persons residing or transacting business in the state who owe you, in the aggregate, more than $5,000 on the date of this Statement (either in your name or any other person’s name for your use or benefit.)

You DO NOT have to report:
1. Debts from immediate family members, parents or grandparents
2. Debts resulting from the ordinary conduct of your business, profession or occupation
3. Demand or saving accounts in banks, savings and loan associations, or other similar depositories
4. Loans by you to any business in which you have an ownership interest

☐ Mark here if you had no debts owed to you as described above.

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12. GIFTS

A gift is anything with monetary value, including meals and beverages. If you, your spouse, and/or any of your dependents received one or more gifts whose total value is more than $100 from a person, business or organization which has a direct and immediate interest in a governmental activity over which you have control, then list the name of each giver UNLESS it falls into one of the exceptions listed below. “Total value” includes the cumulative fair market value of all gifts from the same source, directly or indirectly, during the previous calendar year.

Gifts from the following sources need NOT be reported:
1. your spouse, child, grandchild, parents or grandparents
2. a trust established by your spouse, child, grandchild or ancestor
3. a will or lawful inheritance in the absence of a will
4. a registered lobbyist (registered lobbyists report these expenditures on the Lobbyist Schedule A form with their Lobbyist Activity Reporting forms)

☐ Mark here if you received no gifts as described above.
This page applies to questions 13 and 14 on the next page.

** If you are an elected official, candidate or state or higher education employee, you do not need to complete Worksheet A. You must, however, answer questions 13 and 14 about you and your spouse.

** All other filers: If you have been appointed to serve on a State Board, Commission or Agency by the Governor and receive no compensation for your service, you may not be required to report certain financial information about your spouse. Complete Worksheet A to determine if this spousal exemption applies. You still must report your own income and business information in questions 13 and 14.

---

**Worksheet A (for questions 13 and 14)**

**Part 1.** Are you a State Board, Commission or Agency member appointed by the Governor?

YES ___ Continue to Part 2.

NO ___ DO NOT complete parts 2 or 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

---

**Part 2.** Do you hold another office or employment position that requires you to file this Financial Disclosure Statement?

YES ___ DO NOT complete part 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

NO ___ Continue to Part 3.

---

**Part 3.** Complete this section to determine if you are exempt from disclosing certain financial information about your spouse in questions 13 and 14 on the next page.

List the name of the State Board, Commission or Agency of which you are an appointed member:

Board name: __________________________

Check each box that applies:

1. [ ] There is no compensation, per diem, salary or other payment authorized by state law for serving on this Board or Commission. (Excluding travel or expense reimbursement) Note: The test is not whether you decline compensation but whether it is authorized by code, statute or law.

2. [ ] Neither my spouse nor a business with which he or she is associated is regulated by the State Board, Commission or Agency on which I serve by appointment. ("Associated" is defined as a business in which your spouse, or his or her immediate family member, is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stocks of any class. "Immediate family member" means dependent children, grandchildren or parents.)

3. [ ] Neither my spouse nor a business with which he or she is associated has a contract with, or receives any grants or appropriations from, the State Board, Commission or Agency on which I (the filer) serve.

---

⇒ If you have checked all three boxes in Part 3 above, then answer questions 13 and 14 on the next page as they pertain only to you.

⇒ If you did not check all three boxes in Part 3, you must answer questions 13 and 14 in their entirety as they pertain to both you and your spouse.
13. **ALL** sources of income over $1,000 including employment - *(To determine if you must disclose income information about your spouse, refer to Worksheet A)*

   a. List *every* source or category of income or employment over $1,000 received by you and/or your spouse during the preceding calendar year in your name, or by any other person for your use or benefit. Include employment even if listed elsewhere on this Statement.
   b. Include distributions received from retirement and pension accounts.
   c. Do not list specific names of clients or customers. *For example*, if you are a lawyer or an insurance agent, do not list the names of your clients.
   d. Do not disclose actual dollar amounts of income, only the source.

   **Indicate if the income was received by you or your spouse by marking the appropriate box in the chart below.**

<table>
<thead>
<tr>
<th>Categories of income over $1,000</th>
<th>Description (or job title)</th>
</tr>
</thead>
<tbody>
<tr>
<td>self X spouse</td>
<td>Example: Social Security</td>
</tr>
<tr>
<td>self X spouse X</td>
<td>Example: Sold real estate</td>
</tr>
<tr>
<td>self X spouse</td>
<td>Example: Farming/timber</td>
</tr>
<tr>
<td>self spouse X</td>
<td>Example: Employment</td>
</tr>
<tr>
<td>self X spouse</td>
<td></td>
</tr>
<tr>
<td>self X spouse</td>
<td></td>
</tr>
<tr>
<td>self X spouse</td>
<td></td>
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<tr>
<td>self X spouse</td>
<td></td>
</tr>
<tr>
<td>self X spouse</td>
<td></td>
</tr>
<tr>
<td>self X spouse</td>
<td></td>
</tr>
</tbody>
</table>

14. **Business and/or Property Interests** - *(To determine if you must disclose business or property interests of your spouse, refer to Worksheet A)*

List the name and address of each business in which, during the past calendar year, you or your spouse held an interest with a fair market value of $10,000 or more including, but not limited to: non-publicly owned businesses, publicly or privately traded stocks, bonds or securities, including those held in self-directed retirement accounts, and commercial real estate. (For purposes of this question, DO NOT include mutual funds or specific holdings in mutual funds or retirement accounts. However, distributions from retirement accounts must be reported in question 13 if they are greater than over $1,000 annually.)

Attach additional sheets if necessary.

Mark here if neither you nor your spouse had any interest in a business or real estate as described above.

| self X spouse                    | Example: Jones Coal Hauling, 123 Main Street, Placeville WV |
| self X spouse                    | Example: Stonefront Apartment Building, 123 Main Street, Charleston WV 25312 |
| self X spouse                    | Example: Acme Bank Stock, 788 Water Street, Cincinnati OH 34343 |

Rev: 12-9-16
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY CODE.

WHEREAS, Various ordinances of a general and permanent nature have been passed by Council which should be included in the City Code;

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; now, therefore,

THE CITY OF MORGANTOWN HEREBY ORDAINS:

Section 1. That the ordinances of the City of Morgantown, West Virginia, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, chapters, articles and sections within the 2019 Replacement Pages to the City Code are hereby approved and adopted.

Section 2. That this Ordinance shall be effective from the date of its adoption.

FIRST READING: __________________________
MAYOR

ADOPTED: __________________________

FILED: __________________________
CITY CLERK

RECORDED: __________________________
Resolution No. 2019 - 

RESOLUTION APPROVING AGREEMENT WITH THE MONONGALIA COUNTY BOARD OF EDUCATION EXPENDING CITY FUNDS AT MOUNTAINEER MIDDLE SCHOOL

The City of Morgantown hereby resolves that the City Manager is authorized to execute the attached “Agreement” providing for expenditure of the funds of the City on property owned and operated by the Board of Education.

Adopted this ___ day of February, 2019.

________________________________________
, Mayor
City of Morgantown

________________________________________
City Clerk
Funding Agreement

This Funding Agreement ("Agreement") is executed this ___ day of ____________, 2019 by and between The City of Morgantown, West Virginia, a municipal corporation ("City") and the Monongalia County Board of Education, a political subdivision of the State of West Virginia ("BOE"), collectively referred to herein as the "Parties," upon the following terms and conditions:

1. Recitals. The following recitals are essential terms of this MOU:
   a. BOE operates Mountaineer Middle School on certain real property within the City identified as Parcel 13 21010400000000 and addressed as 991 Price Street (the "Real Estate").
   b. A retaining wall used for Mountaineer Middle School on the Real Estate requires repair, and BOE has requested the assistance of City in funding the repair.
   c. West Virginia Code section 8-12-5(49) authorizes expenditure of municipal funds for instruction and enlightenment of residents other than expenditures on free public schools, but City has obtained authority through the West Virginia Municipal Home Rule Pilot Program to expend funds on schools within the City by agreement with BOE.
   d. The Parties wish to work together to ensure a safe school facility is provided for the community.

2. Consideration.
   a. The City will contribute the sum of Fifty thousand dollars and zero cents ($50,000.00) to BOE for BOE use in making repairs to the retaining wall at Mountaineer Middle School. Payment shall be made by draft drawn on a qualified depository institution and delivered to BOE within sixty (60) days of the execution of this Agreement.
   b. BOE shall use the contributed funds in the manner, and at the time, it deems appropriate and City shall not have any management or control over the contractors or agents performing any work paid by the funds.
   c. The Parties represent and warrant that the mutual promises and obligations undertaken in this Agreement constitute valuable consideration for the continued performance thereof by each party and that such consideration is sufficient to support the duties of each party under this Agreement.

3. Use of Funds. The Parties' responsibilities with respect to the Sewer Facilities shall be as follows:
   a. BOE shall use funds for the purpose of repairing the retaining wall at Mountaineer Middle School and for no other purpose.
   b. BOE shall take full responsibility for the management of any third parties paid with the funds and for the work undertaken thereby.
   c. The Parties understand and agree that City exercises no oversight, and has no responsibility for, any work performed at the Mountaineer Middle School property.

4. Use of Real Estate. The Parties' responsibilities with respect to the Real Estate shall be as follows:
a. BOE represents and warrants that the contributed funds will be used for improvement of school facilities benefitting the public and that the use of such funds is in the public interest.

5. Notices. All communications, declarations, demands, consents, directions, approvals, instructions, requests, and notices required or permitted by this MOU shall be in writing and shall be deemed to have been duly given or made when delivered personally or transmitted electronically by facsimile or email, receipt acknowledged, or in the case of documented overnight delivery service or registered or certified mail, return receipt requested, delivery charge or postage prepaid, on the date shown on the receipt therefor, in each case at the address set forth below:

To the City:

City of Morgantown
Attn: City Manager
389 Spruce Street
Morgantown, WV 26505

To BOE:

Monongalia County Schools
Attn: Superintendent
13 S. High St.
Morgantown, WV 26501

Either party may modify the notice address by delivery of notice pursuant to the provisions of this Section.


a. The Parties acknowledge that financial obligations of each payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. In the event funds are not appropriated, budgeted, or otherwise available, this Agreement shall not be deemed to obligate or encumber such funds or any funds of either of the Parties.

b. Nothing contained in this Agreement shall be deemed or construed to operate for the benefit of any person or entity not a party to this Agreement.

c. Neither this Agreement nor any provision hereof may be amended, modified, waived, discharged, or terminated, except by an instrument in writing signed by all parties hereto.

d. The provisions of this Agreement shall be binding upon the successors and assigns of each of the parties.

e. This Agreement is executed in Morgantown, Monongalia County, West Virginia, and it shall be governed by the laws of the State of West Virginia without consideration of its conflict of law provisions. Disputes arising out of this Agreement shall be brought in the Circuit Court of Monongalia County, West Virginia.
f. This Agreement may be executed in any number of counterparts by the
parties hereto, and all such counterparts taken together shall constitute a single instrument.

Wherefore, in consideration of the foregoing, the Parties have executed this Agreement by their
authorized representatives as follows:

The City of Morgantown, West Virginia
By: Paul J. Brake, ICMA-CM, C. Ec. D.
Its: City Manager

Board of Education of Monongalia
County, West Virginia
By: Dr. Eddie R. Campbell, Jr.
Its: Superintendent
RESOLUTION

WHEREAS, the members of Morgantown City Council met on February 19, 2019, with a quorum present and passed the following resolution:

BE IT RESOLVED that the City of Morgantown, on behalf of the Woodburn School Redevelopment Commission, is requesting grant funding from the Monongalia County Commission in the amount of $25,000 to be used for repointing of bricks on the north side of the main building, Woodburn School.

THEREFORE WE, the City of Morgantown, are submitting a completed application and agree to comply with all requirements as set forth by the Monongalia County Commission.

________________________________________
Mayor

________________________________________
City Clerk
City Manager’s Report for City Council Meeting on February 19, 2019

New Business:

1. **Award Bid Call 2019-06 – Sunnyside Up TIF Phase 3A – Beverly Avenue Area improvements**

   Staff has sought construction bids for improvements in the Campus Neighborhoods Revitalization Corporation tax increment finance district. The improvements consist of constructing roadway, sidewalk, lighting and storm sewer improvements along Beverly Avenue and Model Alleyway. At the time the memorandum is written, staff is tabulating the bids and finalizing the analysis of the bid documents. A recommendation will be presented, at Tuesday’s meeting, for City Council action.

2. **Authorize City Manager to Execute Contract for Professional Architectural Services – Former Woodburn School**

   Attached you will find a memorandum from Development Director Chris Fletcher regarding the architectural services for the determined improvements to the former Woodburn School. As indicated, we have followed the West Virginia Qualifications Based Selection (QBS) Council’s guidelines for the review of this professional services. As you will see, staff recommends awarding the proposal from the Mills Group in the lump sum of $58,500. For the purposes of this action item, we are seeking a motion to authorize the City Manager to execute a contract for professional architectural services as described in this report.

Paul J. Brake, ICMA-CM, CECd
City Manager, Morgantown, WV
Date: THU, 14 FEB 2019
To (via email): Paul Brake, City Manager
cc (via email): Ryan Simonton, City Attorney
                     Damien Davis, City Engineer
                     Christine Wade, City Clerk
RE: Former Woodburn School | ADA Improvements | CDBG Project
    Professional Architectural Services | Mills Group

Following an extensive site and building assessment, the City budgeted $400,000 in CDBG funds
to undertake accessibility improvements to the former Woodburn School facility. This CDBG
project seeks to remove architectural barriers to tenant spaces currently occupied by the
Mountaineer Boys and Girls Club.

Specifically, ADA guided improvements will address the Parsons Street entrance, ground floor
restroom facilities, and an accessible elevator connecting the facility’s four (4) levels. The elevator
will also serve the second-floor tenant space currently occupied by the PopShop Performance
Academy. The extent to which improvements can be completed is dependent upon construction
bidding and funding.

Following the West Virginia Qualifications Based Selection (QBS) Council’s guidelines, Mills
Group was selected to provide architectural services for these improvements as the most qualified
firm among the six (6) submissions expressing interest in the project.

Damien Davis and I reviewed Mills Group’s proposal and determined it to be acceptable. The
proposed fees for architectural services are a lump sum of $58,500 billed monthly until completed
and additional project expenses (mileage, postage, printing) that should not exceed $1,000.

I respectfully recommend engaging Mills Group to move this project to its design phase promptly
by seeking City Council’s authorization for your office to execute a contract under the 19 FEB
2019 City Manager’s Report.

From the Desk of:
Christopher M. Fletcher, AICP
Director of Development Services