AMENDED AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
August 21, 2018
7:00 p.m.

1. CALL TO ORDER:

2. ROLL CALL:

3. PLEDGE TO THE FLAG:

4. APPROVAL OF MINUTES: July 31, 2018 Committee of the Whole Meeting minutes (Pg. 3)

5. CORRESPONDENCE: Citizens Police Academy (CPA) Awards – Chief Preston/Captain McCabe

6. PUBLIC HEARINGS:

7. CONSENT AGENDA:

8. UNFINISHED BUSINESS:
   A. BOARDS & COMMISSIONS:

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

10. SPECIAL COMMITTEE REPORTS:

11. NEW BUSINESS:
   A. Consideration of APPROVAL of A RESOLUTION AUTHORIZING CITY MANAGER, PAUL BRAKE, TO ACT ON ITS BEHALF TO ENTER A CONTRACTUAL AGREEMENT WITH THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, TO RECEIVE AND ADMINISTER GRANT FUNDS FROM THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR SAFETY EQUIPMENT UPGRADES (Pg. 15)

   B. Consideration of APPROVAL of A RESOLUTION APPROVING A GRANT APPLICATION TO FEDERAL AVIATION ADMINISTRATION (Pg. 19)

   C. Consideration of APPROVAL of A RESOLUTION AUTHORIZING CITY MANAGER, PAUL BRAKE, TO ACT ON ITS BEHALF TO ENTER INTO AN AGREEMENT WITH THE WEST VIRGINIA DIVISION OF MOTOR VEHICLES TO APPLY, RECEIVE, AND ADMINISTER GRANT FUNDS PURSUANT TO PROVISIONS OF THE WEST VIRGINIA GOVERNOR'S HIGHWAY SAFETY PROGRAM (Pg. 33)

   D. Consideration of APPROVAL of DEPUTY MAYOR DESIGNATION

12. ASSISTANT CITY MANAGER'S REPORT: (Pg. 35)
   1. Award Bid for 2018 Plumbing Project (Bid Call No. 2018-12) (Pg. 36)
   2. Sabraton Station Floor Plan Extension Request
13. REPORT FROM CITY CLERK:
14. REPORT FROM CITY ATTORNEY:
15. REPORT FROM COUNCIL MEMBERS:
16. ADJOURNMENT:

*If you need an accommodation contact us at (304) 284-7439*
COMMITTEE OF THE WHOLE MEETING July 31, 2018: The Committee of the Whole meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, July 31, 2018 at 7:00 p.m.

PRESENT: City Manager Paul Brake, City Attorney Ryan Simonton, Mayor Bill Kawecki, Deputy Mayor Mark Brazaitis, Council Members Rachel Fetty, Ryan Wallace, Jenny Selin, Ron Dulaney, and Barry Wendell.

Deputy Mayor Brazaitis called the meeting to order.

PRESENTATIONS:

1. Morgantown Convention and Visitors Bureau – Susan Riddle

   Susan Riddle, Director Morgantown CVB presented to Council what current events are happening and asked their support on a Hotel Lodging Tax. Ex. A.

2. Mountainline Bus Transit – Dave Bruffy

   Dave Bruffy, Director of Transit, presented a power-point on the transition of the Mountainline Main Terminal in downtown Morgantown to Westover and changes to routes that resulted from the move. He noted that the official change will take place on August 6, 2018.

3. Blue Zone Project – Colleen Harshbarger and The Blue Zone Team

   The Blue Zone Project Team spoke to council about an initiative the Health and Wellness Commission and WVU are exploring. The team presented a power-point explaining and the purpose of the Blue Zone Projects and how it helps communities create healthy choices for residents to live longer lives.

   There being no other presentations, Deputy Mayor Brazaitis continued to the Public Portion.

PUBLIC PORTION:

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

Adam Rosefsky, 640 White Avenue, noted his support for greenspace and his concerns about the purchase of Haymaker Forest and funding for BOPARC. He stated that he opposes the creation of the City ID card, placing officers in schools and purchasing tablets for council members. He voiced his concerns about the recent comments made by Deputy Mayor Brazaitis about WVU and Ron Justice.

Michael Clifford, 145 South High, Apt #1, thanked Councilor Dulaney for his comments at the July 24, 2018 Regular Meeting regarding his vote for Councilor Brazaitis as Deputy Mayor. He noted his concerns about recent comments made by Deputy Mayor Brazaitis about BOPARC. He stated his concerns about council serving on the Land Reuse Agency. He voiced his opposition to creating the City ID card.
Tim Wolfe, 3391 University Avenue, apologized to Councilor Wendell for the comments he made at the July 19, 2018 Regular Meeting. He noted his concerns about the comments that Deputy Mayor Brazaitis has been making about Mylan Park, and asked when the next Town Hall would be.

Alissa Ponzurick, 1030 Ridgeway Avenue, noted her concerns about comments made on social media by Deputy Mayor Brazaitis.

Mary Lynn Ulch, 1117 University Avenue, thanked Dave Bruffy, Director of Moutainline, Council and Hazel Ruby McQuain Trust for helping with the transition of the bus terminal.

Gerald Iwan, 1117 University Avenue, thanked Council and Dave Bruffy for relocating the bus depot.

Joene Patterson, 1117 University Avenue, thanked Council and Dave Bruffy for moving the bus depot from its current location.

Janeann Carmichael, 4191/2 Boyers Avenue, voiced her opposition of the relocation of bus depot and presented Council with a petition of signatures of those that are against the change. Ex. B.

William Hutchens, 1117 University Avenue, thanked Council for moving the bus depot and improving the Hazel Ruby McQuain Park.

Elizabeth Sneathen, 179 Bluegrass Village, noted to Council the importance of annexation to increase the City budget.

Tony Christini, 931 Southpoint Circle, mentioned to Council how he supports a levy for BOPARC on the November Ballot and thinks it is time to ask the County Commission help fund BOPARC.

Alex B, noted his concerns on changing time of the Council m meetings. He requested that Council respond to his recent correspondence.

**ITEMS FOR DISCUSSION:**

1. **Mountainline Bus Transit**

   City Manager suggested recommendation of what the City should focus on following the relocation of the bus depot. After discussion from Council. No action was taken on this item.

2. **City Identification Cards**
City Manager asked for this item to be placed on a future agenda to allow more time for administration to make a recommendation. Deputy Mayor spoke about his ideas for creating a City ID card. No action was taken on this item.

3. Resolution approving agreement with the Monongalia County Board of Education providing a School Resource Officer at Mountaineer Middle School

4. Resolution approving agreement with the Monongalia County Board of Education providing a School Resource Officer at Suncrest Middle School

5. Resolution approving agreement with the Monongalia County Board of Education providing a School Resource Officer at South Middle School

6. Resolution approving agreement with the Monongalia County Board of Education providing a School Resource Officer at Morgantown High School

Chief Ed Preston explained the reason for the School Resource Officers in all participating schools. After discussion, Council referred Resolutions to the August 7, 2018 agenda.

7. Discussion about tablets for City Council Members

City Manager mentioned to Council of the possibility of using tablets to cut down on the paper that is generated producing the packets. After discussion, Council referred item to the August 7, 2018 agenda.

**ADJOURNMENT:**

There being no further business, Council by consensus adjourned the committee of the whole meeting at 10:30 pm.

_____________________ ___________________
City Clerk Mayor
Article ###
Hotel Lodging Tax

###.01 Definitions.
###.02 Imposition of tax.
###.03 Occupancy billed to government agencies or employees
###.04 Collection of tax.
###.05 Records and returns.
###.06 Liability.
###.07 Exceptions.
###.08 Rules and regulations.
###.09 Disposition of proceeds of tax.
###.99 Penalty.

###.01 DEFINITIONS.
For the purposes of this article:

(a) "Consideration paid" or "consideration" means the amount received in money, credits, property or other consideration for or in exchange for the right to occupy a hotel room as herein defined.

(b) "Consumer" means a person who pays the consideration for the use or occupancy of a hotel room. The term "consumer" does not mean the government of the United States of America, its agencies or instrumentalities or the government of the State of West Virginia or political subdivisions thereof.

(c) "Hotel" means any facility, building or buildings, publicly or privately owned (including a facility located in a state, county or municipal park), in which the public may, for a consideration, obtain sleeping accommodations. The term includes but is not limited to, boarding houses, hotels, motels, inns, courts, condominiums, lodges, cabins and tourist homes. The term "hotel" includes state, county and city parks offering accommodations as herein set forth. The term "hotel" does not mean a hospital, sanitarium, extended care facility, nursing home or university or college housing unit, or any facility providing fewer than three rooms in private homes, not exceeding a total of ten days in a calendar year, nor any tent, trailer, or camper campsites: Provided, That where a university or college housing unit provides sleeping accommodations for the general non student public for a consideration, the term "hotel" does, if otherwise applicable, apply to those accommodations for the purposes of this tax.

(d) "Hotel operator" means the person who is proprietor of a hotel, whether in the capacity of owner, lessee, mortgagee in possession, licensee, trustee in possession, trustee in bankruptcy, receiver, executor or in any other capacity. Where the hotel operator performs his or her functions through a managing agent of any type or character other than an employee, the managing agent is a hotel operator for the purposes of this article and has the same duties and liabilities as his or her
principal. Compliance with the provisions of this article by either the principal or the managing agent is, however, considered to be compliance by both.

(e) “Hotel room” means any room or suite of rooms or other facility affording sleeping accommodations to the general public and situated within a hotel. The term “hotel room” does not include:

(i) A banquet room, meeting room or any other room not primarily used for, or in conjunction with, sleeping accommodations; or

(ii) Sleeping accommodations rented on a month-to-month basis or other rental arrangement for thirty days or longer at the inception at a boarding house, condominium, cabin, tourist home, apartment or home.

(iii) Sleeping accommodations rented by a hotel operator to those persons directly employed by the hotel operator for the purposes of performing duties in support of the operation of the hotel or related operations.

(f) “Person” means any individual, firm, partnership, joint venture, association, syndicate, social club, fraternal organization, joint stock company, receiver, corporation, guardian, trust, business trust, trustee, committee, estate, executor, administrator or any other group or combination acting as a unit.

(g) “State park” means any state-owned facility which is part of this state’s park and recreation system established pursuant to this code. For purposes of this article, any recreational facility otherwise qualifying as a “hotel” and situated within a state park is considered to be solely within the county in which the building or buildings comprising the facility are physically situated, notwithstanding the fact that the state park within which the facility is located may lie within the jurisdiction of more than one county.

(h) “Tax”, “taxes” or “this tax” means the hotel occupancy tax authorized by this article.

(i) “Taxing authority” means the [insert locale].

(j) “Taxpayer” means any person liable for the tax authorized by this article.

###.02 IMPOSITION OF TAX.

There is hereby imposed a tax on the use and occupancy of a hotel room within the boundaries of the City. The rate of such tax shall be six percent (6%) of the consideration paid for such use and occupancy. The tax shall be paid by the consumer or occupant of the hotel room and be collected by the hotel operator as a part of the consideration paid for the occupancy of the hotel room.

###.03 OCCUPANCY BILLED TO GOVERNMENT AGENCIES OR EMPLOYEES.

(a) Hotel room occupancy billed directly to the federal government shall be exempt from this tax; provided, that rooms paid for by a federal government employee for which reimbursement is made shall be subject to this tax.

(b) Hotel room occupancy billed directly to the state or its political subdivisions shall be exempt from this tax; provided, that rooms paid for by an employee of this State for which reimbursement is made shall be subject to this tax.

###.04 COLLECTION OF TAX.
(a) The tax shall be collectable by the hotel operator, who shall account for, and remit to the City, all taxes paid by the consumer. The hotel operator shall separately state the tax on all bills, invoices, accounts, books of account and records relating to consideration paid for occupancy or use of a hotel room.

(b) A hotel or hotel operator shall not represent to the public, in any manner, directly or indirectly, that it will absorb all or any part of the tax or that the tax is not to be considered an element in the price to be collected from the consumer.

(c) A hotel operator doing business wholly or partly on a credit basis shall require the consumer to pay the full amount of tax due upon the credit sale at the time such sale is made or within thirty days thereafter.

(d) Notwithstanding that the total amount of such taxes collected by a hotel operator may be in excess of the amount of which a consumer would be liable by application of the levy provided under Section 767.02 for the occupancy of a hotel room or rooms, the total amount of all taxes collected by any hotel operator shall be remitted to the City.

###.05 RECORDS AND RETURNS.

(a) Each hotel operator shall keep complete and accurate records of taxable sales and charges, together with a record of the tax collected thereon. Such records and documents shall be kept and maintained for a period of five years.

(b) The tax imposed by this article shall be due and payable in monthly installments on or before the fifteenth day of the calendar month next succeeding the month in which the tax accrued. Provided, that for credit sales in which the tax authorized by this article is not collected by the hotel operator at the time of such sales, such tax shall not, for the purposes of this article, be regarded as having accrued until the date on which it is either received by the hotel operator or upon the expiration of the thirty-day payment period set forth in Section 767.03(c) whichever shall first occur. The hotel operator shall, on or before the fifteenth day of each month, prepare and deliver to the City’s Finance Department a return for the preceding month in a form and containing such information as required by the Director of Finance. Such form shall include the following: The name of the operator; his residence address and the address of his principal place of business (if that is a different address) from which he engages in the business of renting, leasing or letting rooms in a hotel in this State; total amount of rental receipts received by him during the preceding calendar month from renting, leasing or letting rooms during such preceding calendar month; total amount of rental receipts received by him during the preceding calendar month from renting, leasing or letting rooms to permanent residents during such preceding calendar month; total amount of other exclusions from gross rental receipts allowed by this Act; gross rental receipts which were received by him during the preceding calendar month and upon the basis of which the tax is imposed; the amount of tax due; the signature of the hotel operator or a duly appointed agent; and such other reasonable information as the Department may require. A remittance for the amount of the tax due shall accompany each return. Each return shall be signed by the hotel operator or his duly authorized agent.

(c) The taxing authority shall, on or before the fifteenth day of each month, prepare and deliver a return for the preceding
month in a form and containing such information as required by the Director of Finance. Such form shall include the following: The date on which the return was composed; gross receipts; amount remitted by each hotel operator per taxation period; remittance amount to the GMCVB; and signature from the Finance Director (or equivalent) attesting to its accuracy.

###.06 LIABILITY.
(a) If any hotel operator fails to collect the tax imposed by this article, or fails to remit properly such tax to the City, he shall be personally liable for such amount as he failed to collect or remit.
(b) If the hotel operator is an association or corporation, the officers thereof actually participating in the management or operation of the association or corporation shall be personally liable, jointly and severally, for any default on the part of the association or corporation to collect or remit the tax as herein required.

###.07 EXCEPTIONS.
The tax imposed by this article shall not be collected in the following instances:
(a) When the hotel room occupancy is billed directly to the United States of America or any agency thereof.
(b) When the hotel room occupancy is billed directly to the State of West Virginia or any political subdivision thereof.

###.08 RULES AND REGULATIONS.
The Director of Finance must annually conduct audits of at least one quarter of the hotel operators subject to taxation by the taxing authority to determine whether the hotel tax remittance amount was appropriate. The hotel operators will be selected for audit at the discretion of the Director of Finance. The Director of Finance and Support Services may otherwise promulgate rules, regulations and administrative procedures concerning the assessment, collection and refund of the tax imposed by this article.

###.09 DISPOSITION OF PROCEEDS OF TAX.
From the revenues derived from the tax imposed by this article, Council shall appropriate such revenues in the following manner and for the following purposes:
(a) Fifty percent (50%) of the net revenue received by the City shall be appropriated to the Greater Morgantown Convention and Visitors Bureau, a private nonprofit corporation, whose address is 341 Chaplin Road Morgantown, West Virginia, 26501, for the promotion of conventions and tourism
(b) The remaining portion of the net revenues received by the City shall be appropriated for one or more of the following purposes:
   (i) The planning, construction, reconstruction, establishment, acquisition, improvement, renovation, extension, enlargement, equipment, maintenance, repair and operation of publicly owned convention facilities, including, but not limited to, arenas, auditoriums, civic centers and convention centers;
   (ii) The payment of principal or interest, or both, on revenue bonds issued to finance such convention centers;
(iii) The promotion of conventions;
(iv) The construction or maintenance of public parks, tourist information centers and recreation facilities; including land acquisition;
(v) The promotion of the arts;
(vi) Historic sites; or
(vii) Beautification projects.

###. Penalty.
(a) No person shall do any of the following:
(i) Willfully refuse to pay or collect the tax.
(ii) Willfully refuse to make the return required by this article.
(iii) Willfully make any false or fraudulent return or false statement in any return with the intent to defraud the City.
(iv) Willfully evade the payment of the tax, or any part thereof.
(v) Willfully aid or abet another in an attempt to evade the payment of the tax or any part thereof.
(b) No officer, partner or principal of any corporation or association shall willfully make or willfully permit to be made for such corporation or association any false return, or any false statement in any return, with the intent to evade payment of the tax.
(c) Whoever willfully violates any provision of this article shall be fined not more than five hundred dollars ($500.00).
(d) The Director may collect taxes due and unpaid under this article, together with all accrued interest and penalties, and for such purpose may exercise all the power authorized for the collection of taxes under the Charter and the provisions of this Code and other ordinances of the City and under the laws of the State. After any delinquency shall have continued sixty days, the Director may proceed in the Circuit Court of the County to obtain an injunction restraining the further exercise of the privilege until full payment shall have been made of all taxes and penalties due under this article. In any proceeding under this section upon judgment or decree for the plaintiff the City shall be awarded its costs.
(e) For purposes of this section, the terms
   (i) "Willfully" means the intentional violation of a known legal duty to perform any act, required to be performed by any provision of this article, in respect of which the violation occurs; provided, that the mere failure to perform any action shall not be a willful violation under this article. A willful violation of this article requires that the defendant have had knowledge of or notice of a duty to perform such act, and that the defendant, with knowledge of or notice of such duty intentionally failed to perform such act.
   (ii) "Evade" means to willfully and fraudulently commit any act with the intent of depriving the State of any tax which there is a known legal duty to pay
(iii) "Fraud" means any false representation or concealment as to any material fact made by any person with the knowledge that it is not true and correct with the intention that such representation or concealment be relied upon by the State.
coordinating the transition of the bus terminal.

- Walt Patterson thanked City Council and Mountainline Director Dave Bruffy for moving the bus depot from its current location.
- Gerald Iwan thanked City Council and Mountainline Director Dave Bruffy for moving the bus depot from its current location.
- Joene Patterson thanked City Council and Mountainline Director Dave Bruffy for moving the bus depot from its current location.
- Jeneann Carmichael voiced her concerns and opposition about the relocation of the Mountainline bus depot terminal.
- William Hutchens thanked council and voiced his support for moving the bus depot and improving the Hazel Ruby McQuain Park.
- Elizabeth Sneathen spoke to council about the importance of annexation to increase the City budget.
- Tony Christini spoke to council about his support for a county levy for BOPARC on the November ballot and to formally ask the County Commission to help fund BOPARC.
- Alex B. spoke to council about his concerns and opposition for changing the time of City Council meetings. He also asked about a response to his recent correspondence.

## Council Action

### Items for Discussion

- Mountainline Bus Transit
  - City Manager Paul Brake made recommendations of what the City should focus on following the relocation of the bus depot, including working with Mountainline to minimize impact, monitoring ridership numbers, funding/building bus shelters and continued long term planning on multi-modal transportation infrastructure.
  - Discussion ensued among council.

- City Identification Cards
  - City Manager Paul Brake asked for the topic to be placed on a future agenda to allow time for his office to make a recommendation. Deputy Mayor Mark Brazaitis spoke about his thoughts on creating a City ID card.
  - Discussion ensued among council.

- Resolution approving agreement with the Monongalia County Board of Education providing a School Resource Officer at Mountaineer Middle School
Keep the mountain line bus depot where it is at hazel ruby McQuarrie

Forrest Mayle
Saint McAllum
Julian Butler

Julia
(D uz) EK 80K
Carpenter Lenman
Tanner

Alexander Firth
Lapps Pierce

Anthony McRae

Amberlee Armstead

Bamiskapi

Jessica Conley
Cherkest McRae

Diana Anderson

Meside Overfield
Victoria Cecil

Alan Lipscomb

Bassam Aboodan
RESOLUTION

The City of Morgantown met on August 21, 2018 with a quorum present and passed the following resolution:

Be It Resolved that the City of Morgantown hereby authorizes its City Manager, Paul Brake, to act on its behalf to enter into a contractual agreement with the Department of Justice, Office of Justice, Office of Justice Programs, to receive and administer grant funds from the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for safety equipment upgrades.

Adopted this ___ day of August, 2018.

___________________________
Mayor

___________________________
City Clerk
Program Narrative (Attachment 1)

The City of Morgantown, West Virginia is applying for the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. According to the 2018 West Virginia JAG Allocations, the individual allocation award for Morgantown City is $14,844.00. The police department plans to use these funds for equipment purchases that will enhance its citizens’ and officers’ safety. These equipment enhancements are the purpose area for this grant. These funds will be used for the purchase portable radios, and necessary programing needs as well as accessories for the radios. This equipment enhancement will help the police department with its overall mission of providing quality police services by having the equipment needed to accomplish this goal. Portable radios are crucial in the everyday activities of police officers. Portable radios provide officers with the means by which to communicate effectively with emergency dispatch services as well as fellow officers. Currently the Morgantown Police Department supplies all officers with a portable radio, however the radios currently in use have aged to the point that they will soon become unserviceable. This program will begin the process of updating the department’s portable radio technology by slowly introducing more advanced up to date radios. These radios will have a much greater capacity and allow officers to communicate better with surrounding agencies. This capacity will better improve the Morgantown Police departments ability to participate more effectively in regional operations. Effective communication is the cornerstone of police work. By providing a more advanced communication system officers will be better equipped to effectively protect themselves and the public they serve. The equipment will provide officers with better tools to protect society and themselves, which is a pillar that American Policing is built upon. This occurs at a time when the decline in the economy
has made it difficult for police departments to purchase needed equipment to perform their duties and provide the type of services that the public has come to expect.

The purchases and expenditures from this grant will improve the Morgantown Police Department’s ability to perform its duty at the high level its citizens deserve.

The City of Morgantown will act as the fiscal agent for this grant. The City uses accepted financial practices of tracking all draw downs and purchases by the use of a purchase order system, receiving reports, and the payment and tracking of all invoices. The City will place the grant funds into an account by itself and it will be handled separately from other grants or federal funding. The City of Morgantown will use the grant funds in the purpose area designated to enhance its equipment and technology. The City will work toward completing all of the goals and objectives of the grant during the assigned grant period. It will file the appropriate financial, progress, and / or other required grant reports according to the grant guidelines. The City of Morgantown is not a high risk grantee for any grant making agency.
RESOLUTION APPROVING GRANT APPLICATION TO FEDERAL AVIATION ADMINISTRATION

The City of Morgantown hereby resolves that the Assistant City Manager is authorized to execute the attached grant application documents providing for an environmental assessment for the Runway 18-36 extension, together with any other documents necessary to apply for and accept the grant funds described in the attached documents.

Adopted this ___ day of August 2018.

__________________________
Mayor

__________________________
City Clerk
## Application for Federal Assistance SF-424

### 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

### 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

### 3. Date Received:
07/10/2018

### 4. Applicant Identifier:
MGN

### 5a. Federal Entity Identifier:

### 5b. Federal Award Identifier:

### 6. Date Received by State:

### 7. State Application Identifier:

### 8. APPLICANT INFORMATION:

**a. Legal Name:** City of Morgantown

**b. Employer/Taxpayer Identification Number (EIN/TIN):** 55-6000215

**c. Organizational DUNS:** 1776068670000

### d. Address:

- **Street1:** City of Morgantown
- **Street2:** 299 Spruce Street
- **City:** Morgantown
- **County/Parish:** Monongalia
- **State:** WV: West Virginia
- **Province:**
- **Country:** USA: UNITED STATES
- **Zip / Postal Code:** 26505-0000

### e. Organizational Unit:

- **Department Name:** City of Morgantown
- **Division Name:** Morgantown Municipal Airport

### f. Name and contact information of person to be contacted on matters involving this application:

- **Prefix:** Mr.
- **First Name:** Paul
- **Middle Name:**
- **Last Name:** Brake
- **Suffix:**

**Title:** City Manager

**Organizational Affiliation:** City of Morgantown

**Telephone Number:** (304)284-7405

**Fax Number:**

**Email:** pbrake@morgantownwv.gov
Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:
   - City or Township Government
Type of Applicant 2: Select Applicant Type:
Type of Applicant 3: Select Applicant Type:
   "Other (specify):

10. Name of Federal Agency:
    Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:
    20.106
    CFDA Title:
    Airport Improvement Program

12. Funding Opportunity Number:
    
    * Title:
    
13. Competition Identification Number:
    
    Title:
    
14. Areas Affected by Project (Cities, Counties, States, etc.):

15. Descriptive Title of Applicant's Project:
    Environmental Assessment for Runway 18-36 Extension

Attach supporting documents as specified in agency instructions.
Application for Federal Assistance SF-424

16. Congressional Districts Of:
   * a. Applicant: WV-1st
   * b. Program/Project: WV-1st

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:
   * a. Start Date: 04/22/2015
   * b. End Date: 09/30/2018

18. Estimated Funding ($):

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19. Is Application Subject to Review By State Under Executive Order 12372 Process?
   a. This application was made available to the State under the Executive Order 12372 Process for review on
   b. Program is subject to E.O. 12372 but has not been selected by the State for review.
   c. Program is not covered by E.O. 12372.

20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)
   Yes ☐ No ☑

   If "Yes", provide explanation and attach

21. "By signing this application, I certify (1) to the statements contained in the list of certifications" and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances" and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 215, Section 1001)
   ☑ ** I AGREE

   ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mrs.          * First Name: Emily
Middle Name:          
Last Name: Muzzarelli
Suffix:               
Title: Assistant City Manager
Telephone Number: (304)284-7405  Fax Number:  
Email: emuzzarelli@morgantownwv.gov

Signature of Authorized Representative: ☑  Date Signed: 08/13/2018
FAA Form 5100-101, Application for Federal Assistance (Planning Projects)

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 28 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200; no assurance of confidentiality is provided. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the FAA at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

INSTRUCTIONS FOR FORM 5100-101, Application for Federal Assistance (Planning Projects)

Part I of the Application for Federal Assistance consists of a completed Standard Form (SF) 424. The remaining parts of Form 5100-101 (Parts II, III, and IV) represent continuations pages that the Sponsor must attach to the SF-424 form. The signature of the Sponsor's authorized representative on the associated SF-424 form represents acceptance of the representations and certifications made within the corresponding FAA 5100-101 form.

Part II – Project Approval Information

Section A. Statutory Requirements

This information is necessary for the Federal Aviation Administration to evaluate this request for Federal assistance. Responses do not require an explanation unless explicitly requested by the question. As necessary, provide any supplemental information by attaching sheets to this application.

Item 1 – Indicate whether the Sponsor maintains an active registration in the Federal System for Award Management (SAM). Pursuant to 2 CFR §25.200(b), a Sponsor must maintain an active registration in the Central Contractor Registration repository (housed within www.SAM.gov) with current information at the time of the application and during the active period of the Federal award.

Item 2 – Indicate whether the Sponsor can commence the project within the same fiscal year the grant is made or within 6 months of when the grant is made, whichever is later. Attach explanation for negative responses. This information is considered when allocating available discretionary funds. (49 U.S.C. § 47115(d)(2))

Item 3 – Indicate whether the Sponsor can complete the project without unreasonable delays. If applicable, provide listing of foreseeable events (e.g., sponsor share issues, controversial issues, coordination delays, etc.) that have potential to delay completion of the project. (49 USC § 47106(a))
Item 4 – Indicate whether the project covered by this request is also covered by another Federal assistance program. If the project, or portions thereof, is covered by another Federal assistance program, identify the Federal assistance program by name and the Catalog of Federal Domestic Assistance (CFDA) number.

Item 5 – Indicate whether the Sponsor intends to seek reimbursement of indirect costs as defined by 2 CFR §200.414 and 2 CFR Appendix VII to Part 200. This information request does not include the indirect costs claimed by a for-profit entity (e.g. consultant).

The De Minimis rate may only be used if the Sponsor has not previously received a negotiated Indirect Cost Rate (ICR) and does not exceed the limitations prescribed in Appendix VII to Part 200.

A Sponsor with an existing approved negotiated ICR must identify the ICR value, the name of the cognizant agency that approved the ICR and the date of approval.

Limitations of use: Per policy, Sponsor’s may only apply an approved ICR to allowable direct salary expenses that are reasonable and necessary to carry out the project.

Section B. Certification Regarding Lobbying

This section addresses the Sponsor’s declaration regarding lobbying activities. The declaration made in the section are under signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached.

Title 31 U.S.C. § 1352 establishes that no appropriated funds may be expended by a recipient of a Federal grant to pay any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this covered Federal assistance action. Pursuant to 40 CFR part 20, this certification attests that the Sponsor has not made, and will not make, any payment prohibited payment by 31 U.S.C. § 1352.

Part III – Budget Information

This form section is designed so that application can be made for funds from one or more assistance programs. Include budget estimates for the whole project when completing Sections A, B, C, and D. All applications must contain a breakdown by the object class categories shown in Lines a-e of Section B.

Section A. Budget Summary

Lines 1-2, Columns (a) and (b) – For applications pertaining to a single grant program, enter on Line 1 under Column (a) the catalog program title and the Catalog of Federal Domestic Assistance (CFDA) number in Column (b). For applications pertaining to two funding programs, enter the program title on each line in Column (a) and the respective CFDA number (if applicable) on each line in Column (b).

Lines 1-2, Columns (c) through (e) – For each line entry in Columns (a) and (b), enter in Columns (c), (d), and (e) the appropriate amounts of funds needed to support the project. For changes to an existing application, enter new budget values in Columns (c), (d), and (e).

Line 3 – Show the totals for all columns used.

Section B. Budget Categories

The column headings (1) and (2) correspond to the program titles shown for Lines 1-2, Column (a), Section A. For each program, fill in the total requirements for funds (both Federal and non-Federal) by object class categories. The sub-columns address the “amount” and “adjusted amount”. The sub-column for “adjusted amount” need only be completed when revising a previously submitted application. The Total column represents the sum across all columns.

Lines 4 a-d – Show the estimated amount for each cost budget (object class) category for each column with program heading.

Line 4e – Enter the subtotal of lines 4a through 4d.

Line 4f – Enter the estimated amount of program income, if any, the Sponsor expects to generate from this project.
Line 4g – Subtract line 4f from line 4e. For all applications, the total amount in Total column, line 4g, must equal the total amount shown in Section A, Column (e), Line 3.

Section C. Source of Non-Federal Resources

Line 5-6 – Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A.
Column (b) - Enter the amount of cash and in-kind contributions to be made by the applicant.
Column (c) - Enter the State contribution if the applicant is not a State or State agency. Applicant(s) that are a State or State agencies should leave this column blank.
Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.
Column (e) - Enter the totals of Columns (b), (c), and (d).

Line 7 – Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 3, Column (d), Section A.

Section D. Forecasted Cash Needs

Line 8 –
   a. Column “Total for Project” - Enter the amount of cash needed from the grantor agency for the project.
   b. Columns 1st Year through 4th Year – Enter the anticipated cash need from grantor agency per fiscal year. The sum of years 1-4 must equal the value shown under Column “Total for Project.”

Line 814 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 9 –
   a. Column “Total for Project” - Enter the amount of cash needed from non-Federal sources for the project.
   b. Columns 1st Year through 4th Year – Enter the anticipated cash need from non-Federal sources per fiscal year. The sum of years 1-4 must equal the value shown under Column “Total for Project.”

Line 10 – Enter the amount of cash from all other sources needed by fiscal year.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Section E. Other Budget Information

Line 11 – Provide any other explanations required herein or any other comments deemed necessary.

Part IV – Program Narrative

Prepare the program narrative statement in accordance with the following instructions for all new grant programs. Requests for supplemental assistance should be responsive to Item 5b only. Requests for continuation or refunding or other changes of an approved project should be responsive to Item 5c only.

1. Objectives and Need for This Assistance

Provide a short and concise description of the proposed planning effort. Include a brief narrative on the objective of the planning effort and why it is needed.

2. Results or Benefits Expected

Identify anticipated results and benefits to be derived from this planning project.

3. Approach

   a. Outline a plan of action pertaining to the scope and detail of how the Sponsor proposes to accomplish the work.
   b. Identify any factors that might accelerate or impede progress of the planning effort.
   c. Provide list of activities in chronological order to show the anticipated schedule of accomplishments and their target milestone dates.

FAA Form 5100-101 (4/16) SUPERSEDES PREVIOUS EDITION
d. Identify project monitoring and oversight mechanisms the Sponsor proposes to implement.

e. List key individuals and entities such as consultant, Sponsor personnel and contractor who will work on the project. Provide a short description of the nature of their effort or contribution.

4. Geographic Location

Identify the location of the project and surrounding area to be served by the proposed project.

5. If Applicable, Provide the Following Information:

Describe the relationship between this project and other work planned, anticipated, or underway under the Federal Assistance listed under Part II, Section A. If scope objectives change, explain the circumstances surrounding the need to revise the application scope of work.
Application for Federal Assistance (Planning Projects)

Part II – Project Approval Information

Section A – Statutory Requirements

The term “Sponsor” refers to the applicant name as provided in box 8 of the associated SF-424 form.

<table>
<thead>
<tr>
<th>Item 1</th>
<th>Does Sponsor maintain an active registration in the System for Award Management (<a href="http://www.SAM.gov">www.SAM.gov</a>)?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ Yes □ No □ N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 2</th>
<th>Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ Yes □ No □ N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 3</th>
<th>Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ Yes □ No □ N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 4</th>
<th>Is the project covered by another Federal assistance program? If yes, please identify other funding sources by the Catalog of Federal Domestic Assistance (CFDA) number.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ Yes □ No □ N/A</td>
</tr>
</tbody>
</table>

| CFDA:  |                                                                                         |

<table>
<thead>
<tr>
<th>Item 5</th>
<th>Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ Yes □ No □ N/A</td>
</tr>
</tbody>
</table>

If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:

- □ De Minimis rate of 10% as permitted by 2 CFR § 200.414
- □ Negotiated Rate equal to ____% as approved by __________________________ (the Cognizant Agency) on _________________ (Date) (2 CFR part 200, appendix VII)

*Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.*
Section B – Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.
### Part III – Budget Information

#### Section A – Budget Summary

<table>
<thead>
<tr>
<th>Grant Program (a)</th>
<th>Federal Catalog No (b)</th>
<th>New or Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Federal (c)</td>
</tr>
<tr>
<td>1. Airport Improvement Program</td>
<td>20-106</td>
<td>$ 791,896</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. TOTALS</td>
<td></td>
<td>$ 791,896</td>
</tr>
</tbody>
</table>

#### Section B – Budget Categories (All Grant Programs)

<table>
<thead>
<tr>
<th>4. Object Class Categories</th>
<th>Airport Improvement Program (1)</th>
<th>Other Program (2)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Adjustment + or (-) Amount (Use only for revisions)</td>
<td>Amount</td>
</tr>
<tr>
<td>a. Administrative expense</td>
<td>$ 4,500</td>
<td>$</td>
<td>$ 0</td>
</tr>
<tr>
<td>b. Airport Planning</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c. Environmental Planning</td>
<td>875,384</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>d. Noise Compatibility Planning</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>e. Subtotal</td>
<td>879,884</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>f. Program Income</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>g. TOTALS (line e minus line f)</td>
<td>$ 879,884</td>
<td>$</td>
<td>$ 0</td>
</tr>
</tbody>
</table>

#### Section C – Non-Federal Resources

<table>
<thead>
<tr>
<th>Grant Program (a)</th>
<th>Applicant (b)</th>
<th>State (c)</th>
<th>Other Sources (d)</th>
<th>Total (e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>$ 43,994</td>
<td>$ 43,994</td>
<td>$</td>
<td>$ 87,988</td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. TOTALS</td>
<td>$ 43,994</td>
<td>$ 43,994</td>
<td>$</td>
<td>$ 87,988</td>
</tr>
</tbody>
</table>

#### Section D – Forecasted Cash Needs

<table>
<thead>
<tr>
<th>Source of funds</th>
<th>Total for Project</th>
<th>1st Year</th>
<th>2nd Year</th>
<th>3rd Year</th>
<th>4th Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Federal</td>
<td>$ 791,896</td>
<td>$ 791,896</td>
<td>$ 0</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>9. Non-Federal</td>
<td>87,988</td>
<td>87,988</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10. TOTAL</td>
<td>$ 879,884</td>
<td>$ 879,884</td>
<td>$ 0</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
</tbody>
</table>

#### Section E – Other Budget Information

11. Other Remarks: (attach sheets if necessary)
## Part IV - Program Narrative

(Suggested Format)

| PROJECT: Environmental Assessment for Runway 18-36 Extension |
| AIRPORT: Morgantown Municipal Airport |

### 1. Objective:
Morgantown Municipal Airport (MGW), also known as Walter L. Bill Hart Field, is a public airport that is owned and operated by the City of Morgantown, West Virginia.

The City of Morgantown is preparing this Environmental Assessment (EA) for a proposed 1,001-foot extension to Runway 18-36. This EA was undertaken by the City to fulfill the requirements necessary for compliance with the National Environmental Policy Act of 1969 (NEPA) its implementing regulations promulgated by the Council on Environmental Quality at 40 CFR 1400

### 2. Benefits Anticipated:
The overall benefits of the Proposed Action include:
- Support economic growth measures currently being promoted by the City of Morgantown
- Greater flexibility and higher level of safety flying in and out of MGW
- Fulfill the desired mission requirements for many corporate jet operators that utilize MGW on a regular basis
- Provide safety enhancements at MGW

### 3. Approach: (See approved Scope of Work in Final Application)
Establish and implement project management procedures for MGW EA; develop the scope of work for the EA for the proposed project; create a written description and illustration of the proposed action; define purpose and need chapter for EA; then, identify and define alternatives to the proposed action. Also, develop schematic drawings, quantities, order of magnitude cost and construction schedules for each alternative; evaluate the airspace, develop affected environment chapter for EA; identify direct, indirect, construction and cumulative environmental impacts resultant from the alternatives, and finally, prepare the final EA in accordance with FAA Orders 5050.4 Band 1050.1F. A public review period and a public meeting will be held to inform and solicit comments from the public on the proposed action.

### 4. Geographic Location:
Morgantown, West Virginia

### 5. If Applicable, Provide Additional Information:
See attached exhibit

### 6. Sponsor's Representative: (include address & telephone number)
J. Brad Homan, Michael Baker International, 100 Airside Drive, Moon Township, PA 15108
412-269-2744
RESOLUTION

The City Council of Morgantown, West Virginia, met on August 21, 2018, and passed the following Resolution:

BE IT RESOLVED THAT THE CITY OF MORGANTOWN hereby authorizes City Manager Paul Brake, to act on its behalf to enter into an agreement with the West Virginia Division of Motor Vehicles to apply, receive, and administer grant funds pursuant to provisions of the West Virginia Governor’s Highway Safety Program.

__________________________
MAYOR

__________________________
CITY CLERK
The Morgantown Police Department will be applying for a Governors Highway Safety Grant. The amount we are applying for is up to $110,000.00. This money will be used for the reimbursement of police officer overtime for the following areas:

1. Speed Enforcement/Aggressive Driving
2. School Bus Safety Enforcement
3. Click it or Ticket (seatbelts)
4. Seat Belt Checkpoints
5. DUI Enforcement
6. Sobriety Checkpoints
7. Underage Enforcement
8. DRE Enforcement
9. Distracted Driving Enforcement
10. Work Zone Enforcement
11. Target Red (Traffic Light)

This Grant will start on October 1, 2018 and end on September 30, 2019.
Assistant City Manager’s Report for City Council Meeting on August 21, 2018

New Business:

1. **Award Bid for 2018 Plumbing Project (Bid Call No. 2018-12)**
   The Project consists of constructing the replacement & modification of sanitary and storm piping at City Hall. The City’s Engineering Department has solicited two estimates for the proposed work.

   Attached, you will find a memorandum from City Engineer, Damien Davis, PE, detailing the responding contractor and tabulation of the bids. The Department is recommending Lytle Construction Corporation in the bid amount of $269,700.00. Mr. Davis recommends that Lytle Construction Corporation be awarded the contract. Although the bids received were high than anticipated, the bid amount is still within the funds currently set aside in the Capitol Escrow budget (no budget amendments are needed).

   Council action is needed in awarding the bid to the recommended contractor.

2. **Sabraton Station Floor Plan Extension Request**
   Sabraton Station has requested a floor plan extension for an event, Fall Fest, scheduled on October 13, 2018. The event will include outdoor entertainment, live music, and games. Sabraton Station is requesting an approval letter from the City of Morgantown to use with their application to ABCA for a permit.

   Council action is needed in providing the approval letter.

Emily Muzzarelli, P.E.
Assistant City Manager, Morgantown, WV
Memorandum

To:       Emily Muzzarelli  
           Asst. City Manager  

From:    Damien Davis, PE  
          City Engineer  

Date:    August 16, 2018  

Re: Award of 2018 Plumbing Project (Bid Call No. 2018-12)

Mrs. Muzzarelli,

Bids were opened on August 14, 2018 for the above-mentioned project. The results are as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lytle Construction Corporation</td>
<td>$269,700.00</td>
</tr>
<tr>
<td>HRANEC Sheet Metal, Inc.</td>
<td>$279,000.00</td>
</tr>
</tbody>
</table>

This is the second advertisement for this project. The first advertisement did not receive any bids. Contractors that attended the first pre-bid meeting indicated that the amount of work taking place around the area and the availability of sub-contractors prohibited them from bidding on the project.

The bids received from the second advertisement were considerably higher than Staff and the City’s consultant, Miller Engineer, had anticipated. The project was estimated to be in the $150,000 to $200,000 range. Although the bids are high than anticipated the amount is currently within the City’s budget. After reviewing the bids Engineering recommends award of the contract to Lytle Construction Corp.