AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
June 18, 2019
7:00 p.m.

1. CALL TO ORDER:

2. ROLL CALL:

3. PLEDGE TO THE FLAG:

4. APPROVAL OF MINUTES: May 21, 2019, Regular Meeting minutes

5. CORRESPONDENCE: MUB letter

6. PUBLIC HEARINGS:
   A. AN ORDINANCE AMENDING ARTICLE 155 OF THE CITY CODE GOVERNING THE MORGANTOWN PARKING AUTHORITY
   B. AN ORDINANCE AMENDING SECTION 1713.01 OF THE CITY CODE UPDATING THE STATE BUILDING CODE

7. UNFINISHED BUSINESS:
   A. Consideration of APPROVAL of (SECOND READING) of AN ORDINANCE AMENDING ARTICLE 155 OF THE CITY CODE GOVERNING THE MORGANTOWN PARKING AUTHORITY
   B. Consideration of APPROVAL of (SECOND READING) of AN ORDINANCE AMENDING SECTION 1713.01 OF THE CITY CODE UPDATING THE STATE BUILDING CODE
   C. BOARDS & COMMISSIONS

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 THE CITY HUMAN RIGHTS COMMISSION TO CONDUCT AN “OPEN FOR ALL” CAMPAIGN WITH BUSINESSES AND ORGANIZATIONS IN THE CITY OF MORGANTOWN
   B. Consideration of APPROVAL of A RESOLUTION FOR ESTABLISHMENT OF A MINORITY LIAISONS COORDINATING COUNCIL
   C. Consideration of APPROVAL of (FIRST READING) OF AN ORDINANCE PROHIBITING BULLYING IN CITY SERVICES, ACTIVITIES, PROGRAMS, AND FACILITIES SERVING YOUTH
D. Consideration of APPROVAL of A RESOLUTION AUTHORIZING SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY 2019-2023 CONSOLIDATED PLAN, FY 2019-2020 ANNUAL ACTION PLAN, AND 2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

12. CITY MANAGER’S REPORT:

   INFORMATION
   1. DRAFT ANNEXATION PLAN - OPEN HOUSES
   2. 2019 MOUNTAIN LINE BUS SHELTER PROJECT UPDATE

   NEW BUSINESS
   1. MORGANTOWN TRAFFIC COMMISSION RECOMMENDATION – TRAFFIC CONTROL RECONFIGURATION AT THE LAUREL / PARKVIEW / ELMHURST INTERSECTION
   2. ABCA FLOOR PLAN EXTENSION – GENE’S BEER GARDEN | AL BONNEROO EVENT
   3. ABCA FLOOR PLAN EXTENSIONS (2) – CLASSICS 3 | BO HARPER MEMORIAL RIDE

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*
MEMORANDUM

TO: City Council
    Chris Fletcher, Acting City Manager
    Ryan Simonton, City Attorney

FROM: Timothy L. Ball, General Manager, MUB

DATE: June 12, 2019

SUBJECT: CITY COUNCIL – MEETING INFORMATION
         June 18, 2019

I described to City Council on Tuesday June 4th that our next step, in the evaluation of alternatives and the selection of a route for the raw water pipeline, would be to conduct soil sampling and analysis within White Park along routes 3 and 8. At that time, I expected that the field work for the soil sampling would be completed by MUB’s pending June 20th Board meeting. Based on that expectation, I predicted that, if the initial field results from the soil sampling were favorable, the Board would make a route selection on June 20th, with that selection being contingent upon any remaining final lab results being determined acceptable.

Since those June 4th remarks, we have learned that the soil sampling will not begin as soon as had been expected. This is due in part to the fact that the engineer / contractor performing the work will not be available until June 24th.

Also affecting the schedule is the fact that a license agreement to allow the soil sampling is necessary. BOPARC will be a party to that agreement, and the earliest date that their approval can be considered will be at their board meeting on June 19th.

Because the field work for soil sampling will now not have begun, and even the initial field results will be unknown at the time of the MUB June 20th Board meeting, I will recommend to the MUB Board that selection of the pipeline route be postponed.

A date for MUB to make a selection of the route, and for MUB to formally present a recommendation to City Council remains to be determined. I will keep the City Manager informed as progress toward these goals is achieved.

Thank you for your continued support and for your interest in this vitally important project.
AN ORDINANCE AMENDING ARTICLE 155 OF THE CITY CODE GOVERNING
THE MORGANTOWN PARKING AUTHORITY

The City of Morgantown hereby ordains that Article 155 of the City Code is amended as follows:

155.07 POWERS AND DUTIES.

(a) The Parking Authority shall have the power and authority within the City to construct, acquire, improve, extend, equip, operate and maintain automobile parking facilities, including parking lots, parking buildings and parking ramps deemed necessary or incidental to provide off-street parking facilities for vehicles within the City, and all such works shall be under the custody, control and supervision of such authority.

(b) The Parking Authority shall have the power to collect revenues from the parking facilities established pursuant to this Article and from all parking meters within the public rights-of-way of the City therefrom for the services rendered thereby, which revenues shall be delivered to the Finance Director and maintained by him in a separate fund designated as the "Parking Facilities Revenue Fund". The revenues from the operation of off-street parking facilities, after allowance for the cost of maintenance and operation, shall be available for the payment of the interest on and principal of the bonds proposed to be issued, which payments shall be made by the Finance Director, with the approval of Council, and no other expenditures from such Fund shall be made without the approval of Council; except, that the Finance Director may honor requisitions from the Parking Authority for reasonable and necessary expenditures not to exceed the sum of five hundred dollars ($500.00) or any amount of funds available in the budget of the Parking Authority in any fiscal year.

(c) The Parking Authority shall have power to take all steps and proceedings, and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties; provided, that any contract involving the expenditure of a sum in excess of five hundred dollars ($500.00) in any fiscal year, and any contract relating to the financing or the acquisition, construction, extension or equipment of any such works, or the issuance of any bonds, or any trust indenture shall be first approved by Council. Rates or charges for the use of, and for the services rendered by the municipal public automobile parking facilities shall be established by Council.

(d) The Parking Authority shall have the power to employ engineers, architects, inspectors, superintendents, managers, collectors, attorneys and such other employees as in its judgment may be necessary in the execution of its powers and duties, and may fix their compensation, and all such employees shall perform such work and labor as the Parking Authority may direct. All such compensation and expenses incurred in carrying out the provisions of this article shall be paid out of the funds provided under this article and under the provisions of West Virginia Code Article 8-16, and such Authority shall not exercise or carry out any authority or power herein given it so as to bind such Authority or the City beyond the extent to which moneys shall have been, or may be provided for its use by Council, or moneys provided under the authority of West Virginia Code Article 8-16.
(e) No contract or agreement exceeding the sum of one thousand dollars ($1,000) shall be made without advertising for bids, which bids shall be publicly opened and award made to the lowest qualified responsible bidder, with power in the Parking Authority to reject any and all bids. Contracts for public improvement projects shall be competitively bid in accordance with the provisions of West Virginia Code Chapter 5, Article 22, and contracts for equipment and supplies shall be made in accordance with the provisions of City Code section 129.05. After the construction, installation, completion or the acquisition of any such public works, the Parking Authority shall operate, manage and control the same, and may order and complete any extensions, betterments and improvements of and to the works that such Authority may deem expedient, if funds therefor are available, or made available as provided in such sections of the Code of West Virginia, and such Authority shall have the right to establish rules and regulations for the use and operation of such works and to do all things necessary or expedient for the successful operation thereof.

(f) The Parking Authority shall also have the power to adopt rules, regulations, and by-laws for the conduct of its business and affairs.

(g) The Parking Authority shall make monthly reports to Council. Such reports shall show the financial condition of the various facilities operated by the Parking Authority including receipts and expenditures. The Parking Authority shall provide such other reports and information as Council may from time to time require or request. Any such reports may also in the discretion of the Parking Authority or at the request of Council include such recommendations concerning the activities of the Parking Authority as may be determined proper.

155.08 APPOINTMENT OF SPECIAL POLICE OFFICERS.

The Parking Authority shall have authority to appoint special police officers, whose sole duties shall be to patrol, and to enforce Municipal ordinances upon or within, designated parking lots and parking buildings under the control of and operated by the Parking Authority. In the performance of such duties, such special police officers shall be vested with power to make arrests, issue summons, sign complaints and request the issuance of capiases. Such special police officers shall be in uniform, shall display a badge or other sign of authority and shall serve at the will and pleasure of the appointing authority. The cost of providing such special parking lot or parking building police officers shall be paid from revenues derived from off-street parking lots or parking buildings.

155.085 PARKING ENFORCEMENT OFFICERS.

(a) The Parking Authority shall have authority to enforce municipal parking ordinances within the City.

(b) The Parking Authority shall may appoint parking enforcement officers who will patrol and enforce Municipal parking ordinances upon the streets of the City of Morgantown and in the facilities established pursuant to this Article, and, in the performance of such duties shall be vested with power to issue summons and citations and sign complaints.
(c) Parking enforcement officers shall be in uniform and display a badge or other sign of authority.

(d) The salaries of such parking enforcement officers shall be paid by the Parking Authority, and the Parking Authority shall retain all income derived from the curbline parking meters.

(e) Parking enforcement officers shall acquire no civil service rights under the civil service rules of the State, shall acquire no rights under the policemen's pension and relief fund provisions of the West Virginia Code, nor shall the limited power delegated to them herein be construed as power or authority of a peace officer.

This ordinance shall be effective upon the date of adoption.

FIRST READING: __________________________

ADOPTED: Mayor

FILED: __________________________

City Clerk

RECORDED:
AN ORDINANCE AMENDING SECTION 1713.01 OF THE CITY CODE UPDATING THE STATE BUILDING CODE

The City of Morgantown hereby ordains that Section 1713.01 of the City Code is amended as follows:

1713.01 ADOPTION.

There are hereby adopted and incorporated by reference herein the following portions of the State Building Code, as published by the International Code Council ("ICC"), to be known as the Building Code of the City of Morgantown, West Virginia, for the purpose of regulating construction, alteration, addition, removal and demolition of buildings and structures, together with the additions and amendments hereinafter provided:

(a) The 2015 edition, International Building Code, with the following exceptions and additions:

(i) The section entitled "Fire Prevention" and identified as Section 101.4.5 is deleted and not considered to be a part of this section.

(ii) The entire subsection entitled "Qualifications" and identified as Section 113.3 is deleted and replaced with the following:

"Section 113.3. Board of Appeals
113.3 Qualifications. The board of appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years experience, five of which shall be in responsible charge of work. No less than one of the members of such Board of Appeals shall be a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor."

(iii) The following appendices are applicable:

Appendix E - Supplementary Accessibility Requirements; and
Appendix H - Signs.

(b) The 2015 edition of the International Plumbing Code
(c) The 2015 edition of the International Mechanical Code
(d) The 2015 edition of the International Fuel Gas Code, with the following exception:

(i) Section 404.10 Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

(e) The 2015 edition of the International Property Maintenance Code, with the following exceptions and additions:

(i) Section 110.3 Failure to Comply, shall be modified as follows:

"Unless authorized by W.Va. Code § 8-12-16. or absent the express
consent of the owner, if the owner of a premises fails to comply with a demolition order within the time prescribed. The legal counsel of the jurisdiction shall institute appropriate action in the Circuit Court of the County in which the property is located against the owner of the premises where the structure is or was located seeking an Order causing the structure to be demolished and removed. Thereafter, the local jurisdiction, through an available public agency or by contract or arrangement with private persons, shall demolish and remove the structure and the costs thereof, as well as all fees and costs incurred in the legal action, shall be a lien upon such real estate."

(ii) The following appendix is applicable:
Appendix A - Boarding standards.


(h) The 2015 edition of the International Residential Code for One and Two Family Dwellings, with the following exceptions and additions:

(i) Chapter 11 of the 2015 edition of the International Residential Code for One and Two Family Dwellings, Seventh Printing, entitled Energy Efficiency," is exempt from this section.

(iii) Section G2415.12 (404.10) Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

(iv) Section R311.7.5 Stair Treads and Risers
(A) 311.7.5.1 Riser Heights -- The maximum riser height shall be eight and one-quarter (8 1/4) inches.

(B) 311.7.5.2 Tread Depth - The minimum tread depth shall be nine (9) inches.

(v) Section R403.1.7.1: Building Clearances From Ascending Slopes is not applicable to this section.

(vi) Section R403.1.7.2: Footings Setbacks From Descending Slope Surfaces is not applicable to this section.

(vii) Pursuant to Title 87, West Virginia Code of State Rule, Series 4, Section 5.1, New One and Two Family Dwellings over one level in height, New One and Two Family Dwellings containing a basement, and New One and Two Family Dwellings containing a crawl space containing a fuel burning appliance below the first floor, shall provide one of the following methods for fire protection of floors: (1) A ½ inch (12.7 mm) gypsum wallboard membrane, 5/8 inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member; (2) Wood floor assemblies using dimension lumber or structural composite lumber equal or greater than 2 inch by 10 inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance: or (3) An Automatic Fire Sprinkler System as set forth in Section R313.1 or
R313.2 of the 2015 edition of the International Residential Code for One and Two Family Dwellings: Provided, That floor assemblies located directly over a space protected by an automatic sprinkler system as set forth in section R313.1 or R313.2 of the 2015 edition of the International Residential Code for One and Two Family Dwellings are exempt from this requirement.

(viii) Pursuant to Title 87, West Virginia Code of State Rules, Series 4, Section 5.2, Townhouses meeting the Fire Resistant Construction Standard R302.2 will be treated as New One and Two Family Dwellings and shall comply with the referenced Section 5.1 immediately above.

(ix) The following appendices are applicable:

   Appendix D - Safety inspections of existing appliances
   Appendix E - Manufactured Housing used as Dwellings.


(k) The 2014 edition of the National Electric Code, NFPA 70


Wherever referenced in the several ICC codes adopted above, any reference to the International Fire Code should be substituted with the NFPA Life Safety Code 2015 edition. The State Building Code and its application within this City shall be subject to Legislative Rules adopted by the West Virginia State Fire Commission and authorized by the West Virginia Legislature.

This ordinance shall be effective upon adoption.

FIRST READING:

______________________________
MAYOR

ADOPTED:

______________________________
CITY CLERK

FILED:

RECORDED:
City of Morgantown

STRATEGIC PLAN FOR DIVERSITY, EQUITY, AND INCLUSION

FOR

CITY WORKFORCE, VOLUNTEER POLICY ADVISORS, AND COMMUNITY MEMBERS

Prepared by

Morgantown Human Rights Commission

For the

Morgantown City Council

and the

Morgantown Community

DRAFT 5/16

389 Spruce Street
Morgantown, West Virginia

Month XX, 2019
ACKNOWLEDGMENTS

MAYOR AND CITY COUNCIL
Mayor William Kawecki
Deputy Mayor Jenny Selin
Mark Brazaitis
Ron Dulaney, Jr
Rachel Fetty
Ryan Wallace
Barry Lee Wendell

City Manager – Paul J. Brake
City Clerk – Christine Wade
Human Resources Director – John Bihun
City Attorney – Ryan P. Simonton

WVU DIVISION OF DIVERSITY, EQUITY, AND INCLUSION
Meshea L. Poore, Vice President Diversity Equity, and Inclusion
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Franklin Hairston, Affirmative Action Equal Opportunity Officer
Dr. David M. Fryson, Senior Advisor for Diversity Community Outreach for the Office of President

MORGANTOWN HUMAN RIGHTS COMMISSION
Jan Derry, Chair
Marlene Robinson-Savino, Vice Chair
Kristen Cooper, Secretary
Drew Bucy
Kate Levine
Jena Martin
Jacob Powers
Tim Hairston, State Human Rights Commission, Ex-Officio
Don Spencer, Program Assistant
CONTENTS

ACKNOWLEDGMENTS .................................................................................................................. 1
CONTENTS .................................................................................................................................. 1
EXECUTIVE SUMMARY .............................................................................................................. 1
   Part One: Preface ................................................................................................................... 1
   Part Two: Definitions and Conceptual Framework for the DEI Plan ........................................... 3
   Part Three: Vision for Morgantown and Related Needs for Cultural Competence ..................... 5
   Part Four: Diversity Management Practices .............................................................................. 7
   Part Five: Strategies for Implementing the Diversity Management Practices ......................... 11
RESOURCES AND REFERENCES ................................................................................................. 17

APPENDICES .............................................................................................................................. 22
   A. Morgantown Census Selected Profiles
   B. Listing of Morgantown Authorities, Boards, Commissions and Departments
   C. Current Application Form for Volunteer Positions
   D. Executive Summary of Human Rights Need Survey of 2014
   E. List of Benefits for City Employees
   F. Cultural Proficiency Continuum
   G. A Citizens City Government Academy Format
   H. Equal Employment Opportunity Commission (EEOC) Definition of Harassment
   I. List of Ordinances Required to Implement the Plan for Diversity, Equity, and Inclusion
   J. Projected Distribution Profiles for Responsibilities in Implementation of DEI Plan
   K. Presentation on Diversity in The Workplace (Published by Morgantown Dominion Post)
EXECUTIVE SUMMARY

The City of Morgantown Strategic Plan for Diversity, Equity and Inclusion is a plan prepared through the three-year efforts of the City of Morgantown Human Rights Commission to help generate a foundation for constructive diversity and equity in city employee and volunteer personnel which 1) will be closely proportionate to the city’s overall population as well as 2) support creative, effective, respected partnerships in conducting the work of local government.

Based on the use of best practice studies of other municipalities and other related research, this plan identifies strategic elements which have been found to be most essential in 1) promoting the benefits of diversity, equity, and inclusivity in city employment, 2) overcoming actual or perceived discrimination, and 3) affirming demonstrated benefits of a diverse workplace.

Persons are empowered when treated with equity and justice while working together as a team to provide purposeful, quality, consumer-oriented services to meet the needs of the public. In Part Four, specific “Diversity Management Practices” are selected to be the strategic elements in this plan. Part Five, the final section of the plan, presents specific changes and practices for Morgantown which are recommended for the city employee workforce and in its volunteer policy advisors.

PART ONE: PREFACE

Communities across the country are changing rapidly in terms of population diversities. Census data projections indicate that by 2050 there will no pronounced racial or ethnic majority in the nation. The City of Morgantown has already experienced a higher percentage of diversity in its population than has the State of West Virginia as a whole. This higher diversity has been a result of its cultural heritage, the presence of West Virginia University faculty and students from a wide range of international and national locations, and the presence of large medical and engineering education and service complexes.

In order for Morgantown to continue to grow economically and educationally, it will be important for the city to continue to attract persons and resources with experience relating to living in multiple locations. The city also must continue to grow in its ability to integrate its population diversity. Being an inclusive city is an important element in having Morgantown grow with the times and to be considered “a good place to live.”

It is useful to consider that people have lived collectively since the beginning of history not only for mutual protection but also for economic and cultural sharing. The stories in all religions include the importance of relating humanely and fairly with “strangers.” Today, through our development as a nation and as a planet, we realize that “strangers” can mean persons with differences in terms of gender, age, race, color, sexual orientation, mental or physical functioning, and education as well as religion, culture, geographical orientation, nationality, economic status, family status, attitudes, values, political persuasion, experience as a veteran, diet, technology, etc.

Constructive relationships with “strangers” are not only important in cities and communities but also in organizations. Today’s corporations of all sizes have come to realize that respecting and
working toward inclusive diversity using standards of equity is essential in terms of a company’s connections with its marketplace, employee motivation, employee innovation, employee recruitment and retention, and the continuous quality improvement of its workforce productivity and marketplace credibility. (y) All of these elements are critical to the enhancement of organizational proficiency.

According to Richard Florida, “cities with greater diversity are more innovative, creative and dynamic, and have a better quality of life. The pursuit of diversity should not be a politically correct strategy or a public relations gimmick, but rather a strategy to maintain profitability and sustainability.” (w.l) These observations relate to city departments as well as entire communities. Group thought, or “herd” thinking, can be a continuation of confining tradition. On the other hand, one good idea can mean revitalizing success for everyone. (u.v)

Some of the steps taken by local government in the past to address diversity involved leading school integration in West Virginia in 1955. The City of Morgantown has continued to take public steps toward integration in various forms since the civil rights era. After the integration of the WVU athletic teams came the decision of the City Council to integrate the city recreation facilities in 1963. The election of a woman to City Council in 1971 was followed by the election of the first woman mayor in 1973, the election of the first black woman as mayor in 1991, the establishment of a Human Rights Commission in 2001, and reconstitution and redirection the Human Rights Commission to work toward building an inclusive city in 2012.

In reviewing the progress in integrating the Morgantown workforce as a whole, it is helpful to determine what factors contribute most to establishing and maintaining diversity in personnel. The integration of diversity in city workforces has varied considerably throughout the country. Studies on how local governments are responding to a need for evolution toward inclusivity are beginning to emerge. Notable examples have focused on the establishment various forms of diversity management practices in organizations and the factors which influence the progress toward diversity in various communities. The benefits of diversity according to R. Thomas, regardless of how diversity is defined, can accrue to an organization or a community if it is encouraged, supported and managed properly. Wyatt-Nicol and Antwi-Boasiako summarize Thomas as follows:

Managing diversity simply calls for the manager to ensure that cultural and political realities do not advantage or disadvantage anyone because of irrelevant considerations. ... Diversity management also emphasizes organizational performance through recruitment, retention and developmental strategies beyond the framework of Equal Employment Opportunity and Affirmative Action. Organizations seek to address underrepresentation and maintain compliance with the law through affirmative action plans. In contrast, organizations seek to increase productivity and performance through diversity management. (bb)

Establishing a mission statement and goals for addressing diversity as well as enacting diversity management practices are found in social research to be essential for community progress. Working toward diversity representation and equality in treatment of personnel, however, is not enough. Experience has demonstrated that following the “letter of the law” in Affirmative Action directives must be followed by deliberate efforts to build inclusive engagement. There needs to be
attention given to nurturing and protecting individuals in all groups. The needs in a city workforce of diverse employees and volunteers are no different. Diversity and equity and inclusion: all three elements are critical, interrelated components to successful strategy in achieving and sustaining effective diversity.

This three-point strategy is vital for each component in City leadership. In a counting within the past decade, Morgantown has approximately 255 City employees working in 15 budgeted core departments. In addition, there are 322 employees in 3 free standing City departments: Board of Parks and Recreation, Morgantown Utility Board, and Municipal Parking Authority. (See Appendix B.) How does the diversity in city employees compare with the City population diversity numbers? Are the numbers of employees closely proportionate to the diversity in demographic numbers reported for the City in the U.S. Census?

Appendix A presents a profiling of Morgantown’s 2010 U.S. Census population. Census data, however, does not always profile all of significant personal differences in a community. Even so, what follows is an example of differences only relating to race and ethnic minorities with 2015 information demonstrating how City of Morgantown employees reflect or fall short in proportionately reflecting the City 2010 population’s diversity.

<table>
<thead>
<tr>
<th>Demographic</th>
<th>City Employees % at 242 (2015)</th>
<th>City Population % at 29,660 (2010)</th>
<th>City Employees % under (over) City Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>97%</td>
<td>89.7%</td>
<td>(7.3%)</td>
</tr>
<tr>
<td>Black or African American</td>
<td>2%</td>
<td>4.1%</td>
<td>2.1%</td>
</tr>
<tr>
<td>Amer. Indian or Alaska Native</td>
<td>0%</td>
<td>.01%</td>
<td>.01%</td>
</tr>
<tr>
<td>Asian</td>
<td>0.4%</td>
<td>3.4%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Native Hawaiian/ Pacific Is.</td>
<td>0%</td>
<td>0.1%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>0%</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td>Hispanic or Latinx</td>
<td>0%</td>
<td>2.6%</td>
<td>2.6%</td>
</tr>
</tbody>
</table>

Employees are only part of the City’s workforce. Volunteers are selected from the citizenry to advise on decision making and policy formation. There are 29 boards, commissions and authorities which work in partnership with the City’s governing body, administrators, and departments. In a recent count there were 274 citizen volunteer members participating in support of the City’s operations. The number of volunteers working with the city exceeds the number of employees. Both groups of personnel are integral to the City government’s effectiveness in serving the public. Working toward diversity in both employees and volunteers is critical to the City’s present and future proficiency. (v)

**PART TWO: DEFINITIONS AND CONCEPTUAL FRAMEWORK FOR THE DEI PLAN**

With the reconstitution of the Morgantown Human Rights Commission (herein often referred to as “the Commission”) in 2012, additional terms and definitions were added to the city’s Ordinance on Human Rights. The most notable new term was “inclusive city”—a term which undergirds the work of the Commission and represents the expressed values and vision of the city as represented
by City Council action re-authorizing the Commission’s work. This ordinance provides a foundation for this Strategic Plan for Diversity, Equity and Inclusion, the terminology utilized, and the strategies selected.

Article 153, Section 153.02 of the Morgantown City Code now reads as follows:

"Inclusive City" and "Inclusive Community" as used in this ordinance, shall mean the same thing, e.g., a city that helps people thrive by: supporting hospitality; welcoming diversity; promoting civility; promoting safe, affordable dwellings; enabling participation in community, services, and local government; supporting fairness in access to opportunities and services; reducing violence; supporting social justice; encouraging awareness and understanding of opportunities/limitations; making residents aware of the West Virginia Human Rights Commission; and working for a more sustainable community for present and future citizens.

In creating this plan, the Commission identified and, in some cases, adapted definitions from several sources listed in the bibliography. Terms essential to understanding this strategic plan’s goals and outcomes are diversity, equity and inclusion.

In an organization or a community, diversity is a term which relates to differences as manifested by individuals or groups of individuals. When diversity is used to identify persons according to common characteristics, it is commonly associated with race, color, ethnic or national origin. In reality diversity also relates to many other factors—not least of all age, gender and gender identity, sexual orientation, abilities, disability, education, religion, body type/shape, ancestry, family status, economic status, experience as a veteran, and other matters of background, orientation, or life experience. (y, bb)

In groups of persons such as a city department or board or commission, persons with differing underrepresented characteristics can contribute to group diversity. As within a research process where evaluating different experience or practices can usually yield a better understanding of an issue, so can a diverse group usually generate a more comprehensive, proficient response in group problem-solving.

Equity is sharing with individuals or groups the resources and benefits in an organization based on what the need is determined to be. The resources in an organization for its workforce include access to selection for a job, orientation to support job performance, fair compensation, fair access to benefits, and respect. (v)

For volunteers, having information about participation opportunities, access to open selection procedures, orientation and training, fair communication and respect are essential. It is important to note that the concept of equity is not the same as the principle of equality. In the latter there is an equal distribution of resources for all.

Inclusion is a process in which individuals are included as full members of a group in terms of its social network and team performance. Inclusion is a process by which persons can be fully engaged in the work life which benefits both employee satisfaction and the effective proficiency of the organization. This need relates to the service of volunteers as well as employees.
Four terms essential to implementation of this strategic plan are **equitability in the workplace**, **cultural competence**, **organizational effectiveness/proficiency**, and **diversity management practices**.

**Equitability in the workplace** is a safe condition in which there is freedom to work without harassment, discrimination, or incidents involving sexism, racism, or other profiling. Protection for those who express these concerns is essential for building or rebuilding trust. Nurturing change in an organizational culture when there is bias and/or abuse is a pre-condition for promoting, cultivating, and strengthening diversity. (v)

**Cultural competence/sensitivity** is the ability to both understand and relate to persons of different cultures or conditions in the United States and to persons from other countries. It is based on a service provider’s ability to have:
1) the awareness to identify the difference which may present a barrier to the person’s ability to receive essential communication or services;
2) the attitude which allows the service provider to take seriously the person’s need for additional assistance;
3) the knowledge to broker additional assistance; and
4) the skills to follow-up in an appropriate way. (p. u, bb) *(See Cultural Proficiency Continuum in Appendix F.)*

**Organizational effectiveness/proficiency** is produced by different organizations in different ways but the common factors usually involve having a sense of direction, use of resources with efficiency, performance of some tasks with high skills, concentration, and willingness to innovate. (cc) Municipal organizations can be considered to have the same needs, but as local service organizations, the need for cultural proficiency and the ability to relate to culture and diversity can be critical sources of strength and effectiveness. To be an effective, proficient municipal organization today, there needs to be an inclusive and equitable workplace with diversity at all levels, engagement and partnership with the community, and nurturing of collaborative partnerships and alliances. (v)

**Diversity Management Practices** are methods which an organization can adopt to be responsive to long-term diversity as well as to more recent changes in community populations. Planning and managing in ways which create proportionate representation in a city’s workforce proactively requires specific actions to be taken by an organization to achieve the benefit of diversity. (n, o,bb)

**PART THREE: VISION FOR MORGANTOWN AND RELATED NEEDS FOR CULTURAL COMPETENCE**

“We want the City of Morgantown the way it is, only better.” (d)

The City of Morgantown is a city with many advantages in terms of its local institutions and services as well as in having a progressive, hopeful outlook by its city leadership for its future. West Virginia University is growing in performance, facilities, and national stature. The hospitals and health services improve each year, and the industries and commerce continue to demonstrate
both stability and growth potential. Neighborhoods have made organizational progress in the recent decade. Many international families call Morgantown home, and the friendliness in the community is widely appreciated. The people's diversity, character, knowledge, strength, creativity, generosity, and sense of fairness are assets on which to build.

There is more, however, that can be done to continue to build inclusivity and a viable economic base for all as well as a healthful sustainability in Morgantown's future. Residents as well as persons having to commute long distances to work in Morgantown still experience serious inequalities due to limited housing options and supply. They are also challenged by the lack of availability of livable wage economic opportunities, restricted schedules in public transit, lack of adequate mental health and drug treatment services, inaccessible and minimally maintained public infrastructure—all of which affect public employees and their families and the governance which the city provides. (See Appendix D.) The chart which follows lists the priorities of unmet needs reported by 657 respondents in the 2014 Morgantown Human Rights Need Survey:

**Percentage of Respondents Reporting Areas in which Morgantown Needs Improvement to become a More Inclusive City**

![Diagram showing percentages of respondents reporting various needs](image)

*It is noteworthy that a significant number of respondents (at least 40%) selected each of the activities. Over half of respondents selected more education about how citizens can be more inclusive in business, community activities, and other areas; more community activities to highlight the diverse characteristics of Morgantown citizens and their positive contributions; more education in schools about Morgantown's diversity; more jobs with livable wages; and more accessible and affordable housing. Another activity selected by 46% of respondents was more education about laws against discrimination, followed by more enforcement of laws against*
discrimination (41.1%) and more publicity about Morgantown’s efforts to become an inclusive community (40.0%).” (See Executive Summary of Human Rights Need Survey in Appendix D.)

In order to progress toward making the city” better”, city leadership must understand and address priority needs of the city as well needs in city governance. Volunteers in city advisory roles—as well as city staff—need to understand the needs of the community and the nature of the inherent partnership among citizens, elected officials, city volunteer advisors, and city staff. This partnership, when strong, works to help empower employees to provide quality, customer-oriented services to meet the needs of the public.

Sustained responsive staff services is largely determined by the “team” spirit and collaborative relationships within the staff. The proficiency in service occurs when there is a customer-orientation in service delivery regardless of the diversity in each individual being served. For staff to be driven by values of customer-orientation requires that there be a base of mutual respect and support for each staff person in the service unit and organization as a whole. This requires strategic attention being given to both cultural competency/senility training as well as diversity management and non-discriminatory equity.

**PART FOUR: DIVERSITY MANAGEMENT PRACTICES**

Diversity Management Practices enable a city to plan for achieving diversity and to manage means by which the total workforce and volunteer advisors can more likely reflect the benefits of diversity in the workplace and proportionate representation of a city’s population.

Critical factors in the design of a Plan for DEI are the component practices by which the program can be operationalized day to day and year to year. Nationwide, all local municipal government plans for generating and supporting diversity have not been uniform. Studies have classified variations in use of diversity management practices (DMPs) by municipalities and counties in ways to recruit/hire diverse workforces, retain them, and enhance environmental performance. There also have been DMPs identified which are applicable to generating and supporting the participation of community volunteers on municipal authorities, commissions, and boards as well.

This section of the Plan for DEI provides an overview of the twelve diversity management practices selected by the Human Rights Commission for adoption in City of Morgantown operations. It is based primarily, but not exclusively, on the research and a report of Hur and Strickland prepared at Appalachian State University located at Boone, NC (o, n) as well as on a study by Wyatt-Nichol at the University of Baltimore School of Public Affairs in Baltimore, MD and Antwi-Boasiako at the Stephen F. Austin University Department of Government at SFA Station Nacogdoches, TX. (n, bb)

1. Non-Discrimination in Employee Personnel Practices

An essential foundation for diversity, equity and inclusion for city employees is establishing the assurance that there is a standard of non-discrimination adopted specifically for employees by the city. Employees must be able to have the assurance that they will be protected from being treated differently than other persons and safeguarded with “the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on actual or perceived race,
religion, color, national origin, ancestry, sex, sexual orientation, gender identity, age, blindness, disability, familial status or veteran status.” (Article 153 in City Code)

2. Diversity Mission

Having a mission statement on diversity established by a city council provides a foundation for city management and administration recognition that diversity is a priority in all city personnel practices and decision-making. A mission statement generates a purposeful sense of direction for the city—internally as well as externally. Persons being considered for appointment or for hiring can be provided with the city mission statement and can know that psycho-social and cultural differences will be respected and valued.

3. Diversity Plan

A diversity plan provides a means for the diversity mission to be understood, adopted, measured and amended. Generating diversity in a workforce of volunteers and employees can take several years and must be manageable and sustainable.

4. Diversity Plan Management and Accountability

Depending on the form of city government, the implementation and oversight of a plan for diversity needs to be the responsibility of the chief executive who can delegate specific responsibilities for management of a plan to the director of human resources for city employees and to a city clerk or other person responsible for management of plan components relating to volunteer personnel.

For the city’s diversity mission to succeed with its workforce and volunteers, responsible managers and department administrators must be committed and accountable for making diversity in both employees and volunteers a priority and also provide frequent support through communications with staff, volunteers, and the public at large.

At the close of each fiscal year, the city executive, or his/her designee, needs to prepare a report on the diversity status of all employees and volunteers, share the report with a human rights commission or personnel board for review and comment, and then submit the report with comments to the city council.

5. Diversity Training

The director of human resource could be in a position to initiate equitability and diversity training for departments after initial training by a diversity program facilitator. Through new employee orientation and frequent training occurring no less than annually, employees will be able to understand and value more readily staff diversity and its benefits. Such training can be integrated with other training related to human resources and cultural competence/sensitivity. On-going training in diversity, along with mentoring and internship initiatives, can provide a foundation for achieving higher levels of diversity awareness, overcoming unconscious biases, education on organizational benefits, advanced sensitivity to issues, personnel retention, and inclusivity.
In the management of volunteer personnel selected by City Council to serve on boards, commissions and authorities, understanding the city’s diversity mission will be important preparation for citizen volunteers’ participation in decision-making and advisory service roles. Establishment of new volunteer orientation sessions will be essential for meeting this plan’s goals.

6. Recruiting, Screening, and Hiring Staff from Diverse Minorities

The need for outreach distribution of employment and volunteer position openings can best be addressed by using multiple means of social media in efforts to inform highly diverse groups of potentially qualified candidates. Diversity recruiting needs to include local newspapers but also Facebook, blogs, and emailing to minority organizational contacts, newsletter editors, employment offices, selected internet sites, professional organizations—as well as postings in public buildings, businesses and locations frequented by minority populations, and more as may be needed.

Established procedures for screening of top applicants needs to involve reference checks and include the participation of a director of human resources or other designated administrative staff representative in addition to the department head involved in filling the position. Final confidential screening only by the human resources director should include background checks.

7. Community Engagement in City Government Diversity

City Council’s process for filling a vacancy on an authority, board or commission should be an open process which allows time for processing recommendations from City Council members and individuals as well as the respective authority, board or commission involved. There also needs to be outreach engagement with neighborhood associations as well as other organizations representing or advocating for diversity interests in the community. Each candidate needs to confirm interest in serving by applying online, by postal delivery, or in person to the city clerk or volunteer manager who shall impartially administer the interviews and record the selection outcomes. (See Appendix C for current Morgantown volunteer application form.)

Annual or periodic communication with outreach organizations needs to involve evaluation of outreach effectiveness and organization communication preferences.

To assure transparency, interviews of candidates for volunteer positions needs to be televised or otherwise be open to the community. City council members need to be informed on the diversity status of current membership of the authority, board or commission before decision-making processes on selection of a volunteer begin.

8. Formal Mentoring to Minority Employees

Recruiting diversity in personnel is only part of the challenge in addressing lack of diversity. Essential to progress is supporting retention through coaching and mentoring of minority employees to familiarize them with the city’s norms and expectations while supporting them in their abilities to make use of their unique perspectives. Such support and attention can promote high productivity, better overall workforce performance, and higher organization proficiency.
9. Minority Internship Program

Internship programs help students and other prospective job candidates learn from a prototypical structured learning environment as well as provide an opportunity to test out new skills. For workplace personnel, it allows established employees to become familiar with persons who may be different but not part of their work force. Both have the potential for a stimulating and more inclusive work and learning experience. The overall experience can provide an excellent means for connecting minority job candidates with future city employment as opportunities permit.

10. Diversity Management Review by Human Rights Commission

Even though the city executive is the primary director to oversee the implementation of a city’s plan for diversity, a city’s human rights commission is in a position to help monitor the status of a plan’s implementation. The city’s annual reporting of comparative personnel statistics for both workforce employees by department and selected city volunteers makes it possible for the Commission to help monitor progress in Plan implementation and in personnel diversity and to report on its review annually to the city council at the close of each fiscal year.

11. EEO/Affirmative Action Plan/Non-Discrimination

A city’s plan for diversity offers a process by which goals and objectives of an EEO/Affirmative Action Plan relating to personnel can be implemented and achieved. In the event that an EEO/Affirmative Action Plan should not be required by federal or state law, the city’s Plan for DEI remains a means by which the city can sustain its process for working toward increased organization inclusivity and proficiency through generation and protection of diversity in both employees and volunteer participation.

In West Virginia the State Human Rights Commission is the designated EEO Commission and can be a primary resource for processing charges by employees or applicants because of employment discrimination relating to race, color, religion, sex, pregnancy, national origin, age (40 and older), disability, or genetic information. The EEOC often tries to settle claims with the help of a mediator. Sometimes, the EEOC takes cases to court. The EEOC does not charge a fee to investigate, mediate or litigate charges. The EEOC also educates employers, employees and the public about job discrimination. Supplemental nondiscrimination protections relating to sexual orientation, gender identity and veteran status are available through the City Human Rights Commission. *(See Article 153 of the Morgantown City Code.)*

12. Comparable Statistics Monitoring and Reporting

Utilizing the city’s demographic representations of various ethnic groups reported in Census data is an established means for estimating progress toward proportional representations in a city’s personnel. Communities and institutions which do not utilize personnel in a manner which reflect proportional representation are more open to criticism in crisis. Studies purport that when municipalities reflect the demographic representation of the communities they serve, they will be more responsive to the public and perform better. *(n, o, bb, etc.)*

The comparable internal statistics on workforce and volunteer personnel by the City of Morgantown need to be evaluated by race (black, Hispanic, Native American, Asian, white,
other/unknown), age and generational diversity (40+, under 40), gender (male, female, transgender, non-binary), and disability based on self-disclosure.

When statistical standards are not applicable—such as with measurement of gender identity information, the availability of city policies which comply with national equity standards can be reported. (For example, see National Center for Transgender Equality website.) On policy matters related to gender identity, the implementation of standards specified in the Municipal Equality Index conducted by the national Human Rights Campaign can be included with annual municipal statistical reports.

PART FIVE: STRATEGIES FOR IMPLEMENTING THE DIVERSITY MANAGEMENT PRACTICES

This Section identifies 30 actions which will strategically enable improvement of diversity, equity and inclusion in the City of Morgantown’s employment and volunteer workforces. The numbering of the strategic action steps corresponds to the numbers of the Diversity Management Practices selected and presented in Section Four.

1.1 Adoption of Non-Discrimination Ordinance Relating to City Employment

To protect employee equity and inclusion as well as manage diversity, the City as an employer cannot make legal decisions based on protected classification as delineated in Article 153 in the City Code (or in EEO laws) when imposing work conditions, granting privileges, or when determining pay, benefits, bonuses, or time off. Nor can the City use protected classifications in advertising jobs, recruiting, hiring, forcing retirement, terminating, decreasing or restricting benefits, or establishing waivers on the right to sue in exchange for severance pay.

Under employment discrimination laws, the City also faces liability in actions relating to harassment, retaliation, employment advertisements, and promotions based on preferred characteristics.

All such issues as well as a need for authorized appeal procedures are essential to a municipal corporate foundation for non-discrimination standards and employee leadership training.

1.2 Annual Salary, Benefit, Bonus, and Time-Off Audit

Each fiscal year, the City Human Resources Director shall review all salary, benefit, bonus and time benefits for each employee to assure employment system equity regardless of employee diversity or specific health needs of a spouse or legal domestic partner.

2.1 Adoption of a City Mission Statement

A city’s mission statement needs to include an articulation of the city’s commitment to diversity, equity, and inclusion. A statement generated by the City Human Rights Commission which follows is an example of such a statement:

“Our mission is to value and serve the entire diverse community of Morgantown by providing responsive, effective, and cost-efficient mandated services supplemented by
resourceful, collaborative initiatives to enhance the quality, prosperity, health and safety in life for all—today, tomorrow, and further in the future.”

City Council must adopt a mission statement with opportunities for public input in order for it to have broad-based usefulness.

3.1 Adoption of a Diversity Plan

Having a diversity plan can support consistent application of diversity management initiatives and increase the potential for both protective and productive outcomes. Procedures and standards relating to both employees and volunteers working for the City allows the City to more effectively maintain goal-directed services, take advantage of diversity in present and future personnel, provide legal protections from discrimination, and generate and support an even more proficient, satisfying, and valued service experience for all involved.

3.2 Statement of Purpose for the Diversity, Equity, and Inclusion Plan

The purpose of the City of Morgantown Strategic Plan for Diversity, Equity and Inclusion (Plan for DEI) is to create a diverse volunteer assemblage and a respected community of employees in the City’s workforces consistent with the diversity in the City’s population. The plan’s mission is:

1) to demonstrate diversity and inclusivity in City employment and volunteer participation in the City;
2) overcome actual or perceived discrimination on the basis of race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, age, blindness, disability, familial status or veteran status which can limit opportunities for individuals and the potential proficiency of the City; and
3) to affirm the demonstrated benefits of a diverse workplace where empowered persons are treated with equity and justice while working together to provide quality, customer-oriented services to meet the needs of the public.

The City Council must adopt a plan for diversity, equity and inclusion in order for it to be a foundation for priority policies for the City.

3.2 Goal Statements for Plan for DEI

The goals for this Plan for DEI are as follows:

1. To promote and sustain employee and volunteer personnel management practices in Morgantown City Government to strategically generate and support greater diversity, equity and inclusivity in City personnel.
2. To develop personnel measurement procedures to provide for annual assessment and reporting on personnel diversification in relation to census information and another adopted baseline information.
3. To promote inclusive engagement of city residents in the work of the City through outreach, education, reporting, and advocacy.

It is to address these goals that the following additional Diversity Management Practices are recommended.
4.1 City Manager to Lead Diversity Program

The implementation and oversight of the Plan for DEI in Morgantown needs to be activated by the City Council assigning responsibility for the program to the City Manager, who could in turn delegate specific responsibilities for management of the Plan to the Director of Human Resources for city employees and to the City Clerk for management of Plan components relating to volunteer personnel. The responsibility for ultimate oversight of the program would remain with the City Manager who would supervise the preparation of an annual report at the end of each fiscal year.

4.2 Information for Public Reporting

The offices responsible for volunteer service coordination and the human resources office for city employees shall collect and retain information necessary for the completion of the City Manager’s annual report as specified in this Plan.

4.3 Administrative Transitions

After a year of DEI Plan implementation, the Director of Human Resources and the City Clerk would survey the members of the Morgantown City Council to determine recommended courses of action relating to DEI continuity when administrative transitions occur.

5.1 Initial Training on Diversity and Orientation to Cultural Competence/Sensitivity Skills

After the Plan for DEI is adopted by City Council, it is highly recommended that the city engage a cultural competence facilitator to provide basic orientation of city employees to the DEI program. The facilitator would prepare to meet first with the City Manager(s), the Human Resource Director, the City Councilors, department heads with the Human Resource Director, and then provide orientation to diversity and basic cultural competence/sensitivity training for aggregations of city employees. The facilitator would then meet with the City Clerk, Mayor and City Manager to help plan orientation sessions for newly appointed volunteer advisors for authorities, boards, and commissions.

The City Council will need to authorize expenditure of funds for a contract with a cultural competence facilitator.

5.2 Training Hubs

Establish the Human Resources Department as the training hub for all city staff training including training for diversity, equity, and inclusion concepts and skills. Establish the City Clerk’s Office as the training hub for training and orientation relating to diversity and cultural competence/sensitivity for all newly appointed advisory volunteers.

5.3 Training Outcomes

Establish quantitative and qualitative measures of training related to City DEI Goals.

5.4 City Council Training

Provide volunteer training session on diversity and cultural competency/sensitivity to all City Council members every two years when new council members are selected.
5.5 Online Complaint/Compliment Portal

Establish an online complaint/compliment portal to each city department by displaying web site contact information through the city home page.

6.1 Social Media Outreach on All Posted Vacancies

Establish and sustain the practice of the Human Resources Office working with the City Communications Coordinator to use online and printed media outreach to inform neighborhood and special interest populations on externally posted city employment vacancies. Examples of outreach recipient organizations for recruitment and reporting will include: the use of the city’s online Communique, neighborhood associations, Neighborhood Coordinating Council, NAACP, Fairness WV, Community Coalition for Social Justice, AME Church, Boys and Girls Club, WVU Women and Gender Studies Program, WVU LGBTQ Center, WVU Center for Black Culture and History, WVU Division of Diversity, Equity and Inclusion, Business and Professional Women’s Club, Friendship Room, Caritas House, Bartlett House, Human Rights Commission, and others through social media as well as upon individual request.

7.1 Community Engagement in City Government Diversity

City Council’s process for filling a vacancy on an authority, board or commission shall be an open process which allows time for processing recommendations from City Council members and individuals as well as the respective authority, board or commission involved. The City Clerk in coordination with the City Communications Coordinator shall be responsible for conducting outreach relating to city volunteer vacancies to neighborhood associations as well as to other organizations representing or advocating for diversity interests in the community.

Examples of outreach recipient organizations for recruitment of diversity for volunteer positions could include the use of the City’s online Communique, neighborhood associations, Neighborhood Coordinating Council, NAACP, Fairness WV, Community Coalition for Social Justice, AME Church, Boys and Girls Club, WVU Women and Gender Studies Program, WVU LGBTQ Center, WVU Center for Black Culture and History, WVU Division of Diversity, Equity and Inclusion, Business and Professional Women’s Club, Friendship Room, Caritas House, Bartlett House, Human Rights Commission, and others through social media as well as upon individual request.

7.2 Annual Review of Outreach Communication

Annual or periodic communication with outreach organizations shall include evaluations of outreach effectiveness and organization communication preferences.

7.3 Outreach Workshop on Authorities, Boards and Commissions

With the leadership of the Mayor or Deputy Mayor with the City Clerk and the participation of some volunteers on authorities, boards, and/or commissions, the City shall conduct an annual outreach workshop to provide information and discussion for members of the general public who may be interested in learning more about volunteer advisory opportunities.
7.4 Face-to Face Meetings

City Councilors and volunteer representatives will be encouraged by the Mayor, the Deputy Mayor, and the City Clerk to convene face-to-face meetings with interested prospects or candidates for volunteer positions in City governance from a wide range of organizations, neighborhoods, hospitals, industries, chambers, occupations, industries, etc.

An alternative means for generating face-to-face meetings with prospects or candidates interested in volunteer service to the City would be to conduct a “Citizens’ City Government Academy” in which a series of classes on topics relating to city governance in Morgantown could be offered to interested local citizens. (See Appendix G for a draft format for a Citizens’ City Government Academy.)

7.5 Review of Diverse Neighborhood Representation

During the first quarter of each year, the Human Rights Commission shall work with the Mayor, Deputy Mayor and City Clerk to review status of volunteer representations and to ensure that authorities, boards, and commissions represent a diversity of Morgantown residents.

7.6 Applications for Volunteer Positions on Authorities, Boards and Commissions

To confirm and record interest in specific volunteer positions within the city governance, each candidate shall submit an application online, by postal delivery or in person to the City Clerk who shall impartially administer the interviews and record the selection outcomes. Applications shall be considered active for 12 months after which interested candidates must renew their applications at their own initiatives.

7.7 Transparency of Interview and Selection Procedures

To assure transparency, interviews of candidates for volunteer positions needs to be televised or otherwise be open to the community. City Council members need to be informed on the diversity status of current membership of the authority, board or commission before decision-making processes on selection of a volunteer begin.

7.8 Conflict of Interest

In order to protect the public interest, any voting member of an authority, board or commission with a conflict of interest relating to a binding legal decision shall withdraw from the decision-making process related thereto due to potential personal interest, prejudice or partiality.

7.9 Term Limits

Encourage term limits for participation on authorities, boards and commissions by requiring publicly broadcasted interviews for all reappointments and through evaluation of board composition in light of diversity needs related to age, gender and gender identity, race, abilities/disabilities, sexual orientation, and veteran status as well as the specialized needs specific to an authority, board, or commission.
7.10 Gender Equality

In appointing volunteers to authorities, boards and commissions, the City Council shall make deliberate efforts to appoint roughly equal numbers of persons who identify as men and women as members of each entity.

8.1 Formal Mentoring to Minority Employees

Whenever a person with minority background is employed, the personnel director will take steps to link the new minority person with an existing minority mentor for six months to help establish support productive integration and to promote employee retention.

9.1 Minority Internship Program

When minority students serve internships with the City, the director of personnel will take steps to introduce the intern to other minority persons on the City’s workforce to reduce experiences of isolation and to promote a comprehensive welcome for the intern.

10.1 Diversity Management Review by the Human Rights Commission

The Human Rights Commission shall review the City Manager’s information for public reports and all pertinent demographics to assess the city’s progress in complying with the goals of the Plan for Diversity, Equity, and Inclusion. It shall report its findings to the City Council by the August Committee of the Whole.

11.1 EEO/Affirmative Action/Non-Discrimination

Information on the EEOC, Affirmative Action requirements and the City Non-Discrimination Ordinance will be included in diversity training provided by the City’s personnel office.

12.2 Annual Demographic Report

Generate annual reports in June under the direction of the City Manager to identify and track diversity in city employment and volunteer participation on authorities, boards, and commissions. Reports shall be transmitted to the Human Rights Commission for review and comment, submitted to the Neighborhood Coordinating Council for review and comment, and submitted to City Council for public review at the September Committee of the Whole meeting.

It is important that successes in achieving diversity be acknowledged publicly to encourage other organizations in the city to adopt standards of equity. (y, r, bb)
RESOURCES AND REFERENCES


z. www.americanprogress.org/issues/labor/news/2012/07/12/1190

aa. www.munitemps.com

APPENDIX A: MORGANTOWN SELECTED CENSUS PROFILES

U.S. Census Information relating to Morgantown and Monongalia County

1. Total Population Disaggregated by Race, White Alone/Non-White. 1960 to 2010
2. Total Population 2010 by (Declared) Gender
3. 2010 Foreign Born Region of Origin/Morgantown
4. City of Morgantown 2010 Population by Age, White and Non-White
5. Total Population 2010 by Disability Status
6. Monongalia County 2010 Population by Age
7. Morgantown 2010 Poverty Rate
Morgantown 2010 Population by Disability Status

*Under 65 2012-2016

Monongalia County 2010 Population by Age

- Persons under 5 years: 11%
- Persons under 18 years: 5%
- Persons 18 - 64: 17%
- Persons 65 and over: 67%
Morgantown 2010 Poverty Rate

- 35% persons in poverty
- 65% persons not in poverty
APPENDIX B: LISTING OF MORGANTOWN AUTHORITIES, BOARDS, COMMISSIONS, AND DEPARTMENTS

Listing of City of Morgantown Authorities, Boards, Commissions, and Departments

June – 2010 (partially updated))

**City Departments** – 255 Employees

Airport  
City Attorneys  
City Clerk – Elections, Meetings and Records, Applications for Appointments  
City Hall – Administration, Public Information Services, Maintenance  
Code Enforcement  
Engineering  
Finance  
Fire – 48 paid firefighters; 3 stations; ISO Class 3  
Human Resources  
Information Technology  
Municipal Court  
Police – 67 trained and sworn officers  
Public Works – Including Street Department, Signs and Signals  
Urban Landscaping

**Free Standing Departments** – 322 Full-time and Part-Time Employees

BOPARC – Recreation, Parks, Theatre, Trails  
Morgantown Utility Board – Water, Sanitary Sewer, Storm Water Management  
Parking Authority – Parking Garages, Parking Lots, On-Street Parking

**Collaborative/Contracted/Supported Services** (18 organizations)

Bartlett House Homeless Shelter – County ae al  
City-County Transit Authority – w/ University support  
Fairmont-Morgantown Housing Authority  
Greater Morgantown Convention and Visitors Bureau – w/ County  
Greater Morgantown Metropolitan Planning Organization – County, 4 Communities  
Library – Central library in City plus Aull Center; 4 branches outside of City – with County, State  
Main Street Morgantown – w/ County  
Mon River Trails Conservancy – w/ County  
Monongalia County Animal Control  
Monongalia County Development Authority  
Monongalia County Health Department  
Monongalia County Solid Waste Authority  
Morgantown Area Economic Partnership – County  
Region VI PDC – Area Municipalities, Six Counties  
Republic Waste Services – Fairmont - Private  
Sunnyside-Up Neighborhood Revitalization – w/ University support  
Teen Court - w/County, Courts (inactive)
West Virginia Botanical Garden – Located on City property
Your Community Foundation – A Community Trust w/ City Art Fund

**Volunteer Boards, Commissions, Committees and Authorities – 274 Volunteer Positions**
*(29 organizations listed in alphabetical order)*

- Airport Advisory Committee b
- Board of Zoning Appeals a
- Board of Park and Recreation Commissioners a
- Building Code Appeals Board a
- Community Design Team a,b,c,e
- Fire Civil Service Commission a
- Historic Landmarks Commission a
- Human Rights Commission a
- Library Board of Directors a
- Metropolitan Theatre Commission a
- Morgantown Building Commission a
- Morgantown Utility Board a
- Municipal Bicycle Board c (Traffic Commission)
- Museum Commission a
- Municipal Green Team b,e
- Neighborhood Coordinating Council d
  *(Includes 9 Neighborhood Associations)*
- Parking Authority a
- Pedestrian Safety Board c (Traffic Commission) e
- Personnel Board c
- Planning Commission a
- Police Civil Service Commission a
- Rental Housing Advisory Commission a
- Sister City Commission a
- Traffic Commission a
- Urban Landscape Commission a
- Urban Tree Board c (Urb. Land. Commission) e
- Ward and Boundary Commission a
- Wellness Commission a
- Woodburn Commission a

a= Council Appointed
b= City Manager Appointed
c= Commission Appointed/Approved
d= Neighborhood Association Appointed
e= Open Membership

**Inactive/Deactivated Commissions**

- Solid Waste Advisory Committee
- Youth Commission
APPENDIX C: CURRENT APPLICATION FORM FOR VOLUNTEER POSITIONS

Application to Serve on City Boards and Commissions

THE CITY OF MORGANTOWN HAS NUMEROUS COMMITTEES, BOARDS, AND COMMISSIONS COMPRISED OF CITIZENS WHO GIVE OF THEIR TIME IN VERY IMPORTANT CAPACITIES. STATE LAWS PRESCRIBE THAT SOME OF THOSE BODIES RETAIN MEMBERS WHO HAVE CERTAIN EXPERIENCE, EDUCATION OR PROFESSIONAL CERTIFICATIONS. WE ASK THAT YOU PROVIDE THE FOLLOWING BASIC INFORMATION SO WE MAY EVALUATE PROSPECTIVE APPOINTEES' QUALIFICATIONS IN AN EXPEDITIOUS MANNER. A RESUME OR OTHER PERTINENT INFORMATION MAY BE SUBMITTED ALONG WITH THIS FORM.

MR/MS: ___________________________ WORK/CELL PHONE: ____________
ADDRESS: ___________________________ HOME PHONE: ________________
_____________________________ ZIP: __________________
EMAIL ADDRESS: __________________________
CITY RESIDENT? YES____ NO____ YES OF CITY RESIDENCY ____ WARD __
WHO IS YOUR EMPLOYER? (IF RETIRED, ANSWER "RETIRED"): _________________
WHAT TYPE OF BUSINESS ARE (WERE) YOU EMPLOYED IN? _______________________
JOB TITLE or JOB DESCRIPTION: ________________________________________________
PROFESSIONAL CERTIFICATIONS/LICENSES: ______________________________________
SPECIAL INTERESTS: ____________________________________________________________

PLEASE CHECK THE COMMISSIONS YOU ARE INTERESTED IN SERVING:

__ BOCA BOARD OF APPEALS __ MUSEUM COMMISSION
__ BOARD OF PARKS AND RECREATION __ PARKING AUTHORITY
__ BOARD OF ZONING APPEALS __ PERSONNEL BOARD
__ BUILDING COMMISSION __ PLANNING COMMISSION
__ FM/MT HOUSING AUTHORITY __ POLICE CIVIL SERVICE
__ FIRE CIVIL SERVICE __ SISTER CITIES COMMISSION
__ HISTORIC LANDMARKS __ TRAFFIC COMMISSION
__ HUMAN RIGHTS __ TRANSIT AUTHORITY
__ LIBRARY BOARD __ TREE BOARD
__ MET BOARD __ URBAN LANDSCAPE COMMISSION
__ MORGANTOWN HOUSING ADVISORY COMMISSION __ WARD & ROUNDDARY
__ MORGANTOWN UTILITY BOARD __ WELNESS COMMISSION
__ WOODBURN COMMISSION

SUBMIT TO: CITY CLERK, 363 SPRUCE STREET, RM 10, MORGANTOWN, WV, 26505.
APPLICATIONS WILL REMAIN ON FILE IN THE CITY CLERK'S OFFICE FOR 6 MONTHS UPDATED: 11/17
APPENDIX D: EXECUTIVE SUMMARY OF HUMAN RIGHTS NEED SURVEY OF 2014

2014 Morgantown Human Rights Needs Survey

(Excerpts of a summary report prepared by the Morgantown Human Rights Commission)

September 15, 2014

What is the Morgantown Human Rights Needs Survey?

The City of Morgantown Human Rights Commission (HRC) sponsored and conducted a mixed-mode community survey of Morgantown, WV residents to identify current community human rights needs and to solicit community input on ways to make Morgantown a more inclusive city. Conducted between January and June 2014, the survey was distributed by Commission members to various interest and diversity groups, neighborhood organizations, service clubs, West Virginia University faculty and students, as well as senior citizens of Morgantown. It was made available at public special events, on the City website, and by individual appointments with a Human Rights Commissioner held at the public library. The survey was administered by HRC members and volunteers from partnering organizations and was administered in the form of a web or paper survey. Large print and Braille formats were available. A total of 657 Morgantown residents responded to the community survey.

It is important to note that the survey was not intended or designed to be a scientific research study but rather a community process to systematically gather opinions to inform the HRC, City Council, and other interested organizations. The information is being used by the HRC to develop a community action plan for making Morgantown a more inclusive city.

Recommendations for making Morgantown a more inclusive city: Respondents were asked to select five top areas (among a list of 16) in which Morgantown should improve to be a more inclusive city (Q5). Key areas identified by respondents included housing (58.9%), livable wages (52.4%), transportation (48.4%), and mental health and addictive services (41.7%). Almost a third of respondents also selected employment (35.2%); human services such as food, clothing and shelter (30.7%); and better pollution control (30.1%). Least important to respondents were dining establishments or bars and church or religious participation (each less than 10.0%).

A complete copy of the 2014 Morgantown Human Rights Need Survey is available on line at the City website. Search “Morgantown WV Human Rights”
APPENDIX E: LIST OF BENEFITS FOR CITY EMPLOYEES

LIST OF BENEFITS FOR CITY EMPLOYEES
APPENDIX F: CULTURAL PROFICIENCY CONTINUUM

Cultural Proficiency Continuum
(ways of seeing and responding to differences)

A. Cultural destructiveness – See the difference, stomp it out:
   • The elimination of other people’s cultures
B. Cultural incapacity – See the difference, make it wrong:
   • Belief in the superiority of one’s culture and behavior that disempowers another’s culture
C. Cultural blindness – See the difference, act like you don’t:
   • Acting as if the cultural differences you see do not matter or recognizing that there are differences among and between cultures
D. Cultural pre-competence – See the difference, respond inadequately:
   • Aware of the limitations of one’s skills or organization’s practices when interacting with other cultural groups
E. Cultural competence- See the difference, understand:
   • The difference that difference makes: Interacting with other cultural groups using five essential elements of cultural proficiency as the standard for individual behavior and school practices
F. Cultural proficiency – See the difference and respond positively and affirmingly:
   • Esteeming culture, knowing how to learn about individual and organizational culture, and interacting effectively in a variety of cultural environments

Prepared by: Creative Commons Attribution-Non-Commercial 4.0 International License
APPENDIX G: CITIZENS CITY GOVERNMENT ACADEMY FORMAT

City of Morgantown
Citizens City Government Academy
(Possible Course Prototype)

Purpose:
To provide a public education opportunity to support a more informed citizenry which can participate more effectively in local government service, projects and decision making.

Program Format:
Twelve weekly three-hour sessions could be offered beginning in September and January. The sessions could be scheduled on Thursday evenings 6:00 – 9:00 p.m.

The WVU Department of Public Administration could explore ways in which the course may be taken for either academic credit or continuing education credit.

Organization:
The Academy will be administered by _____ (Name) _____ in conjunction with an advisory board consisting of the Mayor and/or appointed City Council member(s), representatives of the City Administration and neighborhood associations, and, if possible, a faculty representative of the WVU Department of Public administration.

Teaching Faculty:
Presenters at each session would be City staff/representatives or panels with elected officials related to the topics involved. Presentations/panels could be arranged with WVU faculty as topics and timing permit.

Admission, Enrollment, and Program Completion:
Admission would be open to residents, students, or business owners. Persons must be sixteen years of age and older. Enrollment would be limited to 30 persons due to size of facilities and management of course materials. A certificate could be awarded to those completing the program and a course evaluation. Persons would be asked to commit themselves to attending a minimum of eight sessions. An honors certificate could be awarded to those who meet higher standards for attendance, participation and presentation.

Expense:
No tuition cost for general admission students. If the Citizens City Government Academy is offered for academic credit, participants taking course for credit would be required to pay WVU academic program fees.
Application:
All individuals interested should apply online or pickup an application at the City Clerk’s Office at the City Hall at 389 Spruce Street. Applications will also be available at the Morgantown Municipal Library.

Course Prospectus:

Session 1: Form of Government: The Charter, Organization, City Council, and Intergovernmental Responsibilities and Relations
Session 2: City Code; Authorities, Boards and Commissions
Session 3: Taxation and City Finances
Session 4: Planning and Zoning
Session 5: Hometown Security: MECCA, Police, Fire and EMS, Traffic Court
Session 6: Housing, Code Enforcement, Preservation
Session 7: Parking and Pedestrians
Session 8: Transportation Jurisdictions, Alternatives and Planning
Session 9: Public Works and Public Utilities
Session 10: Green Space, Parks and Recreation
Session 11: Public Process and Citizen Participation; Human Rights
Session 12: Neighborhood Associations and Neighborhood Coordinating Council

Contact Information:

For further information contact…

(Name)
City of Morgantown
389 Spruce Street
Morgantown, WV 2650
Email: __________________________
Phone: 304-284-XXXX
APPENDIX II: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) DEFINITION OF HARASSMENT

Harassment

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

Employer Liability for Harassment

The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing
behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.

When investigating allegations of harassment, the EEOC looks at the entire record: including the nature of the conduct, and the context in which the alleged incidents occurred. A determination of whether harassment is severe or pervasive enough to be illegal is made on a case-by-case basis.

If you believe that the harassment you are experiencing or witnessing is of a specifically sexual nature, you may want to see EEOC's information on sexual harassment.

Source: https://www.eeoc.gov/laws/types/harassment.cfm
APPENDIX I: LIST OF ORDINANCES REQUIRED TO IMPLEMENT THE PLAN FOR DIVERSITY, EQUITY, AND INCLUSION

List of Ordinances Required to Implement the Plan for Diversity, Equity, and Inclusion
APPENDIX J: PROJECTED DISTRIBUTION PROFILES FOR RESPONSIBILITIES IN IMPLEMENTATION OF DEI PLAN

City Manager

4.1 City Manager to Lead Diversity Program

TWO CORE RESPONSIBILITIES OF THE CITY MANAGER are the oversight of the implementation of the Plan for Diversity, Equity and Inclusion through, first, the delegation of responsibility for incorporation of diversity, equity and inclusion standards in City personnel services and the reporting annually on City employee diversity profiles and training initiatives completed during each fiscal year. These responsibilities are expected to be delegated to the Director for Human Resources.

The second delegation is for the use and promotion of diversity outreach recruitment and orientation protocols in the management of City volunteers appointed by the City Council. It is expected that these responsibilities will be delegated to the City Clerk. In order to prepare an annual report on volunteer diversity, it is presumed that City Clerk office will maintain a digitized record on diversity information received voluntarily from volunteer candidates either on application forms or as voluntarily disclosed during orientation sessions.

12.2 Annual Demographic Report

Upon a schedule determined by the City Manager, the Director of City Human Resources and the City Clerk shall submit numerical reports on the diversity of employees (by department) and volunteers (by board, commission or authority)—along with descriptions of training or orientations provided—to the office of the City Manager. The City Manager’s office will be responsible for compiling the information for an ANNUAL DIVERSITY REPORT and add comparative information on race, declared gender, region of origin, age and disability for distribution to the Human Rights Commission and the Neighborhood Coordinating Council for review and comment. The report with review and comments received shall be submitted to the City Council for public review at a Council meeting during the month of September.

5.2 Training Hubs

DESIGNATE the Human Resources Department for all staff training including training for diversity, equity and inclusion concepts and skills. Establish the Office of the City Clerk as a training hub for volunteer orientation and training including orientation relating to diversity and cultural competence/sensitivity for all newly appointed advisory volunteers.

5.1 Initial Training on Diversity and Orientation to Cultural Competence/Sensitivity Skills

CONTRACT/ENGAGE with a cultural competence facilitator to provide basic orientation of city employees to the DEI Program. After meeting with the City Manager(s), the Director of Human Resources, department heads with the Director of Human Resources, the facilitator would provide an orientation to diversity and basic cultural competence/sensitivity training for aggregations of city employees. Thereafter, the facilitator would meet with the City Clerk, Mayor and City Manager to help plan
orientation sessions for newly appointed volunteer advisors for authorities, boards, and commissions.

5.4 City Council Training

EVERY TWO YEARS or when new City Council members are selected, the City Manager shall have the responsibility for organizing orientation and training on diversity and cultural competency/sensitivity related to the Diversity, Equity and Inclusion Plan and to procedures utilized in orienting and training new employees and volunteers.

5.5 Online Complaint/Compliment Portal

The Office of the City Manager shall have ONGOING responsibility for supervising the availability of contact with the City administration for complaints/Compliments utilizing the City website home page.

City Attorney

1.1 Adoption of Non-Discrimination Ordinance Relating to City Employment

DRAFT DOCUMENT for Presentation to City Council.

3.1 Adoption of a Plan for DEI

DEVELOP AN ORDINANCE which provides authorization for an approved but amendable plan for diversity, equity and inclusion to be used in the personnel management for City employees and Council appointed volunteers.

City Clerk

5.1 Initial Training on Diversity and Orientation to Cultural Competency/Sensitivity Skills

PARTicipate and plan orientation sessions for newly appointed city volunteers.

5.2 Training Hubs

Office of the City Clerk will be designated as a training hub for volunteer orientation and training including orientation relating to diversity and cultural competence/sensitivity for all newly appointed advisory volunteers.

7.3 Outreach Workshop on Authorities, Boards, and Commissions

In cooperation with the Mayor and deputy Mayor, the City Clerk shall assist in organizing an ANNUAL OUTREACH WORKSHOP—or other process—to inform the general public on City volunteer advisory opportunities.

7.4 Face-to-Face Meetings

ENCourage face-to-face meeting by City Councilors with prospects or candidates for volunteer positions in City governance from a wide range of organizations, neighborhoods, hospitals, industries, chambers, occupations, etc.

7.6 Applications for Volunteer Positions on Authorities, Boards and Commissions

IMPARTially ADMINISTER APPLICATION PROCEDURES—online, postal delivery, and walk-in—for candidates interested volunteer positions in city governance, record selection outcomes with volunteered diversity data, and retain active applications of non-accepted candidates for no less than 12 months.
4.2 Information for Public Reporting

OFFICE OF THE CITY CLERK shall collect and retain information voluntarily provided as necessary for the completion of the City Manager’s ANNUAL REPORT as specified in the approved Plan for DEI.

7.7 Transparency of Interview and Selection Procedures

7.9 Term Limits

INTERVIEWS of each candidate for volunteer positions shall be open to all persons with the exception of other candidates competing in the same selection process. The City Clerk shall provide advance information to the City Council on 1) the current diversity status of the authority, board or commission to which an appointment is to be made, 2) the number of terms served by each candidate being considered.

City Human Resources Director

2.1 Annual Salary, Benefit, Bonus, and Time-Off Audit

Each fiscal year the City Human Resources shall review all salary, benefit, bonus and time benefits for each employee to assure employment system equity regardless of employee diversity or specific health needs of a spouse or legal domestic partner. ONGOING.

4.2 Information for Public Reporting

The Human Resources Department shall collect and retain information voluntarily provided as necessary for the completion of the City Manager’s ANNUAL DIVERSITY REPORT as specified in the approved Plan for DEI (12.2).

5.2 Training Hubs

The Human Resources Department will be designated as a training hub for all staff training including training for diversity, equity and inclusion concepts and skills.

5.1 Initial Training on Diversity and Orientation to Cultural Competence/Sensitivity Skills

The City will contract with a cultural competence facilitator to provide basic orientation of city employees to the DEI Program. After meeting with the City Manager(s), the Director of Human Resources, department heads with the Director of Human Resources, the facilitator would provide an orientation to diversity and basic cultural competence/sensitivity training for aggregations of city employees. From this experience, the Director of Human Resources will be prepared to provide orientation for new department heads on City goals and objectives for diversity and to facilitate increased cultural competence/sensitivity skills of employees.

12.2 Annual Demographic Report

AT THE END OF THE FISCAL YEAR the Director of City Human Resources shall submit numerical profile reports on the diversity of employees (by department) along with descriptions of training or orientations provided - to the office of the City Manager. The City Manager’s office will be responsible for compiling the information for an ANNUAL DIVERSITY REPORT for distribution to the Human Rights Commission and the Neighborhood Coordinating Council for review and comment. The report with review and
comments received shall be submitted to the City Council for public review at a Council meeting during the month of September.

City Communications Coordinator

6.1 Social Media Outreach on all Posted Vacancies

7.1 Community Engagement in City Government Diversity

WORKING WITH THE CITY CLERK AND HUMAN RESOURCES DIRECTOR, the Communications Coordinator shall assist in establishing and maintaining online and printed media outreach to inform the public – including neighborhood and special interest groups on volunteer openings and externally posted city employment vacancies.

7.2 Annual Review of Outreach Communication

NO LESS THAN ANNUALLY, the Communications Coordination shall offer communication network updates and evaluations on outreach effectiveness.

City Council

3.1 Adoption of a Diversity, Equity and Inclusion Plan

2.1 Adoption of a Mission Statement

ADOPT AN ORDINANCE authorizing use of an approved but amendable Plan for DEI to be used in the management of City employees and Council appointed volunteers.

APPROVE an acceptable Diversity, Equity, and Inclusion Plan for management of City Employees and Council appointed volunteers. This action would involve approval of plan components including a mission statement (2.1), statement of purpose (3.2), goal statements (3.2), city manager leadership (4.1), reporting (4.2 and 12.2), administrative transitions (4.3), training (5.1-3), complaint/compliment management (5.5), outreach on all employment and volunteer posted vacancies (6.1, 7.1-4), community engagement processes (7.1), selection procedures (7.6-7), conflict of interest and term limits (7.8-7.9), and protections relating to gender and minorities (7.10-11.1).

7.4 Face-to-Face Meetings

FACE-TO-FACE MEETINGS BY CITY COUNCILORS with potential candidates for City volunteer position will be encouraged by the Mayor, Deputy Mayor and City Clerk. An alternative might be the conduct of a Citizens’ City Government Academy or other means for promoting informed interest in service on City boards, commissions or authorities.

12.2 Annual Diversity Report

ANNUALLY REVIEW ANNUAL DIVERSITY REPORT PUBLICALLY IN SEPTEMBER annual administrative reports on the diversity in City employment and volunteer participation after their review by the Human Rights Commission and the Neighborhood Coordinating Council.
Neighborhood Coordinating Council

12.2 Annual Diversity Report

IF NCC SCHEDULING PERMITS, the Neighborhood Coordinating Council shall have an opportunity to review the Annual Diversity Report and to prepare review and comment to be included with the Reports submission to City Council as information at a meeting during the month of September.

Human Rights Commission

10.1 Diversity Management Review by the Human Rights Commission

The Human Rights Commission shall review the City Manager’s Annual Diversity Report and all pertinent demographics to assess the city’s progress in complying with the goals of the Plan for DEI. It shall report its findings to the City Council before September Council meetings.
APPENDIX K: PRESENTATION ON DIVERSITY IN THE WORKPLACE
(PUBLISHED BY MORGANTOWN DOMINION POST)

APPENDIX K: BENEFITS OF DIVERSITY: A PRESENTATION ON DIVERSITY IN THE WORKPLACE
A Center-Page Presentation Published by the Morgantown Dominion Post – January 6. 2019

DIVERSITY IN THE WORKPLACE | GOOD BUSINESS

Benefits of Diversity

A diverse workplace should reflect the community it serves in regards to age, gender, ethnic groups, religions and other factors. Paying attention diversity when you hire new employees or create a new team can bring big benefits to your company.

- **ATTRACTING CONSUMERS**
  - More and more consumers are recognizing and rewarding diverse companies. Multicultural buying power, Forbes says, grew to $3.4 trillion in 2014 and is projected to rise. Consumers like to see a company that recognizes diversity and where they can be served by someone who looks, thinks or talks like themselves.

- **SERVING NEW POPULATIONS**
  - As the American population becomes more diverse, so must American business. Having a diverse workforce can mean having an employee that speaks a consumer's specific language or recognizes a religious holiday. Make it easier for multicultural consumers to spend their money with you.

- **ATTRACTING TALENT**
  - Just like consumers, job seekers are putting a premium on working with a multicultural team. A 2017 survey by employment review company Glassdoor shows that 57 percent of employees think their current company should be doing more to increase diversity.

- **ATTRACTING NEW IDEAS**
  - By hiring from a range of cultures, races, genders and more, companies are bringing in a wide range of new ideas. Teach managers to foster a company culture of engagement and inclusion by encouraging all employees to bring their ideas and experience in the table.

When office closes, do workers get paid?

2-E THE DOMINION POST SUNDAY, JAN. 6, 2019
APPENDIX K: BENEFITS OF DIVERSITY: A PRESENTATION ON DIVERSITY IN THE WORKPLACE
A Center-Page Presentation Published by the Morgantown Dominion Post – January 27, 2019

Tips for Increasing Diversity

Hiring managers and human resources managers may need to think outside of their usual boxes when looking for a more diverse workforce. Here are some tips from The Wall Street Journal on increasing diversity.

MAKE A PLAN
Working with your management team, decide on a goal, such as serving a particular population. Then, create a workforce plan to achieve that goal. You don't want to end up struggling to hire someone with specific language skills when you won't be working with the community with whom they can communicate.

Make sure your hiring strategy conforms to federal, state and local laws regarding recruiting and employment.

CONNECT WITH COMMUNITIES
Spending of community outreach to build relationships with community groups that serve the population you'd like to represent in your workforce.

Oftentimes, leaders there can point you to candidates in places you may not have reached before. While you're there, ask these leaders what your company can do to make itself more attractive to job seekers and consumers alike.

TAKE A LOOK AT BENEFITS
See that you have benefits that align with the communities you want to employ and serve. Some changes might be simple — flexible schedules and rotating workweeks for parents — while others, like accommodating religious observances and holidays, might be more difficult. Play up these benefits while you're recruiting.

Could you live on your savings for 23 years?
RESOLUTION AUTHORIZING THE CITY HUMAN RIGHTS COMMISSION TO CONDUCT AN “OPEN FOR ALL” CAMPAIGN WITH BUSINESSES AND ORGANIZATIONS IN THE CITY OF MORGANTOWN

WHEREAS, the Human Rights Campaign sets standards for Cities in the USA to promote equality for all persons including those with diversity in race, religion, national origin, sex, gender identity, sexual orientation, color, ancestry, age, abilities, economic status, homelessness, marital and family status, or other life situation;

WHEREAS, the Morgantown Human Rights Commission’s mission is to help build a more inclusive city and has helped Morgantown to promote diversity and inclusion and to comply with Human Rights Campaign equality standards so that the city now has a rating of 80 points out of 100 in a national rating of over 500 cities each year; and,

WHEREAS, the Morgantown Human Rights Commission seeks to expand pro-equality public policy to include the participation of all businesses, civic groups, houses of worship, and non-profit organizations, following the acclaimed and shared model of the City of Huntington, WV which promotes a welcoming and safe environment for all employees, visitors, customers, vendors and clients, regardless of race, religion, ancestry, sex, age, disability, sexual orientation, gender identity, gender expression or income status.

BE IT THEREFORE RESOLVED, that the Morgantown Human Rights Commission requests authorization by the Morgantown City Council for the Commission to conduct an “Open for All” campaign in which businesses, civic groups, houses of worship and non-profit organizations will be invited and encouraged to 1) take an “Open to All” pledge; 2) display prominently an “Open to All” decal; and, 3) maintain a welcoming and safe environment for all employees, visitors, customers, vendors and clients regardless of diversity in race, religion, national origin, sex, gender identity, sexual orientation, color, ancestry, age, abilities, economic status, homelessness, marital and family status, or other life situation.

BE IT FURTHER RESOLVED, that participating entities will be given publicity by the City of Morgantown in social media and in press releases to the media by City of Morgantown Office of Communications.

ADOPTED INTO A RESOLUTION THIS 18TH DAY OF JUNE, 2019 BY THE CITY COUNCIL OF THE CITY OF MORGANTOWN, WEST VIRGINIA.

IN WITNESS WHEREOF, I, William A. Kavecki, Mayor of the City of Morgantown, West Virginia have hereunto set my hand and caused the official seal of the City of Morgantown to be affixed this 18th day of June, 2019.

________________________________________
William K. Kavecki, Mayor

________________________________________
Christine M. Wade, City Clerk
RESOLUTION FOR ESTABLISHMENT OF A MINORITY LIAISONS COORDINATING COUNCIL

WHEREAS, Morgantown’s work to build an inclusive city requires the participation of minority representation in addition to communication with neighborhood and commerce organizations, and

WHEREAS, diverse minorities in the City are particularly susceptible to misunderstanding, broad-brush categorization, unnecessary barriers, neglect, discrimination and even abuse, and

WHEREAS, minority liaisons working individually and collectively can be an effective/efficient means for problem solving as well as generating public innovation, and

WHEREAS, minorities are an important part of the DNA of a community, and City work with liaisons can be an important means for a city to invest in its own citizens:

BE IT THEREFORE RESOLVED, that the Morgantown City Council establish a Minority Liaisons Coordinating Council (MLCC) for the purpose of:

1. Promoting the citizen participation of minority groups in the governance of the City;
2. Promoting awareness, civility and fairness for all minorities;
3. Processing individual concerns and identification of problems common to minorities;
4. Discussing options and alternatives in problem solving, and as a group, recommending and advocating for solutions serving the common good;
5. Participating in comprehensive planning to accommodate minority interests and concerns when possible;
6. Recommending training and education assistance and resources to address minority issues when needed; and,
7. Working collaboratively with the Human Rights Commission (HRC) and in coordination with the City Manager with other boards and commissions of the City as needed.

BE IT FURTHER RESOLVED, that the MLCC membership include individual liaison representatives who are Morgantown citizens appointed by the City Manager, assisted by the HRC, if needed, and recommended by such organizations as:

- Mon-Preston NAACP (Racial Diversity)
- Islamic Center (Muslims)
- Fairness WV (LGBTQ)
- Northern West Virginia Center for Independent Living (Persons with Disabilities)
• West Virginia Advocates for Special Education (Parents of Persons with Special Needs)
• Morgantown and Trinity High Schools (Youth from Morgantown)
• Others as Needed

BE IT FURTHER RESOLVED, that the MLCC select a convener and recorder and meet no less than quarterly with a City staff administrator.

ADOPTED INTO A RESOLUTION THIS 18TH DAY OF JUNE, 2019 BY THE CITY COUNCIL OF THE CITY OF MORGANTOWN, WEST VIRGINIA.

IN WITNESS WHEREOF, I, William A. Kawecki, Mayor of the City of Morgantown, West Virginia have hereunto set my hand and caused the official seal of the City of Morgantown to be affixed this 18th day of June, 2019.

__________________________________________
William K. Kawecki, Mayor

__________________________________________
Christine M. Wade, City Clerk
ORDINANCE NO. 2019-____

AN ORDINANCE PROHIBITING BULLYING IN CITY SERVICES, ACTIVITIES, PROGRAMS, AND FACILITIES SERVING YOUTH

The City of Morgantown hereby ordains that a new Article 111 entitled Policies and Procedures is established within the Administrative Code, and a new Section 111.01 entitled Prohibition of Bullying is established therein, as follows:

Article 111.
Policies and Procedures.

111.01. Prohibition of Bullying.

(a) Legislative Findings and Purpose. The City Council of the City of Morgantown finds that a safe and civil environment in youth services, activities, programs, and facilities is necessary to promote the community objectives of youth services, including education, recreation, and community engagement. The City Council finds that enacting a policy prohibiting bullying in youth services, activities, programs, and facilities provided by the City will protect the dignity and safety of youth served by the City. This policy is intended to prohibit bullying, harassment, and intimidation in all youth-serving City services, activities, programs, and facilities.

(b) Definitions. For purposes of this section, the following terms have the meanings given:

(i) “Bullying” means any severe, pervasive, or persistent conduct, whether physical or verbal and whether transmitted in person or by written or electronic means, that

(A) may be based on a youth’s actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or any other distinguishing characteristic, or upon a youth’s association with a person or group with any of the actual or perceived foregoing characteristics; and that

(B) can reasonably be predicted to

(1) Place the youth in reasonable fear of harm to person or property;

(2) Cause a substantial detrimental effect on the youth’s physical or mental health; or
(3) Substantially interfere with the youth’s ability to participate in or benefit from the services, activities, programs, facilities, or privileges provided by a City agency, whether provided directly or through affiliates or agents.

(ii) “City” or “City agency” means The City of Morgantown and any or all of its boards, commissions, agencies, and instrumentalities, including without limitation the Board of Parks and Recreation Commissioners (“BOPARC”) and the Morgantown Public Library System.

(iii) “Retaliate” or “retaliation” means to coerce, intimidate, threaten, or interfere with any individual based on such individual’s reporting of an incident of Bullying or participation in the investigation of an incident of Bullying, or assistance with enforcement of the prohibition of Bullying.

(iii) “Youth” means either

(A) an individual of 21 years of age or less who is enrolled in an educational institution or who accesses the services or programs provided by City, a City agency, or a grantee of City; or

(B) individuals described in Subsection (A), above, when considered as a group.

(iv) “Youth-serving City services” means any program, activity, facility, or service directed or funded by City which includes Youth as participants, entrants, volunteers, or staff.

(c) Prohibition of Bullying.

(i) Acts of Bullying, whether committed by youth, volunteers, or staff, are prohibited in all youth-serving city services, including without limitation those provided by BOPARC and the Morgantown Public Library System and those provided by other groups using the facilities of the City.

(ii) Retaliation against a youth, volunteer, or staff member who reports bullying, provides information about an act of bullying, or witnesses an act of bullying, is prohibited.

(d) Adoption of Policies.

(i) All City agencies that provide services, activities, programs, and facilities for youth shall establish a clear, written policy for reporting, addressing, and preventing bullying as defined in this Section.
(ii) All such policies shall be submitted by the agency to City Council for its review no later than one hundred eighty days from the effective date of this Section or the creation of the agency, whichever occurs later.

(iv) Each policy shall include the following minimum components:

(1) Procedures for reporting incidents
(2) Requirement that agency personnel report incidents of which they are aware
(3) Requirement that due diligence be exercised in notifying parents and guardians of any youth involved in an incident
(4) Procedures for responding to and investigating incidents
(5) Requirement that staff orientation and training programs include information regarding agency policy prohibiting bullying, harassment, and intimidation
(6) Steps which will be taken to prevent bullying by identifying and supporting youth who are bullied, redirect the behavior of youth who bully, and change the attitudes of adults and youth who tolerate bullying behaviors.

This ordinance is effective upon adoption.

FIRST READING:

ADOPTED: Mayor

FILED: City Clerk

RECORDED:
Date: THU, 13 JUN 2019
To: City Council
cc: Paul Brake, City Manager ........................................... via email
    Christine Wade, City Clerk ........................................... via email
RE: Resolution Approving and Authorizing FY 2019 CDBG Annual Action Plan

Appended hereto are the following documents concerning the submission of the City's FY 2019-
2020 Community Development Block Grant (CDBG) Annual Action Plan to the U.S. Department
of Housing and Urban Development (HUD).

- City Council Resolution approving and authorizing to submit to HUD the following CDBG
  required planning documents:
  - The FY 2019-2023 Five-Year Consolidated Plan
  - The FY 2019-2020 Annual Action Plan
  - The 2019 Analysis of Impediments to Fair Housing Choice

  Summary. The complete document can be accessed at:
  http://www.morgantownwv.gov/185/Community-Development

- The 2019 Analysis of Impediments to Fair Housing Choice – Executive Summary. The
  complete document can be accessed via the link above.

- A table identifying all projects/activities for which CDBG funding was requested, along with
  an explanation why certain requests were not included in the Draft FY 2019-2020 Annual
  Action Plan.

- CDBG planning document preparation tasks and schedule.

I respectfully request City Council pass the appended Resolution to ensure the City meets CDBG
Program grant requirements and entitlement community obligations by HUD’s related deadlines.

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

FY 2019-2023 CDBG Five-Year Consolidated Plan

FY 2019-2020 CDBG Annual Action Plan (AAP)

2019 Analysis of Impediments to Fair Housing Choice (AI)

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the prevention or elimination of slums or urban blight, or activities which will benefit low- and moderate-income persons, or which address other urgent community development needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the City of Morgantown that under Fiscal Year 2019, the City is eligible to apply for an entitlement grant under the Community Development Block Grant (CDBG) Program in the amount of $405,785.00; and

WHEREAS, the City of Morgantown's Development Services Department has prepared the FY 2019-2023 Five-Year Consolidated Plan, FY 2019-2020 Annual Action Plan, and Analysis of Impediments to Fair Housing Choice, which proposes how the entitlement grant funds will be expended to address the housing and community development needs identified in the City's Five-Year Consolidated Plan; and

WHEREAS, these CDBG planning documents were on public display from May 17, 2019 through June 17, 2019 and the City held a series of public hearings on said Plans and the comments of various agencies, groups, and citizens were taken into consideration in the preparation of the final documents.

NOW, THEREFORE, the City of Morgantown by adoption of this resolution on this 18th day of June, 2019, authorizes the execution of:

SECTION 1. That the FY 2019-2023 Five-Year Consolidated Plan, the FY 2019-2020 Annual Action Plan, and the Analysis of Impediments to Fair Housing Choice is hereby in all respects APPROVED and the City Manager is hereby directed to file a copy of said Five-Year Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice with the Official Minutes of this Meeting of this Council.

SECTION 2. That the City is cognizant of the conditions that are imposed in the undertaking and carrying out of the Community Development Block Grant Program with Federal Financial Assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin, and other assurances as set forth under the certifications.

SECTION 3. That the City Manager, on behalf of the City of Morgantown, West Virginia, is authorized to file an Application for financial assistance with the U.S. Department of Housing and Urban Development which has indicated its willingness to make available funds to carry out the CDBG Program in the amount of $405,785; and its further authorized to act as the authorized representative of the City of Morgantown to sign any and all documents in regard to these programs.
SECTION 4. That the City Manager on behalf of the City of Morgantown, West Virginia, is authorized to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended; and any other supplemental or revised data which the U.S. Department of Housing and Urban Development may request in review of the City’s Application.

ADOPTED INTO A RESOLUTION THIS 18TH DAY OF JUNE, 2019 BY THE COMMON COUNCIL OF THE CITY OF MORGANTOWN, WEST VIRGINIA.

IN WITNESS WHEREOF, I, William A. Kawecki, Mayor of the City of Morgantown, West Virginia have hereunto set my hand and caused the official seal of the City of Morgantown to be affixed this 18th day of June, 2019.

______________________________
William K. Kawecki, Mayor

______________________________
City Clerk
EXECUTIVE SUMMARIES

FY 2019-2023 CDBG Five-Year Consolidated Plan

FY 2019-2020 CDBG Annual Action Plan (AAP)

2019 Analysis of Impediments to Fair Housing Choice (AI)
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

FY 2019-2023 FIVE YEAR CONSOLIDATED PLAN AND
FY 2019 ANNUAL ACTION PLAN

June 18, 2019

Honorable William A. Kawecki, Mayor
Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

This 2019-2023 Five Year Consolidated Plan describes the City of Morgantown’s needs, resources, priorities and proposed activities to be undertaken with respect the FY 2019-2023 Community Development Block Grant (CDBG) Five Year Consolidated Plan. The Community Development Block Grant Program provides states and entitlement communities, such as Morgantown, with funding to support the development of viable neighborhoods and infrastructure that provide a suitable living environment. The U.S. Department of Housing and Urban Development (HUD) administers the CDBG program each year according to the Housing and Community Development Act of 1974, as amended.

The City of Morgantown shall provide citizens with an adequate opportunity for meaningful involvement and participation in the planning, implementation, and assessment of the CDBG program on a continuous basis. The City of Morgantown shall provide adequate information to citizens, hold public hearings at all stages of the planning process, obtain views and proposals of citizens on housing and community development needs, and provide citizens an opportunity to comment on the City of Morgantown’s proposal and community development performance.

The City’s Development Services Department, Community Development Office is the lead agency overseeing achievements of the Five Year Consolidated Plan. The Five Year Consolidated Planning process actively involves the housing and community development organizations in the city, including the Morgantown Housing Authority, nonprofit providers of affordable housing, service providers to the city’s low-income, homeless and special needs populations, advocates, and others.

HUD mandates that entitlement grantees submit a Five Year Consolidated Plan every 3-5 years. In addition, it requires that grantees prepare an Annual Action Plan for each year based on the entitlement grant to be received and community input of priority needs. There must also be a
Consolidated Annual Performance and Evaluation Report (CAPER) filed after each program year concludes. The City of Morgantown has participated in CDBG as an entitlement city each year between 2004-present. The City of Morgantown receives CDBG funding using a formula that takes into consideration the housing, population and poverty situations of each city, and HUD calculates the amount received each year internally. Hence, the amount of CDBG funding received each year varies. In order to receive CDBG funding a grantee’s Five Year Consolidated Plan must be approved by HUD.

The purpose of CDBG funds is to support the development of viable urban communities through:

1. Securing decent housing,
2. Providing a suitable living environment; and
3. Expanding economic development.

This Five Year Consolidated Plan was developed through public hearings, the use of existing data from previously approved plans and studies, through consultation with a wide variety of local non-profit agencies, and discussions with City of Morgantown departments. The City held public hearings during the development of this Five Year Consolidated Plan. For-profit, non-profit, community and faith-based organizations were engaged several times throughout the year to assess city needs and priorities. Several meetings and discussions were also held with relevant city departments and public agencies in Morgantown.

Background

Currently, Morgantown has a population approximately 30,500 people, while the enrollment of West Virginia University, the state’s flagship institution of higher education, stands at approximately 29,000 students with a goal of reaching an enrollment of more than 35,000 by 2020. Now Morgantown’s largest public employer, WVU has doubled in size nearly 2.5 times since the mid-1960s. Morgantown’s economy is now based around medical, cultural, and commercial businesses, as each new industry has allowed Morgantown to become a hub of the North-Central West Virginia region. Business development and expansion rates of growth within the city have also followed the growth of the university. Morgantown and Monongalia County have become one of the fastest growth sites within the state and the county has been the only county in the northern part of the state to see population growth over the last twenty years. Major city employers currently include: The National Institute of Occupational Safety and Health (NIOSH), Milan Pharmaceuticals, West Virginia University and the construction industry.

The first permanent settlement was established by Zackquill Morgan and his brother David, the sons of the first permanent West Virginia settler, Morgan Morgan. In 1766, Morgan, after several attempts was finally able to obtain Thomas Decker’s land patents and he built log cabins and two forts at the mouth of Decker’s Creek, where it dumps into the Monongahela River. Zackquill
Morgan was a veteran of the Revolutionary War, attaining the rank of Colonel by the end of the vital struggle.

**570.201 basic eligible activities**

CDBG funds may be used for the following activities:

(a) Acquisition. in whole or in part by purchase, long-term lease, donation, or otherwise, of real property;

(b) Disposition. through sale, lease, donation, or otherwise, of any real property acquired with CDBG funds;

(c) Public facilities and improvements. Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility, design features and improvements which promote energy efficiency may be included. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction, when owned by nonprofit entities or subrecipients, they shall be operated so as to be open for use by the general public;

(d) Clearance activities. Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites.

(e) Public services. employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare (but excluding the provision of income payments identified, homebuyer down-payment assistance, or recreational needs. A public service must be either a new service or a quantifiable increase in the level of an existing service in the 12 calendar months before the submission of the action plan. The amount of CDBG funds used for public services shall not exceed 15 percent of the grant plus 15 percent of program income.

**Maps:**

The following maps which illustrate the demographic characteristics of the City of Morgantown:

- Population Density by Block Group
- Percent White Population by Block Group
- Percent Minority Population by Block Group
- Percent Population Age 65+ by Block Group
- Population Age 65+ by Block Group
- Housing Density by Block Group
- Percent Owner-Occupied Housing Units by Block Group
- Percent Renter-Occupied Housing Units by Block Group
- Percent Vacant Housing Units by Block Group
- Low/Moderate Income Percentage by Block Group
- Low/Moderate Income Percentage w/ Minority Overlay by Block Group
- Population Density by Block Group
Percent White Population by Block Group

CITY OF MORGANTOWN, MONONGALIA COUNTY, WV
PERCENTAGE WHITE POPULATION BY BLOCK GROUP
- Percent Minority Population by Block Group
Percent Population Age 65+ by Block Group
Population Age 65+ by Block Group
• Housing Density by Block Group
Percent Owner-Occupied Housing Units by Block Group
• Percent Renter-Occupied Housing Units by Block Group
Percent Vacant Housing Units by Block Group

CITY OF MORGANTOWN, MONONGALIA COUNTY, WV
PERCENT VACANT HOUSING BY BLOCK GROUPS

LEGEND:
- Census Tracts
- Block Groups
- Railroads
- Major Roads
- City Streets
- Rivers
Vacant Housing Units
By Block Group
- 0% - 7.5%
- 7.6% - 16.9%
- 16.7% - 28.8%
- 28.9% - 43.9%
- 44.0% - 80.5%
Source: 2013-2017 ACS 5-Year Estimates

Miles
0 0.28 0.56 1.1 1.65 2.2

OMB Control No: 2506-0117 (exp. 06/30/2019)
- Low/Moderate Income Percentage by Block Group

LEGEND:
- Census Tracts
- Block Groups
- Railroads
- Major Roads
- City Streets
- Rivers
Block Group Parts by Low/Moderate Income
- Less than 51%
- 51% or More

Source: 2011-2015 ACS Data
Low/Moderate Income Percentage w/ Minority Overlay by Block Group
2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The “Vision” of this Five Year Consolidated Plan is to serve as a consolidated planning document, an application, and a strategic plan for the City of Morgantown. The following goals and objectives have been identified for the five-year period of FY 2019 through FY 2023.

Housing Strategy –

Priority Need: There is a need to increase the amount of affordable, decent, safe, and sanitary housing for homebuyers, homeowners, and renters.

Goals:
- **HS-1 Homeownership** – Assist low- and moderate-income households to purchase homes through down payment / closing cost assistance and associated housing counseling.
- **HS-2 Housing Rehabilitation** – Conserve and rehabilitate existing affordable housing units occupied by owners and renters in the community by addressing code violations, emergency repairs, and accessibility for persons with disabilities.
- **HS-3 Housing Construction** – Increase the supply of decent, safe and sanitary accessible housing that is affordable to owners and renters in the City through new construction.
- **HS-4 Fair Housing** – Promote fair housing choice through education and outreach, and affirmatively further fair housing.

Homeless Strategy –

Priority Need: There is a need to develop and preserve housing opportunities for homeless persons and persons or families at-risk of becoming homeless.

Goals:
- **HO-1 Housing** – Support the Continuum of Care’s efforts to provide emergency shelter, transitional housing, permanent supportive housing, and other permanent housing opportunities.
- **HO-2 Operation/Support** – Assist providers operating housing or providing support services for the homeless and persons or families at-risk of becoming homeless.

Other Special Needs Strategy –

Priority Need: There is a need to increase housing opportunities, services, and facilities for persons with special needs.

Goals:
• **SN-1 Housing** – Increase the supply of affordable, accessible, decent, safe, and sanitary housing for the elderly, persons with disabilities, persons with HIV/AIDS, victims of domestic violence, persons with alcohol/drug dependency, and persons with other special needs through rehabilitation of existing buildings and new construction.

• **SN-2 Social Services** – Support social service programs and facilities for the elderly, persons with disabilities, persons with HIV/AIDS, victims of domestic violence, persons with alcohol/drug dependency, and persons with other special needs.

**Community Development Strategy**

**Priority Need:** There is a need to improve the community facilities, infrastructure, public services, and the quality of life in the City of Morgantown.

**Goals:**

• **CD-1 Community Facilities** – Improve parks, recreational facilities, neighborhood facilities, and trails including accessibility improvements to public buildings and all community facilities in the City.

• **CD-2 Infrastructure** – Improve the public infrastructure through rehabilitation, reconstruction, and new construction of streets; sidewalks; bridges; curbs; walkways; water; storm water management; sanitary sewers; handicap accessibility improvements and removal of architectural barriers; etc.

• **CD-3 Public Services** – Improve and enhance public services, programs for youth, the elderly, and persons with disabilities, and general social/welfare public service programs for low- and moderate-income persons and households.

• **CD-4 Public Safety** – Improve public safety facilities, equipment, crime prevention, community policing, and ability to respond to emergency situations.

• **CD-5 Clearance/Demolition** – Remove and eliminate slum and blighting conditions through demolition of vacant, abandoned, and dilapidated structures.

**Economic Development Strategy**

**Priority Need:** There is a need to increase employment, self-sufficiency, educational training, and empowerment for residents of the City of Morgantown.

**Goals:**

• **ED-1 Employment** – Support and encourage job creation, job retention, and job training opportunities.

• **ED-2 Development** – Support business and commercial growth through expansion and new development.

• **ED-3 Redevelopment** – Plan and promote the development, redevelopment, and revitalization of vacant mixed use, commercial and industrial sites.
• **ED-4 Financial Assistance** – Support and encourage new economic development through local, state, and Federal tax incentives and programs such as Tax Incremental Financing (TIF), tax abatements (LERTA), Enterprise Zones/Entitlement Communities, Section 108 Loan Guarantees, Economic Development Initiative (EDI) funds, Opportunity Zones, etc.

• **ED-5 Access to Transportation** – Support the expansion of public transportation and access to bus and automobile service and facilities serving alternate modes of transportation to assist residents to get to work or training opportunities.

### Administration, Planning, and Management Strategy

**Priority Need:** There is a need for planning, administration, management, and oversight of Federal, State, and local funded programs to address the housing and community and economic development needs.

**Goals:**

• **AM-1 Overall Coordination** – Provide program management and oversight for the successful administration of Federal, State, and locally funded programs, including planning services for special studies, environmental clearance, fair housing, preparation of applications for funding, performance evaluation reports and compliance with all Federal, State, and local laws and regulations.

3. **Evaluation of past performance**

The City of Morgantown has allocated its CDBG funds based on principally benefiting low- and moderate-income persons; or an activity in areas which are predominantly low- and moderate-income or which has a presumed low- and moderate-income benefit; or an activity with an income requirement of low- and moderate-income persons. All allocated funding has been utilized in a timely manner and within budget. The City has never had a problem with timeliness or projects or annual funding percentages.

• Affordable/Accessible Housing is the first unmet need in Morgantown and may provide a challenge for individuals who may have limitations because of age, mental or physical disabilities, substance abuse and HIV/AIDS. Barriers to independent living are varied from affordable housing and rents, accessibility in multi-unit rental property, rehabilitation and retrofitting for those who own their homes.

• Assisted living also presents an issue for individuals who may be living independently but require assistance with daily activities or travel outside their home.

• Transportation is a challenge for many for various reasons.

• Adequate level of care for the elderly, substance addicted individuals and persons living with HIV/AIDS are another underserved need in the City.
• Employment and Job Training is an underserved need identified as many individuals dealing with limitations found in this subgroup do not have the requisite skills to obtain or maintain employment.

• The reduction in Federal CDBG funds limits the City's financial resources to meet the underserved needs in Morgantown. Since 2004 the funding for the City of Morgantown's Community Development Block Grant funding has decreased from $675,000 to a current year allocation of $405,785. As the funding levels decrease the ability to accomplish goals is diminished. However, the core values of the CDBG program, housing, assisting low- and moderate-income individuals and families have been maintained. The Housing Rehabilitation program has been one of the most needed and successful projects utilizing CDBG funding.

Infrastructure needs in the community to improve Americans with Disabilities Act accessibility and sidewalks continue. Infrastructure is second only to housing in funding from the City of Morgantown’s CDBG grant. Public facilities and parks need updated accessibility improvements to meet the changes in the 2010 amendments to the ADA.

Homelessness is still prevalent in Morgantown as in many communities. With the passage of the HEARTH Act, the homeless provider’s community organized and plans through the Homeless Task Force resulting in an umbrella organization, the Homeless Coordinating Council. The Homeless Coordinating Council is working to meet the changes requiring rapid rehousing.

4. Summary of citizen participation process and consultation process

The City of Morgantown held a number of public and individual agency meetings concerning the development of the Five-Year Consolidated Plan.

• **November 13, 2018** - Advertised Public Hearing, postings were made in the Dominion Post Newspaper, on social media, the City's television channel 15 and the City's Web Page.
• **November 28, 2018** - The Homeless Coordinating Council Meeting
• **November 28, 2018** - The Fairmont-Morgantown Housing Authority
• **November 28, 2018** - Community Housing Agency Partnership meeting

Discussions were held concerning the planning process and needs of the community.

A citizen survey was prepared and sent out to residents. A link was placed on the City's website. The results of the survey were used to help determine the goals and outcomes. A more detailed analysis and description of the citizen participation process is contained in Section PR-15 Citizen Participation.
5. **Summary of public comments**

The City of Morgantown held its First Public Hearing on November 28, 2018 at 6:00 PM. Comments received at that public hearing are included in the attachments at the end of the Five-Year Consolidated Plan.

The Five-Year Consolidated Plan and FY 2019 Annual Action Plan were placed on public display and a Second Public Hearing was scheduled for Thursday, June 13, 2019. Comments that were received at the Second Public Hearing are included in the attachments at the end of the Five-Year Plan.

6. **Summary of comments or views not accepted and the reasons for not accepting them**

All comments and suggestions that were received to date, have been accepted and incorporated into the planning documents.

7. **Summary**

The main goals of the Five Year Consolidated Plan are: to improve the living conditions of all residents in the City of Morgantown; create a suitable and sustainable living environment; and to address the housing and community development needs of the residents.

Morgantown suffers a critical shortage of affordable housing for low and moderate families and individuals therefore, maintaining the housing stock and the construction of affordable housing are important.

The Five Year Consolidated Planning process requires that the City prepare in a single document as its strategy to pursue its goals for housing, establish and maintain a suitable living environment, and to extend economic opportunities for every resident.

The City will use its goals from the Five Year Consolidated Plan to allocate the next five (5) years of CDBG funds and to provide direction to its partners and participating agencies and organizations to address the housing and community development needs of the low- and moderate-income residents of Morgantown. HUD will evaluate the City's performance based on the goals established in this Five Year Consolidated Plan.

During the FY 2019 Program Year, the City of Morgantown will receive the following Federal funds.

- **CDBG**: $405,785.00
- **CDBG Program Income**: $3,000.00
- **Total**: $408,785.00
The City of Morgantown proposes to undertake the following activities with the FY 2019 CDBG funds:

- **General Administration** - $81,157
- **The Bartlett House – Housing First Model** - $25,000
- **Morgantown Area Youth Services Project (MAYSP) – Intervention Services** - $14,000
- **Mountaineer Boys and Girls Club – Education Services Program** - $14,000
- **Fairmount-Morgantown Housing Authority – Housing Rehab and Down Payment Assistance Program** - $28,000
- **ADA Improvements – Former Woodburn School** - $246,628
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

June 18, 2019

Honorable William A. Kawecki, Mayor

CITY OF MORGANTOWN, WV
Executive Summary

The City of Morgantown, West Virginia is an entitlement community under the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program (CDBG). In accordance with the Housing and Community Development Act of 1974, as amended, each entitlement community must "affirmatively further fair housing." In order to "affirmatively further fair housing," each entitlement community must conduct an analysis of fair housing which identifies any impediments to fair housing choice.

The City of Morgantown prepared an Analysis of Impediments to Fair Housing Choice in 2011. The City has now prepared this 2019 Analysis of Impediments to Fair Housing Choice. The analysis focuses on the status and interaction of six (6) fundamental conditions within the community:

- The sale or rental of dwellings (public or private);
- The provision of housing brokerage services;
- The provision of financial assistance for dwellings;
- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing;
- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority concentration; and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by HUD regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570.

The methodology employed to undertake this Analysis of Impediments included:

- **Research**
  - A review of the City's Zoning Ordinance, Comprehensive Plan, land use policies and procedures was undertaken
  - Demographic data for the City was analyzed from the U.S. Census and the HUD-CHAS data and tables
  - A review of the real estate and mortgage practices was undertaken
• **Interviews & Meetings**
  - Meetings and/or interviews were conducted with the Morgantown Housing Authority, community and social service agencies, advocacy organizations for the disabled, NAACP, housing providers, and real estate firms.

• **Analysis of Data**
  - Low- and moderate-income areas were identified
  - Concentrations of minority populations were identified
  - Fair housing awareness in the community was evaluated

• **Potential Impediments**
  - Public sector policies that may be viewed as impediments were analyzed
  - Private sector policies that may be viewed as impediments were analyzed

The City of Morgantown’s 2019 Analysis of Impediments to Fair Housing Choice has identified the following impediments, along with the goals and strategies to address those impediments.

• **Impediment 1: Fair Housing Education and Outreach**

There is a continuing need to educate persons about their rights under the Fair Housing Act and to raise community awareness to affirmatively further fair housing choice, especially for low-income residents, minorities and the disabled population.

**Goal:** The public in general and local officials will become knowledgeable and aware of the Fair Housing Act, related laws, regulations, and requirements to affirmatively further fair housing in the community.

**Strategies:** In order to meet this goal, the following activities and strategies should be undertaken:

- **1-A:** Continue to promote Fair Housing awareness through the media, seminars, and training to provide educational opportunities for all persons to learn more about their rights under the Fair Housing Act and Americans With Disabilities Act.

- **1-B:** Continue to make available and distribute literature and informational material concerning fair housing issues, an individual’s housing rights, and landlord’s responsibilities to affirmatively further fair housing.

- **1-C:** Educate and promote that all residents have a right to live outside impacted areas.
• **Impediment 2: Continuing Need for Affordable Rental Housing**

The City of Morgantown has the greatest supply of rental housing in the region. However, the monthly cost of rent for apartments has steadily increased to the point that over 56.7% of all renting households in Morgantown with incomes less than 50% of the median income are considered cost overburdened.

**Goal:** The supply of affordable rental housing that is decent, safe, and sound will meet the needs of lower income households throughout the City of Morgantown and the surrounding region, especially for households whose income is less than 50% of the median income, through new construction and in-fill housing, the rehabilitation of vacant buildings, and the development of mixed-income buildings.

**Strategies:** In order to meet this goal, the following activities and strategies should be undertaken:

- **2-A:** Support and encourage both private developers and non-profit housing providers to develop and construct new affordable mixed income rental housing that would be located throughout the City of Morgantown and Monongalia County.

- **2-B:** Support and encourage the rehabilitation of existing housing units in the City to create decent, safe, and sound rental housing that is affordable to lower income households.

- **2-C:** Encourage the development of community living arrangements, transitional housing, and permanent housing for the disabled, outside impacted areas in the City of Morgantown, and deconcentrate housing for the disabled by working to provide satellite services and transportation for the disabled so they can reside anywhere in the Monongalia County Area.

• **Impediment 3: Continuing Need for Affordable Housing for Sale**

The median value and cost to purchase and maintain a single family home in Morgantown that is decent, safe, and sound, has increased significantly to over $159,500, which limits the choice of housing for lower income households.

**Goal:** For-sale single family homes for lower income households will be developed through new construction, in-fill housing, and rehabilitation of vacant houses, outside areas of low-income concentration.

**Strategies:** In order to meet this goal, the following activities and strategies should be undertaken:

- **3-A:** Continue to support and encourage plans from both private developers and non-profit housing providers to develop and construct new affordable housing that is for-sale.
3-B: Continue to support and encourage the acquisition, rehabilitation and resale of existing housing units to become decent, safe, and sound
3-C: Continue to support homebuyer education and training programs to improve homebuyer awareness and increase the opportunities for lower-income households to become homebuyers.
3-D: Continue to support and provide funds for downpayment assistance to lower-income households to become homeowners.

Impediment 4: Continuing Need for Accessible Housing Units That Are For-Sale or Rent

As an older built-up urban environment, there is a lack of accessible housing units and developable sites in the City of Morgantown, since 44.6% of the City’s housing units were built over 50 years ago and do not have accessibility features, and 15.1% of the City’s population is classified as disabled.

Goal: The number of accessible housing units will increase to meet the demand through new construction and rehabilitation of existing housing units for the physically disabled and developmentally delayed.

Strategies: In order to meet this goal, the following activities and strategies should be undertaken:
4-A: Continue to enforce the ADA and Fair Housing requirements for landlords to make “reasonable accommodations” to their rental properties so they become accessible to tenants who are disabled.
4-B: Promote programs to assist elderly and disabled homeowners in the City to make accessibility improvements to their properties in order for these residents to remain in their own homes.
FUNDING REQUESTS

FY 2019-2020 CDBG Annual Action Plan (AAP)
## City of Morgantown, WV
### FY 2019 CDBG Funding Options

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Application Requests</th>
<th>Recommend FY 2019 CDBG Budget</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Program Administration</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>General Administration</td>
<td>$81,157.00</td>
<td>$81,157.00</td>
<td>This funding amount is 20% of the FY 2018 CDBG Allocation, which reflects the grant's cap for admin expenses.</td>
</tr>
<tr>
<td><strong>Public Service</strong></td>
<td></td>
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<tr>
<td>The Bartlett Housing - Housing First Model</td>
<td>$32,000.00</td>
<td>$25,000.00</td>
<td>Funded at same level as FY 2018.</td>
</tr>
<tr>
<td>Morganown Area Youth Services Project (MAYSP) - Intervention Services</td>
<td>$15,000.00</td>
<td>$14,000.00</td>
<td>Funded at same level as FY 2018.</td>
</tr>
<tr>
<td>Mountaineer Boys and Girls Club - Education Services Program</td>
<td>$18,000.00</td>
<td>$14,000.00</td>
<td>Funded at same level as FY 2018.</td>
</tr>
<tr>
<td>Catholic Charity - Emergency Financial Assistance</td>
<td>$3,250.00</td>
<td>$</td>
<td>Do not recommend funding this project since it is only a short-term fix with significant compliance monitoring challenges placing the agency at risk of repayment.</td>
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<tr>
<td>Positive Spin, Inc.</td>
<td>$2,000.00</td>
<td>$</td>
<td>The project is not eligible.</td>
</tr>
<tr>
<td>WV Coalition to End Homelessness, Inc. - Satellite Office Support</td>
<td>$10,927.00</td>
<td>$</td>
<td>This project is for office expenses, which would count against the City's General Administrative cap of 20% of the allocation.</td>
</tr>
<tr>
<td><strong>Housing</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fairmont-Morgantown Housing Authority - Housing Rehab and Down Payment Assistance Program</td>
<td>$125,722.00</td>
<td>$28,000.00</td>
<td>Recommendation includes $3,000 in CDBG Program Income. FMHA still has prior year funds that have not yet been spent.</td>
</tr>
<tr>
<td><strong>Public Facilities &amp; Improvements</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADA Improvements - Former Woodburn School</td>
<td>$221,628.00</td>
<td>$246,628.00</td>
<td>This is a multi-year project requiring additional FY 19-20 funds to complete portions of the project.</td>
</tr>
<tr>
<td>Green and Arch Street Streetlights</td>
<td>$75,000.00</td>
<td>$</td>
<td>This project is not eligible as proposed. To make this project eligible, it would need to be a part of a complete streetscape reconstruction project.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$584,684.00</td>
<td>$408,785.00</td>
<td></td>
</tr>
</tbody>
</table>

*Note: This proposed funding option would fund public service activities at 13.1%, which is below the social service cap.*
SUBMISSION TASKS/TIMELINE

FY 2019-2020 CDBG Annual Action Plan (AAP)
CITY OF MORGANTOWN, WV
FY 2019-2023 FIVE YEAR CONSOLIDATED PLAN,
FY 2019 ANNUAL ACTION PLAN, AND
FY 2019 ANALYSIS OF IMPEDIMENTS TO FAIR
HOUSING CHOICE
SCHEDULE FOR SUBMISSION

- Publish First Public Hearing in the Newspaper – Tuesday, November 13, 2018
- Resident, service providers, and stakeholder consultation – November 27 through
  29, 2018
- First Public Hearing – Wednesday, November 28, 2018 at 6:00 pm, City Council
  Chambers
- Publish Ad for the CDBG Funding Applications and Application Meeting –
  Tuesday, January 22, 2019
- CDBG Funding Applications are Due to the City – Friday, February 22, 2019
- Legal Notice runs in the Dominion Post – Thursday, May 16, 2019
- Plans goes on Public Display – Friday, May 17, 2019
- Second Public Hearing – Wednesday, June 12, 2019 at 11:00 AM, Council Chambers
- Plans off Public Display – Monday, June 17, 2019
- City Council Adoption of the Plans – Tuesday, June 18, 2019
- Plans submitted electronically to HUD Pittsburgh Office – on or before Friday, June
  21, 2019
- Program Year Begins – July 1, 2019
City Manager’s Report for City Council Meeting on June 18, 2019

Informational:

1. Draft Annexation Plan – Open Houses

   In response to City Council request, the following schedule has been finalized for open house events pertaining to the City’s draft annexation plan. The open houses are intended to provide residents and businesses opportunities to learn more about the draft annexation plan, the benefits of annexation, and the annexation process. The format of these events will be finalized upon City Manager Paul Brake’s return. This schedule will be available on the City’s webpage and publicized through press and social media outlets.

   - THU, 11 JUL 2019 from 6 p.m. to 8 p.m. ........................................ North Elementary gymnasium
   - MON 15 JUL 2019 from 6:30 p.m. to 8:30 p.m. ............................. BOPARC Marilla Center
   - THU, 18 JUL 2019 from 1 p.m. to 3 p.m. ................................. Morgantown Municipal Airport ARFF Training Room
   - MON 22 JUL 2019 from 6 p.m. to 8 p.m. ................................. Morgantown Event Center Marriott at Waterfront Place

2. 2019 Mountain Line Bus Shelter Project Update

   Bus shelters are an integral part of our local transit system and infrastructure. Not only do they provide riders a protected area in public spaces from inclement weather, they also enhance visibility of mass transit options. Appended hereto is an update from the Engineering Department concerning City Administration and Mountain Line Transit (MLTA) efforts to establish fixed bus stops across the city that will include bus shelter facilities. Three (3) locations have been identified as a part of the initial installation, two (2) of which are located downtown. Downtown bus shelters will be painted black to complement recent downtown right-of-way enhancements. MLTA is in the process of ordering shelters and Staff is scheduling work associated with site improvements. Related right-of-way encroachment agreements will be executed. Additional sites are being explored and will be selected based on ridership numbers, bus driver reports, property ownership, and engineering judgement.
New Business:

1. Morgantown Traffic Commission Recommendation – Traffic Control Reconfiguration at the Laurel / Parkview / Elmhurst Intersection

   Appended hereto is a memorandum from City Engineer Damien Davis concerning the Morgantown Traffic Commission’s 05 JUN 2019 recommendation to reconfigure present traffic control measures at the intersection of Laurel Street, Parkview Drive, and Elmhurst Street. This recommendation is based on a traffic study completed by the Traffic Commission and City Engineer’s Office that evaluated historical crash and speed data and field observations. The study was initiated following requests by residents and the Suncrest Neighborhood Association. Appreciable improvements in both crash and speed data have been realized following traffic calming installation (speed humps) along Laurel Street. Please refer to the appended memorandum that includes a map illustrating the recommended traffic control reconfiguration. Staff concurs with this recommendation and requests City Council authorization to proceed in removing the two (2) stop signs from their present locations on Laurel Street and installing two (2) new stop signs on Parkview Drive and Elmhurst Street.

2. ABCA Floor Plan Extension – Gene’s Beer Garden | Al Bonneroo Event

   Gene’s Place has made a request for a temporary floor plan extension for SAT, 29 JUN 2019 from 3 p.m. to 9 p.m. in conjunction with the Greenmont Neighborhood Block Party. Gene’s will offer live music and sell food and beer. The Al Bonneroo event is a fundraiser benefiting Pet Helpers of Marion and Monongalia County. Staff recommends City Council authorizes the requested floor plan extension to be sent to the ABCA.

3. ABCA Floor Plan Extensions (2) – Classics 3 | Bo Harper Memorial Ride

   Classics 3 Restaurant and Lounge at 1384 Greenbag Road has made a request for temporary floor plan extensions for the following dates. Live music will be offered as a part of these fundraising events. Staff recommends City Council authorizes the requested floor plan extensions to be sent to the ABCA for the following dates.

   - FRI, 12 JUL 2019 from 6 p.m. to 11 p.m. for the Triple S Bike Night and pre-registration for the Bo Harper Memorial Ride

   - SAT, 17 AUG 2019 from 11 a.m. to 11 p.m. for the Bo Harper Memorial Ride event

Christopher M. Fletcher, AICP
Director of Development Services

on behalf of City Manager Paul J. Brake, ICMA-CM, CEdD

Attachments (2)
2019 Bus Shelter Project Updates

City Administration and Mountain Line Transit Authority (MLTA) are working collaboratively to identify fixed bus stops across the city that will include bus shelter facilities. The following three locations will be the first in a series of installations, two of which are located within the downtown area (see Figure 1). MLTA has agreed to provide black-painted shelters in the downtown area to match recent public right-of-way improvements.

1) East Parkway, near White Park ballfields and B.O.E. access road
2) Walnut / Elk, on the south side of Public Safety Building
3) Pleasant / Spruce St. intersection

The city will provide:

- a right-of-way encroachment agreement
- site prep
- pad construction, and
- utility connections (if required)

MLTA has agreed to provide the shelter / appurtenances and their construction / installation.

City administration and MLTA continue to explore and prioritize additional sites based on ridership numbers, bus driver reports, property ownership, and engineering judgement. The following graphics and location maps are provided to better help council and the public visualize these three shelters.
**Figure 3** – A mock-up of the shelter to be built at East Parkway

**Figure 4** – Site Plan and Mock-Up for the Walnut/Elk Shelter Location

**Figure 5** – A mock-up of the shelter to be built on Pleasant Street near Spruce Street
Memorandum

To: Paul Brake, CEcD  
City Manager

From: Damien Davis, PE, CFM  
City Engineer

Date: June 7th, 2019  
RE: Actions of the Traffic Commission

Mr. Brake,

At the June 5, 2019 Traffic Commission meeting, commissioners reviewed a recent traffic study of the 2-way stop intersection at Laurel St., Parkview Dr., and Elmhurst St. (see attached map and images for context). The commission initiated the study because of complaints raised at the February 28th Suncrest Neighborhood Association meeting and a citizen request to consider installation of a 4-way stop at the intersection.

The traffic study found that a 4-way stop is not warranted at the intersection. A review of the crash data found no history of accidents involving the failure to yield the right-of-way at the intersection. Further, the study found that the stop signs on Laurel St. did not meet MUTCD warrants and were likely installed to control traffic speed. This use of stop signs is in direct violation of MUTCD guidance (2B.04.05). The study found previous count and speed data showing of high rates (>75%) of speeding on Laurel in 2005 and 2009. New (2019) traffic counts and speed analysis found drastically reduced instances and magnitude of speeding (~10%) on Laurel, likely due to the installation of traffic calming measures that include speed humps.

The traffic study recommended reconfiguration of the intersection to a two-way stop that would stop traffic on Parkview and Elmhurst. Justification included the following:

- The MUTCD recommends 4-way stops only on intersections with evenly distributed traffic. Laurel carries most of the traffic (about 70%) through the intersection.
- The speed humps have adequately calmed traffic on Laurel, and the errant use of the stop sign as a speed control device should be rectified.
- The traffic counts showed some evidence of motorists using Elmhurst and Rotary as a bypass for Laurel – reconfiguration would discourage these behaviors.
- Observations of driver behavior shows a natural inclination to stop at Parkview and Elmhurst and high rates of non-compliance with the stop signs on Laurel.

Martin Dombrowski moved to recommend the reconfiguration of the intersection. Erica Bowe seconded the motion. The motion passed unanimously.

continued on next page
Implementation Plan Overview

If directed to proceed with intersection reconfiguration, the engineering department will follow established protocols to properly notify the public of the traffic pattern change.

- They will work with both the Communications and the Police departments to communicate the change to Morgantown residents and the WVU community.
- They will work with the department of Public Works to perform the actual reconfiguration of the intersection and to trim foliage that currently interferes with sight lines at the intersection.
- They will closely monitor the effect of the change on all transportation users, including pedestrians and bicyclists, and will report their findings to the Traffic Commission.

Figure 1 - Aerial view of the Laurel Parkview/Elmhurst intersection showing proposed reconfiguration