

The City of Morgantown

389 SPRUCE STREET
MORGANTOWN, WEST VIRGINIA 26505
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OFFICE OF THE CITY MANAGER
Terrence R. Moore, ICMA-CM

City Council Information Letter

April 20, 2012

Ancillary Options to Help Combat Malicious Burning

As committed by city administration after the events of St. Patrick's Day weekend, staff is currently researching and reviewing all available options that may be legally exercised to address and respond to criminal activities associated with malicious burning. As referenced in the attached memorandum from Fire Chief Mark Caravasos, enforcement strategies to this effect include expanding public safety coverage in existing No Fire Zone areas of Morgantown, specifically downtown, fraternity hill, and other areas of the community that have experienced statically high levels of malicious burning. The Morgantown Police Department will therefore collaborate with the Morgantown Fire Department, the West Virginia University Police Department, and other stakeholders including landlords and property owners to maximize applicable enforcement in all such areas of the City. Meanwhile, city administration will continue to further research and evaluate additional potential strategies to effectively resolve this ongoing issue.

Morgantown Bicycle Improvement Program

As a follow-up to the March 27th Committee of the Whole meeting presentation regarding a proposed Morgantown bicycle improvement plan, city administration was able to review relevant details, including which projects and programs that can be implemented during the new fiscal year. These include working with the West Virginia Division of Highways to install a bicycle climbing lane on

City Council Information Letter

April 20, 2012

Page 2

Monongahela Boulevard between Eighth Street and Evansdale Drive; develop a bicycle route map for the City of Morgantown; and to encourage the Monongalia County School District to establish a safe route(s) to school curriculum. As far as the recommendation to adopt the plan, arrangements are being made for your review and consideration during your May 1st regular meeting. As referenced the attached electronic mail message from Morgantown Monongalia Metropolitan Planning Organization (MPO) Executive Director Bill Austin, this exercise also involves inclusion into the MPO's Long Range Transportation Plan – enabling support for countywide expansion respectively.

Possibility of Future Seneca Park Project

Deputy City Manager Jeff Mikorski and I were invited to meet with leadership of Sunnyside Up earlier this week to discuss the possibility of developing a future pocket park located on a City of Morgantown residentially zoned parcel located adjacent to an alley near Grant Avenue between Sixth Street and Seventh Street. As referenced in the attached electronic mail message from Executive Director Jim Hunt, this proposal involves leasing the property for improvements noted, to include a community garden, short walking trail, and a rustic seating area. As over 50 volunteers are anticipated to contribute sweat-equity to help implement this project in the coming months, a presentation to this effect, outlining additional details for consideration, will be offered during your June 26th Committee of the Whole meeting. Meanwhile, staff from both the Department of Public Works and Engineering and the Morgantown Utility Board are being asked to review any questions and/or concerns relative to existing on-site infrastructure.

Prospect of Special Events and Venues Coordination

In response to a goal communicated during this year's proposed budget process to consider creative approaches to organize, expand, and coordinate special events and venues in our community, city administration is currently researching ways in which proposals for outside assistance to this effect can be achieved. As it is clear that the City of Morgantown enjoys a number of performance and recreational locations that are underutilized annually, this effort involves creating a way that our local venues can be more actively utilized to improve the quality of life, as well as marketing and promoting additional regional and national activities to take place in Morgantown. Considerations as to how the City of Morgantown,

City Council Information Letter

April 20, 2012

Page 3

and partners Main Street Morgantown, BOPARC, and the Greater Morgantown Convention and Visitors Bureau, can secure related opportunities, are to therefore be presented for your review and input in the coming weeks.

Enclosures:

Memorandum from Fire Chief Mark Caravasos – Malicious Fire Issue
Electronic Mail Message from Bill Austin and Matrix Summary – Bicycle Board Plan
Electronic Mail Message and Background Information from James Hunt – Seneca Park

Manager/City Council Information Letter 58



**FIRE DEPARTMENT
ADMINISTRATIVE OFFICES
BUSINESS PHONE
(304) 284-7480**

**300 SPRUCE STREET
MORGANTOWN, W.V. 26505
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To: Terrence Moore
From: Chief Caravasos
Re: Malicious Fire Issue
Date: April 19, 2012

At the March 20th, 2012 council meeting, I was able to present to council a list of recommendations in dealing with the malicious fires that continually occur in the City of Morgantown. I wish to provide you an update as to where we are and what steps are being taken to deal with the problem.

Recommendations were put forth during several meetings that were held following the St. Patrick's Day incidents. These recommendations included stiffer fines, jail time, increased coverage of trouble areas and improved reporting of penalties from WVU.

Unfortunately, following conversations with the City's legal counsel, many of these recommendations are not available to use as options. Increasing the fine for the charge of malicious burning could be determined to be unreasonable, as the maximum fine for most other misdemeanor violations in the State of West Virginia is set at \$500.00. (WV State Fire Code allows for increased penalties; previously, the maximum monetary penalty for a fire code violation was \$1000.00. This has recently been increased to \$2000.00 with the passage of Senate Bill 597 which amends the section §29-3-16a of the Fire Prevention and Control Act).

The inclusion of jail time to the offense of malicious burning is also not recommended by the City's legal division. Reasoning for this decision is based on monetary concerns. By adding jail time to the offense, any person arrested for this offense could request a jury trial. In the event the city would lose a case, the city would have to pay for the cost of a jury and possibly any legal fees the accused would have accrued.

We are looking at the idea of expanding the existing "No Fire Zones" that exist in the City. Plans are already in place to increase surveillance and patrols in the areas where malicious fires routinely occur. Additionally, we are contemplating revival of City Fire Permits, where all fires within the city would require a permit prior to any burning taking place.

As additional ideas develop and actions to help curb these activities are identified, they will be forwarded to you for dissemination to other stakeholders.

Zimbra

tmoore@cityofmorgantown.org

Bicycle Board Plan

From : Bill Austin <baustin@labyrinth.net>

Tue, Apr 17, 2012 05:46 PM

Subject : Bicycle Board Plan**To :** 'Terrance Moore' <tmoore@cityofmorgantown.org>**Cc :** 'David Bruffy' <Bruffy@busride.org>

Terrance,

Per our discussion this afternoon, if the City Council desires to adopt the Bicycle Plan prepared by the Bicycle Board it may be recommended to the MPO for inclusion in the updated regional Long Range Transportation Plan. The MPO would incorporate the Plans elements in the LRTP as well as expand on the area the Plan covers to develop a bicycle plan for the entire county.

Thank you for coordinating with the MPO on this important element of our transportation plan. Please do not hesitate to contact me if I may be of any assistance or if you have any questions in this matter.

Bill Austin, AICP
Executive Director
Morgantown Monongalia MPO
82 Hart Field Road Ste. 105
Morgantown, WVA 26505
304-291-9571
304-692-7225 Mobile

“To improve is to change; to be perfect is to change often.”
— [Winston S. Churchill](#)

“You never change things by fighting the existing reality.
To change something, build a new model that makes the existing model obsolete.”
— [Richard Buckminster Fuller](#)

Action Priorities

In the following table, the above actions are listed in priority order. Each action is also classified by Action Type: Administrative/Policy or Construction. Construction projects are further classified Small or Large.

Following this table is a map that shows locations of select actions that involve construction.

Priority	Action Number	Action	Action Type	Size
1	Encouragement 1	Establish and maintain a budget to enable implementation of this plan.	Administrative/Policy	
2	Enforcement 6	Cite motorists for improper driving around cyclists with emphasis on failure to stop for stop signs, failure to yield at intersections and passing cyclists too closely and too fast	Administrative/Policy	
3	Encouragement 11	Establish and mark safe routes to schools extending at least ¼ mile from every school including Eastwood Elementary School, Mountaineer Middle School, Dorsey Avenue Pre-school, Mountainview Elementary School, North Elementary School, Suncrest Elementary and Middle Schools, Morgantown High School, and South Middle School.	Construction	Small
4	Engineering 13	Keep roadways, especially bike lanes and uphill shoulders, clear of glass, debris, snow and ice.	Administrative/Policy	
5	Engineering 14	Encourage redesigning University Avenue between Falling Run Road and Patteson Drive, to widen the up-hill side, providing a bicycle-climbing lane.	Construction	Large

Priority	Action Number	Action	Action Type	Size
6	Engineering 27	Encourage WVDODH to coordinate with Star City to widen University Avenue from Boyers Avenue to Patteson Drive during course of regular maintenance (resurfacing) sufficiently to enable motorists to pass bicyclists safely, especially on the climbing sections, or design and develop a Star City bicycle path parallel to University Avenue from Boyers Avenue to Patteson Drive.	Construction	Large
7	Engineering 6	Work with the State and promote installation of Shared Lane Markings and Bicycles May Use Full Lane signs on all state maintained arterials that have speed limits less than 35 mph that meet established criteria for Shared Lane Marking and Bicycles May Use Full Lane sign installation.	Construction	Small
8	Engineering 4	Install Shared Lane Markings and Bicycles May Use Full Lane signs on all City maintained arterials that meet established criteria for Shared Lane Marking and Bicycles May Use Full Lane sign installation.	Construction	Small
9	Engineering 16	Take the lead and work with WVDODH to install bicycle-climbing lane on Monongahela Boulevard between Eighth Street and Evansdale Drive.	Construction	Small

Priority	Action Number	Action	Action Type	Size
10	Engineering 2	Implement the Complete Streets policy established in 2007: all street resurfacing or other modifications will include a written Complete Street plan that is reviewed and commented on by the Bicycle Board before they can be implemented.	Administrative/Policy	
11	Engineering 7	Work with the State and promote installation of Share the Road signs on all State maintained arterials that have speed limits greater than 35 mph that meet established criteria for Share the Road sign installation.	Construction	Small
12	Engineering 18	Advocate for a bicycle lane on both sides of WV 705 from Willowdale Road to Mileground Road.	Construction	Large
13	Encouragement 8	Coordinate with the Morgantown Monongalia MPO to encourage WVU and other employers to provide bicycle parking, lockers and shower facilities for employees who chose to bicycle to work.	Administrative/Policy	
14	Engineering 9	Advocate secure short-term bicycle parking within 100 feet of bicyclist destinations in commercial districts.	Administrative/Policy	
15	Encouragement 6	Establish a bicycle route map for the City and classify all streets in terms of their bicycle friendliness.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
16	Encouragement 7	Establish way-finding signage and roadway markings to support the bicycle route map http://bikemorgantown.com/route_map.php .	Construction	Small
17	Enforcement 7 Evaluation 2	Measure bicycle use, bicycle crashes, bicycle injuries and, bicycle-related citations and publish the results quarterly and yearly. Analyze data to identify opportunities for increasing bicycle use and reducing crashes. Every year, 2 months before the beginning of the City's annual budget cycle, conduct an annual review with City Council, Chief of Police, City Engineer and the Bicycle Board of trends in bicycle use, bicycle crashes, bicycle injuries and, bicycle-related citations and identify required changes to the Bicycle Plan and related plans and operations.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
18	Education 2	Continue the Confident City Cycling education program that developed with the Morgantown Effective Bicycling Education Program WV Transportation Enhancement grant. CCC includes courses, the BikeMorgantown.com website, the BikeMorgantown Facebook page, public safety announcements, billboards, newspaper articles, bumper stickers, education booklets, safe bicycling tip cards and law information cards.	Administrative/Policy	
19	Enforcement 1	Establish and maintain a plan for traffic enforcement to improve bicycling safety and to reduce the perceived risk of bicycling in Morgantown	Administrative/Policy	
20	Encouragement 4	Employ certified bicycle instructors.	Administrative/Policy	
21	Education 3	Encourage the Board of Education to establish a Safe Routes to School (LAB Kids II) class in every school	Administrative/Policy	
22	Evaluation 1	Establish and maintain a plan for measuring and analyzing the effectiveness of the City's Bicycle Plan. Include measuring and reporting resources applied to implement this plan.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
23	Engineering 29	Encourage WVDOT to move the intersection of West Run Road and Route 119 to the Easton Hill Road. Widen and straighten West Run Road to improve sight lines. Install shared lane markings and Bicycles May Use Full Lane signs from Van Voorhis Road to the intersection with Easton Hill Road. Install Share the Road signs from the Route 119 and Route 857 intersection south on Route 857 to Old Cheat Road, along the Old Cheat Road, on Cheat Road from Cheat Lake to Pierpont Road.	Construction	Large
24	Enforcement 2	Conduct an annual Enforcement for Bicycle Safety workshop with the Morgantown Police department	Administrative/Policy	
25	Encouragement 12	Develop and implement a plan to reward students for bicycling to school.	Administrative/Policy	
26	Encouragement 5	Encourage management of key City offices such as Engineering, Public Works and Police departments to improve support of bicycling in Morgantown.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
27	Engineering 15	Conduct a comprehensive traffic flow and redesign study of the Sunnyside, Wiles Hill and Evansdale areas to minimize the difficulty and perceived risk of bicycle travel between WVU campuses.	Construction	Small
28	Education 4	Coordinate with WVU to provide LAB Bicycle Commuter and Traffic Skills 101 courses to all students, faculty and staff	Administrative/Policy	
29	Equity 1	Identify and repeal ordinances that discriminate against bicyclists, or restrict their right to travel, or reduce their safety relative to other travelers	Administrative/Policy	
30	Engineering 17	Work with the MPO, WVDOH and Star City to install bicycle-climbing lane on Monongahela Boulevard between Boyers Avenue and Pateson Drive.	Construction	Small
31	Engineering 21	Maintain the rail trails to be free of glass, snow and ice.	Administrative/Policy	
32	Engineering 12	Replace or work with appropriate entities to replace all drain grates that can catch bicycle wheels with grates that are bicycle friendly.	Construction	Small

Priority	Action Number	Action	Action Type	Size
33	Engineering 24	Build the Campus Connector from Grant Avenue to the WVU Evansdale Campus (with steps and bike-rail).	Construction	Large
34	Engineering 25	Work with WVU to promote the design and construction of a Health Center Connector from old North Fire Station to Law School, the Health Center, and Mountaineer Field.	Construction	Small
35	Engineering 19	Encourage the state to make Greenbag Road bicycle friendly.	Construction	Large
36	Enforcement 5	Cite bicyclists who run stop signs, ride against traffic, make improper turns or violate other laws	Administrative/Policy	
37	Enforcement 4	Handout rights and duties card along with citation to cyclists who violate rules of the road	Administrative/Policy	
38	Enforcement 3	Send rights and duties postcard to motorists that cyclists or others observed and reported violating bicyclist rights	Administrative/Policy	
39	Engineering 31	Every year, 2 months before the beginning of the City's annual budget cycle, conduct a review of bicycle infrastructure issues and improvements with City Council, the Traffic Commission and the Bicycle Board.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
40	Encouragement 10	In conjunction with local businesses and the local bicycling community, support regularly scheduled rides.	Administrative/Policy	
41	Encouragement 2	Coordinate with the Morgantown Monongalia MPO and the Monongalia County Commission to establish and maintain a Monongalia countywide bicycle plan	Administrative/Policy	
42	Encouragement 15	Promote Bike to Work month, week and day by the City Manager riding his or her bike down High Street.	Administrative/Policy	
43	Engineering 28	Work with the MPO, WVDOH and other appropriate entities to design and build connector from Falling Run Road through WVU Farms to West Run Road to the Mon River Trail (at Beechurst Avenue and near Van Voorhis Road); and Mon River Trail to Bakers Ridge Road and University High School.	Construction	Large
44	Encouragement 14	Review current implementation and consider expansion of the Planning and Zoning Code requiring developers of multi-family dwellings to provide bicycle parking and storage.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
45	Engineering 30	Encourage WVDOH to develop bike path in the West Run valley from Van Voorhis Road to I-68 and then west of I-68 in the general direction of I-68 to Sabraton to connect with the Decker Creek trail.	Construction	Large
46	Engineering 1	Establish and maintain a plan for improving Morgantown's infrastructure for bicycling.	Administrative/Policy	
47	Engineering 11	Coordinate with Mountain Line and WVU to establish reasonable bicycle parking at all bus and PRT stops.	Construction	Small
48	Engineering 20	Take the lead and work with appropriate entities to improve alignment and sight lines at Deckers Creek trail crossings of Deckers Creek Blvd. and consider enhanced traffic control measures.	Construction	Large
49	Education 1	Establish and maintain a bicycling education plan	Administrative/Policy	
50	Encouragement 15	Develop and implement a plan to reward people for riding their bicycles instead of driving cars.	Administrative/Policy	
51	Education 6	Conduct annual reviews of bicycling education progress	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
52	Engineering 3	Use the AASHTO Guide for the Development of Bicycle Facilities for the design of every new street and for every street improvement.	Administrative/Policy	
53	Engineering 8	Determine current bicycle traffic patterns and update when infrastructure changes are contemplated and implemented.	Administrative/Policy	
54	Encouragement 16	Achieve LAB Bicycle Friendly Community Bronze level award by 2012, Silver by 2015 and Gold by 2020.	Administrative/Policy	
55	Engineering 23	Install bike/ped bridge in the location of the former Decker Avenue bridge across Decker's Creek.	Construction	Large
56	Engineering 22	Install bike/ped bridge across Decker's Creek from Valley Crossing to Brockway Avenue.	Construction	Large
57	Engineering 10	Encourage weatherproof and vandal-proof long-term bicycle parking in every city owned or managed parking garage.	Construction	Small
58	Engineering 26	Finish Krepps Park to Star City connector.	Construction	Small
59	Encouragement 9	Establish a BikeMorgantown orientation package for newcomers.	Administrative/Policy	

Priority	Action Number	Action	Action Type	Size
60	Encouragement 3	Lead statewide bicycle plan development.	Administrative/Policy	
61	Education 5	Request WVDMV to include in the motor vehicle driver exam a question on proper driving with bicycles	Administrative/Policy	
62	Engineering 5	Work with the State to establish consistent standards for the installation of Share the Road signs.	Administrative/Policy	

Zimbra

tmoore@cityofmorgantown.org

Seneca Park

From : James Hunt <jimhunt@sunnysideupwv.org>

Tue, Apr 17, 2012 03:14 PM

Subject : Seneca Park 2 attachments**To :** 'Terrence Moore' <tmoore@cityofmorgantown.org>**Cc :** 'Reed Tanner' <reed@rtannerassociates.com>

Terrence,

Thank you for meeting with me yesterday to discuss the potential plans for the proposed Seneca Park Project. I have attached the map that we referenced on our site visit.

Sunnyside Up would propose to enter into a lease agreement for a nominal sum with the City of Morgantown for the parcel currently owned by the City of Morgantown. Sunnyside Up would develop a "passive type" park project which would include a community garden, walking areas and some rustic seating areas. We would clean and maintain the lot with minimal disturbance to the existing terrain. We would request a five year lease with options to renew for additional five year periods. We recognize that at some point in the future there might be some other use for this property and would be willing to agree to cancel the lease if that occurs.

As requested by the City Engineer, we will have the property surveyed to insure that we are operating on the proper boundaries.

We will work with the Morgantown Utility Board to address any concerns surrounding the existing storm drain and follow any recommendations from them.

We currently have a group that is willing to develop a community garden project on the property and they have identified over 50 volunteers that would be interested in working on the project. Sunnyside Up is working with this group to purchase seeds and supplies to assist with this effort. The produce that would be grown in the garden will be available to the residents of the Sunnyside neighborhood, the local homeless shelter and sold at the Morgantown Farmer's Market to sustain the garden.

I met today with a representative of the Botanical Garden group and discussed a possible collaboration.

This project has the potential to develop needed green space in the Sunnyside neighborhood and provide a productive purpose for residents of the neighborhood to engage in. It also follows the 2002 Sunnyside Comprehensive Revitalization Plan by developing the "Seneca Park" project that was described in the plan. It will also eliminate much of the negative activity that is currently occurring on this property. The litter and abandoned furniture is evidence of drinking and other activity that is not healthy for the neighborhood.

We would be happy to provide any other information that you would need. Thank you once again for you and your staff's attention to this worthy project.

Jim



**CAMPUS
NEIGHBORHOODS
REVITALIZATION
CORPORATION**

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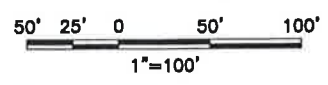
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Seneca Park Preliminary Plans.pdf
815 KB



 CITY OWNED PROPERTY AND RIGHT-OF-WAYS
 PROPERTY OWNED BY SHARPER INDUSTRIES, INC. (TM 15 PARCELS 234 & 235)




Gannett Fleming
 34 COMMERCE DRIVE, SUITE 203
 MORGANTOWN, WV 26501
 (304)-296-6492

**SUNNYSIDE UP - SENECA PARK
MORGANTOWN, WEST VIRGINIA**

DRAWING TITLE:
PROPERTY OWNERSHIP

JOB NUMBER: 51938		
DESIGNED: M.A.N.	CAD:	CHECKED:
DATE: JUNE 2011	DRAWING NO: 1	