



Office of the City Clerk

The City of Morgantown

Linda L. Little, CMC
389 Spruce Street, Room 10
Morgantown, West Virginia 26505
(304) 284-7439 Fax: (304) 284-7525
llittle@cityofmorgantown.org

**AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
January 15, 2013
7:00 p.m.**

1. **CALL TO ORDER**
2. **ROLL CALL BY CITY CLERK**
3. **PLEDGE TO THE FLAG**
4. **APPROVAL OF MINUTES: Regular Meeting – January 3, 2013**
5. **CORRESPONDENCE**
6. **UNFINISHED BUSINESS:**
 - A. **BOARDS AND COMMISSIONS**
7. **SPECIAL COMMITTEE REPORTS**
8. **PUBLIC PORTION WHICH SHALL BE SUBJECT TO RULES ESTABLISHED BY COUNCIL AND ADOPTED BY RESOLUTION**
9. **CITY MANAGER'S REPORT:**

NEW BUSINESS:

 1. **Authorization of Fire Equipment Purchase Recommendations**
 2. **Capital Escrow Budget Adjustment for Fire Equipment**

10. **REPORT FROM CITY CLERK:**

INFORMATION:

1. **Ballot Commissioners**

11. **REPORT FROM CITY ATTORNEY**

12. **REPORT FROM COUNCIL MEMBERS**

13. **ADJOURNMENT**

If you need an accommodation contact us at 284-7439

REGULAR MEETING, JANUARY 2, 2013: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Wednesday, January 2, 2013 at 7:00 P.M.

PRESENT: City Manager Terrence Moore, Deputy City Manager Jeff Mikorski, City Attorney Steve Fanok, City Clerk Linda Little, Mayor Jim Manilla and Council Members: Ron Bane, Wes Nugent, Jenny Selin, Marti Shamberger, Bill Byrne, and Linda Herbst.

APPROVAL OF MINUTES: The minutes of the Regular Meeting of December 18, 2012 were approved as printed.

CORRESPONDENCE: Mayor Manilla recognized a member of Boy Scout Troop 64 in attendance to earn his citizenship badge.

PUBLIC HEARINGS: None.

UNFINISHED BUSINESS: None.

BOARDS AND COMMISSIONS: Ms. Little reported the request from the Urban Landscape Commission, with regard to their wish to eliminate a commission seat specific to the Chamber of Commerce. She will research and report back with more information.

SPECIAL COMMITTEE REPORTS: Councilor Byrne reported that the Sister City Commission is working on an upcoming dinner meeting with members of the WVU Chinese Student Association. Councilor Shamberger then reported on the latest meeting of the BOPARC Senior Center Advisory Board, reminding citizens that they may exercise at the Senior Center on Eureka Drive.

NEW BUSINESS: None.

PUBLIC PORTION:

Tom Bloom, Monongalia County Commissioner, inquired about the possibility of combining and expanding existing recreation program administration and facilities with Monongalia County, stating there is interest in pooling resources with Morgantown.

There being no other appearances, Mayor Manilla declared the public portion closed.

CITY MANAGERS REPORT:

NEW BUSINESS:

1. Budget Adjustment Considerations Regarding Arts Alive Funding

After explanation from the City Manager, followed by discussion, motion by Bane, second by Selin to approve the budget adjustment for the Arts Alive Festival. Motion carried 7-0.

2. Authorization of FY2013-2014 Proposed Budget Calendar

After brief explanation from the City Manager, motion by Selin, second by Shamberger to approve the proposed FY13-14 budget calendar. Motion carried 7-0.

REPORT FROM CITY CLERK: Ms. Little reminded Council to forward any more items of discussion on legislative priorities to Mayor Manilla by January 9th; Council by consensus, agreed.

Next the City Clerk asked Council if they wish her to make arrangements with the County Clerk and pursue a ballot referendum for changing the City's Election date to be in line with Monongalia County's Primary Election; further asking for direction on any other Charter Changes, or other measures being considered by Council.

Discussion began on what issues with the Charter may arise, and whether Council wishes to move forward with changing the election date. The City Attorney also advised Council that a Charter Review Board cannot make a recommendation in time for the April 30th Election, stating also that the Board must be comprised of professionals who have the ability to make quality recommendations. Discussion continued and Council remained divided on the issue and did not come to consensus about placing the election date change on the ballot at this time. It was decided that the possibility of a Charter Review Board and research on Ward & Boundary review will be discussed at the next Committee of the Whole meeting.

Lastly, Ms. Little announced that Candidate Packets for the upcoming election are available both in the office and online. Council then began to discuss when it is appropriate to start obtaining signatures for their petitions.

REPORT FROM CITY ATTORNEY: No Report.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane: Councilor Bane talked about the loss of Tim Saab, and then cautioned Council to be more conservative in the coming fiscal year in light of the current federal economic conditions.

Councilor Nugent: Councilor Nugent echoed comments for Mr. Saab and his family. He welcomed Commissioner Bloom and stated that it will be an interesting opportunity to further discuss combining recreation services with the county. He announced that the annual WVU Garden calendars are now available.

Councilor Selin: Councilor Selin also consoled the Saab family, and then asked that Council revisit the recently moved public portion and agenda order. Lastly, Councilor Selin urged everyone to purchase local goods and services, in the coming year.

By acclamation, Council agreed to discuss the public portion and agenda order at the next Committee of the Whole meeting.

Councilor Shamberger: Councilor Shamberger complimented the Street department for their work clearing snow recently. She also congratulated the MHS Band for their Rose Bowl Parade appearance. She is also looking forward to discussing the combining of recreation services with the county.

Councilor Byrne: Councilor Byrne concurred with remarks of sympathy for the Saabs. He reminded citizens that the new recycling program begins

soon with use of the new totes. He then discussed the proposed change to the membership of the Sister Cities Commission at the upcoming Committee of the Whole meeting. Councilor Byrne expressed that he feels Home Rule is the most important legislative priority for the City.

Council then gave consensus to pursue the advancement of Home Rule as the body's sole legislative priority.

Councilor Selin then interjected a question about citizens who have not yet received their recycling totes. Mr. Moore urged her to contact the Manager's Office to have the issue resolved.

Councilor Herbst:

Councilor Herbst also extended condolences to the Saab family and added she is open to a discussion of consolidating BOPARC with the county. She remarked that citizens should be educated as to what the Home Rule program is, and what its impact would mean for the citizens and business owners of Morgantown.

Mayor Manilla:

Mayor Manilla remarked about Mr. Saabs passing. He noted that trash pickup has been hindered by recent winter weather. He recalled previous discussions to combine recreation administration with the county, and is glad to see the initiative being reviewed again. He looks forward to discussing the idea. Lastly, Mayor Manilla announced the Coalition for Social Justice's MLK Day events to be held on Monday, Jan. 21st at the Met Theatre.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:05 p.m.

City Clerk

Mayor

*A FULL TRANSCRIPT OF ALL COUNCIL MEETINGS IS AVAILABLE ON DVD AT THE MORGANTOWN CITY LIBRARY.



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

300 SPRUCE STREET
MORGANTOWN, W.V. 26505
FAX: (304) 284-7503

To: Terrence Moore, Jeff Mikorski, J.R. Sabatelli
From: Chief Caravasos
RE: New engine purchase
Date: January 3, 2013

Following a review of bids that were submitted in response to bid call 2013-04 Fire Engine Apparatus, it is the recommendation of the committee to award the bid to Pierce Manufacturing Co. of Appleton, Wisconsin. The committee recommended the following options be executed with this contract:

- | | |
|---------------------------------------|------------------|
| 1) Pierce Saber Custom Fire Apparatus | \$495,962 |
| 2) Chassis Discount Option | deduct (\$6,454) |
| 3) Addition of a hatch compartment | \$1,980 |
| 4) Add Safety Stripe | \$225 |

TOTAL COST: \$491,703

Other bids received were as follows:

Smeal Corp - Metrostar Series Engine - \$493,381.00

Seagraves - Marauder Series Engine - \$632,543.00

City of Morgantown

Finance Department

389 Spruce Street

Morgantown, WV 26505

Phone 304-284-7407/Fax 304-284-7418

jsabatelli@cityofmorgantown.org

MEMO

DATE: January 9, 2013

TO: Terrence Moore, ICMA-CM
City Manager

FROM: JR Sabatelli, CPA
Finance Director



RE: Capital Escrow Capital Lease Budget Revision-Fire Engine

The items below are the proposed budget adjustments for the Capital Escrow Fund for the fiscal year ending June 30, 2013. This adjustment is pending approval and authorization of the bid to purchase the fire engine as detailed in the memo by Chief Mark Caravassos. This purchase will be made with funds approved for and provided through the City's new Capital Lease, of which funds were allocated to the Contingency line until authorizations to purchase are approved.

Budget Line	Current Budget	Proposed Revised Budget	Net Change
Revenues:			
**NONE	\$ -	\$ -	\$ -
			\$ -
Expenses:			
Fire Department Equipment	\$ 45,596	\$ 540,596	\$ 495,000
Contingency	\$1,085,817	\$ 590,817	\$ (495,000)
			\$ -
Net Revision			\$ -

BOARDS AND COMMISSIONS - TERMS EXPIRED AND CURRENT VACANCIES

URBAN LANDSCAPE COMMISSION:

Attached find a letter from the Chair Kara Hurst requesting removing the Chamber of Commerce position. Also attached is most recent Urban Landscape Ordinance for Council to discuss amending section 163.03(Membership) at the next COW meeting. Nominated by CM, from each ward, 13 members with staggered terms, 1 councilmember, and non-ward members must represent specific category.

***POLICE & FIRE CIVIL SERVICE COMMISSIONS:** NEW PRESIDENTS APPOINTED IN JANUARY.

**Information for Boards and Commissions vacancies are placed in the Dominion Post, are advertised on the City's Government Station Channel 15, and are posted at the Library and also information is on the City's Web Page.*

**Council decided on 3-21-06 by unanimous consent that if there is only one candidate for Boards & Commissions, the City Clerk will check with Council before scheduling a Special Meeting.*

**BZA and Planning Commission term expirations are advertised in October and interviews must be completed by December per State Law.*

1/8/12

Zimbra

llittle@cityofmorgantown.org

Chamber of Commerce Position

From : wvhurst@comcast.net

Thu, Dec 13, 2012 12:52 PM

Subject : Chamber of Commerce Position 1 attachment**To :** linda little <llittle@cityofmorgantown.org>**Cc :** jeff mikorski <jmikorski@cityofmorgantown.org>, Marchetta Maupin <mmaupin@cityofmorgantown.org>

Linda-

Attached please find the Urban Landscape Commission's request to remove the Chamber of Commerce position from its membership. If you need anything else please let me know.

Thank you-

Kara Hurst
Urban Landscape Commission - Chair

 **Memo to L Little to remove Chamber Position.docx**
11 KB

Memo

December 13, 2012

To: Linda Little, City Clerk

From: Kara Hurst, Urban Landscape Commission

Re: Chamber of Commerce Position on Urban Landscape Commission

It is the recommendation of the Urban Landscape Commission to remove the Chamber of Commerce position from its membership. The Chamber of Commerce has never filled their position on the Commission by a member of the Chamber. According to Ken Busz, President of the Morgantown Chamber, that status is not going to change in the foreseeable future. Please proceed with whatever actions are necessary to remove this position from the ULC's membership roster.

AN ORDINANCE AMENDING EACH AND EVERY SECTION OF ARTICLE 163 OF THE ADMINISTRATIVE CODE OF THE CITY OF MORGANTOWN; THEREBY, RENAMING THE CITY'S BEAUTIFICATION COMMISSION AS THE URBAN LANDSCAPE COMMISSION AND ALSO CLARIFYING MATTERS SUCH AS PURPOSE, MEMBERSHIP, TERMS, VACANCIES, OFFICERS, MEETINGS, FUNDS, AND ANNUAL REPORTS.

163.01 ESTABLISHED.

There is hereby established a ~~Beautification~~ Urban Landscape Commission for the City, the official name of which shall be the "Morgantown ~~Beautification~~ Urban Landscape Commission".

163.02 PURPOSE.

The purpose of the Urban Landscape Commission shall be to advise and recommend to the City Manager and/or City Council such plans, programs and projects which in the opinion of the Commission would improve the natural, aesthetic, and environmental quality of life within the City. The Commission shall review and make timely recommendations on all landscape plans accompanying new or reconstructed city buildings, parks, parking lots, trails and other City-owned realty. The Commission shall also appoint a Tree Board, which shall serve in an advisory capacity to the City Manager, when called upon by him/her, in administering the City's Tree and Shrub Ordinance (Article 917). The Commission shall also serve as a resource for the review of private sector projects as requested by the City Manager and/or the Planning Commission.

~~163.02~~ 163.03 MEMBERSHIP.

The ~~Beautification~~ Urban Landscape Commission shall consist of thirteen members, consisting of the following: one from each ward of the City, one having expertise in Landscape Architecture one having expertise as an Urban Forester, one having expertise as a Botanist or equivalent expertise, one being a member of the Board of Parks and Recreation Commission, one being a member of the Chamber of Commerce, and one being a member of City Council. All persons shall be residents of the City. The City Manager shall appoint a member of the City Administration to serve as an ex-officio member of the Commission. The seven Commission members, who represent wards, shall be nominated by the City Manager upon the recommendation of their ward council person and confirmed by City Council. The remaining members shall be nominated by individual councilpersons and confirmed by City Council.

~~163.03~~ 163.04 TERM.

~~The Beautification Commission members shall be elected for the following terms: Two members shall serve for terms expiring July 1, 1975; two members until July 1, 1976; and three members until July 1, 1977. The Mayor shall decide the terms to be served by such members. Upon expiration of the terms specified herein, all subsequent appointments shall be for a term of three years each.~~

All non-ward members of the Urban Landscape Commission shall serve three year terms as previously established by City Council. Whereas, it is the intent of City Council to stagger the terms of ward Urban Landscape Commission members so that no more than three of the seven ward terms shall expire in the same year, the terms of current ward members shall be as follows:

<u>1st Ward</u>	<u>7/01/09 to 7/01/12</u>
<u>2nd Ward</u>	<u>7/01/10 to 7/01/12</u>
<u>3rd Ward</u>	<u>7/01/09 to 7/01/12</u>
<u>4th Ward</u>	<u>7/01/10 to 7/01/13</u>
<u>5th Ward</u>	<u>7/01/10 to 7/01/13</u>
<u>6th Ward</u>	<u>7/01/10 to 7/01/13</u>
<u>7th Ward</u>	<u>7/01/10 to 7/01/11</u>

All subsequent appointments of ward members shall be for a term of three years each.

~~163.04~~ 163.05 VACANCIES.

~~Vacancies shall be filled in the same manner as original appointments and for the unexpired term only. The office of a member of the Beautification Commission shall become vacant upon his death, resignation, removal from office or failure to attend three consecutive, regular meetings without being excused by the Commission either before or after such failure of attendance. All members shall serve without compensation.~~

Vacancies shall be filled subject to the conditions set forth in Section 163.03 of this Article and for the unexpired term only. The office of a member of the Urban Landscape Commission shall become vacant upon the member's death, resignation, or removal from office. Should a member fail to attend more than one half of the meetings of the Commission in a consecutive twelve month period, the Chairperson shall confer with the member so as to assess the ability of the member to continue serving as a member of the Commission. All members shall serve without compensation.

~~163.05~~ 163.06 OFFICERS.

~~At the first Commission meeting of July in each year, the Beautification Urban Landscape Commission shall select from its own membership a chairperson, vice-chairperson, and secretary.~~

~~163.06~~ 163.07 MEETINGS.

~~The Beautification Urban Landscapes Commission shall meet as often as it may deem necessary by its members, upon call of the chairperson. The Commission shall adopt its own by-laws or rules subject only to the action of Council.~~

~~163.07~~ BEAUTIFICATION PROGRAMS AND PROJECTS.

~~It shall be the duty of the Beautification Commission to advise and recommend to the City Manager and/or Council such programs or projects which in the opinion of the Commission would improve the beauty and general welfare of the City. In its advisory~~

capacity, the Commission shall review and make recommendations, on or before a date set by Council, on all City landscaping projects to be considered by Council, and on all landscape plans accompanying new public buildings and parking lots. The Beautification Commission shall also appoint a Tree Committee, which shall serve in an advisory capacity to the City Manager, when called upon by him/her, in administering the City's Tree and Shrub Ordinance.

163.08 APPROPRIATION OF FUNDS.

Council may appropriate any funds that it deems necessary to carry out any of the proposals set forth by the Beautification Urban Landscapes Commission. The Commission, with the approval of City Council, may apply for federal and state financial aid in grants or other forms of financial assistance through the City Administration to assist in carrying out any of such proposals or projects. The Commission may also seek financial assistance from organizations or individuals for such purposes in consultation with the City Administration. All Commission funding shall be received and managed by the office of the City Manager.

163.09 ANNUAL REPORT.

Council may request a yearly report from the Beautification Urban Landscape Commission regarding its financial condition including receipts and disbursements, together with such statistics, information, and suggestions as may be deemed of general interest: services provided throughout the previous year. This report may include information, statistics and recommendations which may be deemed of general interest.

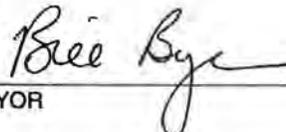
This Ordinance shall be effective upon date of adoption.

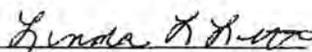
FIRST READING: 8/4/2009

ADOPTED: 8/18/2009

FILED: 8/19/2009

RECORDED: 8/19/2009


MAYOR


CITY CLERK