

REGULAR MEETING APRIL 15, 2008:

The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, April 15, 2008 at 7:30p.m.

PRESENT: Mayor Ron Justice, City Manager Dan Boroff, City Clerk Linda Little, City Attorney Steve Fanok, Assistant City Manager Jeff Mikorski, and Council Members, Jim Manilla, Jenny Selin, Don Spencer, Charlie Byrer and Bill Byrne. **Ron Bane Absent.**

The meeting was called to order by the Deputy Mayor.

APPROVAL OF MINUTES: Minutes from the regular meeting on April 1, 2008 were approved as printed.

CORRESPONDENCE: Proclamation: Medical Laboratory Professionals Week was presented by the Deputy Mayor. Mayor Justice mentioned a Thank You note from Charlene Marshall. Councilor Manilla gave a Transit update.

PUBLIC HEARING- ORDINANCE AUTHORIZING THE CITY OF MORGANTOWN TO DEED A PARCEL OF REALTY, SHOWN ON MONONGALIA COUNTY TAX MAP 20 AS PARCEL 400, TO THE MORGANTOWN BUILDING COMMISSION.

Pursuant to a legal notice appearing in the Dominion Post, Mayor Justice called for a public hearing on the above referenced Ordinance.

There being no appearances or objections, Mayor Justice declared this public hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE AUTHORIZING THE CITY OF MORGANTOWN TO DEED A PARCEL OF REALTY TO THE BUILDING COMMISSION: The below entitled Ordinance was presented for second reading:

AN ORDINANCE AUTHORIZING THE CITY OF MORGANTOWN TO DEED A PARCEL OF REALTY, SHOWN ON MONONGALIA COUNTY TAX MAP 20 AS PARCEL 400, TO THE MORGANTOWN BUILDING COMMISSION.

Motion by Byrne, second by Manilla to adopt the above entitled Ordinance. Motion carried 6-0. **Bane Absent.**

BOARDS AND COMMISSIONS: By acclamation Betty McClain was appointed to the Traffic Commission.

NEW BUSINESS:

AN ORDINANCE AUTHORIZING THE RATES OF LEVY: The below entitled Ordinance was presented for first reading:

THE RATES OF LEVY LAID BY THE CITY OF MORGANTOWN AND APPROVED BY THE STATE AUDITOR FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 IN ACCORDANCE WITH CHAPTER 11 ARTICLE 8 OF THE WEST VIRGINIA CODE.

After explanation from City Manager, motion by Byrne, second by Spencer to pass the above entitled Ordinance to second reading. Motion carried 6-0. **Bane Absent.**

PUBLIC PORTION:

Mike Taylor, 1234 Van Voorhis Road, & member of West Virginia Citizens for the Honest Adoption of Pets, is requesting Council to adopt a law that regulates tethering.

SPECIAL COMMITTEE REPORTS:

Councilor Byrne reminded all of Sunnyside meeting on 4-16-08 at 7:30 a.m. and updated Council of future plans and progress of the committee.

Councilor Byrer complimented the Teen Court program and what a good job C W Mullins is doing.

CITY MANAGERS REPORT:

NEW BUSINESS:

Item No. 1: Attached you will find a letter (and related material) requesting a Festival Permit to support the Twilight 5-Miler (fund raiser for the Jim Dunn Memorial Scholarship) to be held July 11, 2008, at the Wharf District Parking Garage. Given the merits of this event, I recommend that the request be granted.

After discussion, motion by Byrne, second by Manilla to support the Twilight 5 Miler Fundraiser. Motion carried 6-0. **Bane Absent.**

Item No. 2: BOPARC reports that West Virginia University Hospitals has offered a grant of \$1,000 to repair the lights on the Deckers Creek Bridge if the City will match the grant to complete the project. Given the attractiveness of this improvement and the proposed grant, I recommend that \$1,000 from the Capital Escrow Account contingency be made available for the project.

Motion by Manilla, second by Spencer, to grant \$1,000 to repair lights on the Deckers Creek Bridge. Motion carried 6-0. **Bane Absent.**

Item No. 3: The last attachment is a memo from the Public Works Director reporting the bid result for the next phase of the High Street Streetscape Project. I agree with her comments and recommend that the contract be awarded to Tony Baiano Construction for a cost of \$969,993 (to be reduced by approximately \$40,000 in change orders to be effected). **Special Note:** As detailed in the attachment, there is a total project shortfall of \$171,131. I further recommend that this cost be funded from the projected cash carry over in the General Fund for this fiscal year.

After discussion, motion by Byrne, second by Spencer that the contract for the High Street Streetscape Project goes to Tony Beano Construction for \$969,993. Motion carried. 6-0. **Bane Absent.**

CITY CLERK'S REPORT: No report.

CITY ATTORNEY'S REPORT: No report.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane **Absent.**

Councilor Manilla
Councilor Manilla commented on the sizes of the political ads in people's yards, and asked the Planning Commission to revert back to the old rule which called for smaller signs. He inquired about the timing of traffic lights on Beechurst Avenue which could be improved for better traffic flow. City Manager Dan Boroff said he will check on it. Councilor Manilla concluded by addressing the possibility of a City Service Fee, and commented that he is not sure if there is a need for such a fee.

Councilor Byrer

Councilor Byrer requested information about an email from the Mayor regarding the Mason County Riverfront. Mayor Justice explained that a group from Morgantown will go visit and see the award winning improvements made there, which could help inspire the continuing development of our own Riverfront District. Councilor Byrer inquired as to the status of a permit issued to Kane Core which will soon expire. City Manager Dan Boroff answered that their permit will be reissued only under specific conditions which Kane Core must meet. Councilor Byrer asked what role MUB plays in planning for stormwater drainage on new construction projects. City Manager Dan Boroff answered that a stormwater review is made to determine the impact before construction begins.

Councilor Selin

Councilor Selin suggested a COW session to discuss waterfront ideas and issues before the visit to Mason County takes place. Mayor Justice said that making tourist attractions would be the main focus of the development. The riverfront area would be from Star City into Morgantown. Councilor Selin mentioned that she and Councilor Spencer met with the Greater Morgantown Area Youth Commission. She reminded everyone of the Job Fair at South Middle School this Saturday. Lastly, she announced the Child Care task force for After School issues is meeting on April 28 at 6 pm in Council Chambers.

Councilor Byrne

Councilor Byrne said that he attended the Neighborhood Coordinating Meeting, and praised the group for its quality of work, and the forum it provides for different views and concerns to be voiced.

Councilor Spencer

Councilor Spencer mentioned the Kane Core permit situation, and what little has been done at the site. He informed Council about new graffiti along the trails in the Sunnyside area. He attended the Monongahela River Summit where topics of safety, debris management and hydroelectric power conversions were discussed. Councilor Spencer commented that Point Pleasant has truly integrated all the aspects of riverfront renovation and development in a way which other communities can take examples. He asked City Manager Dan Boroff about the status of the Code Enforcement Review. He expressed to Council the concerns of the residents of Laurel Street, who want to ensure pedestrian access to the Bridge.

Mayor Justice

Mayor Justice clarified issues and questions about a City Service Fee that the funds from such a fee are not needed to supplement the City budget, and funds generated would not be enough for any significant project, namely road improvements. He commented that the Chamber of Commerce Dinner was nice, and the new president of the Chamber of Commerce was named. He announced a Symposium at the Mountainlair which will be attended by Governor Manchin, on alcohol abuse and related topics for Universities. The W.Va. Aeronautics Commission will be at the Municipal Airport at 11 am on April 16th. Mayor Justice noted the Mainstreet Board meeting will be held at the BB&T Bank on April 16th at 8am; the MPO meets Thursday night at 7 pm, and Chet Parsons

has made the Agendas and Minutes available electronically. He reminded everyone of the Blue and Gold Game on Saturday, and the Project Pride Community Cleanup on Saturday from 9am-4pm. The Walk for the Alzheimer's Association is on Saturday at 9 am, and on the 21st of April at 10am. The Waterfront Community Trust will make an announcement about tourism. Lastly, Mayor Justice spoke of the May COW, where Waterfront progress and economic development is to be discussed.

ADJOURNMENT: There being no further business, the meeting adjourned by unanimous consent at 8:30 pm.

City Clerk

Mayor

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