

**REGULAR MEETING MAY 15, 2012:**

The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, May 15, 2012 at 7:00 P.M.

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

**APPROVAL OF MINUTES:** The minutes of the Regular & Special Meetings on May 1, 2012 were approved as printed.

**CORRESPONDENCE:** Mayor Manilla presented a proclamation to Coaches Tyler Fleisher & Jessica Burtner of CTA All-Star Cheerleading and Dance Team and applauded them for their accomplishments. Mayor Manilla then read proclamations for Law Enforcement Officers Memorial Day, Kids to Park Day and noted that on May 14<sup>th</sup> Morgantown was named a bronze level Bicycle Friendly Community by the League of American Bicyclists. Councilor Nugent mentioned an e-mail from Ron Justice commending a well job done by the City Administration during the WVU Student move-out.

**PUBLIC HEARING - AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING A RIGHT-OF-WAY AGREEMENT BETWEEN IT, AS GRANTOR, AND MOUNTAINEER GAS COMPANY, AS GRANTEE, AS THE SAME APPLIES TO GAS LINE INSTALLATION THROUGH MORGANTOWN MUNICIPAL AIRPORT REALTY TO WEST VIRGINIA NATIONAL GUARD READINESS CENTER REALTY.**

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

**PUBLIC HEARING – AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN IT AND THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS, REGARDING THE CITY’S TEMPORARY USE OF WEST VIRGINIA UNIVERSITY’S EQUIPMENT KNOWN AS A ‘GUMBUSTER’.**

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

**UNFINISHED BUSINESS:**

**AN ORDINANCE AUTHORIZING A RIGHT OF WAY AGREEMENT WITH THE WV NATIONAL GUARD READINESS CENTER:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING A RIGHT-OF-WAY AGREEMENT BETWEEN IT, AS GRANTOR, AND MOUNTAINEER GAS COMPANY, AS GRANTEE, AS THE SAME APPLIES TO GAS LINE INSTALLATION THROUGH MORGANTOWN MUNICIPAL AIRPORT REALTY TO WEST VIRGINIA NATIONAL GUARD READINESS CENTER REALTY.

Motion by Byrne, second by Shamberger, to adopt the above entitled Ordinance. After discussion, motion carried 7-0.

**AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH WVU:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN IT AND THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS, REGARDING THE CITY'S TEMPORARY USE OF WEST VIRGINIA UNIVERSITY'S EQUIPMENT KNOWN AS A 'GUMBUSTER'.

Motion by Herbst, second by Shamberger, to adopt the above entitled Ordinance. After explanation from the City Manager, motion carried 7-0.

**BOARDS AND COMMISSIONS:** None.

**SPECIAL COMMITTEE REPORTS:** Councilor Byrne reported that there will be a visit from our Friendship City Delegation from Xuzhou, China on May 16 and 17<sup>th</sup>. Councilor Byrne noted that the representatives from Xuzhou will meet with City Council, Sister City Commission, business leaders, and colleagues from WVU for a Signing ceremony to be held at noon at the Waterfront Place Hotel's Regatta Bar & Grille on Thursday, May 17, 2012.

**NEW BUSINESS:**

**AN ORDINANCE AMENDING THE FY 2011-2012 GENERAL FUND BUDGET:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE AMENDING THE FY 2011-2012 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND.

Motion by Byrne, second by Selin, to pass the above entitled Ordinance to second reading. After explanation of the revisions from the City Manager, motion carried 7-0.

**AN ORDINANCE AUTHORIZING TO PURCHASE PARCELS TO CREATE A NEW CITY PARK IN JEROME PARK:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING IT TO PURCHASE MONONGALIA COUNTY TAX MAP 24 PARCELS 296, 312, 312.1 AND 314 FROM SANDRA PAUL MOORE FOR THE PURPOSE OF CREATING A NEW CITY PARK IN THE JEROME PARK AREA OF MORGANTOWN.

Motion by Shamberger, second by Byrne, to pass the above entitled Ordinance to second reading. Mr. Moore informed Council that the Land and Water Conservation Fund awarded the City \$100,000 dollars to complete this project. Following further clarification from the Manager and discussion, motion carried 7-0.

**PUBLIC PORTION:** Mark Furfari, 1435 Roosevelt Street, thanked City Administration for the new streaming media archive of public meetings and documents. Mr. Furfari also asked Council to find money to repair the hangars at the Morgantown Airport.

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

**CITY MANAGER'S REPORT:** City Manager, Terrence Moore, replied to Mr. Furfari that there will be dialogue about the airport hangars at the May 29<sup>th</sup> Committee of the Whole meeting.

**NEW BUSINESS:**

1. Police and Fire Pension Fund Annual Reports:

Mr. Moore presented the information regarding the fund reports to Council.

2. Mon River Trails Conservancy Half Marathon

After explanation from the Manager, and discussion, motion by Bane, second by Byrne, to allow the City Manager to investigate other funding avenues for the MRTC, and decide accordingly which in-kind contributions can be made in addition to a lesser monetary amount. Motion carried 6-1, Mayor Manilla voted NO.

3. Farmer's Market Food Permit:

After explanation , motion by Nugent, second by Selin to approve the acquisition of the food permit for the Market Place Pavilion. Motion carried 7-0.

4. Appointment of City Representatives to the Fairmont/Morgantown Housing Authority:

After explanation, motion by Nugent, second by Byrne to approve the appointments of Kim Mosby and Frank Scafella to the Housing Authority. Motion carried 7-0.

**REPORT FROM CITY CLERK:**

1. Changes to Police Civil Service Commission Rules & Regulations:

Motion by Byrne, second by Nugent to approve the presented revisions to the PCSC Rules & Regs. as recommended by the Commission. Motion carried 7-0.

**REPORT FROM CITY ATTORNEY:** No Report.

**REPORT FROM COUNCIL MEMBERS:**

Councilor Bane:

Councilor Bane mentioned the Inclusive City initiative and asked Mr. Fanok to make a memo to Council with his recommendations and noted regarding the request. He announced MHS Lacrosse, and encouraged everyone support the teams in their successes.

Councilor Nugent:

Councilor Nugent announced the Wiles Hill neighborhood association meeting and upcoming neighborhood events, as well as the Farmer's Market which continues at a temporary location through the Market Place Pavilion construction. He then corrected misinformation printed in the Dominion Post, regarding an area which is outside of City Limits.

Councilor Selin: Councilor Selin reported a large pothole at the intersection of University Avenue and Collins Ferry Road where conditions are hazardous. She announced the Evansdale Campus re-design meeting. She expressed appreciation for the loved ones who remain home while public officials are out at meetings engaging in their civic duties.

Councilor Shamberger: Councilor Shamberger thanked Mr. Moore for coordinating the joint Conference Session with the County Commission. She then clarified that the decision to expand the Urban Deer Hunt was made unanimously by the board. She expressed enthusiasm for meeting the visiting Chinese Delegation.

Councilor Byrne: Councilor Byrne welcomed the Xuzhou Quanshan Delegation, arriving Thursday. He announced the document signing event and recognized all those who worked to prepare for the event.

Councilor Herbst: Councilor Herbst remarked that she read Charleston may have banned smoking at outdoor events as well as indoors. She announced a celebration at the Botanic Garden.

Mayor Manilla: Mayor Manilla, complimented City administration for their work in negotiating with WVU for the reimbursement of Morgantown's Police and Fire responders. He then read brief remarks about Operation Welcome Home, a challenge to make Morgantown one of the most veteran-friendly places in the Country. He suggested that the program director make a presentation at an upcoming meeting. Mayor Manilla then announced Gene Vance Day, Met Theatre productions, King Kat fishing tourney and other upcoming community events.

**EXECUTIVE SESSION:** Pursuant to West Virginia Coe Section 6-9-A-4(b)(B)(9) Council moved by unanimous consent to enter into executive session in order to discuss matters involving or affecting the purchase, sale or lease of property, with Council Members, City Attorney, Tim Ball, MUB Director present. Session commenced at 8:20 p.m.

**ADJOURNMENT:** There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:43 p.m.

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City Clerk

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Mayor

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