

REGULAR MEETING, AUGUST 20, 2013: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, August 20, 2013 at 7:00P.M.

PRESENT: City Manager Jeff Mikorski, Assistant City Manager of Operations Glen Kelly, City Attorney Steve Fanok, City Clerk Linda Little, Mayor Jenny Selin and Council Members: Ron Bane, Bill Kawecki, Wes Nugent, Marti Shamberger, Mike Fike and Nancy Ganz.

APPROVAL OF MINUTES: The minutes of the Regular Meeting of August 6, 2013 were approved as presented.

CORRESPONDENCE:

Councilor Nugent shared a resident request for speed humps in his neighborhood, and hoped that traffic calming could continue to be funded. Secondly, he noted trash left curbside and citizen concerns relayed to him about recycling totes and thanked the Manager for helping to deal with those concerns in a timely manner. Lastly, he relayed an issue of inaccurately reported crime in the downtown area by the Dominion Post.

Year of the Tree Presentation:

Sandra Fallon and her associates on behalf of the Year of the Tree activities outlined for Council how the movement began and detailed their work over the past year in celebrating trees. They thanked everyone who participated in, and helped with all of the events.

Mayor Selin then presented the Year of the Tree Committee with the All Star Community Award, given to the City of Morgantown in the Enrichment Category for the Year of the Tree, as designated by the West Virginia Municipal League. Council accepted the Award on behalf of those responsible for the Year of the Tree at the WVML Annual Conference in August. The plaque will go on proud display in City Hall, as a memento of the achievements Year of the Tree has made.

River Town Presentation: *(Note: Chronologically, this presentation took place before the City Manager's Report, in order to accommodate the schedule of the speaker, who had a prior engagement with another Municipality before the meeting. The Rules were suspended to allow the presentation when the speaker arrived.)*

Cathy McCollom, Director of the River Town Program, explained the program and gave Council handouts about River Town. The program seeks to help revitalize riverfront communities by offering economic growth through outdoor recreation based markets. The program attracts both visitors and businesses to help sustain and grow the economies of small towns. They focus on trails, navigable rivers, and other forms of outdoor recreation in order to achieve the goals of revitalization. The program operates at no cost to its participating municipalities.

PUBLIC HEARING – AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY BOARD OF EDUCATION, AS THE SAME APPLIES TO A PREVENTION RESOURCES OFFICER IN THE MONONGALIA COUNTY SCHOOL SYSTEM AT MORGANTOWN HIGH SCHOOL.

There being no appearances, Mayor Selin declared the public hearing closed.

PUBLIC HEARING – AN ORDINANCE AMENDING SECTION 345.35 OF THE TRAFFIC CODE OF THE CITY OF MORGANTOWN MAKING THE OFFENSE OF FAILURE TO WEAR SAFETY BELTS A PRIMARY OFFENSE.

There being no appearances, Mayor Selin declared the public hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR AN OFFICER AT MHS: The above entitled Ordinance was presented for second reading.

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY BOARD OF EDUCATION, AS THE SAME APPLIES TO A PREVENTION RESOURCES OFFICER IN THE MONONGALIA COUNTY SCHOOL SYSTEM AT MORGANTOWN HIGH SCHOOL.

Motion by Bane, second by Shamberger, to adopt the above entitled ordinance. After discussion, mMotion carried 7-0.

AN ORDINANCE AMENDING THE TRAFFIC CODE, PRIMARY OFFENSE, FAILURE TO WEAR SAFETY BELTS: The below entitled Ordinance was presented for second reading:

AN ORDINANCE AMENDING SECTION 345.35 OF THE TRAFFIC CODE OF THE CITY OF MORGANTOWN MAKING THE OFFENSE OF FAILURE TO WEAR SAFETY BELTS A PRIMARY OFFENSE.

Motion by Bane, second by Nugent to adopt the above entitled ordinance. Motion carried 7-0.

BOARDS AND COMMISSIONS: By acclamation, City Council appointed Patricia Hein and Elizabeth McConnell to the Library Board and Joseph Scotti to the Urban Landscape Commission.

PUBLIC PORTION:

John Sofranko, 445 Linden Street, commented about trees, and then discussed the Arts Alive Festival. He noted the Council was asked to contribute but did not, and told Council that decision was short-sighted. Lastly, he noted that while sitting in front of the Public Safety Building recently there were numerous trucks that came through. He postulated that the City “could never get rid of them”.

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

SPECIAL COMMITTEE REPORTS: No Reports.

NEW BUSINESS:

AN ORDINANCE CREATING A WOODBURN SCHOOL REDEVELOPMENT COMMISSION: The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN CREATING ARTICLE 162 WITHIN ITS ADMINISTRATIVE CODE, ESTABLISHING A WOODBURN SCHOOL REDEVELOPMENT COMMISSION.

Motion by Ganz, second by Kawecki to pass the above entitled Ordinance to second reading. After explanation from the City Manager and discussion, motion carried 7-0.

A RESOLUTION TO OBTAIN \$10,000 FROM THE COMMUNITY PARTICIPATION GRANT PROGRAM; PROJECT NUMBER 13LEDAO188, FUNDS FOR USE FOR THE ZACKQUILL MORGAN STATUE: The above entitled Resolution was presented for approval.

Motion by Bane, second by Nugent to approve the above entitled Resolution. Motion carried 7-0.

CITY MANAGERS REPORT:

INFORMATION:

1. WVML – Home Rule Pilot Program

Mr. Mikorski stated that discussions centered around Home Rule at the WVML Conference; as such, he suggested Council hold a work shop on September 10, 2013 at 7:00 p.m. to address possible Home Rule topics.

REPORT FROM CITY CLERK: Clerk Little reminded Council of their photo before COW on August 27th. Councilor Bane stated that he would not be in attendance for that photo. Ms. Little will schedule the photo for September 3, 2013 before the Special Meeting.

REPORT FROM CITY ATTORNEY: No Report

REPORT FROM COUNCIL MEMBERS:

Councilor Bane:

Councilor Bane appreciated the River Town presentation, noting there are not many activities that take place in the waterfront area. He stated that the amphitheater is underutilized each summer, and that there is more the City could do to enhance the assets we already possess along the river. Downtown needs to be focused upon also, and the problems it has should not be generalized.

Councilor Kawecki

Councilor Kawecki inquired how Council would go about accepting the proposal from River Town to initiate the program in Morgantown.

Discussion erupted about what the best course of action would be. Mr. Mikorski then stated that since the program is free, and costs the City nothing, and the program pays the City nothing; that a formal agreement would not be necessary. He suggested that an action team should be formed to work with the group. Mr. Fanok asked that the record reflect Council's action supporting the River Town program and it's endeavors, Council then consented to direct the Manager to write a letter of intent to River Town supporting the program in Morgantown, which Council will approve at a subsequent meeting.

Councilor Kawecki continued, stating that he enjoyed attending his first Municipal League meeting. He commended the City for improvements made along Walnut Street, and thanked the employees for their hard work. He then clarified Councilor Fike's questions about the school resource officer program.

Councilor Nugent:

Councilor Nugent offered his condolences to the McClain family and the Mascioli family for their losses. He announced the Wiles Hill-Highland Park neighborhood association meeting. He praised the decision to look into the River Town Project services and noted the History Museum's efforts to re-create a flatboat. He mentioned the hiatus of this year's Arts Alive Festival is not a result of Council's actions but, a decision of its own board which is unrelated to any funding request made of the City. Mr. Mikorski confirmed that this is true.

Councilor Shamberger:

Councilor Shamberger enjoyed her time in Charleston at the Municipal League conference and garden tours. She announced the BOPARC meeting and then concurred with Councilor Bane that the amphitheater should be used more. She noted the overwhelming odor near the MUB plant and trails. Mr. Mikorski noted MUB is aware and the smell is being dealt with, some noted marked improvement although the odor can still be smelled in the area. Councilor Shamberger inquired who is responsible for making sure truck bed loads are covered. Mr. Fanok replied that City Police have the authority to enforce this. Lastly, Councilor Shamberger appreciated the trees and planters around town and their beauty.

Councilor Fike:

Councilor Fike thanked Councilor Kawecki for clarifying his question about the school resource officer. He noted that he is interested to know how effective the program is and possibly how many children are being helped by officer intervention at MHS. He praised the neighborhood associations in his ward for their ongoing summer events and the participation from the neighbors. He announced he attended the WVU Chinese Student Orientation. He then asked the City Clerk to procure a list of Council Members who are appointed to, and also unofficially monitoring the Boards and Commissions. Mayor Selin added that she has kept track of this, as many were not formal appointments.

Councilor Ganz:

Councilor Ganz also was grateful that she was able to attend the Municipal League Conference. She thanked BOPARC for all the great events they hosted this summer. She hoped that the County could come to the table with contributions for BOPARC programming and events since over 50% of the use is from county citizens. She discussed the development of the Evansdale Campus and noted that some citizens are concerned about related traffic patterns. She attended Fall Fest and thanked the

University for a safe and well run event. She announced a BOPARC dance workshop.

Mayor Selin:

Mayor Selin noted that the Arts Alive Festival is underfunded and expressed she was disappointed that the City did not step up with monetary contributions, although in-kind donations were made. She encouraged the Arts Alive organizers to re-group and the City to contribute to the festival so that it can happen again this year. She noted Fall Fest and commended the organization of the event. She welcomed the student guest citizens and encourages citizenship among them. She mentioned street lights that are burnt out and have not been taken care of by the power company. She asked that City Administration take initiative on that situation. Mayor Selin then announced several upcoming events including M.T. Pockets Theatre, a Wild Flowers Walk, the Farmer's Market, and year of the tree knitting at Arts Mon.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 9:03 p.m.

City Clerk

Mayor

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