

**REGULAR MEETING, OCTOBER 15, 2013:** The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, October 15, 2013 at 7:00 P.M.

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

**APPROVAL OF MINUTES:** The minutes of the Regular and Special Meetings of October 1, 2013 was approved as presented.

Councilor Fike then questioned ‘Suspension of the Rules’ when Council allows expert commentary before vote on an Ordinance.

**CORRESPONDENCE:**

Nicholas Wright was then presented with his pin, to designate his promotion to Firefighter First Class. Mayor Selin then presented proclamations commemorating Breast Cancer Awareness and Municipal Government Week.

Mayor Selin then asked that Council Members share their announcements. Councilor Ganz announced the City’s official Trick or Treat times for Halloween. Councilor Fike announced the United Way fundraising campaign and related City peperoni roll sale. He also reminded of the Farmer’s Market. Councilor Nugent announced BOPARC’s Halloween Spooktacular Trick or Treat event.

Councilor Nugent then addressed a letter to the City Manager from Bryan Radabaugh of the WV DOH regarding the paving of High Street. He asked for consensus of Council to have Mr. Radabaugh come before Council to discuss this and other uncompleted projects at a future meeting. Councilor Bane seconded, and there was no objection to Councilor Nugent’s request. Mr. Mikorski noted that Mr. Radabaugh can be invited to speak at the upcoming Committee of the Whole Meeting.

Mayor Selin then stated a request from Senator Bob Beach for a letter of support from Council to name the South High Bridge after John Pyles and asked that Council place this on the Committee of the Whole for discussion. Councilor Nugent asked that criteria for naming bridges be formed by Council or otherwise put the issue to a vote of the Citizens if Council does not plan to draft naming criteria. After discussion, Mayor Selin asked for consensus to place the issue on the Committee of the Whole, and there was no objection to the request.

**PUBLIC HEARING – AN ORDINANCE AMENDING SECTION 925.03 OF THE CITY OF MORGANTOWN’S STREETS, UTILITIES AND PUBLIC SERVICES CODE BY SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE SEWERAGE SYSTEM OF THE CITY OF MORGANTOWN.**

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

**PUBLIC HEARING – AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF EXTENSION, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WASTEWATER PORTION OF THE EXISTING PUBLIC COMBINED WATERWORKS, SEWERAGE AND STORMWATER SYSTEM OF THE CITY OF MORGANTOWN AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$1,250,000 IN**

**AGGREGATE PRINCIPAL AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2014 A (WEST VIRGINIA SRF PROGRAM); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A BOND PURCHASE AGREEMENT RELATING TO THE BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.**

The above Public Hearing did not take place, as it should not have been scheduled until the third and final reading of the Bond Ordinance.

**UNFINISHED BUSINESS:**

**AN ORDINANCE SETTING FORTH RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE CITY'S SEWERAGE SYSTEM (SUNSHINE ESTATES ACQUISITION):** The below entitled Ordinance was presented for second reading:

AN ORDINANCE AMENDING SECTION 925.03 OF THE CITY OF MORGANTOWN'S STREETS, UTILITIES AND PUBLIC SERVICES CODE BY SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE SEWERAGE SYSTEM OF THE CITY OF MORGANTOWN.

Motion by Bane, second by Kawecky to adopt the above entitled Ordinance. Motion carried 7-0.

**AN ORDINANCE AUTHORIZING COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2014 A, FOR ACQUISITION OF THE SUNSHINE ESTATES SEWERAGE SYSTEM:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF EXTENSION, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WASTEWATER PORTION OF THE EXISTING PUBLIC COMBINED WATERWORKS, SEWERAGE AND STORMWATER SYSTEM OF THE CITY OF MORGANTOWN AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$1,250,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2014 A (WEST VIRGINIA SRF PROGRAM); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A BOND PURCHASE AGREEMENT RELATING TO THE BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

Motion by Bane, second by Shamberger, to pass the above entitled Bond Ordinance to third reading. Motion carried 7-0.

**BOARDS AND COMMISSIONS:** Motion by Nugent second by Bane to appoint Nancy Ulrich to fill the vacancy on the Personnel Board. Motion carried by unanimous consent. Motion by Bane, second by Nugent to re-appoint Bill Rice to the Morgantown Utility Board for a full term. After discussion, motion carried by 5-2. Councilors Shamberger and Ganz voted NO. There was then discussion regarding openings on the BZA, Planning Commission and the Woodburn School Redevelopment Commission.

**PUBLIC PORTION:**

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

**SPECIAL COMMITTEE REPORTS:** Councilor Bane reminded Council to convey to the City Clerk their top 3 priority items for the upcoming Special Meeting on the 22<sup>nd</sup> of October in preparation for the City/County Joint Meeting on the 24<sup>th</sup> of October.

**NEW BUSINESS:**

**AN ORDINANCE LEASING SPACE AT WOODBURN SCHOOL TO THE WVU CERAMICS DEPARTMENT:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING IT, AS LESSOR, TO LEASE SPACE AT THE FORMER WOODBURN SCHOOL, NOW OWNED BY THE CITY, TO THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS, LESSEE, FOR USE BY THE WVU COLLEGE OF CREATIVE ARTS, SCHOOL OF ART DESIGN, CERAMICS DEPARTMENT.

Motion by Bane, second by Shamberger to pass the above entitled Ordinance to second reading. After discussion, and information from the City Manager, motion carried 5-2. Councilors Kawecki and Ganz voted NO.

**AN ORDINANCE LEASING SPACE AT WOODBURN SCHOOL TO THE BOYS AND GIRLS CLUB:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING IT, AS LESSOR, TO LEASE SPACE AT THE FORMER WOODBURN SCHOOL, NOW OWNED BY THE CITY, TO THE MOUNTAINEER BOYS AND GIRLS CLUB, INC., LESSEE.

Motion by Shamberger, second by Fike, to pass the above entitled Ordinance to second reading. Motion carried 7-0.

**CITY MANAGERS REPORT:**

NEW BUSINESS:

1. Agreement with Tamarack for the Sale of Products at the Morgantown Municipal Airport.

After explanation, motion by Ganz, second by Kawecki, to approve the agreement for Tamarack product sales at the Airport. After discussion, motion carried 7-0.

2. Renewal of the City's Group Health Plan.

After explanation, motion by Ganz, second by Shamberger, to approve the health plan renewal and related changes, in accordance with the new laws of the ACA. After discussion, motion carried 7-0.

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

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

**REPORT FROM COUNCIL MEMBERS:**

Councilor Bane: No Report.

Councilor Kawecki Councilor Kawecki noted that he was privileged to witness the installation of a new Rabbi at the Tree of Life Congregation.

Councilor Nugent: Councilor Nugent announced the upcoming Wiles Hill-Highland Park Neighborhood Association meeting and a local musical called the Golden Horseshoe. He noted street light concerns to follow up with the City Manager. Councilor Nugent also expressed disappointment that High Street will not be paved in a timely fashion. He offered correction for a news article which depicts an address not in City Limits as a “city resident”.

Councilor Shamberger: Councilor Shamberger thanked all who participated in the Woodburn Cleanup event and related festivities. She thanked City Administration for participating in the ward tours. She thanked those who applied for the Personnel Board opening and thanked Mike Clow for his service to the City.

Councilor Fike: Councilor Fike commented on the success of the WVU Student Cleanup event. He thanked Susan Sullivan for her media work and then reported that the Rivertown initiative is successfully underway after its first meeting.

Councilor Ganz: Councilor Ganz echoed compliments for the Rivertown project. She thanked the Tree Board for their Arbor Day events and announced she attended an activity at Chestnut Ridge Park sponsored by the WVU Physics Department. She announced the 7<sup>th</sup> ward tour and the upcoming meeting of the Suncrest Neighborhood Association.

Mayor Selin: Mayor Selin inquired about the status of the Mainstreet wayfinder sign system, and a bike lane on Beechurst Avenue. She reported several burnt out street lights, some in the Beechview area. Some discussion then followed.

**ADJOURNMENT:** There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:47 p.m.

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City Clerk

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Mayor

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