

REGULAR MEETING SEPTEMBER 16, 2014: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, September 16, 2014 at 7:00 p.m.

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

The Meeting was called to order by Mayor Selin.

APPROVAL OF MINUTES: The minutes of the regular meeting of September 2, 2014, were approved as printed.

CORRESPONDENCE: Councilor Fike read a letter that was forwarded to the City Clerk from Adam Reeves, District Manager of Donor Recruitment for American Red Cross Blood Services, in regards to the blood drive that was held in the church across the street from the City Hall building. Councilor Fike thanked all the city employees who donated a total of twenty-one pints of blood. Mayor Selin read a letter that supported National Public Lands Day that takes place on September 27, 2014.

PUBLIC HEARING - AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING A PART OR PORTION OF SUZANNE ROAD MEASURING FORTY (40) FEET IN WIDTH AND APPROXIMATELY EIGHTY-FIVE (85) FEET, AT ITS LONGEST POINT, IN LENGTH LOCATED AND SITUATE IN THE SECOND WARD OF THE CITY OF MORGANTOWN, MORGAN DISTRICT, MONONGALIA COUNTY, WEST VIRGINIA.

There being no appearances, Mayor Selin declared the Public Hearing closed.

PUBLIC HEARING - AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING A PART OR PORTION OF DORIS ROAD MEASURING THREE HUNDRED EIGHT (308) FEET, AT ITS LONGEST POINT, IN LENGTH, AND SITUATE IN THE SECOND WARD OF THE CITY OF MORGANTOWN, MORGAN DISTRICT, MONONGALIA COUNTY, WEST VIRGINIA.

There being no appearances, Mayor Selin declared the Public Hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING A PORTION OF SUZANNE ROAD: The below entitled Ordinance was presented for second reading.

AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING A PART OR PORTION OF SUZANNE ROAD MEASURING FORTY (40) FEET IN WIDTH AND APPROXIMATELY EIGHTY-FIVE (85) FEET, AT ITS LONGEST POINT, IN LENGTH LOCATED AND SITUATE IN THE SECOND WARD OF THE CITY OF MORGANTOWN, MORGAN DISTRICT, MONONGALIA COUNTY, WEST VIRGINIA.

After discussion, motion by Shamberger, second by Bane, to adopt the above entitled Ordinance. Motion carried 6-1. Ganz voted no.

AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING A PART OR PORTION OF DORIS ROAD: The below entitled Ordinance was presented for second reading.

AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING A PART OR PORTION OF DORIS ROAD MEASURING THREE HUNDRED EIGHT (308) FEET, AT ITS LONGEST POINT, IN LENGTH, AND SITUATE IN THE SECOND WARD OF THE CITY OF MORGANTOWN, MORGAN DISTRICT, MONONGALIA COUNTY, WEST VIRGINIA.

After discussion, motion by Shamberger, second by Bane, to adopt the above entitled Ordinance. Motion carried 6-1. Ganz voted no.

BOARDS AND COMMISSIONS: The City Clerk stated that two members on the Board of Zoning Appeals and two members of the Planning Commission terms expire on 12/31/2014. She noted per state law, they will advertise in October for Special Meetings in November to have appointments in place by January 1, 2015. The City Clerk also mentioned that Urban Landscape is still in need of appoints for fourth ward.

PUBLIC PORTION:

Dan McMullen, 486 Hite Street, stated that he and his neighbors are concerned about the containment process at 513 Madison Avenue. He noted that he they are happy to see the property being cleaned up but they feel it's not being done in a safe and correct manner. He stated that West Virginia does not have any type of guidelines or laws about mold contamination although he would like to see some effort from Council in setting up protocols in cases of severe mold contamination. Mr. McMullen noted many potential hazards that need to be rectified.

Female, 517 Madison Avenue, stated that she spoke with Jeff Mikorski, Steve Fanok, and Mike Stone and they all reassured her that 513 Madison Avenue was being taken care of. She had many unanswered questions and wondered why the decontamination process is being handled in such an unprofessional and unsafe manner. She noted that she is very disheartened in the way the City has handled this property and she mentioned that this is a very sad way the City set precedence with such hazardous conditions as this property has.

Mayor Selin welcomed State and Local Government classes from WVU and asked if they had any questions. None of the students responded with any questions.

SPECIAL COMMITTEE REPORTS: No Report

NEW BUSINESS:

AN ORDINANCE AMENDING THE FY 2014-2015 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET: The below entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING THE FY 2014-2015 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.

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

AN ORDINANCE BY THE CITY OF MORGANTOWN ADDING A NEW ARTICLE 160 TO ITS ADMINISTRATIVE CODE

AN ORDINANCE BY THE CITY OF MORGANTOWN ADDING A NEW ARTICLE 160 TO ITS ADMINISTRATIVE CODE CREATING A MORGANTOWN HOUSING ADVISORY COMMISSION.

After discussion, Fike motioned to amend Ordinance, second by Shamberger. Motion carried 7-0. Mayor Selin moved to add another amendment, second by Bane. Motion carried 5-2. Kawecki and Fike voted no. After more discussion, question was called on main motion. Motion carried 7-0.

CITY MANAGER'S REPORT:

INFORMATION:

1. First Ward Neighborhood Association Meeting

City Manager, Jeff Mikorski informed Council that there will be a meeting at 6pm on September 17, 2014 at Jack Roberts Park to provide residents with information and procedures of the abatement of 513 Madison Avenue.

NEW BUSINESS:

1. Capital Escrow Amendment #2

City Manager, Jeff Mikorski explained the budget amendment to Council and requested the programming of additional funds allocated to the Capital Escrow. He stated that due to a project increase of \$200,000 and cash carryover increase of \$460,000 into the Capital Escrow, he is requesting \$630,000 be programmed into the Airport access road line and \$30,000 into the demolition program line.

Motion by Bane, second by Shamberger to approved the above stated Capital Escrow Amendment #2. Motion carried 7-0-.

REPORT FROM CITY CLERK: City Clerk, Linda Little updated Council that at the September 30, 2014 COW Meeting Munimetrix will do their presentation; October 21, 2014 Regular Meeting Casto and Harris will present the M650 machine during correspondence. She also reminded Council of the upcoming Delegate meeting at 6pm on November 16, 2014.

REPORT FROM CITY ATTORNEY: No Report

REPORT FROM COUNCIL MEMBERS:

Councilor Bane:

Councilor Bane noted that the C. J. Cirra stated the house at 513 Madison was the worst he had ever seen before. He stated that there have been pictures with dumpsters overflowing with hazardous debris and the home has never been secured for the health and safety of the residence. Councilor Bane is hoping that the Neighborhood Meeting on 9-17 will answer questions for residence on their concerns about 513 Madison.

Councilor Kawecki:

Councilor Kawecki asked the City Manager if 513 Madison had a remediation license. City Manager responded that Administration made sure that the company had all the required certifications. He then noted that reading in the paper the City has another lawsuit and wanted to know how many lawsuits the City had against them? After discussion between the City Attorney and Councilor Kawecki on the status of lawsuits for the City; Councilor Kawecki noted he will meet with the Attorney on this issue at a later date. After discussion about Halloween dates, motion by Kawecki, second by Shamberger to have Halloween on October 30, 2014 from 6pm to 7:30pm. Motion carried 4-3. (Bane, Nugent, Fike voting NO).

Councilor Nugent:

Councilor Nugent informed every one of the Wiles Hills Highland Park Neighborhood Meeting on Wednesday at 7pm. He then thanked the City Manager for taking care of some trash issues; progress has been made but more needs to be done in this area. He noted a recent e-mail about trash and stated that it will take action and changing habits of those who do not follow the rules. He stated that these bad habits are not fear to the Citizens in this community that abide by the rules; and am glad the City Manager is keeping on top of this issue.

Councilor Shamberger:

Councilor Shamberger noted that she is also glad that the City Manager is trying to make some changes with the trash problems. Councilor Shamberger reported that she and Councilor Ganz reviewed a program called Granicus that streamlines Boards and Commissions requesting consensus to have a presentation by this company at the October COW. She mentioned

that the Met. Commission is finishing upon the electronic rigging at the Met Theatre which is a great safety issue; which was funded through a grant. She announced that the 5th ward tour with City Manager will be on September 23, 2014. She then encourages citizens to apply for positions on the BZA and Planning Commission; yes these are volunteer positions but a wonderful way to serve our City.

Councilor Fike:

Councilor Fike gave a greeting to the WVU class in the audience great to have you back in town. He noted we have been talking about housing and on the good side Habitat for Humanity has been building some fabulous homes. He requested possibly relieving habitat of fees and discussing this at a future COW Meeting.

Councilor Ganz:

Councilor Ganz thanked and complimented City Manager and Administration for the 4th and 7th ward tour. She requested from the City Manager to establish a protocol be established for vacant or condemned home. She then charged the City Manager and Assistant City Manager to research payment in lieu of taxes; so we can keep our services to the community and make this the best city.

Mayor Selin:

Mayor Selin recognized her daughter Katy that was sitting in the audience. She then mentioned dates for meetings changing November 4th to November 5th and also the time of the October 7th meeting to 4pm so Council can attend the Hydro-Power Plant Meeting. She commented that in reference to the First Ward house and procedures followed by Administration; we just need to make sure we follow-through with that plan. She stated to the City Manager I do believe Annexation letters have gone out to the new annexed area. City Manager responded that the letters have gone out and that there will be a meeting in the future with more information. She visited the new CVB office and suggests other Council take time to visit also. She requested for COW discussion to reform the Sanitation Advisory Committee. She then made the following announcements: Attorney General Patrick Morrissey will speak at the Pines Country Club on September 18, 2014; Green Night at the Library on September 19, 2014; Rick

Springfield at the CAD on September 19, 2014; Botanical Garden Mushroom Walk on September 21, 2014; Arts Walk and Farmers Market on September 25, 2014; Woman of Color on October 1, 2014 and Parking Day/Mini Parks of Green Space on September 19, 2014 from 10am to 3pm.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:50 p.m.

City Clerk

Mayor

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