

REGULAR MEETING NOVEMBER 15, 2011:

The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Wednesday, November 15, 2011, at 7:30 P.M.

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

APPROVAL OF MINUTES: The minutes of the Regular Meeting on November 1, 2011 were approved as printed.

CORRESPONDENCE: Councilor Byrne mentioned the letter that was sent out by the County Assessor on Appraised values of properties and requested a briefing from the City Manager, City Attorney and Finance Director at the next Regular Meeting. Councilor Byrne commented that citizens are requesting the City reduce its millage to help in this big increase. Mayor Manilla read proclamations for “Great American Smokeout Day” and “Girl Effect Week”.

PUBLIC HEARING - AN ORDINANCE BY THE CITY OF MORGANTOWN REPEALING A JUNE 15, 2010 ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY REGARDING THE FINANCING AND CONSTRUCTION OF A NEW ROADWAY AND EXTENSION OF UTILITIES ON THE EAST SIDE OF THE MORGANTOWN MUNICIPAL AIRPORT, AND AUTHORIZING IN ITS PLACE A NEW INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND MONONGALIA COUNTY DEVELOPMENT AUTHORITY WHICH ADDRESSES THE SAME MATTERS:

There being no appearances or objections, Mayor Manilla declared the Public Hearing closed.

PUBLIC HEARING - AN ORDINANCE REPEALING ARTICLE 917 OF THE MORGANTOWN CITY CODE AND ENACTING A NEW ARTICLE 917, AS THE SAME APPLIES TO THE ESTABLISHMENT OF A MUNICIPAL TREE BOARD AND REGULATIONS REGARDING TREES:

There being no appearances or objections, Mayor Manilla declared the Public Hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE AUTHORIZING INTERGOVERNMENTAL AGREEMENT WITH MONONGALIA COUNTY DEVELOPMENT AUTHORITY REGARDING A NEW ROADWAY AT THE MUNICIPAL AIRPORT: The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN REPEALING A JUNE 15, 2010 ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY REGARDING THE FINANCING AND CONSTRUCTION OF A NEW ROADWAY AND EXTENSION OF UTILITIES ON THE EAST SIDE OF THE MORGANTOWN MUNICIPAL AIRPORT, AND AUTHORIZING IN ITS PLACE A NEW INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND MONONGALIA COUNTY DEVELOPMENT AUTHORITY WHICH ADDRESSES THE SAME MATTERS.

Motion by Nugent, second by Selin to adopt the above entitled Ordinance. Council suspended the rules to allow further explanation from Airport Director Michael Clow. Question was called and motion carried 7-0.

AN ORDINANCE REPEALING & ENACTING A NEW ARTICLE 917 ESTABLISHING A TREE BOARD: The below entitled Ordinance was presented for second reading:

AN ORDINANCE REPEALING ARTICLE 917 OF THE MORGANTOWN CITY CODE AND ENACTING A NEW ARTICLE 917, AS THE SAME APPLIES TO THE ESTABLISHMENT OF A MUNICIPAL TREE BOARD AND REGULATIONS REGARDING TREES.

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

BOARDS AND COMMISSIONS: No appointments at this time.

PUBLIC PORTION:

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

NEW BUSINESS:

AN ORDINANCE AMENDING 929.01, 929.03, 929.05, 929.06, 929.10, 929.13, 929.19, 929.20 & 929.22 AS IT APPLIES TO STORMWATER MANAGEMENT AND WATER CONTROL: The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTIONS 929.01, 929.03, 929.05, 929.06, 929.10, 929.13, 929.19, 929.20 AND 929.22 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE, AS THE SAME APPLIES TO STORMWATER MANAGEMENT AND SURFACE WATER DISCHARGE CONTROL.

Motion by Byrne, second by Selin to pass the above entitled Ordinance to second reading. Council suspended the rules to allow explanation from Assistant General Manager of MUB Doug Smith. Following discussion, the Question was called and motion carried 7-0.

AN ORDINANCE AMENDING ARTICLE 1741 GRADING PERMITS: The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 1741 OF ITS BUILDING AND HOUSING CODE, AS THE SAME APPLIES TO GRADING PERMITS.

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

AN ORDINANCE AMENDING 1705 APPLIES TO BUILDING PERMIT COORDINATION AND PROVISIONS OF GRADING REQUIREMENTS ARTICLE 929:The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 1705 OF ITS BUILDING AND HOUSING CODE, AS THE SAME APPLIES TO BUILDING PERMIT COORDINATION WITH PROVISIONS SET FORTH IN ARTICLE 1741 "GRADING REQUIREMENTS" AND ARTICLE 929 "STORMWATER ORDINANCE".

Motion by Nugent, second by Byrne to pass the above entitled Ordinance to second reading. After discussion, motion carried 7-0.

CONSIDERATION OF APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION OF A STATE AND FEDERAL GRANT PROJECT AGREEMENT, FUNDS FOR FINAL PHASE OF LOWER HIGH STREET STREETScape PROJECT: The above entitled Resolution was presented for Council's approval:

Motion by Byrne, second by Nugent to approve the above entitled Resolution. After discussion, motion carried 7-0.

SPECIAL COMMITTEE REPORTS: Councilor Byrne reported on the Sister Cities Commission and his recent visit to China. He added that the Friendship City application documents will go before Council for approval in December. Mayor Manilla introduced WVU SGA Liaison Evan Dove who reported that lights on High Street will be included in the next report to Council.

CITY MANAGERS REPORT:

INFORMATION:

Item No. 1: Mr. Moore presented Council with a Memo regarding the financial direction of the Mon County Board of Education's Eastwood Elementary School Project. After Discussion amongst Council, Mr. Moore reported he will update Council as more information becomes available.

CITY CLERK'S REPORT: City Clerk Linda Little commended Signs & Signals, Santa Claus and the City Manager on the beautiful downtown Christmas lights.

CITY ATTORNEY'S REPORT: City Attorney Steve Fanok complimented the Engineering, and Planning Departments and MUB for their fast work in responding to the grading Ordinances presented tonight.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane: Councilor Bane stated that the City of Morgantown has no authority concerning tax changes in the County. He suggested that concerned citizens are concerned go to the County Commission or Assessor with regard to property values and assessments.

Councilor Nugent: Councilor Nugent informed citizens of a website where they may go to look up information regarding their property values and assessment. He also reported the upcoming Wiles Hill Neighborhood Association Meeting. He stated that the open comment period for the WVU Transportation & Parking Plan ends November 18. He asked Councilor Herbst to discuss the proposed WVU Transportation & Parking Plan at the next meeting of the Parking Authority. He also suggested that Roy Nutter, the Chair from the Traffic Commission attend the January Committee of the Whole meeting to discuss traffic calming issues. He then encouraged citizens to patronize local small businesses on High Street for the upcoming Small Business Saturday event downtown.

Councilor Selin: Councilor Selin thanked the Police Department for keeping Krepps Park parking lot clear. She commended those working hard on the

Comprehensive Plan. She added that plans for the new Farmers Market Place Pavilion are going well and noted the Thanksgiving Market at the Marilla Center on Saturday.

Councilor Shamberger:

Councilor Shamberger thanked Ron Justice for chairing the Woodburn Planning Meeting, and encouraged members of the community to share their ideas for repurposing the Woodburn property. She announced the upcoming Woodburn School and Woodburn Neighborhood Association Meetings. Councilor Shamberger welcomed and commended Code Officer Michaels who has taken on all the garbage issues on Wiley Street and all the major arteries throughout the city. She thanked all those who serve our City and wished everyone a Happy Thanksgiving.

Councilor Byrne:

Councilor Byrne complimented Susan Sullivan for distributing the information on the gateway cleanup initiative. He addressed the letters from the County Assessor, and stated that the assessment was set by the County Commission & City. He stated to Councilor Bane that he agrees a reduction in revenue would be an unfortunate consequence. He then wished everyone a Happy Thanksgiving.

Councilor Herbst:

Councilor Herbst thanked those involved with the preparation of the Grading Ordinances, and announced the upcoming Suncrest Neighborhood Association Meeting. She suggested that Council organize a walking tour to address lighting, and inquired with the City Manager about the new Public Works truck. Mr. Moore replied that the new truck is needed for Snow Removal. Councilor Herbst then wished everyone a Happy Thanksgiving.

Mayor Manilla:

Mayor Manilla mentioned the upcoming BOH meetings to address the smoking Ordinances and County regulations. Mayor Manilla stated that we don't give enough credit to lot of our departments and thanked the Planning, Engineering and MUB for the Ordinances on the agenda this evening. Mayor Manilla mentioned that he is glad that MUB is opening their horizons to add a member to its board outside the city limits.

ADJOURNMENT: There being no further business, the meeting adjourned by unanimous consent at 9:00 pm.

City Clerk

Mayor

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