

**REGULAR MEETING November 17, 2015:** The regular meeting of November 17, 2015 at 7:05 p.m.

**PRESENT:** City Manager Jeff Mikorski, City Clerk Linda Tucker, Mayor Marti Shamberger, City Attorney Ryan Simonton, Assistant City Manager Glen Kelly and Council Members: Rone Bane, Deputy Mayor Bill Kaweck, Wes Nugent, Jenny Selin, Jay Redmond, and Nancy Ganz.

The meeting was called to order by Mayor Shamberger.

**APPROVAL OF MINUTES:** Minutes from the November 3, 2015 will be approved at the December 1<sup>st</sup> meeting.

**CORRESPONDENCE:** Mayor Shamberger welcomed Boy Scout Troop 44 and Political Science Class to the meeting. Mayor Shamberger read a proclamation encouraging citizens to support “Small Business Saturday” on November 28, 2015.

**PUBLIC HEARING:** There were no Public Hearings.

**UNFINISHED BUSINESS:**

**BOARDS AND COMMISSIONS:**

1. Council to interview BZA Candidates at Special Meeting on December 1, 2015 at p.m.  
Council by acclamation approved to have a Special Meeting to interview Candidates.
2. Planning Commission there were no applicants; Council re-appoint members at 11/17/15 meeting.  
Council by acclamation reappointed Carol Pyles (7thwd); Mike Shuman; (5thwd) and William Petros (4thwd).
3. Council to re-appoint two commissioners to Sister Cities Commission 11/17/15 meeting.  
Council by acclamation reappointed Helene Friedberg and Zhengjun Wang.
4. City Clerk informed Council that the Morgantown Housing Advisory & Sister Cities is still being advertised.

**PUBLIC PORTION:**

Mayor Shamberger declared the Public Portion open.

Bill Case, 472 Lawnview Drive, thanked Council for addressing funding issues for our Police Department and Streets.

Susan Case, 472 Lawnview Drive, noted that even though a small percentage of people vote in City Election; Council was selected by a Democratic process. She stated that many people are not pleased at the efforts to remove council who we elect. She agrees with Council’s decision of a User Fee and think Council is doing a good job. Ms. Case handed her information as part of the record. **(Exhibit A)**

Gene Perilli, Property Owner, requested that the City do something about the garbage situation at the apartment complex he owns.

Mark Furfari, 1435 Roosevelt, commented that the Aquatic Center will be beautiful and the City should be prudent in their involvement. He noted that with University Avenue closed for four months it must have cost the City lots of money. He mentioned that being a Councilor and getting criticized by the community is tough. He requested from the City to get the information on the User Fee out early. He agrees with Mr. Perilli on the garbage issue, the City needs a resolution to this ongoing problem.

Ron Justice, 741 Johnson Avenue, Member Mylan Park Board, asked the City and Council to collaborate with them on the new Aquatic Center.

Cliff Southerland, 75 Wharf Street, Member Mylan Park Board, stated that the economic benefit received from the Aquatic Center and Track will be millions of dollars in tourism. He urged Council to seriously think about this collaboration.

Rachel Fetty, 131 Waitman, stated that the Aquatic Center will be very nice; but the site is so far away for my family. She noted that money needs to go to improve what is in the downtown, such as; Library, BOPARC Facilities or a Rec Center.

There being no more appearances, Mayor Shamberger declared the Public Portion closed.

**SPECIAL COMMITTEE REPORTS:** No Reports

**NEW BUSINESS:**

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION LEASING OFFICE SPACE AT THE MORGANTOWN MUNICIPAL AIRPORT:** The above entitled Ordinance was presented for first reading.

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION LEASING OFFICE SPACE AT THE MORGANTOWN MUNICIPAL AIRPORT.

City Manager explained, motion by Nugent, second by Ganz, to approve the above entitled Ordinance to second reading. Motion carried 7-0.

**AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY CODE:** The above entitled Ordinance was presented for first reading.

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY CODE.

City Manager explained, motion by Bane, second by Redmond, to pass the above entitled Ordinance to second reading. Motion carried 7-0.

**AN ORDINANCE AMENDING THE FY 2015-2016 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:** The above entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING THE FY 2015-2016 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.

City Manager explained, motion by Selin, second by Ganz, to pass the above entitled Ordinance to second reading. Motion carried 7-0.

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENT TO FUND A MORGANTOWN BICYCLE SIGNAGE AND FACILITIES**

**TRANSPORTATION ALTERNATIVES PROGRAM:** The above entitled Resolution was presented for first reading.

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENT TO FUND A MORGANTOWN BICYCLE SIGNAGE AND FACILITIES TRANSPORTATION ALTERNATIVES PROGRAM.

City Manager explained, motion by Selin, second by Ganz, to pass the above entitled Resolution. Motion carried 7-0.

**CITY MANAGERS REPORT:**

**Information:**

**1. Fire Service Fee collections process**

In an effort to provide information to City Council on the actions that the City takes to improve the collection rates for fees, I have attached a timeline (**Exhibit B**) that we work through with property owners that have been delinquent on fire service fees. As you can see, we follow up bills with two certified letters and then provide a third letter when the City places a lien on the property. We are in the process of placing liens on twenty-one property's that total \$65,068.73 in delinquent fees.

**New Business:**

**2. Main Street Morgantown request for amended funding**

For the last eleven months, Main Street Morgantown has not had an Executive Director in place, reducing the amount of funds that we will provided for operations of the organization. They have made a request to use \$5,000 of the amount that will be not used for salary and personnel operations for additional promotional funds to improve business activity in the Downtown Business District. I recommend City Council approve the change in donations, outlined in their budget request, to provide Main Street Morgantown to allow additional promotional funding for Downtown Morgantown.

After discussion and City Managers explanation, motion by Councilor Nugent, second by Councilor Redmond to approve the funding of \$5,000 to Main Street. Motion carried 5-2(Mayor Shamberger and Councilor Ganz voted No).

**REPORT FROM CITY CLERK:** City Clerk, Linda Tucker, announced that the WVML Meeting would be held on January 17<sup>th</sup> & 18<sup>th</sup>, 2016 instead of February and January 19, 2016 would be the Election Seminar.

**REPORT FROM CITY ATTORNEY:**

No Report

**REPORT FROM COUNCIL MEMBERS:**

Councilor Bane:

No Report

Deputy Mayor Kawecki:

No Report

Councilor Nugent:

Councilor Nugent noted the Wiles Hill Highland Park Neighborhood Meeting will be held on November 18, 2015. He reminded everyone to shop on November 28<sup>th</sup> downtown, "Small Business Saturday".

Assistant City Manager Glen Kelly:

Glen Kelly stated that the Attorney General's office is checking issues out with the Public Service Commission.

Councilor Selin:

Councilor Selin appreciates the work being done in advance on the User Fee. She requested for the next COW Agenda the PSC and Republic to address issues with both entities. She noted enjoyed seeing Oliver; Elegant Alley Cat is open and Botanical Garden has a master plan.

Councilor Redmond:

No Report

Councilor Ganz:

Councilor Ganz commented that travel checks can be done by TSA at Mylan. She noted that she has mixed feelings about the Aquatic Center at Mylan Park. She announced that Suncrest Neighborhood Association will meet first week of December. She wanted residents to know while away during holiday for safety reasons our Police Department has a Neighborhood Watch. She stated that residents could call 304-284-7422 to give their information or go to our web site.

Mayor Shamberger:

Mayor Shamberger announced she attended the Veterans Day event at Morgantown High School. She thanked those that have been working on the property at Woodburn. She attended Oliver; reminded Council the date change of the WVML Mid-Winter Conference and wished all a Happy Thanksgiving.

**ADJOURNMENT:** There being no further items of business or discussion, motion by Selin, second by Ganz to adjourn. Motion carried by unanimous consent at 8:40 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

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

Statement to City Council, Nov. 17, 2015

My name is Susan Case, and I live at 472 Lawnview Drive in Morgantown.

There's a lot of talk about how unfortunate it is that only a small percentage of people come out to vote in City Council elections, or are willing to get involved in any way in civic affairs.

But no matter how many people voted, this City Council was elected by a democratic vote of the people of Morgantown. Many people I've talked to are not at all pleased at the efforts to remove council members who we elected, by going to court over old issues that have been addressed and settled through the proper channels.

Elections matter. Yes, anyone has the right to file suit against someone else, but that doesn't make it the right thing to do. There are no good grounds for it, and the only end result will be to discourage good people from getting involved.

Also, I totally support the user fee, and so do many other people. Something needed to be done, and yes, it would have been nice to base it on income so people who make less wouldn't have to pay the full \$3 a week.

But, you didn't have that alternative under West Virginia law. And I haven't heard anyone propose another solution that would have had the same result. So I approve of this fee and so do many other people.

I think we will all appreciate it when our streets are paved and our police force is increased. We badly need these things, and it's only fair to spread the cost as widely as possible.

Overall, I think this Council has done a very good job of sticking to the positive work of making Morgantown a better place to live, and I thank you all very much for your service.

Thank you.

Susan Case

472 Lawnview Drive

Morgantown

## FIRE FEE TIME LINE PROCEDURES

FIRE FEES BILLING CYCLE IS JULY 1 THROUGH JUNE 30

BILLING IS USUALLY THE FIRST WEEK OF JULY (INVOICES ARE MAILED AND POSTED ANY PREPAID AMOUNTS ARE APPLIED TO THE ACCOUNTS)	First Bill
--	------------

AUGUST 15TH DISCOUNT DATE (5% DISCOUNT IF PAID IN FULL)  
 (ALL PAYMENTS MUST BE POSTED BEFORE DISCOUNT IS ADDED IN THE SYSTEM)

JANUARY 1ST A NOTICE OF BALANCE DUE ON ACCOUNT IS SENT (2ND HALF OR BALANCE IS MAILED FIRE FEE NOTICE)	Second Bill
---	-------------

FEBRUARY 15TH A 5% PENALTY IS ADDED TO ALL UNPAID BALANCES  
 (ALL PAYMENTS MUST BE POSTED BEFORE PENALTY IS ADDED TO THE ACCOUNT)

NOTICE IS SENT THAT A 5% PENALTY HAS BEEN ADDED TO THE ACCOUNT IN LETTER FORM AND NOTICE FORM (15 DAYS TO RESPOND.)	1st Letter
---	------------

CERTIFIED LETTER INFORMING A LIEN MAY BE FILED ON REAL PROPERTY LOCATED WITH IN THE MUNICIPAL CORPORATE LIMITS FOR UNPAID AND DELINQUENT FIRE SERVICE FEES. (ENCLOSED WILL BE AN ACCOUNTING OF THE DELINQUENT FIRE FEES.)	2nd Letter (Certified)
---	---------------------------

NINETY (90) DAYS FROM THE DATE THE NOTICE WAS RECEIVED A LIEN MAY BE FILED AT THE MONONGALIA COUNTY COURT HOUSE.	3rd Letter (Certified)
--	---------------------------