

REGULAR MEETING DECEMBER 1, 2009:

The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Monday, December 1, 2009, at 7:30 P.M.

PRESENT: City Manager Dan Boroff, Mayor Bill Byrne, City Clerk Linda Little, Assistant City Manager Jeff Mikorski, City Attorney Steve Fanok, and Council Members, Ron Bane, John Gaddis, Charlie Byrer, Jenny Selin, Marti Shamberger, and Don Spencer.

The meeting was called to order by the Mayor.

APPROVAL OF MINUTES: Minutes from the regular meeting on November 17, 2009, were approved as printed.

CORRESPONDENCE: Mayor Byrne congratulated John Gaddis for being recognized as one of the “Young Guns for 2010” in the WV Executive Magazine.

UNFINISHED BUSINESS:

- **BOARDS AND COMMISSIONS:** Kitty Lozier was appointed by acclamation to serve on the Urban Landscape Commission representing the 3rd ward.

NEW BUSINESS:

- **AN ORDINANCE AUTHORIZING A MUTUAL RIGHT-OF-WAY AND EASEMENT AGREEMENT FOR THE CITY OF MORGANTOWN AND WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS, PERTAINING TO THE ACCESS TO KREPPS PARK AND THE WVU CHILD CARE FACILITY:** The above entitled Ordinance was presented for first reading:

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

A RESOLUTION THAT THE CITY OF MORGANTOWN RELINQUISH CONTROL AND MAINTENANCE OF UNIVERSITY AVENUE FROM WV 705 TO THE STAR CITY LIMITS TO THE WEST VIRGINIA DIVISION OF HIGHWAYS, GIVEN CERTAIN CONDITIONS ARE MET: The above Resolution was presented for approval.

After discussion, motion by Spencer, second by Gaddis, to approve the above Resolution. Motion carried 7-0.

- **A RESOLUTION THAT AMUSEMENT TAX REVENUES COLLECTED BY THE CITY BE DEDICATED TO THE OPERATION AND MAINTENANCE OF THE METROPOLITAN THEATRE:** The above Resolution was presented for approval.

After discussion, motion by Bane, second by Selin, to approve the above Resolution. Motion carried 7-0.

- **PUBLIC PORTION:**

There being no appearances Mayor Byrne then declared the Public Portion closed.

SPECIAL COMMITTEE REPORTS: Councilor Spencer reported on a meeting with WVU Personnel, Chief Scott, City Manager Dan Boroff, and Councilor Selin on addressing tailgating problems for next year’s WVU Football Games.

CITY MANAGERS REPORT:

NEW BUSINESS:

Item No. 1:

This past year, the City has received complaints about the number of deer in the City of Morgantown and the problems they are causing. To mitigate this situation, I recommend that an urban deer hunt be considered for the fall of 2010 organized as per recommendations to be received from a committee comprised of pertinent interests.

Motion by Gaddis, second by Shamberger, to approve an urban deer hunt for the fall 2010; to be received by a committee comprised of pertinent interests. Motion carried 7-0.

- **CITY CLERK'S REPORT:** No report.

- **CITY ATTORNEY'S REPORT:** No report.

REPORT FROM COUNCIL MEMBERS: (Roll Reversal)

Councilor Spencer: Councilor Spencer mentioned a Water Quality Forum meeting on December 3rd; Legislative Committee Meeting in Charleston on December 4th; SCNA Meeting on December 8th at 7pm. Councilor Spencer then commended Ron Bane for completing WV Leadership program and urged others in doing the program.

Councilor Shamberger: Councilor Shamberger thanked the community for their support of MHS as they represented West Virginia in the MACY'S Day Parade on Thanksgiving Day. Councilor Shamberger stated that MHS Band will be performing at the Court House on December 4th after the parade. Councilor Shamberger mentioned that at the WNHA Meeting on November 30, 2009, there are still concerns about arsons. Councilor Shamberger commented that Jamie Lester is working on replacing the Woodburn Sign and WNHA is working on a Historical District.

Councilor Selin: Councilor Selin suggested that each Neighborhood Association help in finding the arsonists in Woodburn by having Neighborhood Watch's donate time in watching the area. Councilor Selin announced that the Farmers Market is having a Winter Market at Marilla Center on December 5th & 19th from 12pm to 3pm. Councilor Selin then reminded everyone of the Arts Mon Holiday Sale on December 10, from 5 to 8pm.

Councilor Byrer: Councilor Byrer announced a fundraiser at Wiles Hill School on December 5 from 12 to 3pm for the Museum Commission; also the Morgantown Neighborhood Watch has their Christmas Party on December 9 at the PSB at 7pm. Councilor Byrer mentioned Leigh Rosenecker that lives on Jones Avenue is going to represent Morgantown and be on Jeopardy on December 10. Councilor Byrer also mentioned the WHNHA will do caroling and Christmas Party on December 15th starting at 6:30pm.

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Councilor Gaddis: Councilor Gaddis reported that the GNHA is working on new By-Laws. Councilor Gaddis thanked the City Manager for the cleanup on East Brockway. Councilor Gaddis commented that the Gateway progress should continue and cleanup should be all the time not just during holidays or special occasions. Councilor Gaddis also reported that the SPNA and GNHA will have the first time ever cookie exchange on December 15, 2009, at Christian Alliance Church.

Councilor Bane:

Councilor Bane commented on the young man that was attacked recently and stated that if there is anyone in the community that knows anything about this incident, please call the Police Department. Councilor Bane commended the fire and police for their search and rescue of the young lady whose car went into the river near the damn at the Riverfront. Councilor Bane stated that he has finished the leadership class and will be attending various meetings mainly about schools to help lobby changes that are needed.

Mayor Byrne:

Mayor Byrne mentioned the Christmas Parade on December 4th at 6:30pm; Legislative Meeting on December 4th in Charleston. (Pension Bill will be signed on Thursday in Charleston). Mayor Byrne then informed of meetings he will attend: Region VI 12-11; MPO 12-10. Mayor then stated how proud we should be of the MHS Band and their performance at the MACY's DAY Parade, but also this weekend our WVU Basketball Team and Football Team had victories we should be proud of. Mayor Byrne then expressed his concern though of the unsportsmanlike and vulgarity of WVU Fans.

Councilor Shamberger asked if at the meeting on December 15th was Lisa Dooley attending to talk about Legislative Issues.

City Manager, Dan Boroff, responded that is the plan and that meeting will be at 6:30pm.

After discussion on whether or not to have the December 29th COW Meeting; Council by acclamation decided due to the Holidays that the COW for December will be canceled.

ADJOURNMENT: There being no further business, the meeting adjourned by unanimous consent at 8:00p.m.

City Clerk

Mayor

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