

REGULAR MEETING December 1, 2015: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, December 1, 2015 at 7:03 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 Kawecki, Wes Nugent, Jenny Selin, Jay Redmond, and Nancy Ganz.

The meeting was called to order by Mayor Shamberger.

APPROVAL OF MINUTES: After discussion, minutes from the November 3, 2015 were approved by a 7-0 vote. November 17, 2015 were approved by acclamation.

CORRESPONDENCE: Mayor Shamberger presented a proclamation to Stephen Green, Eagle Scout and commended him on his accomplishments. She then presented a proclamation for the “I Father” program encouraging families and fathers to spend quality time together. Councilor Nugent read a letter from Main Street President George Pappandreas about the lighting conditions in downtown. Mayor Shamberger then introduced, Steven Deveny, General Manager for Republic Service. Mr. Deveny updated Council on new changes happening at Republic with trash and the commitment their company has to the City and community. Mayor Shamberger suspended the rules for Council to ask questions to Mr. Deveny. After discussion, Council thanked Mr. Deveny for updating them this evening.

PUBLIC HEARING:

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 14.50 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-48 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

Mayor Shamberger declared this Public Hearing open.

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

AN ORDINANCE TO PROVIDING THE ZONING CLASSIFICATION FOR 0.76 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-60 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERTO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

Mayor Shamberger declared this Public Hearing open.

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

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 4.20 ACRES, MORE OR LESS, OR ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-66 BY AMENDING ARTICLE 1131 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

Mayor Shamberger declared this Public Hearing open.

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

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

Mayor Shamberger declared this Public Hearing open.

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

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

Mayor Shamberger declared this Public Hearing open.

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

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.

Mayor Shamberger declared this Public Hearing open.

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

UNFINISHED BUSINESS:

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 14.50 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-48 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN: The below entitled Ordinance was presented for second reading.

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 14.50 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-48 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

City Manager explained, motion by Nugent, second by Selin, to adopt the above entitled Ordinance. Motion carried 7-0.

AN ORDINANCE TO PROVIDING THE ZONING CLASSIFICATION FOR 0.76 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-60 BY AMENDING ARTICLE 1331 OF THE

PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERTO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN: The below entitled Ordinance was presented for second reading.

AN ORDINANCE TO PROVIDING THE ZONING CLASSIFICATION FOR 0.76 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-60 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERTO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

City Manager explained, motion by Selin, second by Kawecki, to adopt the above entitled Ordinance. Motion carried 7-0.

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 4.20 ACRES, MORE OR LESS, OR ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-66 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERTO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN: The below entitled Ordinance was presented for second reading.

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 4.20 ACRES, MORE OR LESS, OR ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-66 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERTO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

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

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

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

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

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY CODE: The below entitled Ordinance was presented for second reading.

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

Motion by Selin, second by Kawecki, to adopt the above entitled Ordinance. 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 below entitled Ordinance was presented for second 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 Kawecki, second by Ganz, to adopt the above entitled Ordinance. Motion carried 7-0.

BOARDS AND COMMISSIONS: Council by acclamation reappointed to the BZA Leanne Cardoso and James Shaffer.

PUBLIC PORTION:

Mayor Shamberger declared the Public Portion open.

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

SPECIAL COMMITTEE REPORTS: Mayor announced there will be a press release on December 4th, 2015 at 11:00am at WVU Health Sciences Center on Naloxone.

NEW BUSINESS:

AN AMENDED ORDINANCE ESTABLISHING THE RATES OF COMPENSATION FOR THE CITY OF MORGANTOWN EMPLOYEES FOR THE FISCAL YEAR 2015-2016: The above entitled Ordinance was presented for first reading.

AN AMENDED ORDINANCE ESTABLISHING THE RATES OF COMPENSATION FOR THE CITY OF MORGANTOWN EMPLOYEES FOR THE FISCAL YEAR 2015-2016.

City Manager explained, after discussion, motion by Bane, second by Kawecki, to approve the above entitled Ordinance to second reading. Motion carried 7-0.

AN ORDINANCE AMENDING THE “CONCEPTUAL GROWTH FRAMEWORK MAP” AND THE “LAND MANAGEMENT MAP” OF THE 2013 COMPREHENSIVE PLAN UPDATE, ADOPTED JUNE 18, 2013, BY MODIFYING THE BOUNDARIES OF THE “ENCOURAGED GROWTH” GENERAL CONCEPT AREA ADJACENT TO THE MORGANTOWN MUNICIPAL AIRPORT AS SHOWN ON THE EXHIBITS HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN: The above entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING THE “CONCEPTUAL GROWTH FRAMEWORK MAP” AND THE “LAND MANAGEMENT MAP” OF THE 2013 COMPREHENSIVE PLAN UPDATE, ADOPTED JUNE 18, 2013, BY MODIFYING THE BOUNDARIES OF THE “ENCOURAGED GROWTH” GENERAL CONCEPT AREA ADJACENT TO THE MORGANTOWN MUNICIPAL AIRPORT AS SHOWN ON THE EXHIBITS HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

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

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 26.65 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-67 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN: The above entitled Ordinance was presented for first reading.

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 26.65 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-67 BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

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

AN ORDINANCE AMENDING ARTICLE 1329.02 “DEFINITIONS” OF THE PLANNING AND ZONING CODE AS IT RELATES TO SHOPPING CENTERS: The above entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING ARTICLE 1329.02 “DEFINITIONS” OF THE PLANNING AND ZONING CODE AS IT RELATES TO SHOPPING CENTERS.

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

A RESOLUTION AUTHORIZING AN AGREEMENT WITH WEST VIRGINIA UNIVERSITY FOR INTERCONNECTION OF NETWORKS: The above-entitled Resolution was presented for first reading.

A RESOLUTION AUTHORIZING AN AGREEMENT WITH WEST VIRGINIA UNIVERSITY FOR INTERCONNECTION OF NETWORKS.

City Manager explained, after discussion, motion by Selin, second by Kawecki, to pass the above

entitled Resolution. Motion carried 7-0.

A RESOLUTION AUTHORIZING THE FOLLOWING AGENTS, JEFF MIKORSKI CITY MANAGER, JAMES GOFF FINANCE DIRECTOR, AND LORI LIVENGOOD BUDGET AND ACCOUNTING MANAGER, OF THE CITY OF MORGANTOWN FOR THE TRANSACTING OF FUNDS: The above-entitled Resolution was presented for first reading.

A RESOLUTION AUTHORIZING THE FOLLOWING AGENTS, JEFF MIKORSKI CITY MANAGER, JAMES GOFF FINANCE DIRECTOR, AND LORI LIVENGOOD BUDGET AND ACCOUNTING MANAGER, OF THE CITY OF MORGANTOWN FOR THE TRANSACTING OF FUNDS.

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

CITY MANAGERS REPORT:

Information:

1. Fleet Complete GPS

Working with a cellular company the City will be installing GPS units into Public Works, Engineering, and Code Enforcement vehicles and track usage through the Fleet Tracker Fleet Management System. Initially, I was interested in tracking the efficiency and effectiveness of the City’s snow plows during the winter events. Utilizing the GPS units, we would be able to review snow plow routes and track when salt is dispensed along the routes. This information will help us review routes and make sure we are utilizing our winter equipment assets most effectively. We increased the system to track a total of 26 vehicles in the three departments to continue to see how to improve effectiveness of our fleet and possibly find ways to reduce fuel costs. Using cost savings from modifications to our cellular account, we are able to pay for the system without additional budget requests.

2. Deckers Creek Pedestrian Bridge Plan

West Virginia Department of Highways has authorized the contract with Alpha Associates to begin the design and study work for the bridge. There was a delay for getting the project onto the State Transportation Improvement Plan until recently. We still hope that the studies and design can be completed for the project to begin in 2016.

REPORT FROM CITY CLERK: City Clerk, Linda Tucker announced to Council to mark their calendars for their first department briefing for the Fire Department and the WVML Conference.

REPORT FROM CITY ATTORNEY: No Report

REPORT FROM COUNCIL MEMBERS:

Councilor Bane:

Councilor Bane asked the City Manager for an updated on the Service Fee. City Manager reported that information should go out to Employers by Friday and information is already on the web. Councilor Bane asked the City Manager with the new Finance Director will we see an increase in the B&O Collections? City Manager Jeff Mikorski responded in saying he will prepare a report for Council with those numbers. Councilor Bane then asked if the brine that is used on the streets is safe. City Manager noted that this process is used by the DOH and the City. Councilor Bane agrees that lighting for downtown is a project that is worth looking into.

Deputy Mayor Kawecki:

Deputy Mayor Kawecki asked the City Manager about the Historic Preservations of the Lights in Downtown? City Manager replied that the light standards have to fit with the Historic District.

Councilor Nugent:

Councilor Nugent mentioned the lighting in downtown is an important item of interest. He asked the City Manager to give an update on the tree stumps downtown. City Manager reported that the tree pits will be taken out as they die. Councilor Nugent asked the City Manager when Beverly Avenue will be re-opening. City Manager responded that turn signals are holding us up right now and it should be open next week.

Councilor Selin:

Councilor Selin noted that lighting in the downtown area is important but requested keeping the look historical and that all lights match. She requested that lighting be looked at on Patterson Drive. Councilor Selin gave ideas for trash provider services and requested updates on statue at the Public Safety Building.

Councilor Redmond:

Councilor Redmond commented that he likes Republic new found energy but hopes that they add recycling for businesses. He then talked about the student housing of 800 beds that will be

gone before the Planning Commission, December 10th, 2015 and noted “there is very little talk about this” and “the City should be cautious on moving this project forward”.

Councilor Ganz:

Councilor Ganz appreciates the comments made by the rest of her Council Members. She stated that B & O collection is stagnant and implored groups in the Community to help in collecting these monies. She thanked the City Attorney and City Manager for the work they have been doing administratively recently with Annexations; Legal issues; FOYA; Budget; and GPS. She also complimented the City Manager on the letter to the editor on the User Fee. She also appreciated Stephen Deveney and the details that he gave this evening on the trash service. She reported that Suncrest Neighborhood Association Meeting will be held on December 3rd, 2015 at Calvary Baptist Church.

Mayor Shamberger:

Mayor Shamberger announced that there will be no First Friday’s held in December and January at Woodburn. She reminded everyone of the Christmas Parade on December 4th, 2015; MAC literacy writing workshop December 2nd, 2015; Eastwood Elementary Choir December 10th, 2015 at 9:00 am.

ADJOURNMENT: There being no further items of business or discussion, motion by, second by to adjourn. Motion carried by unanimous consent at 9:38 pm.

City Clerk

Mayor

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