

**REGULAR MEETING December 15, 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 15, 2015 at 7:24 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: Ron 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:** Minutes from the December 1, 2015 meeting were approved by acclamation.

**CORRESPONDENCE:** Mayor Shamberger read a thank you to the City of Morgantown from Richard Cunningham, WWII survivor. Council then read letters to Santa from Eastwood Elementary Students.

**PUBLIC HEARING:**

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

Mayor Shamberger declared this Public Hearing open.

James Giuliani, 256 Prairie Avenue, asked for explanation of the rates of compensation for FY 2015-2016. Mayor Shamberger asked to suspend the rules, approved by acclamation for the City Manager to explain. City Manager, Jeff Mikorski explained the pay ordinance.

There being no other 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 AMENDED ORDINANCE ESTABLISHING THE RATES OF COMPENSATION FOR THE CITY OF MORGANTOWN EMPLOYEES FOR THE FISCAL YEAR 2015-2016:** The below entitled Ordinance was presented for second reading.

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

City Manager explained, motion by Kawecki, second by Ganz, 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 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.

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

**BOARDS AND COMMISSIONS:** City Clerk, Linda Tucker, updated Council on the Sister Cities Commission that new member Katherine Wilson needs Councils approval to serve on commission. Council approved appointment by acclamation. Councilor Selin asked for an administrator appointment for the Green Team.

**PUBLIC PORTION:**

Mayor Shamberger declared the Public Portion open.

Coach Steve Blinco, Morgantown High School Track, 215 Canfield Street, spoke in reference to the new track facility at Mylan and the economic impact that it would make for the area.

Michael Ryan, 266 Richland Avenue, noted that he is working with Coach Blinco on the track subcommittee and we are hoping that the community will have the opportunity to host Championships at Mylan Park.

Dave Biafora, 266 Mid-Atlantic Drive, he wished everyone a Merry Christmas and a Happy New Year, and also commented that the City Planner is not following City Code. He stated that the City is turning their heads to the problems in the City and not holding anybody up to the Charter. He noted that the City has been inconsistent in following their codes and that is why they are having the problems they are today.

Ching Wahyip, 1389 University Avenue, stated the City is placing a financial hardship and safety issue by closing two streets and having only one entrance to my property.

Vic Solomon, 75 Wall Street, also opposes building in the University Avenue area.

James Giuliani, 256 Prairie Avenue, commented that it is not easy to speak in front of Council. He then quoted WV State Code 6-6-7 and thanked Council for allowing him to speak.

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

**SPECIAL COMMITTEE REPORTS:** Deputy Mayor Kawecki reported Arts Collaboration will have a Grant Writing Shop the first week of January along with the WV Division & History. He also reported that the Chamber of Commerce along with the Arts Mon and Arts Collaborative will be doing a study on the economic impact of Arts in the community. Councilor Ganz reported that the Sister Cities Commission will have a group coming to Morgantown in January. Councilor Selin attended a meeting about the track at Mylan Park. Mayor Shamberger noted a teleconference call with other participants and Safe Communities of America.

**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, motion by Selin, second by Kawecki, to approve the above-entitled Ordinance to second reading. Motion carried 5-2.

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH WEST VIRGINIA UNIVERSITY PROVIDING EDUCATIONAL ROTATION EXPERIENCES FOR SCHOOL OF PUBLIC HEALTH STUDENTS:** The above entitled Resolution was presented for approval:

City Manager summarized, 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, LORI LIVENGOOD BUDGET AND ACCOUNTING MANAGER, AND KAREN EVERLY TREASURY MANAGER, OF THE CITY OF MORGANTOWN FOR THE TRANSACTING OF FUNDS:** The above entitled Resolution was presented for approval:

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

**CITY MANAGERS REPORT:**

**Information:**

**1. Art installation on the Riverfront through Morgantown River Towns**

City Manager reported that Morgantown River Town Art Committee has received grant funds to promote art along the riverfront. The Art Committee invited artists to submit art work that would be on display at four locations. On December 2, 2015, they presented the proposed locations to the Urban Landscapes Commission. The Urban Landscape Commission approved the proposed general locations for the art to be placed, as seen in the attached map. River Town is requesting that City help with placing two cement slabs for the installation of the artwork, additional grants may allow for reimbursement of the slab installation. The artwork will be installed by the artists.

**2. Sabraton Decorations**

The City Manager has been working with Sarah Robinson and a group of interested businesses and property owners to establish a plan for decorations and banners to be placed along Route 7 through the Sabraton Business Corridor starting in 2016. The committee proposed three banner designs and a holiday light design for the area. The committee has requested that City present the three designs in a survey for interested residents, business owners, and property owners to vote for their favorite. The survey should be online after December 16, 2015. The City will match funds that are raised for the project from funds

already budgeted in the 2015-16 budget. The City hopes to promote and support the Sabraton Business Corridor.

**New Business:**

**1. Capital Escrow Fund Modifications**

City Manager reported that the Safe Streets and Safe Community Service Fee will provide funds collected for the resurfacing and improvements of City Streets to be transferred from the General Fund to the Capital Escrow Fund (FY 2016 General Fund Amendment #2). City Manager recommended that \$514,800 be allocated to the Capital Escrow Fund for Street Improvements.

City Manager also would like to reallocate funds within the approved Capital Escrow Fund to reflect funds leftover from projects for completing other projects or adding new projects as listed:

	Approved Budget	Remaining Funds as of 12/1/2015	Modification 12/15/2015	Revised Budget
PROJECT	FY 2015/2016			FY 2015/2016
CITY CAPITAL PROJECTS				
Fire Equipment	66,381	53890.14	150,000.00	203,8901.14
Police Equip. (Personal Protection)	25,000	14,995.00	-14,995.00	0.00
Public Works Vehicles	146,187	24,827.74	-24,827.74	0.00
Fire Department Vehicles	650,000	465,000.00	79,428.02	544,428.02
Salt Building	85,370	84,971.00	-84,971.00	0.00
Police Cruisers	208,133	42,049.00	-42,049.00	0.00
Public Works Capital Outlay	210,000	184.06	-184.06	0.00
Public Works Cleanup	22,396	22,396.00	2,159.00	
Fire Station Repairs	109,348	64,026.00		
Administrative Vehicle	19,000	1,171.50	1,171.50	0.00
Public Safety Building Plaza	49,803	10,027.22		10,027.22
Paving 2014	72,530	65,881.00	-65,881.00	0.00
Paving 2015	625,000	97,507.72	-97507.72	0.00
Paving 2016	400,000.00	400,00.00	-400,000.00	0.00
Airport Access Road	0	0	500,000.00	500,000.00
MSF – Street Improvements			514,800	514,800

A total of \$731,578.02 will be reallocated to Fire Department projects, and complete the costs of the Airport Access Road. Police vehicles/equipment and Public Works vehicles/equipment

will be purchased from the capital outlay line of the general fund with revenue from the Safe Streets and Safe Community Fee.

City Manager explained the Capital Escrow Fund Modifications, motion by Ganz, second by Kawecki. Motion carried 7-0.

**2. 2016 Health Plan Renewal Rates**

City Manager updated Council on the City's Health Plan rates. City Manager reported that there is no increase in premium rates for employees for the coming year. As seen in the attached summary of rates, our employee health plan is a great benefit with rates from \$7.22 to \$32.79 per pay period, depending on the coverage and family status. City Manager recommended City Council approve the 2016 City Health Plan rates for employees and retirees with no increase for employees.

City Manager explained the Health Plan Renewal Rates, motion by Ganz, second by Kawecki. Motion carried 7-0.

**REPORT FROM CITY CLERK:** City Clerk, Linda Tucker wished everyone a Merry Christmas.

**REPORT FROM CITY ATTORNEY:** No Report

**REPORT FROM COUNCIL MEMBERS:**

Councilor Bane:

Councilor Bane thanked family and friends for their support on a health issue. Councilor Bane stated that in reference to issues in the City, and the need to start standing up for American values. He noted his concerns on the annulment on University Avenue project and that it was pulled from the COW.

Deputy Mayor Kawecki:

Deputy Mayor Kawecki stated that he is upset that people prefer litigation over cooperation. He stated that the City needs to move Council forward in a more positive manner. He noted that the Traffic Commission volunteers were berated and he is dismayed that these type of actions are occurring.

Councilor Nugent:

Councilor Nugent questioned fire access on 1389 University Avenue. He announced the following: Wiles Hill Highland Neighborhood Association Meeting on December 16<sup>th</sup>, 2015 and Morgantown Museum Vintage Holiday display from December 19<sup>th</sup> to the second week of January. He stated that yes he did sign the petition, for he needs clarity

and direction from the court so that our Community can move forward.

Councilor Selin:

Councilor Selin gave an update on the Don Knotts statue. She then asked the City Manager for the status of the Zacquill Morgan statue at the Public Safety Building. Councilor Selin commented that we have a professional City Government and just because we do not agree, does not merit a lawsuit.

Councilor Redmond:

Councilor Redmond stated that by nature, we like to make people happy, but in the positions as Councilors, we have all failed the past few months. The Traffic and Planning Commission meetings hostile environment were due to mismanagement in the Engineering and Planning Departments, so therefore our volunteers are taking the heat from administration not doing their jobs. Councilor Redmond stated that the codes need to be followed and enforced. Council cannot act above the law, and need to restore confidence so people can trust the City again. Councilor Redmond commented that an outside investigation for the truth is warranted.

Councilor Ganz:

Councilor Ganz commented, "hard act to follow" following Councilor Redmond's comments, considering you signed the petition against me to be in office. Councilor Ganz noted many good things have happened during the past several months, such as cultural changes, recreation, airport, and many other things. She noted that she stands for American values even though she has been berated. She then reported that the Suncrest Neighborhood Association is concerned about work being done on Van Voorhis. She implored that the MPO have public comments and hearings. She also requested that the MPO Council member learn about the National Environmental Protection Agency and make sure that our neighborhood is not torn up again. Councilor Ganz suggested that in the New Year combining

volunteer groups, neighborhood associations, POPSHOP etc. to enstore healing to our community. She noted that the black cloud over the City comes from the litigation that is occurring. She then suggested that the neighborhood association should have activities for the community like the potluck event at the Wiles Hill Community Center to help enstore positive healing in the community. She then wished everyone a safe and happy holiday.

Mayor Shamberger:

Mayor Shamberger reported attending a Skype workshop at the old Woodburn School with Bill Withers. She also attended South Hills Neighborhood Holiday potluck. She then noted that she was contacted by a member of Rosie the Riveter for the City of Morgantown to become a "Rosie City". She thanked the City employees and volunteers for their service to the City. She asserted that the Civil Suit Hearing at 9am on December 18<sup>th</sup>, 2015 is disappointing. She commented the number one issue is that people can be sued for such frivolous accusations, when they are just doing their jobs. She then noted that this Civil Suit has placed a fear in this community, causing citizens not wanting to serve and that is not the goal. She mentioned we must move forward and to make things better for the City. She then wished everyone a Merry Christmas and a Happy New Year and looks forward to 2016. She then made the following Community announcements; Old Stone House 10% off December 21<sup>st</sup> – 30<sup>th</sup> donations go to In Touch & Concern; December 19<sup>th</sup>, Christmas Bird Count; December 17<sup>th</sup> – 20<sup>th</sup> Ebenezer; December 21<sup>st</sup> Blood Drive and January 18<sup>th</sup>, 2016 Martin Luther King Day Celebration.

**ADJOURNMENT:** There being no further items of business or discussion, motion by Selin, second by Ganz to adjourn. Motion carried by unanimous consent at 9:20 pm.

City Clerk

Mayor

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