

REGULAR MEETING MARCH 16, 2010:

The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Monday, March 16, 2010, 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. Council Members, Ron Bane, John Gaddis, Charlie Byrer, Jenny Selin, and Don Spencer. Marti Shamberger was absent

The meeting was called to order by the Mayor.

APPROVAL OF MINUTES: Minutes from the regular meeting on March 2, 2010, were approved as printed.

CORRESPONDENCE: Mayor Byrne presented a Proclamation for the WVU Men's Basketball team. Coach Huggins. Wellington Smith and De'Sean Butler appeared to receive the Proclamation. Mayor Byrne also mentioned a plaque given to the City in commemoration of employee's contributions to the United Way. He then pointed out letters in support of the proposed Google Initiative.

PUBLIC HEARING-AN ORDINANCE ADOPTING THE 2010-2011 ANNUAL BUDGET:

Pursuant to a legal notice appearing in the Dominion Post, Mayor Byrne called for a public hearing on the above referenced ordinance.

Frank Ferrell, 1309 Dorsey Avenue, asked Council that City employees not receive their annual cost of living pay increase and instead use those funds for sidewalk improvements.

There being no more appearances or objections, Mayor Byrne declared this public hearing closed.

PUBLIC HEARING-AN ORDINANCE ADOPTING 523.21 CREATING A SPECIAL LITTER PREVENTION OFFICER:

Pursuant to a legal notice appearing in the Dominion Post, Mayor Byrne called for a public hearing on the above referenced ordinance.

Frank Ferrell, 1309 Dorsey Avenue, reported that he spoke to Tom Arnold about garbage in the City and expressed his hopes for the new Ordinance.

There being no more appearances or objections, Mayor Byrne declared this public hearing closed.

PUBLIC HEARING- AN ORDINANCE AMENDING THE SOUTH PARK-GREENMONT PARKING:

Pursuant to a legal notice appearing in the Dominion Post, Mayor Byrne called for a public hearing on the above referenced ordinance.

There being no appearances or objections, Mayor Byrne declared this public hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE ADOPTING THE 2010-2011 ANNUAL BUDGET: The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN ADOPTING THE ANNUAL BUDGET OF THE CITY OF MORGANTOWN FOR THE FISCAL YEAR 2010-2011.

After explanation from the City Manager, motion by Selin, second by Gaddis to adopt the above entitled Ordinance. Motion carried 5-1. Councilor Bane voted NO,

AN ORDINANCE ADOPTING 523.21 CREATING A SPECIAL LITTER PREVENTION

OFFICER: The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN ADOPTING A NEW SECTION 523.21 WITHIN ITS GENERAL OFFENSES CODE; AND ADDRESSING AND CREATING SPECIAL LITTER PREVENTION OFFICERS.

After discussion, motion by Spencer, second by Selin, to adopt the above entitled Ordinance. Motion carried 6-0.

AN ORDINANCE AMENDING THE SOUTH PARK-GREENMONT PARKING: The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING THE SOUTH PARK-GREENMONT PARKING.

After discussion, motion by Selin, second by Shamberger, to adopt the above entitled Ordinance. Motion carried 6-0.

BOARDS AND COMMISSIONS: City Clerk Little announced that the Sister City Commission is currently assigning new members and will report back soon. Deputy Clerk Sypolt will join the Commission as an ex-officio member to serve in an administrative capacity.

NEW BUSINESS:

CONSIDERATION OF APPROVAL OF A RESOLUTION TO OBTAIN \$15,000 TO HELP FINANCE CONSTRUCTION OF A FARMERS MARKET PAVILION IN THE SPRUCE STREET PARKING LOT IN CONJUNCTION WITH MAIN STREET MORGANTOWN: The above entitled Resolution was presented for approval.

After discussion, motion by Gaddis, second by Selin, to pass the above entitled Ordinance to second reading. Motion carried 6-0.

PUBLIC PORTION:

Simone O'Hara, Clark Street, thanked Council for their progress in dealing with some issues and then voiced her complaints about the parking situation on Clark Street.

Frank Ferrell, 1309 Dorsey Avenue, inquired why the restrooms on the trail are locked and asked it be looked into. He also asked that Council consider removing the parking meter fares for Saturday night churchgoers parking, as those who park Downtown on Sundays do not have to pay.

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

SPECIAL COMMITTEE REPORTS: Councilor Spencer gave an update of the Mon River Trails Conservancy upcoming events as well as a report from Charleston on the most recent Legislative Session.

Councilor Byrer reported on a meeting to resolve issues in the Waterfront area. Councilor Gaddis commented from the Parking Authority meeting that HB 2663, if passed, will help with many parking issues in neighborhoods. Councilor Selin then added that the Youth Commission and Youth Ambassador Program are now accepting applications for new members, available from BOPARC.

CITY MANAGERS REPORT:

INFORMATION:

Item No. 1: Attached you will find a memo from the Public Works Director reporting a cost estimate of \$337,540 for snow/ice removal operations for the month of February. Fortunately most of this expense is covered in the existing budget and through savings in other areas. The net result is that approximately \$30,000 to \$35,000 may have to be drawn from the General Fund Contingency to cover the balance.

NEW BUSINESS:

Item No. 1: At the last meeting, Mayor Byrne reported a significant opportunity for Morgantown to be selected as a pilot project for Google to install a fiber optic telecommunications system providing one gigabit per second (100 times faster than service available today). Since then, the major institutions of the Greater Morgantown Area have assembled data to include in the application. National competition to be selected as a pilot however is intense (over 200 Cities involved to date). Based upon the overwhelming benefits though that such a project would bring to the Morgantown Urban Area. I recommend that Council authorize that an application be presented to Google and that related expenses be funded (costs to be shared with West Virginia University).

After discussion, motion by Gaddis, second by Spencer to approve of the application to Google's Pilot Project. Motion carried 6-0.

CITY CLERK'S REPORT: No Report.

CITY ATTORNEY'S REPORT: No report.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane: No report.

Councilor Gaddis: No report.

Councilor Byrer: Councilor Byrer announced the Deer Committee meeting tonight and reported downed trees along Don Knott's Boulevard. Mr. Boroff responded that he would have the tree taken care of. Councilor Byrer asked that the street sign theft issue be placed on the COW agenda citing it's safety hazards and suggesting a higher fine and reward system. He then spoke about the Sister City Program inquiring about the security of traveling to Mexico, and the costs of the program.

Councilor Selin: Councilor Selin shared that she received her census form in the mail. She announced meetings of the Evansdale and Suncrest neighborhood association meetings. She then noted that the North Side Fire Station was finalist for a building expo award.

Councilor Shamberger: Absent

Councilor Spencer:

Councilor Spencer thanked Ms. O’Hara and Mr. Ferrell for their comments and Terry Cutright for her work on the proposed pavilion for the Farmers’ Market. He also thanked the Mayor for his help on the parking legislation. He concluded by asking citizens to go online and support the Google initiative.

Mayor Byrne:

Mayor Byrne spoke about HB 2663 and then announced numerous upcoming community events including: an award for best Black History Month artwork to the Boy’s and Girl’s Club sponsored by US Cellular, choosing a City bird, MUB projects on the Rail Trail, Deer Committee meetings, Councilor Shamberger’s daughter’s participation in a National Spelling Bee, Census forms, fires in Sunnyside after games, the CAC Production of Jesus Christ Superstar, an upcoming art show, Caritas House sweets for the sweet event, M.T. Pockets Theatre Dirty Spelling Bee fundraiser, banner across High Street celebrating WVU Men’s Basketball Team, the Big East Championship and the Women’s Basketball Team as well.

EXECUTIVE SESSION: Motion by Gaddis, second by Selin, to go into an executive session pursuant to Section 6-9A-4-9 of the West Virginia Code in order to discuss economic development with the following persons present: Mayor Bill Byrne, Council Members, the City Manager, and Assistant City Manger at 8:50 p.m.

ADJOURNMENT: There being no further business, the meeting adjourned by unanimous consent at 9:18 p.m.

City Clerk

Mayor

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