

REGULAR MEETING MARCH 4, 2014: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, March 4, 2014 at 7:00P.M.

PRESENT: City Manager Jeff Mikorski, City Attorney Steve Fanok, City Clerk Linda Little, Mayor Jenny Selin and Council Members: Ron Bane, Bill Kawecki, Wes Nugent, Marti Shamberger, Mike Fike and Nancy Ganz.

The Meeting was called to order by Mayor Selin.

APPROVAL OF MINUTES: The Regular Meetings minutes of the February 18, 2014 meeting were approved as amended.

CORRESPONDENCE: No correspondence.

BOARDS AND COMMISSIONS: City Clerk Linda Little reported that she has advertised to fill the vacancy on the Sister Cities Commission. The deadline for applications is March 30, 2014.

PUBLIC PORTION:

James Giuliani, 256 Prairie Avenue, commented about development in Morgantown regarding public/private projects between WVU and private businesses. Mr. Giuliani stated that businesses making profit developing on land owned by WVU should not be able to use WVU to avoid being taxed.

Dave Biafora, Metro Properties, concurred with Mr. Giuliani, stating that the problem is “no taxes” and unfair competition. Mr. Biafora commented that Council does not understand how serious the problem is. He requested the City bring concerned citizens and developers in for a workshop on the topic.

SPECIAL COMMITTEE REPORTS: Councilor Ganz reported that the Director of BOPARC, Mark Wise was hired by West Virginia University and that Mel Burch will serve as the Interim Director. She also encouraged everyone vote in the “Year of the Tree” contest and to enjoy the last snow storm of the year by sled riding at Chestnut Ridge Park. Councilor Bane gave an update of the First Ward Meeting and announced the next meeting for March 26th. Councilor Kawecki invited everyone that is interested in local history to a reception at the Morgantown History Museum on March 19th. Councilor Kawecki then asked for an update on the Housing Advisory Board and whether the City has issued a response to the recent concerns the board have expressed to Council. Lastly, Councilor Shamberger announced the upcoming meetings of the Met Theatre Commission and the Woodburn School Redevelopment Commission.

NEW BUSINESS:

AN ORDINANCE ADOPTING THE ANNUAL BUDGET: The below entitled Ordinance was presented for first reading:

AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF MORGANTOWN FOR THE FISCAL YEAR 2014-2015.

City Manager Jeff Mikorski explained the last minute change in the Ordinance presented, due to new property tax information received from the County Assessor. After discussion, motion by Bane, second by Nugent to pass the above entitled Ordinance to second reading. After further explanation from the City Manager and discussion, motion carried 7-0.

A RESOLUTION SUBMITTING A LETTER OF INTENT TO THE NATIONAL SAFETY COUNCIL TO BECOME A US DESIGNATED SAFE COMMUNITY AND ENDORSING THE CITY'S PARTICIPATION IN THE SAFE COMMUNITY COLLABORATIVE EFFORT. The above entitled Resolution was presented for approval.

After explanation from the City Manager, motion by Fike, second by Ganz to approve the above entitled Resolution. Motion carried 7-0.

CITY MANAGERS REPORT:

INFORMATION:

1. Update on HB4208

Mr. Mikorski reported to Council that City Administration has been tracking the bill which would make synthetic drugs not included in the controlled substance schedule illegal. He also noted the bill is to be reviewed by the Senate Health and Human Resources Committee, followed by the WV Senate Judiciary Committee. He will monitor the bill's status and report back to Council.

2. POW/MIA Flag at Public Meetings

Mr. Mikorski stated that in accordance with Council's request during the last Committee of the Whole meeting, City Administration will move forward with the procurement of POW/MIA flags for installation at all City of Morgantown facilities.

NEW BUSINESS:

1. License Agreement Transfer

Mr. Mikorski informed Council that the City of Morgantown has been requested to transfer a license agreement allowing vehicular ingress and egress into the Rail-Trail right-of-way to provide access to a public parking facility. With City Council's approval, the City Manager can execute the necessary license agreement documents with Minsyr-Oxbridge LLC., the new owners of Waterfront Place Hotel.

After discussion and explanation of the agreement by the City Manager and City Attorney; motion by acclamation to approve the execution of the license agreement assignment documents by the City Manager, as needed to move forward with the property exchange. Motion carried 7-0.

2. Arts Monongahela Request for Grant Matching Funds

Mr. Mikorski informed Council that Arts Monongahela is seeking \$3,000.00 in funding from the West Virginia Division of Culture and History Commission on the Arts, Community Arts Project Grant. He noted that this arts project is a re-granting program to support local arts organizations and individual artists. He stated that the grant requires matching funds of \$3,000.00 to be designated from the City's FY 2014 Capital Escrow contingency line and would allow Arts Monongahela to re-grant a total of \$6,000.00 locally, if approved.

Motion by Kawecki, second by Shamberger to approve the match of funds for \$3,000.00 as described above in conjunction with the Community Project Grant from the 2014 Capital Escrow contingency line. Motion carried 7-0.

Councilor Kawecki then requested an update on the Housing Advisory Board. Mr. Mikorski reported on a recent meeting with WVU where all the issues of public/private partner ownership were discussed.

Mr. Mikorski then informed Council that the City has engaged the Auctioneering services of Joe R. Pyle to facilitate the sale of the Armory property. He stated that in order to get the property sold as quickly as possible, the sale will be nationally advertised on April 26th, 2014.

REPORT FROM CITY CLERK: No report.

REPORT FROM CITY ATTORNEY: No report.

REPORT FROM COUNCIL MEMBER: (Roll Reversal)

Councilor Ganz: Councilor Ganz reported that street food vendors are doing well since the implementation of the new regulations. She thanked WVU for the recent creation of the Positive Student Behavior Committee. Lastly, she encouraged everyone to cast their votes in the tree contest before the deadline.

Councilor Fike: Councilor Fike noted he attended Main Street Morgantown's 30th birthday party. He commended WVU for the creation of the Greek Life Advisory Board and praised its collaborative efforts. He then wished local resident Peggy Chappelle of Jerome Park a happy 90th birthday.

Councilor Shamberger: Councilor Shamberger commented that she attended the First Ward meeting and wishes the group well in its formation. She announced the MHS Spaghetti Dinner event and then congratulated the WVU Women's Basketball team.

Councilor Nugent: Councilor Nugent offered congratulations to the new officers of the Wiles Hill-Highland Park neighborhood association. He reported that he attended a recent performance of the new show at the MAC: *Love, Sex and the IRS*, and noted it is a delightful and benignly humorous show, despite its racy title. He encouraged everyone to support local theatre and local performers.

Councilor Kawecki: Councilor Kawecki concurred with Mr. Nugent's comments about local theatre and noted that M.T. Pockets Theatre also puts on enjoyable shows. He reported on the South Park Association of Neighbors' and the Greenmont Association's wish to champion efforts to have a pedestrian bridge built across Decker's Creek. He thanked the City for its enforcement of clear sidewalks during the winter weather.

Councilor Bane: Councilor Bane announced the next meeting of the newly formed First Ward Neighborhood Association, where there will be an election of officers. He suggested that the concerns of the developers who spoke at the Public Portion be addressed administratively, through the Manager's efforts. He hoped more

information can be sought about the effects of any proposed development and related taxation information. He then discussed the issues which arose at the last meeting of Council, during the Committee of the Whole; he was gaveled for calling a Point of Order over a violation of decorum during a period of public comment. He felt the situation was not handled fairly, and feels as though Council is no longer operating as a team. He informed Council he will see the Manager independently going forward as he feels his voice is not being heard among the group.

Mayor Selin:

Mayor Selin announced the Red Cross Blood Drive, the next Rivertown meeting, Chocolate Lover's Day, auditions for Children's Community Theatre, and announced the Biggest Baddest Tree contest. She responded to Councilor Bane's concerns, noting that when she is Chair of a meeting she does her utmost to respect the participation of all members and speakers, while maintaining order. She thanked those who came to speak at Council. Mayor Selin then noted citizen concerns over where removed snow is to be piled, and asked that a brief report be generated in order to assess the needs of effective snow removal to better prepare for next year.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:20pm.

City Clerk

Mayor

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