

REGULAR MEETING JULY 20, 2010:

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The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Monday, July 20, 2010, at 7:30 P.M.

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

APPROVAL OF MINUTES: Minutes from the regular meeting on July 6, 2010 and Special Meeting on July 13, 2010 were approved as printed.

CORRESPONDENCE: No correspondence

PUBLIC HEARING- AN ORDINANCE AMENDING ARTICLE 1713 OF THE MORGANTOWN BUILDING AND HOUSING CODE, ADDING NEW SECTION 1713.02 ADDRESSING MINIMUM AREA REQUIREMENT FOR OCCUPANCY: _

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.

PUBLIC HEARING- AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING AN AMENDMENT TO AN APRIL 19, 2005 LEASE BETWEEN THE CITY AND THE MORGANTOWN THEATRE COMPANY, AS IT PERTAINS TO THE METROPOLITAN THEATRE: _

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 AMENDING ARTICLE 1713: The below entitled Ordinance was presented for second reading:

AN ORDINANCE AMENDING ARTICLE 1713 OF THE MORGANTOWN BUILDING AND HOUSING CODE, ADDING NEW SECTION 1713.02 ADDRESSING MINIMUM AREA REQUIREMENT FOR OCCUPANCY.

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

AN ORDINANCE AMENDING AGREEMENT WITH MET THEATRE: The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING AN AMENDMENT TO AN APRIL 19, 2005 LEASE BETWEEN THE CITY AND THE MORGANTOWN THEATRE COMPANY, AS IT PERTAINS TO THE METROPOLITAN THEATRE.

Motion by Shamberger, second by Spencer, to adopt the above entitled Ordinance. Motion carried 7-0.

BOARDS AND COMMISSIONS: Motion by acclamation to reappoint Tim Terman to the Museum Commission and Margaret Roberts to the Traffic Commission.

PUBLIC PORTION: Nelson France, 222 High Street, BOG Representative, thanked Council for working with the Student Body and Student Government. He is looking forward to continue working with Council.

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

NEW BUSINESS:

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

AN ORDINANCE AMENDING THE FY 2010-2011 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.

After explanation from the City Manager and further discussion, motion by Gaddis, second by Byrer to pass the above entitled Ordinance to second reading. Motion carried 7-0.

- **SPECIAL COMMITTEE REPORTS:** No reports

CITY MANAGERS REPORT:

- **INFORMATION:**

Item No. 1: I am pleased to report that all of the City’s major, capital improvement programs this summer are on or ahead of schedule and within budget with one small exception–Street Paving Program (Tyson Street (\$16,300) had to be dropped from the \$400,000 program because of increased milling costs on other streets and additional asphalt needed for the balance of the program). Other projects proceeding are the Met Theatre Restoration (\$1,000,000); Grant Avenue Streetscape (\$1,200,000); Beechurst Gateway (\$210,000); and the High Street Streetscape (\$700,000).

CITY CLERK'S REPORT: Absent

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

REPORT FROM COUNCIL MEMBERS:

Councilor Bane: Councilor Bane reported on the MUB meeting and their upcoming and ongoing projects. He also stated that the trails will be open on 7/31.

Councilor Gaddis: Councilor Gaddis stated that the Parking Authority has started enforcement in blue curb areas and neighbors should get their permits if they need to. He informed residents that proof is required to renew the permits. He thanked the City for recent paving and hard

work associated with that. He was also grateful for signs warning of roadwork being done in certain areas. He attended Kid's Day and said it was a great event.

Councilor Byrer: Councilor Byrer

Councilor Byrer also attended Kid's Day and said it was an energizing event. He suggested an evening shopping time for Downtown. He updated everyone on the Wiles Hill neighborhood meetings and events including a special speaking engagement by Tom Arnold. He encouraged neighbors to attend. He added that Wiles Hill is a convenient neighborhood for walking and has many amenities. Lastly, he reported roadside overgrown brush.

Councilor Selin:

Councilor Selin

Councilor Selin thanked Councilor Shamberger for driving her home from the last meeting. She gave an update on the BZA meeting and Farmer's Market. She thanked Councilor Gaddis for volunteering at Kid's Day and commented that Wiles Hill is a nice place to live.

Councilor Shamberger: Councilor Shamberger:

Councilor Shamberger announced the upcoming Woodburn block party. She also mentioned that she attended a performance at the new Event Center and encouraged others to do likewise.

Councilor Spencer: Councilor Spencer:

Councilor Spencer mentioned that the Sabraton flooding was bad and he hopes that infrastructure can continue to be improved in needed areas. He reported on attending the DEP hearing and talked about the importance of water and air quality. He commended the Police Department for their increased patrolling of the trails and parks. He announced the bike board will be broadcasting videos on public safety. He then stated he feels Council should define and expand parking area boundaries with regard to the code. He asked this be placed on the next COW agenda.

Mayor Byrne suggested Tom Arnold be involved and possibly give a report.

Mr. Boroff stated that since there is no July COW and the August COW is filled, this may have to wait until September.

Mayor Byrne stated that parking is important to all neighborhoods and the Blue Line Parking affects the whole City.

Councilor Selin concurred and Councilor Gaddis suggested everyone attend Parking Authority meetings.

Mayor Byrne: Mayor Byrne

Mayor Byrne announced that Kid's Day was a success largely due to great volunteerism within our community. He stated that housing and parking initiatives are in place to make Morgantown neighborhoods attractive to families, and that we must maintain a balance between student housing and family friendly neighborhoods. He commented on the flooding in Sabraton and Hartman Run Road, and that the long term solution needs to include the DOH and very likely multi-millions of dollars. However, a short term solution is needed sooner. He announced the Youth Ambassador's from Guanajuato are soon arriving and more host families are needed. He talked about the Guanajuato Mayoral Delegation arriving on Aug. 1 and updated everyone on the events they will participate in while visiting.

EXECUTIVE SESSION: Motion by Byrer, second by Spencer to go into executive session, pursuant to Section 69A-4-2 of the West Virginia Code in order to discuss personnel matters with the following persons present: Mayor Bill Byrne, Council Members, City Manager and Assistant City Manager. Time 8:20 p.m.

ADJOURNMENT: There being no further business, the meeting adjourned by unanimous consent at 8:35 p.m.

City Clerk

Mayor

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