

REGULAR MEETING AUGUST 17, 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, August 17, 2010 at 7:30 P.M.

PRESENT: City Manager Dan Boroff, Assistant City Manager Jeff Mikorski, Mayor Bill Byrne, City Clerk Linda Little, 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 August 3, 2010 were approved as printed.

CORRESPONDENCE: Mayor Byrne presented an award to City Manager Dan Boroff from the West Virginia Municipal League in recognition of his work with the league and his upcoming retirement. Mayor Byrne accepted a plaque from the US Census Bureau recognizing the City of Morgantown for its support of the 2010 Census. Mayor Byrne also mentioned the All Star Community Award for the Met. Theatre Restoration that was given to the City of Morgantown at the West Virginia Municipal League Conference during the Awards Banquet at Olgebay.

PUBLIC HEARING- 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 COAL SEVERANCE FUND:

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.

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UNFINISHED BUSINESS:

AN ORDINANCE AMENDING THE ANNUAL BUDGET: The below entitled Ordinance was presented for second 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 COAL SEVERANCE FUND.

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

BOARDS AND COMMISSIONS: Motion by acclamation to appoint Jessie Reckart and reappoint Bill MacDonald to the Urban Landscape Commission. Councilor Spencer asked Council to review the Morgantown Pedestrian Safety Plan packet that was handed out this evening before the August 28th COW meeting.

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PUBLIC PORTION:

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

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NEW BUSINESS:

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AN ORDINANCE RELEASING RIGHTS OF WAY FROM OAKLAND AVENUE IN THE 7TH WARD: The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN RELEASING THE RIGHTS-OF-WAY FOR STORM, SANITARY SEWERS AND ALL UTILITIES, PREVIOUSLY RESERVED, OVER ONE HUNDRED AND TWENTY FOOT PORTION OF 12' WIDE PREVIOUSLY ANNULLED UNNAMED ALLEY WHICH RAN FROM OAKLAND AVENUE IN A WESTERLY DIRECTION, LOCATED IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN.

After discussion, motion by Shamberger, second by Bane to pass the above entitled Ordinance to second reading.

Motion carried 7-0.

- **AN ORDINANCE AUTHORIZING A RIGHT OF WAY WITH WVU BOG:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE AUTHORIZING A RIGHT-OF WAY AGREEMENT BY AND BETWEEN THE CITY OF MORGANTOWN, GRANTOR, AND WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS, GRANTEE, AUTHORIZING THE PLACEMENT MAINTENANCE OF AN ELECTRICAL DUCT BANK UNDER A PORTION OF NORTH HIGH STREET AND PROSPECT STREET IN THE FIFTH WARD OF THE CITY OF MORGANTOWN.

After discussion, motion by Spencer, second by Selin to pass the above entitled Ordinance to second reading. Motion carried 7-0.

- **RESOLUTION TO RECEIVE AND ADMINISTER GRANT FUNDS PURSUANT TO PROVISIONS OF THE RECOVERY ACT: JUST ASSISTANCE GRANT PROGRAM:** The above entitled Resolution was presented for approval:

Motion by Gaddis, second by Shamberger to approve the above entitled Resolution. Motion carried 7-0.

SPECIAL COMMITTEE REPORTS: No reports.

CITY MANAGERS REPORT:

INFORMATION:

City Manager Dan Boroff commented that he was taken by surprise by the WVML Resolution and Award, and it does mean a great deal. It is also important that Council as active members of this organization serves very well the interests of the City of Morgantown and the State. Thank you very much.

- **Item No. 1:**

The City Finance Director Denise White has presented her resignation effective August 20, 2010 to accept a position with WVU. She has also agreed though to act as a part time Finance Director for up to the next six months to accommodate the new City Manager and her replacement. The City very much appreciates her many years of dedicated service and her willingness to assist during this transition period.

CITY CLERK: No report.

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

REPORT FROM COUNCIL MEMBERS:

Councilor Bane: No Report.

Councilor Gaddis: No Report.

Councilor Byrer: Councilor Byrer
Councilor Byrer commented the WVML meeting was well attended and the City Manager's award was presented at the banquet on Thursday evening. Councilor Byrer noted that Wiles Hill is having a litter clean up on Wednesday August 18th.

Councilor Selin
Councilor Selin commented that she attended the ribbon cutting for Bodner Place and it was nice to see what a complex looks like before the students actually move in.

Councilor Shamberger: Councilor Shamberger: Councilor Shamberger stated that she learned a lot at the

West Virginia Municipal League Conference at Oglebay. Councilor Shamberger reminded everyone that the Woodburn Neighborhood Association Picnic is on August 28th. Councilor Shamberger thanked Denise White for all she has done for the City as Finance Director.

Councilor Spencer:

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Councilor Spencer commented that Denise White is a good instructor for he has attended her training sessions at the WVU Institute. She will do an excellent job but will be missed here at City Hall and Council appreciates her dedicated service to the City. Councilor Spencer mentioned that at the WVML meeting he learned that Councils should have more organization meetings on goals, ideas etc. and hope we can do this next July. Councilor Spencer attended the Water Quality Meeting today at the Airport with 19 watershed groups discussing water quality issues in our area. Councilor Spencer asked the City Manager about the construction pattern on the Beechurst Sidewalk. City Manager Dan Boroff stated that this has been a very good project and they are ahead of schedule; and they did start at the upper end and worked their way down and did terminate it because of the Beechview Project due to some underground electrical issues; and then went to the other end working their way back; and now due to the WVU Students coming back that project will be terminated for this year and be picked back up next Spring. Councilor Spencer mentioned that Patterson Drive was paved but there was no crosswalk placed at University Avenue; and a crosswalk is needed there; and hopefully this issue can be brought up at MPO Meeting. Councilor Spencer complimented the GMCT for their latest report and how they have matured as a nice organization for the area.

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Mayor Byrne: Mayor Byrne

Mayor Byrne mentioned the e-mail Council received on the update on the posting of the City Managers position. Mayor Byrne noted the Bodner opening and mentioned the future opening on the 24th of August of the Beachview Complex. Mayor Byrne announced activities such as the 16th Annual Chicken Cook Off, Sprint/Splash and Spin, and Fall Feast on August 23rd. Mayor Byrne stated what a valuable person Denise White is to the City and how hard it is to lose a person with her abilities. We thank her for her dedication and wish her the best of luck. Mayor Byrne commented to Mr. Boroff that it

has been a joy working with him and he was very deserving of the award received tonight from the WVML.

ADJOURNMENT: There being no further business, the meeting adjourned by unanimous consent at 8:00 p.m.

City Clerk

Mayor

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