

**REGULAR MEETING, AUGUST 6, 2013:** The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, August 6, 2013 at 7:00P.M.

**PRESENT:** City Manager Jeff Mikorski, Assistant City Manager of Operations Glen Kelly, City Attorney Steve Fanok, Deputy City Clerk Bethany Sypolt, and Council Members: Ron Bane, Bill Kawecki, Wes Nugent, Jenny Selin, Marti Shamberger, Mike Fike and Nancy Ganz. City Clerk Linda Little was absent.

**APPROVAL OF MINUTES:** The minutes of the Regular Meeting of July 16, 2013, and the Special Meeting of July 16, 2013 were approved as presented.

**CORRESPONDENCE:**

**PUBLIC HEARING – AN ORDINANCE AMENDING THE FY 2013-2014 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.**

There being no appearances, Mayor Selin declared the public hearing closed.

**PUBLIC HEARING – AN ORDINANCE AMENDING THE FY 2012-2014 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.**

There being no appearances, Mayor Selin declared the public hearing closed.

**PUBLIC HEARING – AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN IT AND THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY WHICH PERTAINS TO THE FUNDING OF A MITIGATION PLAN PERTAINING TO THE CONSTRUCTION OF THE MORGANTOWN MUNICIPAL AIRPORT ACCESS ROAD; SAID FUNDING PLAN BEING REQUIRED BY THE UNITED STATES ARMY CORPS OF ENGINEERS.**

There being no appearances, Mayor Selin declared the public hearing closed.

**UNFINISHED BUSINESS:**

**AN ORDINANCE AMENDING THE ANNUAL BUDGET, COAL SEVERANCE FUND:**

The above entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING THE FY 2013-2014 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 Nugent, second by Bane, to adopt the above entitled ordinance. Motion carried 7-0.

**AN ORDINANCE AMENDING THE ANNUAL BUDGET, GENERAL FUND:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE AMENDING THE FY 2013-2014 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 Bane, second by Nugent to adopt the above entitled ordinance. Motion carried 7-0.

**AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH MON COUNTY PERTAINING TO THE FUNDING OF THE AIRPORT ACCESS ROAD MITIGATION PLAN:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN IT AND THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY WHICH PERTAINS TO THE FUNDING OF A MITIGATION PLAN PERTAINING TO THE CONSTRUCTION OF THE MORGANTOWN MUNICIPAL AIRPORT ACCESS ROAD; SAID FUNDING PLAN BEING REQUIRED BY THE UNITED STATES ARMY CORPS OF ENGINEERS.

Motion by Bane, second by Shamberger to adopt the above entitled ordinance. Motion carried 7-0.

**BOARDS AND COMMISSIONS:** By acclamation of Council, Botanist Bill MacDonald was re-appointed to the Urban Landscape Commission and Council Nugent was appointed to serve on the Metropolitan Planning Organization. Council will interview four candidates at a Special Meeting on August 6<sup>th</sup> to fill vacancies on the Library Board.

**PUBLIC PORTION:**

Renee Hernandez, 224 Overdale Street, reported to Council many troubles with her rented apartment and the landlord. She also relayed an unsatisfactory interaction with Code Enforcement during a recent inspection, and asked that the matter be looked into.

There being no more appearances, Mayor Selin declared the public portion closed.

**SPECIAL COMMITTEE REPORTS:** No Reports.

**NEW BUSINESS:**

**AN ORDINANCE REZONING TWO PARCELS OF REAL ESTATE IN THE THIRD AND FIFTH WARDS FROM R-2 AND B-2 TO B-4:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF TWO PARCELS OF REAL ESTATE IN THE THIRD AND FIFTH WARDS OF THE CITY OF MORGANTOWN FROM R-2, SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT AND B-2, SERVICE BUSINESS DISTRICT TO B-4, GENERAL BUSINESS DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND FULLY DECLARED TO BE A PART OF THE ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

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

**AN ORDINANCE REZONING ONE PARCEL OF REAL ESTATE IN THE FOURTH WARD FROM B-1 TO B-2:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF ONE PARCEL OF REAL ESTATE IN THE FOURTH WARD OF THE CITY OF MORGANTOWN FROM B-1, NEIGHBORHOOD BUSINESS DISTRICT TO B-2, SERVICE BUSINESS DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND FULLY DECLARED TO BE A PART OF THE ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

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

**AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR A PREVENTION RESOURCES OFFICER AT MORGANTOWN HIGH SCHOOL:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY BOARD OF EDUCATION, AS THE SAME APPLIES TO A PREVENTION RESOURCES OFFICER IN THE MONONGALIA COUNTY SCHOOL SYSTEM AT MORGANTOWN HIGH SCHOOL.

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

**AN ORDINANCE AMENDING THE TRAFFIC CODE, SAFETY BELTS:** The below entitled Ordinance was presented for first reading:

AN ORDINANCE AMENDING SECTION 345.35 OF THE TRAFFIC CODE OF THE CITY OF MORGANTOWN MAKING THE OFFENSE OF FAILURE TO WEAR SAFETY BELTS A PRIMARY OFFENSE.

Motion by Nugent, second by Ganz to pass the above entitled Ordinance to second reading. After explanation from the City Manager, motion carried 7-0.

**A SUPPLEMENTAL RESOLUTION PROVIDING FOR THE ACQUISITION OF THE CANYON PUBLIC SERVICE DISTRICT SEWER SYSTEM AND THE ASSUMPTION, RE-DESIGNATION AND REPLACEMENT OF CANYON PUBLIC SERVICE DISTRICT'S SEWER REVENUE BONDS, SERIES 2008 A (WEST VIRGINIA INFRASTRUCTURE FUND) AS THE CITY OF MORGANTOWN COMBINED UTILITY BONDS, SERIES 2013 A:** The above entitled Supplemental Resolution was presented for approval.

Motion by Bane, second by Kawecki to approve the above entitled Resolution. After introduction from the City Manager, the rules were suspended to allow explanation from Attorney John Stump. Motion carried 7-0.

**CITY MANAGERS REPORT:**

INFORMATION:

1. Sunnyside Up TIF District Engineering Request for Qualifications

Mr. Mikorski explained the request and selection process for the project.

2. Administration Team Mini-Retreat

Mr. Mikorski reported on Department Heads' performance evaluation and goals, with more information to follow as the initiative progresses.

ACTION:

1. Capital Escrow Budget Amendment

After explanation from Mr. Mikorski, motion by Bane, second by Nugent to approve the above mentioned budget amendment. Motion carried 7-0.

Mr. Mikorski then updated Council on the on-campus WVU Smoking Ban, and its issues which include employees gathering in front of private housing and on public rights-of-ways; and announced an upcoming meeting with officials to resolve these issues. The goal is to have a plan in place before students return.

**REPORT FROM CITY CLERK:** No Report

**REPORT FROM CITY ATTORNEY:** No Report

**REPORT FROM COUNCIL MEMBERS:**

- |                       |   |
|-----------------------|---|
| Councilor Bane:       | Councilor Bane asked the Manager for an update on downtown sidewalk repair. Mr. Mikorski replied that after completion of the utility work on Wall Street, the sidewalk was scheduled to be replaced. Councilor Bane thanked the Manager and commended him for his hard work during the last year.  |
| Councilor Kawecki     | Councilor Kawecki announced the South Park Association of Neighbors upcoming meeting and their 23 <sup>rd</sup> annual yard sale.   |
| Councilor Nugent:     | Councilor Nugent thanked the City and Wiles Hill-Highland Park Neighborhood Association for the success of the National Night Out event. He inquired whether High Street will still be paved this year. Mr. Mikorski responded that it will be paved, but regretfully not in time for students to return. Councilor Nugent thanked everyone for the well-wishes on the recent birth of his son. |
| Councilor Shamberger: | Councilor Shamberger thanked the City for painting curbs in her area, and mentioned the Friendship Reception that took place to welcome delegates of Xuzhou, China. She noted that the Botanic  |

Garden is a treasure and that she is excited to attend the West Virginia Municipal League Conference.

Councilor Fike:

Councilor Fike thanked the Manager for appraising the Department Heads' performances, noting that it is a very professional practice to engage in. He commended the positive working relationship with WVU, and noted that the Good Will Cities initiative is working well and gearing up for fall games.

Councilor Ganz:

Councilor Ganz thanked the Communications Manager for the "8 Things to Know" pamphlet and announced the Suncrest Neighborhood Association picnic. She encouraged use of the City website and addressed Ms. Hernandez's comments about rental housing. She asked it be discussed at an upcoming Committee of the Whole.

Mayor Selin:

Mayor Selin reported litter problems and then noted she accepted a speaking engagement with students. She encouraged other Council members to share in this responsibility. She then announced upcoming events including the Farmer's Market, Children's Discovery Museum bug hunt, Arts Mon photography exhibit, MAC ceramics, video art and paintings exhibit, and a Steel Drum Concert in Krepps Park.

**ADJOURNMENT:** There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:03p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

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