

REGULAR MEETING February 17, 2015: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, February 17, 2015 at 7:00 p.m.

PRESENT: City Manager Jeff Mikorski, Assistant City Manager Glen Kelly, City Clerk Linda Tucker, Mayor Selin, Deputy Mayor Marti Shamberger and Council Members: Ron Bane, Bill Kawecki, Wes Nugent, Mike Fike, Nancy Ganz and City Attorney Ryan Simonton.

City Manager Jeff Mikorski requested Council's approval to amend the agenda to add to the City Managers Report a Bid request for the Airport. Agenda item approved by acclamation.

The Meeting was called to order by Mayor Selin.

APPROVAL OF MINUTES: The minutes of the January 20, 2015 Regular Meeting were approved as amended.

CORRESPONDENCE: Mayor Selin presented a Certificate of Recognition to Carl Molisee for obtaining the rank of Eagle Scout; she then proclaimed February 22, 2015 as Literacy Volunteer Day of Mon and Preston County and urged citizens to participate in the Scrabble Tournament. Deputy Mayor Shamberger introduced a Leadership class MD335 of WVU Students that will be helping the City with a survey project. Mayor Selin then recognized the month of February as National Parent Leadership Month in honoring parents for vital leadership roles in their homes and communities.

PUBLIC HEARING-AN ORDINANCE VACATING, ABANDING AND ANNULING A 6.83' WIDE UNNAMED ALLEY RUNNING A DISTANCE APPROXIMATELY ONE HUNDRED FORTY-ONE FEET LOCATED BETWEEN UNIVERSITY AVENUE AND QUAY MONONGALIA COUNTY, WEST VIRGINIA, NOT USED FOR USEFUL FOR STREETS PURPOSES.

There being no appearances, Mayor Selin declared the Public Hearing closed.

PUBLIC HEARING-AN ORDINANCE AMENDING SECTION 337.03 OF THE CITY CODE RELATING TO DRIVING ON THE RIGHT SIDE OF THE ROAD AND PASSING.

There being no appearances, Mayor Selin declared the Public Hearing closed.

PUBLIC HEARING- AN ORDINANCE AMENDING ARTICLE 373 OF THE CITY CODE RELATING TO BICYCLES.

There being no appearances, Mayor Selin declared the Public Hearing closed.

PUBLIC HEARING-AN ORDINANCE AMENDING ARTICLE 151 OF THE ADMINISTRATIVE CODE RELATING TO COMPOSITION AND DUTIES OF THE MORGANTOWN TRAFFIC COMMISSION.

There being no appearances, Mayor Selin declared the Public Hearing closed.

UNFINISHED BUSINESS:

AN ORDINANCE VACATING, ABANDONING AND ANNULING A 6.83' WIDE UNNAMED ALLEY: The below entitled Ordinance was presented for second reading.

AN ORDINANCE VACATING, ABANDONING AND ANNULING A 6.83' WIDE UNNAMED ALLEY RUNNING A DISTANCE APPROXIMATELY ONE HUNDRED FORTY-ONE FEET LOCATED BETWEEN UNIVERSITY AVENUE AND QUAY MONONGALIA COUNTY, WEST VIRGINIA, NOT USED FOR USEFUL FOR STREETS PURPOSES.

Councilor Ganz and the City Attorney discussed appraisal and sale of the property. Motion by Bane, second by Kawecki, to adopt the above entitled Ordinance. Motion carried 6-1, Ganz voted no.

AN ORDINANCE AMENDING SECTION 337.03: The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING SECTION 337.03 OF THE CITY CODE RELATING TO DRIVING ON THE RIGHT SIDE OF THE ROAD AND PASSING.

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

AN ORDINANCE AMENDING ARTICLE 373: The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING ARTICLE 373 OF THE CITY CODE RELATING TO BICYCLES.

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

AN ORDINANCE AMENDING ARTICLE 151: The below entitled Ordinance was presented for second reading.

AN ORDINANCE AN ORDINANCE AMENDING ARTICLE 151 OF THE ADMINISTRATIVE CODE RELATING TO COMPOSITION AND DUTIES OF THE MORGANTOWN TRAFFIC COMMISSION.

Motion by Fike, second by Kawecki, to adopt the above entitled Ordinance. Motion carried 7-0

BOARDS AND COMMISSIONS: The City Clerk announced Katy Trupo as the replacement for the Urban Forester on the Urban Landscape Commission. Question by Councilor Ganz on the appointed position, City Manager clarified position is held within the Urban Landscape Commission and not the Tree Board.

By acclamation Katy Trupo was appointed as the Urban Forester to fill vacancy on Urban Landscape Commission.

PUBLIC PORTION: There being no appearances, Mayor Selin declared the public portion closed.

SPECIAL COMMITTEE REPORTS: No reports.

NEW BUSINESS:

AN ORDINANCE AMENDING THE FY 2014-2015 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO ANN MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND:

The below entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING THE FY 2014-2015 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO ANN MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND.

Motion by Kaweck, second by Ganz, to pass the above entitled Ordinance to second reading. After the City Manager explanation, Council suspended the rules to discuss various line items directed toward the City Manager and the Finance Director Sabatelli. Motion carried 7-0.

A RESOLUTION TO SUPPORT THE VISION OF A SHARED-USE TRAIL SYSTEM BETWEEN COMMUNITIES ALONG THE PA-WV-OH TRAIL QUARTER, CLOSING THE GAPS, AND HELPING CREATE THE LONGEST CONNECTED SYSTEM OF MULTI-USE TRAILS IN THE UNITED STATES: The above entitled Resolution was presented for approval.

A RESOLUTION TO SUPPORT THE VISION OF A SHARED-USE TRAIL SYSTEM BETWEEN COMMUNITIES ALONG THE PA-WV-OH TRAIL QUARTER, CLOSING THE GAPS, AND HELPING CREATE THE LONGEST CONNECTED SYSTEM OF MULTI-USE TRAILS IN THE UNITED STATES.

Motion by Shamberger, second by Ganz, to pass the above entitled Ordinance to second reading. Council suspended the rules for the explanation by Ella Belling, motion carried 7-0.

CITY MANAGERS REPORT:

New Business:

1. Habitat for Humanity

Mr. Mikorski at a recent City Council meeting, Evan Zuverink, Director of Habitat for Humanity, requested the City to waive permit fees for their projects. At that time Mr. Mikorski recommended that we do not waive the permit fees, but if Council is interested, we would budget a contribution to the agency, to reduce the cost of the affordable homes their building. Recently, an additional request has been received to waive the variance fees for five variances that the organization will need to apply in the coming months. Habitat has recently applied for two of the five variances and is requesting a waiver of the fees (totaling \$150.00). Since variance waivers have not been given in the past, it would take Council authorizing the waiver of the application fee

After discussion, motion by Ganz, second by Bane to not pass the waiver of the variances. Motion was rejected 7-0.

2. Capital Escrow Budget Revision #5

Mr. Mikorski stated due to the increased construction throughout the City and some developments moving faster than originally budgeted, we have an increased contribution to Capital Escrow Fund. He would like to take this opportunity to budget for capital projects or add additional money to projects that were not funded at the beginning of the fiscal year from one-time funds. Projects, and revisions to the Capital Escrow Fund are listed on the attached Capital Escrow Revision memorandum

After discussion, motion by Councilor Shamberger, second by Kawecki to increase contribution to the Capital Escrow Fund. Motion carried 7-0.

3. 2015 Proposed Paving List

Mr. Mikorski stated attached is the 2014 paving list recommended by the City Engineer. Due to the additional revenue from Business and Occupation Taxes on construction (one-time revenues) this fiscal year, he requested the Engineering Department to expand their list of streets to expend an additional \$300,000 over the original budgeted \$325,000, consistent with the Capital Escrow amendment before Council tonight. If Council approved of the amended Capital Escrow budget, he recommended approval of the paving list, which will allow the Engineering Department to begin the bidding process to get material and a contractor hired to start paving in late April or early May.

After discussion, motion by Councilor Bane, second by Shamberger to approve the 2014 paving list. Motion carried 7-0.

4. Ground Power Unit – Bid Call 2015

Mr. Mikorski recommended Aviation Ground Equipment Corporation as the low bid of \$61,400.00 to purchase this piece of airport equipment that causes us to lose business daily.

After the City Manager and Assistant City Manager's explanation, motion by Nugent, second by Bane to approve the above stated bid. Motion carried 7-0.

Information:

1. Upcoming meetings

Mr. Mikorski announced there will be a public hearing for two home rule ordinances on Friday, February 27 at 6:00 pm in City Hall Council Chambers. The Ordinance to modify Intergovernmental Agreements from an ordinance to a resolution and the ordinance for establishing a lien process for nuisance situations will be heard at that time. The ordinances will then be presented at the next Home Rule Oversight Board on March 2, 2015 in the Morgantown Public Safety Building.

An upcoming meeting will take place on Thursday, February 19 at 4:00 pm to establish a Wayfinding Advisory Committee to City Manager to create and implement a wayfinder signage

program throughout the City. Selected committee members will be invited to attend. A BAD (Brownfield, Abandoned, & Depilated) Building Team meeting will take place on Wednesday, February 25 at 5:00 pm to "kick off" the Morgantown BAD Building Team. The meeting will be advertised for volunteers to be a part of the team that will help identify vacant and depilated housing, and work with the City Government to recommend strategies for reuse of identified buildings.

REPORT FROM CITY CLERK: Mrs. Tucker informed Council of a Liquor License Application-Ali Baba Restaurant at 82 Hartfield Road and announced update for the 2015 City Election.

After discussion, motion by Bane, second by Kawecki to approve the poll workers for the 2015 City Election. Motion carried 7-0.

REPORT FROM CITY ATTORNEY: No Report

REPORT FROM COUNCIL MEMBERS:

Councilor Bane:

Councilor Bane has concerns of the flatness of the budget and the future of the City. He stated there needs to be strategies for a 5 year and 10 year plan set in motion. He stated the importance of being frugal and not becoming Huntington.

Councilor Kawecki:

Councilor Kawecki had no report.

Councilor Nugent:

Councilor Nugent announced Wiles Hills Neighborhood Association Meeting with an agenda for the election of officers on February 18 and the Broadway Romantic Comedy is performing at the Monongalia Arts Center on February 21-22.

Councilor Shamberger

Councilor Shamberger announced to the public that Republic trash service will be delayed by a day. She thanked the streets department for the cleanup and removal of snow. Councilor Shamberger thanked the City Manager for assisting those in need with a place to stay warm at Woodburn School. She was excited to attend the ribbon cutting ceremony at Soul Brother Restaurant. Councilor Shamberger stated she will be in the scrabble tournament for Literacy Volunteers and encouraged people to participate. She followed up with and supported Councilor Bane's report about

strategizing to generate more income for the City.

Councilor Fike:

Councilor Fike announced that the Human Rights Commission Meeting about identifying policies and solutions is postponed. He then stated the meeting will be rescheduled sometime in March and once confirmed it will be publicized.

Councilor Ganz:

Councilor Ganz thanked the road crews of the city and Public Works for staying ahead of the roads. She would like to have clarification sent out to the city residents that their trash rates will not increase. She stated that the City needs to be more creative with the finances, noted her concerns with the water and what occurred in Fayette County could happen to the City. She then reminded the public of the Suncrest Neighborhood Association Meeting at 7 PM on February 26 and the Empty Bowls will be on February 28.

Mayor Selin:

Mayor Selin announced Green Night at the Library on February 19, 2015 and the Chamber of Commerce will have business after hours on February 18. She stated important information from the City about removing snow correctly from sidewalks and driveways. Mayor Selin announced the Third Morgantown Area History Round Table will be on March 18, and the Morgantown Poets will be meeting on February 19. Mayor Selin then announced 2015 Arts Day will be at the Capital on February 26, the Blood Drive will be held on February 19, Empty Pockets Theater February 19-21, Empty Bowls on February 28, and Sister Act will be performing at the Creative Arts Center on February 22. She confirmed with Council that further discussion about the Budget Meeting will be held at the next Committee of the Whole Meeting on February 24.

EXECUTIVE SESSION: Motion by Bane, second by Ganz and carried by unanimous consent. Council moved into Executive Session, pursuant to West Virginia Code Section 6-9A-4(b) (9) of the West Virginia code to discuss real estate matters. Present: Council; City Attorney; City Manager and Assistant City Manager. Time: 9:10 p.m.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 9:50 p.m.

City Clerk

Mayor

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