

**REGULAR MEETING FEBRUARY 21, 2012:**

The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers on Tuesday, February 21, 2012 at 7:30 P.M.

**PRESENT:** City Manager Terrence Moore, City Clerk Linda Little, City Attorney Steve Fanok, Deputy City Manager Jeff Mikorski, Mayor Jim Manilla and Council Members: Ron Bane, Wes Nugent, Jenny Selin, Marti Shamberger, Bill Byrne and Linda Herbst.

**APPROVAL OF MINUTES:** The minutes of the Regular Meeting on February 7, 2011 and the Special Meeting on February 13, 2012 were approved as printed.

**CORRESPONDENCE:** Mayor Manilla shared an email from Main Street Morgantown President George Papandreas regarding the Inclusive Community initiative.

**PUBLIC HEARING- AN ORDINANCE BY THE CITY OF MORGANTOWN ADDING SECTION 129.14 TO ITS ADMINISTRATIVE CODE ADDRESSING THE CREATION AND ADMINISTRATION OF AN OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND:**

There being no appearances or objections, Mayor Manilla declared the Public Hearing closed.

**PUBLIC HEARING- AN ORDINANCE BY THE CITY OF MORGANTOWN ADDING SECTION 129.15 TO ITS ADMINISTRATIVE CODE, CREATING A FINANCIAL STABILIZATION FUND:**

There being no appearances or objections, Mayor Manilla declared the Public Hearing closed.

**PUBLIC HEARING- AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING THE EXECUTION OF A REAL ESTATE PURCHASE AGREEMENT AND RELATED DEED, AS THE SAME PERTAIN TO THE EXCHANGE OF REAL PROPERTIES BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY (MCDA); SAID PROPERTY OF THE CITY CURRENTLY BEING LOCATED ON THE MORGANTOWN MUNICIPAL AIRPORT, AND SAID PROPERTY OF THE MCDA CURRENTLY BEING LOCATED ADJACENT TO BOTH THE HARTMAN RUN ROAD AND THE AIRPORT:**

There being no appearances or objections, Mayor Manilla declared the Public Hearing closed.

**UNFINISHED BUSINESS:**

**AN ORDINANCE ADDING SECTION 129.14 TO THE ADMINISTRATIVE CODE:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN ADDING SECTION 129.14 TO ITS ADMINISTRATIVE CODE ADDRESSING THE CREATION AND ADMINISTRATION OF AN OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND.

Motion by Byrne, second by Nugent, to adopt the above entitled Ordinance. Following brief explanation from the City Manager, motion carried 7-0.

**AN ORDINANCE ADDING SECTION 129.15 TO THE ADMINISTRATIVE CODE:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN ADDING SECTION 129.15 TO ITS ADMINISTRATIVE CODE, CREATING A FINANCIAL STABILIZATION FUND.

Motion by Herbst, second by Nugent, to postpone the above entitled Ordinance until the budgeting process for FY 2012-2013 is completed. After discussion, and explanation from the City Manager, Mr. Moore recommended that Council not delay the passing of the above Ordinance. Discussion continued regarding specific concerns about the Ordinance and the timeline for approval. Following further discussion, the motion to postpone was amended to state that the second reading and adoption of the above Ordinance shall not take place until April 3, 2012. Motion to postpone carried 5-2, Councilors Selin and Shamberger voted NO.

**AN ORDINANCE AUTHORIZING A REAL ESTATE PURCHASE AGREEMENT WITH THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY:** The below entitled Ordinance was presented for second reading:

AN ORDINANCE BY THE CITY OF MORGANTOWN AUTHORIZING THE EXECUTION OF A REAL ESTATE PURCHASE AGREEMENT AND RELATED DEED, AS THE SAME PERTAIN TO THE EXCHANGE OF REAL PROPERTIES BETWEEN THE CITY OF MORGANTOWN AND THE MONONGALIA COUNTY DEVELOPMENT AUTHORITY (MCDA); SAID PROPERTY OF THE CITY CURRENTLY BEING LOCATED ON THE MORGANTOWN MUNICIPAL AIRPORT, AND SAID PROPERTY OF THE MCDA CURRENTLY BEING LOCATED ADJACENT TO BOTH THE HARTMAN RUN ROAD AND THE AIRPORT

Motion by Nugent, second by Bane, to adopt the above entitled Ordinance. Following brief explanation from the City Manager, motion carried 7-0.

**BOARDS AND COMMISSIONS:** No appointments at this time.

**PUBLIC PORTION:**

Guy Panrell, South Hills Drive, expressed that he feels the City should not get involved with special interest groups regarding the Clean Air Act. He further stated there are more pressing issues, such as the need for new fleet vehicles for Council to tend to.

Laura Capage, 1015 Ashton Drive, made remarks on behalf of the Monongalia County Child Advocacy Center.

Mayor Manilla then welcomed a WVU Journalism class to the Council Meeting.

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

**NEW BUSINESS:**

**CITY COUNCIL BUDGET GOALS & OBJECTIVES FOR 2013:**

Council members brought forth their individual budgeting concerns, followed by added direction from the City Manager on the continuing budget process.

**SPECIAL COMMITTEE REPORTS:** No Reports.

**CITY MANAGERS REPORT:**

**Information:**

1. Inclusive Community Commission.

After discussion, by acclamation, Council moved that further consideration of the proposed Inclusive Community Commission be placed on the April Committee of the Whole Agenda.

2. Program & Functionality for Request Partner.

Mr. Moore and Mr. Mikorski explained that changes are going to be made to update the Request Partner system, and following the implementation, a more detailed presentation will be made.

3. Presentation of Initial Draft of Fiscal Year 2012/2013 Proposed Budget.

Mr. Moore gave an explanation of the initial draft budget, and then took questions from Council regarding various budgetary aspects.

**CITY CLERK'S REPORT:** No Report.

**CITY ATTORNEY'S REPORT:** No Report.

**REPORT FROM COUNCIL MEMBERS:**

Councilor Bane: No Report.

Councilor Nugent: Councilor Nugent encouraged area residents to attend the upcoming Empty Bowls Luncheon.

Councilor Selin: Councilor Selin announced the upcoming Suncrest Neighborhood Association meeting where a representative of the Attorney General's Office will be speaking.

Councilor Shamberger: No Report.

Councilor Byrne: No Report.

Councilor Herbst: No Report.

Mayor Manilla: Mayor Manilla suggested that Ms. Copage might like to give a more detailed presentation on the Child Advocacy Center at a later date.

Council then decided by acclamation, that the Committee of the Whole meeting on February 28<sup>th</sup> should begin at 5:00pm, and further, to schedule a Conference Session at 6:00pm before the March 6<sup>th</sup> Regular Meeting.

**EXECUTIVE SESSION:** Motion by Bane, second by, Nugent carried by unanimous consent, to enter into an executive session pursuant to West Virginia Code Section 6-9A-4(b)(2) (A) as it pertains to the sale, purchase or lease of realty, with City Council Members, City Manager Moore, City Attorney Fanok, and Morgantown Building Commissioners Gary Murdock, and Marlene Savino present, at 8:50 p.m. Executive Session adjourned at 9:15 p.m.

**EXECUTIVE SESSION:** Motion by Bane, second by Nugent, carried by unanimous consent, to enter into an executive session pursuant to West Virginia Code Section 6-9-A-(4)(b)(9) as it pertains to personnel matters, with City Council Members present, at 9:16 p.m. Executive Session adjourned at 9:47 p.m.

**ADJOURNMENT:** There being no further items of business or discussion, the meeting adjourned by unanimous consent at 9:48 p.m.

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City Clerk

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Mayor

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