



Office of the City Clerk

The City of Morgantown

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AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
**Monday, November 5, 2012*
7:00 p.m.

1. **CALL TO ORDER**
2. **ROLL CALL BY CITY CLERK**
3. **PLEDGE TO THE FLAG**
4. **APPROVAL OF MINUTES:** Regular Meeting - October 16, 2012
5. **CORRESPONDENCE**
6. **PUBLIC HEARINGS:**
 - A. **AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF SEVEN PARCELS OF REAL ESTATE IN THE THIRD AND FIFTH WARDS OF THE CITY OF MORGANTOWN FROM PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO R-2, SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT; B-2, SERVICE BUSINESS DISTRICT; AND, B-4, GENERAL BUSINESS DISTRICT BY AMENDING ARTICLE 1331.02 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FOR THEREIN. (FIRST READING 10/2/12)**
 - B. **AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF SIX PARCELS OF REAL ESTATE IN THE FIFTH WARD OF THE CITY OF MORGANTOWN FROM (R-1A) SINGLE- FAMILY RESIDENTIAL DISTRICT TO (R-2) SINGLE- AND TWO FAMILY RESIDENTIAL DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN. (FIRST READING 10/2/12)**

7. **UNFINISHED BUSINESS:**

- A. Consideration of **APPROVAL** of **SECOND READING (ADOPTION)** of **AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF SEVEN PARCELS OF REAL ESTATE IN THE THIRD AND FIFTH WARDS OF THE CITY OF MORGANTOWN FROM PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO R-2, SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT; B-2, SERVICE BUSINESS DISTRICT; AND, B-4, GENERAL BUSINESS DISTRICT BY AMENDING ARTICLE 1331.02 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FOR THEREIN.**
- B. Consideration of **APPROVAL** of **SECOND READING (ADOPTION)** of **AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF SIX PARCELS OF REAL ESTATE IN THE FIFTH WARD OF THE CITY OF MORGANTOWN FROM (R-1A) SINGLE- FAMILY RESIDENTIAL DISTRICT TO (R-2) SINGLE- AND TWO FAMILY RESIDENTIAL DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.**
- C. **BOARDS AND COMMISSIONS**

8. **SPECIAL COMMITTEE REPORTS**

9. **NEW BUSINESS:**

- A. Consideration of **APPROVAL** of **FIRST READING** of **AN ORDINANCE TO APPROVE THE CURRENT REPLACEMENT PAGES TO THE CITY CODE.**
- B. Consideration of **APPROVAL** of **FIRST READING** of **AN ORDINANCE BY THE CITY OF MORGANTOWN REPEALING SECTION 105.48 OF ITS ADMINISTRATIVE CODE; DISCONTINUING THE CITY'S PARTICIPATION IN THE MUNICIPAL VOTE BY MAIL PILOT PROGRAM.**
- C. Consideration of **APPROVAL** of **FIRST READING** of **AN ORDINANCE AMENDING SECTION 925.03 OF THE CITY OF MORGANTOWN'S STREETS, UTILITIES AND PUBLIC SERVICE CODE BY SETTING FORTH**

THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE SEWERAGE SYSTEM OF THE CITY OF MORGANTOWN.

- D. Consideration of APPROVAL of A REIMBURSEMENT RESOLUTION STATING THE REASONABLE EXPECTATION OF THE CITY COUNCIL OF THE CITY OF MORGANTOWN TO REIMBURSE THE MORGANTOWN UTILITY BOARD FOR CAPITAL EXPENDITURES IN CONNECTION WITH THE DESIGN, ACQUISITION AND CONSTRUCTION OF COMBINED UTILITY SYSTEM FACILITIES AND IMPROVEMENTS MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS OR OTHER OBLIGATIONS.**
- E. Consideration of APPROVAL of FIRST READING of A BOND AUTHORIZING ORDINANCE OF CITY COUNCIL WHICH WOULD AUTHORIZE THE REFUNDING, PURCHASE IN THE OPEN MARKET, OR PLACING OF A TENDER OFFER TO BONDHOLDERS WITH RESPECT TO THE CITY'S OUTSTANDING COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2010 A (DIRECT PAYMENT BUILD AMERICA BONDS) AND AUTHORIZING THE ISSUANCE BY CITY COUNCIL OF ITS COMBINED UTILITY SYSTEM REFUNDING REVENUE BONDS, IN ONE OR MORE SERIES, ON A TAX EXEMPT OR TAXABLE BASIS IN AN AMOUNT NOT TO EXCEED \$45,000,000 IN CONNECTION WITH SUCH REFUNDING, OPEN MARKET PURCHASES OR TENDER OFFERS.**
- F. Consideration of APPROVAL of A SUPPLEMENTAL PARAMETERS RESOLUTION PURSUANT TO WHICH THE CITY WOULD APPROVE THE BOND TERM PARAMETERS AND THE EXECUTION AND DELIVERY OF SUCH DOCUMENTS AS ARE NECESSARY IN CONNECTION FOR THE CURRENT REFUNDING AND PAYMENT IN FULL OF THE CITY'S OUTSTANDING PARKING SYSTEM REVENUE BONDS, SERIES 2002, ISSUED IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$6,000,000 PURSUANT TO THE ISSUANCE BY THE CITY OF ITS PARKING SYSTEM REFUNDING REVENUE BONDS, SERIES 2012 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,500,000.**
- G. Consideration of APPROVAL of FIRST READING of AN ORDINANCE OF THE CITY OF MORGANTOWN WHICH WOULD AUTHORIZE THE CURRENT REFUNDING AND REPAYMENT IN FULL BY THE MORGANTOWN BUILDING COMMISSION OF ITS OUTSTANDING LEASE REVENUE BONDS, SERIES 2008 A (NORTH SIDE FIRE STATION PROJECT), ISSUED IN THE ORIGINAL AGGREGATE PRINCIPAL**

AMOUNT OF \$4,500,000, PURSUANT TO THE ISSUANCE BY THE MORGANTOWN BUILDING COMMISSION OF ITS LEASE REVENUE REFUNDING BONDS, SERIES 2012 A (NORTH SIDE FIRE STATION PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,500,000, AND THE EXECUTION AND DELIVERY BY THE CITY OF A LEASE AGREEMENT AND OTHER DOCUMENTS IN CONNECTION WITH SUCH FINANCING.

- H. Consideration of APPROVAL of A RESOLUTION APPROVING THE MAKING OF CERTAIN AMENDMENTS TO THE CITY'S COMMERCIAL DEVELOPMENT REVENUE BONDS, AMENDED SERIES 2007 (WEST VIRGINIA UNIVERSITY ALUMNI ASSOCIATION, INC. PROJECT) AND DOCUMENTS RELATED THERETO AND APPROVING THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE FOREGOING.**
- I. Consideration of APPROVAL of FIRST READING of AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF THREE PARCELS OF REAL ESTATE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PRO, PROFESSIONAL/RESIDENTIAL/OFFICE DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WERE FULLY SET FORTH HEREIN.**
- J. Consideration of APPROVAL of FIRST READING of AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING PARTS OR PORTIONS OF ENSIGN AVENUE AND ACCEPTING THE DEDICATION OF ADDITIONS TO ENSIGN AVENUE LOCATED AND SITUATE IN THE FORTH WARD OF THE CITY OF MORGANTOWN, MORGAN DISTRICT, MONONGALIA COUNTY, WEST VIRGINIA, IN CONJUNCTION WITH THE PARTIAL REALIGNMENT AND RELOCATION OF ENSIGN AVENUE.**
- K. Consideration of APPROVAL of FIRST READING of AN ORDINANCE AMENDING THE FY 2012-2013 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. (REVISION 02)**

10. **PUBLIC PORTION WHICH SHALL BE SUBJECT TO RULES ESTABLISHED BY COUNCIL AND ADOPTED BY RESOLUTION**
11. **CITY MANAGER'S REPORT:**
NEW BUSINESS:
 1. **Capital Lease Purchase Priorities**
 2. **FY 2012-2012 Capital Escrow Budget Amendment Recommendation**
 3. **Funding Request for Arts Alive Festival**
12. **REPORT FROM CITY CLERK**
13. **REPORT FROM CITY ATTORNEY**
14. **REPORT FROM COUNCIL MEMBERS**
15. **ADJOURNMENT**

If you need an accommodation contact us at 284-7439