REGULAR MEETING DECEMBER 4, 2012: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, December 4, 2012 at 7:30 P.M.

PRESENT: City Manager Terrence Moore, Deputy City Manager Jeff Mikorski, City Attorney Steve Fanok, City Clerk Linda Little, 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 of November 20, 2012 were approved as printed.

CORRESPONDENCE: Mayor Manilla presented local business owner Chris Yura with a certificate of appreciation for his help with the Big XII Mayor's Challenge. Chief Caravasos then recognized Firefighters who have recently earned promotions. Eugene Deem was promoted to Captain and Frank Mellie was promoted to Lieutenant. City Clerk Little administered the Officers their new Oaths of Office.

PUBLIC HEARING – 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.

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

PUBLIC HEARING – 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.

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

PUBLIC HEARING – AN ORDINANCE AMENDING THE FY 2012-2013 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET HERETO ATTACHED AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND. (REVISION 02)

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

UNFINISHED BUSINESS:

AN ORDINANCE AUTHORIZING REFUNDING OF THE MUB'S BUILD AMERICA BONDS: The below entitled Ordinance was presented for third reading:

AN ORDINANCE TO 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. APPROVE THE CURRENT REPLACEMENT PAGES TO THE CITY CODE.

Motion by Bane, second by Herbst, to adopt the above entitled Ordinance. Motion carried 7-0.

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE BOE FOR A SCHOOL OFFICER: The below entitled Ordinance was presented for second 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 Shamberger, second by Byrne, 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 2012-2013 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET HERETO ATTACHED AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND. (REVISION 02)

Motion by Herbst, second by Bane, to adopt the above entitled Ordinance. Motion carried 7-0.

BOARDS AND COMMISSIONS: Lisa Mardis was appointed by acclamation to fill an unexpired term on the Traffic Commission for the 6th Ward. Jenny Dinsmore was re-appointed by acclamation to continue serving on the Transit Authority Board of Directors.

SPECIAL COMMITTEE REPORTS: None.

NEW BUSINESS:

A RESOLUTION APPROVING THE FINANCING TERMS FOR THE CAPITAL LEASE PURCHASING PROJECT: The above entitled Resolution was presented for first reading:

Motion by Nugent, second by Byrne, to approve the above entitled Resolution. Motion carried 7-0.

A RESOLUTION AUTHORIZING ACCEPTANCE, ADMINISTRATION AND EXECUTION OF A GOVERNOR'S COMMUNITY PARTICIPATION GRANT, FUNDS FOR USE BY MEMBERS OF DIVERSITY: The above entitled Resolution was presented for first reading:

Motion by Byrne, second by Nugent, to approve the above entitled Resolution. After discussion, motion carried 7-0.

PUBLIC PORTION:

Randy Jones, WVU SGA Liaison, announced that students are very busy with finals at this time. He commented that the student body would appreciate making elections more accessible, if the City would join with the County election timeline. Lastly, he asked that Council be mindful that students who work and engage in civic activities after classes, as they do need to use their vehicles because public transportation and walking are not always an option.

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

CITY MANAGERS REPORT:

NEW BUSINESS:

1. Capital Escrow budget Amendment for Capital Lease Purchase

   After an introduction from Mr. Moore regarding the proposed amendment, motion by Nugent, second by Byrne to approve the amendment for capital lease purchases. Motion carried 7-0.

REPORT FROM CITY CLERK:

Acceptance of Ward and Boundary Commission Report

Motion by Byrne, second by Shamberger, to accept the report of the Ward and Boundary Commission; as presented at the Committee of the Whole meeting on November 27, 2012. Motion carried 7-0.

City Clerk Little then thanked Marchetta Maupin and Carol Allen for their efforts decorating City Hall for the Holidays.

REPORT FROM CITY ATTORNEY: No Report.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane:	Councilor Bane urged citizens to be watchful of the current economic and political goings on, and hoped that Council can continue to take actions that are in the best interest of its citizens.
Councilor Nugent:	Councilor Nugent announced a flashlight candy cane hunt event at Marilla Park, the annual Christmas parade downtown and the Evening at the North Pole event, also at Marilla Park. Lastly he noted upcoming caroling in the Wiles Hill-Highland Park neighborhood area.
Councilor Selin:	Councilor Selin announced that the Winter Farmer's Market will be moved to the Wesley Methodist Church, to be held select Saturdays throughout the winter. She also announced the upcoming Suncrest neighborhood association meeting, and the MPO meeting about the 10 year plan, which is up for discussion.
Councilor Shamberger:	Councilor Shamberger thanked Mayor Manilla for attending the last Woodburn Neighborhood Association meeting and mentioned

	Whitmore Park will be targeted for cleanup this coming April. She then thanked the Police Department for responding to the recent issue at Morgantown High School.
Councilor Byrne:	No Report.
Councilor Herbst:	No Report.
Mayor Manilla:	Mayor Manilla announced events at Arts Mon. and the new Allied Waste recycling totes to be delivered next week.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 8:05 p.m.

City Clerk

Mayor

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