



The City of Morgantown

430 Spruce Street
Morgantown, West Virginia 26505
(304) 284-7439
www.morgantownwv.gov

AGENDA

MORGANTOWN CITY COUNCIL REGULAR MEETING

Mon County Commission Chambers, 243 High Street, 2nd Floor, Morgantown, WV 26505

Tuesday, May 16, 2023 at 7:00 PM

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **PLEDGE:**
4. **APPROVAL OF MINUTES:**
 - A. April 18, 2023, Regular Meeting Minutes
 - B. May 2, 2023, Regular Meeting Minutes
5. **CORRESPONDENCE:**
 - A. Ixya Vega Proclamation
6. **PUBLIC HEARINGS:**
 - A. **An Ordinance providing for the Zoning Reclassification of certain parcels of Real Estate in the Seventh Ward of the City of Morgantown, Tax District 15, Tax Map 55, Parcel 92, from PRO, Professional, Residential, and Office District to B-2, Service Business District 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**
 - B. **An Ordinance providing for the Zoning Reclassification of certain parcels of Real Estate in the Seventh Ward of the City of Morgantown, Tax District 15, Tax Map 55, Parcel 93, commonly known as 699 Burroughs Street, from PRO, Professional, Residential, and Office District to B-2, Service Business District 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**
 - C. **An Ordinance Amending the FY 2022-2023 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**

D. An Ordinance Amending the FY 2022-2023 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

7. UNFINISHED BUSINESS:

A. Consideration of APPROVAL of (Second Reading) of An Ordinance providing for the Zoning Reclassification of certain parcels of Real Estate in the Seventh Ward of the City of Morgantown, Tax District 15, Tax Map 55, Parcel 92, from PRO, Professional, Residential, and Office District to B-2, Service Business District 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 *(First reading 4/4/2023)*

B. Consideration of APPROVAL of (Second Reading) of An Ordinance providing for the Zoning Reclassification of certain parcels of Real Estate in the Seventh Ward of the City of Morgantown, Tax District 15, Tax Map 55, Parcel 93, commonly known as 699 Burroughs Street, from PRO, Professional, Residential, and Office District to B-2, Service Business District 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 *(First reading 4/4/2023)*

C. Consideration of APPROVAL of (Second Reading) of An Ordinance Amending the FY 2022-2023 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 *(First reading 5/2/2023)*

D. Consideration of APPROVAL of (Second Reading) of An Ordinance Amending the FY 2022-2023 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 *(First reading 5/2/2023)*

E. Boards & Commissions

8. PUBLIC PORTION WHICH SHALL BE SUBJECT TO RULES ESTABLISHED BY COUNCIL AND ADOPTED BY RESOLUTION:

9. SPECIAL COMMITTEE REPORTS:

10. CONSENT AGENDA:

11. NEW BUSINESS:

A. Consideration of APPROVAL of A Resolution Authorizing Application for a Transportation Alternative Program Grant for Morgantown Municipal Airport Streetscape Design

B. Consideration of APPROVAL of A Resolution Authorizing Application for a Transportation Alternative Program Grant for Chestnut Street Streetscape Design

**C. Consideration of APPROVAL of A Resolution Authorizing Application for a
Transportation Alternative Program Grant for Spruce Street Streetscape Design**

12. CITY MANAGER'S REPORT:

13. REPORT FROM CITY CLERK:

14. REPORT FROM CITY ATTORNEY:

15. REPORT FROM COUNCIL MEMBERS:

16. EXECUTIVE SESSION:

- A. Pursuant to West Virginia State Code Section 6-9A-4(2)(9) to discuss acquisition and or development of real estate in the Sixth Ward.

17. ADJOURNMENT:

For accommodations please call or text 304-288-7072

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF CERTAIN PARCELS OF REAL ESTATE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, TAX DISTRICT 15, TAX MAP 55, PARCEL 92, FROM PRO, PROFESSIONAL, RESIDENTIAL, AND OFFICE DISTRICT TO B-2, SERVICE BUSINESS DISTRICT 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.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning designation for Tax District 15, Tax Map 55; Parcel 92 of the Monongalia County tax assessment as described herein and illustrated on the exhibit hereto attached and declared to be a part of this Ordinance to be read herewith as if the same were fully set forth herein is reclassified from PRO, Professional, Residential, and Office District to B-2, Service Business District.
2. That the Official Zoning Map be accordingly changed to show said zoning classifications.

This Ordinance shall be effective from the date of adoption and the Official Zoning Map shall be duly noted with the effective date of adoption.

FIRST READING:

Mayor

ADOPTED:

FILED:

RECORDED:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF CERTAIN PARCELS OF REAL ESTATE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, TAX DISTRICT 15, TAX MAP 55, PARCEL 93, COMMONLY KNOWN AS 699 BURROUGHS STREET FROM PRO, PROFESSIONAL, RESIDENTIAL, AND OFFICE DISTRICT TO B-2, SERVICE BUSINESS DISTRICT 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.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning designation for Tax District 15, Tax Map 55; Parcel 93 of the Monongalia County tax assessment as described herein and illustrated on the exhibit hereto attached and declared to be a part of this Ordinance to be read herewith as if the same were fully set forth herein is reclassified from PRO, Professional, Residential and Office District to B-2, Service Business District.
2. That the Official Zoning Map be accordingly changed to show said zoning classifications.

This Ordinance shall be effective from the date of adoption and the Official Zoning Map shall be duly noted with the effective date of adoption.

FIRST READING:

Mayor

ADOPTED:

FILED:

RECORDED:

City Clerk

AN ORDINANCE AMENDING THE FY 2022-2023 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.

The City of Morgantown hereby ordains:

That the FY 2022-2023 Annual Budget of the General Fund of the City of Morgantown is amended as shown in the revised budget (Revision 03) attached hereto and made a part of this ordinance.

First Reading: May 2, 2023

Adopted:

Mayor

Filed:

Recorded:

City Clerk

REQUEST FOR REVISION TO APPROVED BUDGET

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: **304-340-5090**
 Email: **lgs@wvsao.gov**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER _____
 Fiscal Year Ending: **2022-2023**
 Fund: **001**
 Revision Number: **3**
 Pages: **1 of 1**

City of Morgantown
 GOVERNMENT ENTITY

Person To Contact Regarding Request:
 Name: **Kevin Tennant**
 Phone: **304-284-7407**
 Fax: **304-284-7418**
 Email: **kevin.tennant@morgantownwv.gov**

389 Spruce Street
 STREET OR PO BOX
 Morgantown 26508
 CITY ZIP CODE

Municipality
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
301-02-05	Prior Year Taxes	200,000		45,000	155,000
305	Business and Occupation Tax	14,700,000	845,159		15,545,159
307	Animal Control Tax	4,000		1,000	3,000
308	Hotel Occupancy Tax	900,000	108,000		1,008,000
309	Amusement Tax	5,000		2,000	3,000
320	Fines, Fees & Court Costs	300,000		60,000	240,000

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 1,090,119

Explanation for Account # 378, Municipal Specific:
Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
409	Mayor's Office	15,145	1,000		16,145
415	City Clerk	285,569	4,500		290,069
901	Visitors Bureau	450,000	54,000		504,000
444	Contributions / Transfers to Other Funds	4,659,258	773,659		5,432,917
900	Parks & Recreation	1,780,000	27,000		1,807,000
910	Civic Center - Municipal Auditorium	59,850		2,000	57,850
707	Dog Warden/Humane Society	26,892	4,200		31,092
750	Streets and Highways	3,307,115	13,500		3,320,615
754	Central Garage	898,463	39,300		937,763
800	Garbage Department	1,630,000	150,000		1,780,000

NET INCREASE/(DECREASE) Expenditures 1,090,119

APPROVED BY THE STATE AUDITOR

BY: Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

AN ORDINANCE AMENDING THE FY 2022-2023 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.

The City of Morgantown hereby ordains:

That the FY 2022-2023 Annual Budget of the Coal Severance Fund of the City of Morgantown is amended as shown in the revised budget (Revision 02) attached hereto and made a part of this ordinance.

First Reading: May 2, 2023

Adopted:

Mayor

Filed:

Recorded:

City Clerk

REQUEST FOR REVISION TO APPROVED BUDGET

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: **304-340-5090**
 Email: **lgs@wvsao.gov**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
 Fiscal Year Ending: **2022-2023**
 Fund: **002**
 Revision Number: **2**
 Pages: **1 of 1**

City of Morgantown
 GOVERNMENT ENTITY

Person To Contact Regarding Request:
 Name: **Kevin Tennant**
 Phone: **304-284-7407**
 Fax: **304-284-7418**
 Email: **kevin.tennant@morgantownwv.gov**

389 Spruce Street
 STREET OR PO BOX
 Morgantown 26508
 CITY ZIP CODE

Municipality
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
310	Coal Severance Tax	80,000	50,000		130,000
380	Interest Earned on Investments	100	750		850
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 50,750

Explanation for Account # 378, Municipal Specific:
Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
900	Parks & Recreation	162,211	50,750		212,961
	#N/A				

NET INCREASE/(DECREASE) Expenditures 50,750

APPROVED BY THE STATE AUDITOR
 BY: **Deputy State Auditor, Local Government Services Division** Date

AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

Resolution No. 2023-_____

**RESOLUTION AUTHORIZING APPLICATION FOR A
TRANSPORTATION ALTERNATIVE PROGRAM GRANT
FOR MORGANTOWN MUNICIPAL AIRPORT STREETScape DESIGN**

The City Council of the City of Morgantown hereby resolves that the City Manager, or designee, is authorized to submit application for a grant or grants offered by the Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) for the Morgantown Municipal Airport Streetscape Project including construction of a streetscape project at the Morgantown Municipal Airport to include sidewalks from Mileground Road to the airport terminal, Americans with Disabilities Act accessibility infrastructure, and conduits for new lighting and signage, and that the City Manager or designee may also submit or execute on behalf of the City of Morgantown any and all such other documents or information necessary or helpful to the submission and processing of such application.

Adopted this 16th day of May, 2023:

Hon. Jennifer Selin, Mayor

Christine Wade, City Clerk

Resolution No. 2023-_____

RESOLUTION AUTHORIZING APPLICATION FOR A
TRANSPORTATION ALTERNATIVE PROGRAM GRANT
FOR CHESTNUT STREET STREETScape DESIGN

The City Council of the City of Morgantown hereby resolves that the City Manager, or designee, is authorized to submit application for a grant or grants offered by the Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) for the Chestnut Street Streetscape Project including design of a streetscape project for Chestnut Street to include all new sidewalks, improvements or new Americans with Disabilities Act infrastructure, new lighting, and appropriate landscaping where needed, and may include consideration of adding road markings promoting shared use of the street by automobiles and bicycles, and that the City Manager or designee may also submit or execute on behalf of the City of Morgantown any and all such other documents or information necessary or helpful to the submission and processing of such application.

Adopted this 16th day of May, 2023:

Hon. Jennifer Selin, Mayor

Christine Wade, City Clerk

Resolution No. 2023-_____

**RESOLUTION AUTHORIZING APPLICATION FOR A
TRANSPORTATION ALTERNATIVE PROGRAM GRANT
FOR SPRUCE STREET STREETScape DESIGN**

The City Council of the City of Morgantown hereby resolves that the City Manager, or designee, is authorized to submit application for a grant or grants offered by the Department of Transportation, Transportation Alternative Program (“TAP”) grants, in the approximate amount of Four Hundred Thousand Dollars (\$400,000.00) for the Spruce Street Streetscape Project including design of a streetscape project for Spruce Street to consist of a three-lane road, all new sidewalks, improvements or new Americans with Disabilities Act infrastructure, new lighting, and appropriate landscaping where needed, and may include consideration of converting on road lane solely for bicycle use, and that the City Manager or designee may also submit or execute on behalf of the City of Morgantown any and all such other documents or information necessary or helpful to the submission and processing of such application.

Adopted this 16th day of May, 2023:

Hon. Jennifer Selin, Mayor

Christine Wade, City Clerk