



Office of the City Clerk

The City of Morgantown

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AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
September 17, 2013
7:00 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE TO THE FLAG
4. APPROVAL OF MINUTES: Special & Regular Meetings – September 3, 2013
5. CORRESPONDENCE
6. PUBLIC HEARING:
 - A. PUBLIC HEARING on AN ORDINANCE AMENDING SECTION 333.03 OF THE MORGANTOWN TRAFFIC CODE PROVIDING IMPLIED CONSENT TO TEST FOR CONTROLLED SUBSTANCES OR DRUGS; REMOVING URINE AS A SUBJECT OF TESTING TO DETERMINE ITS ALCOHOL CONTENT OR CONCENTRATION, OR ITS CONTROLLED SUBSTANCE OR DRUG CONTENT; AND SPECIFYING WHERE TESTING CAN BE DONE.
 - B. PUBLIC HEARING on AN ORDINANCE AMENDING SECTION 333.04 OF THE MORGANTOWN TRAFFIC CODE FOR THE INTERPRETATION AND USE OF CHEMICAL TESTS FOR ARRESTS FOR DRIVING A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL, CONTROLLED SUBSTANCES OR DRUGS.
 - C. PUBLIC HEARING on AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 905.02 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE BY ADDING A NEW SUBSECTION (d) THERETO ADDRESSING THE SALE OF MERCHANDISE UPON SIDEWALKS OF THE CITY.

- D. PUBLIC HEARING on AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 361.09 OF ITS TRAFFIC CODE, AS THE SAME APPLIES TO PUBLIC PARKING SPACES AND THE SALE OF MERCHANDISE IN THE DOWNTOWN BUSINESS DISTRICT OF THE CITY.
- E. PUBLIC HEARING on AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY AND THE STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) WHEREBY DEP MAY ENTER UPON MUNICIPAL AIRPORT REALTY TO DETERMINE THE POSSIBLE EXISTENCE OF ADVERSE COAL MINING PRACTICES, AND TO ALSO DETERMINE THE FEASIBILITY OF CONTROL OF ANY SUCH ADVERSE COAL MINING PRACTICES.
- F. PUBLIC HEARING on AN ORDINANCE VACATING ABANDONING AND ANNULLING AN APPROXIMATE 13' WIDE UNNAMED RIGHT-OF-WAY EXTENDING AND RUNNING A DISTANCE OF APPROXIMATELY TWO HUNDRED AND SIXTY SEVEN FEET FROM OAKLAND STREET TO HARDING AVENUE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA, NOT USED NOR USEFUL FOR STREET PURPOSES.
- G. PUBLIC HEARING on AN ORDINANCE VACATING, ABANDONING AND ANNULLING A 40' WIDE RIGHT-OF-WAY KNOWN AS ST. JOSEPH STREET, EXTENDING AND RUNNING A DISTANCE OF APPROXIMATELY THREE HUNDRED AND TEN FEET FROM OAKLAND STREET TO HARDING AVENUE, IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA, NOT USED NOR USEFUL FOR STREET PURPOSES.
- H. PUBLIC HEARING on AN ORDINANCE VACATING, ABANDONING AND ANNULLING A 40' RIGHT OF WAY KNOWN AS HARDING AVENUE EXTENSION EXTENDING AND RUNNING A DISTANCE OF APPROXIMATELY ONE HUNDRED AND SEVENTEEN FEET TO REALTY OWNED BY THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS FROM THE INTERSECTION OF COUNTY CLUB DRIVE AND HARDING AVENUE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA, NOT USED NOR USEFUL FOR STREET PURPOSES.

- I. PUBLIC HEARING on AN ORDINANCE BY THE CITY OF MORGANTOWN VACATING, ABANDONING, AND ANNULLING PARTS OR PORTIONS OF COUNTRY CLUB DRIVE AND ACCEPTING THE DEDICATION OF ADDITIONS TO COUNTRY CLUB DRIVE, LOCATED AND SITUATE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA, IN CONJUNCTION WITH THE PARTIAL REALIGNMENT AND RELOCATION OF COUNTRY CLUB DRIVE.

7. UNFINISHED BUSINESS:

- A. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE AMENDING SECTION 333.03 OF THE MORGANTOWN TRAFFIC CODE PROVIDING IMPLIED CONSENT TO TEST FOR CONTROLLED SUBSTANCES OR DRUGS; REMOVING URINE AS A SUBJECT OF TESTING TO DETERMINE ITS ALCOHOL CONTENT OR CONCENTRATION, OR ITS CONTROLLED SUBSTANCE OR DRUG CONTENT; AND SPECIFYING WHERE TESTING CAN BE DONE. (First Reading September 3, 2013)
- B. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE AMENDING SECTION 333.04 OF THE MORGANTOWN TRAFFIC CODE FOR THE INTERPRETATION AND USE OF CHEMICAL TESTS FOR ARRESTS FOR DRIVING A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL, CONTROLLED SUBSTANCES OR DRUGS. (First Reading September 3, 2013)
- C. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 905.02 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE BY ADDING A NEW SUBSECTION (d) THERETO ADDRESSING THE SALE OF MERCHANDISE UPON SIDEWALKS OF THE CITY. (First Reading September 3, 2013)
- D. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 361.09 OF ITS TRAFFIC CODE, AS THE SAME APPLIES TO PUBLIC PARKING SPACES AND THE SALE OF MERCHANDISE IN THE DOWNTOWN BUSINESS DISTRICT OF THE CITY. (First Reading September 3, 2013)

- E. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY AND THE STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) WHEREBY DEP MAY ENTER UPON MUNICIPAL AIRPORT REALTY TO DETERMINE THE POSSIBLE EXISTENCE OF ADVERSE COAL MINING PRACTICES, AND TO ALSO DETERMINE THE FEASIBILITY OF CONTROL OF ANY SUCH ADVERSE COAL MINING PRACTICES. (First Reading September 3, 2013)

- F. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE VACATING ABANDONING AND ANNULLING AN APPROXIMATE 13' WIDE UNNAMED RIGHT-OF-WAY EXTENDING AND RUNNING A DISTANCE OF APPROXIMATELY TWO HUNDRED AND SIXTY SEVEN FEET FROM OAKLAND STREET TO HARDING AVENUE IN THE SEVENTH WARD OF THE CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA, NOT USED NOR USEFUL FOR STREET PURPOSES. (First Reading September 3, 2013)

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J. BOARDS AND COMMISSIONS

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

9. SPECIAL COMMITTEE REPORTS

10. CITY MANAGER'S REPORT:

INFORMATION:

1. High Street Streetscape Complete

NEW BUSINESS:

1. FY13 Annual Reports of Police & Fire Pension Funds

2. Morgantown Human Rights Commission Requests

3. Brand Development Opportunity for the City of Morgantown

11. REPORT FROM CITY CLERK

12. REPORT FROM CITY ATTORNEY

13. REPORT FROM COUNCIL MEMBERS

14. ADJOURNMENT

If you need an accommodation contact us at (304) 284-7439