



Office of the City Clerk

The City of Morgantown

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AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
DECEMBER 6, 2011
7:30 p.m.

1. **CALL TO ORDER**
2. **ROLL CALL BY CITY CLERK**
3. **PLEDGE TO FLAG**
4. **APPROVAL OF MINUTES:** Regular Meeting November 15, 2011
Special Meeting November 29, 2011
5. **CORRESPONDENCE**
6. **PUBLIC HEARING:**
 - A. **PUBLIC HEARING on AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTIONS 929.01, 929.03, 929.05, 929.06, 929.10, 929.13, 929.19, 929.20 AND 929.22 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE, AS THE SAME APPLIES TO STORMWATER MANAGEMENT AND SURFACE WATER DISCHARGE CONTROL.**
 - B. **PUBLIC HEARING on AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 1741 OF ITS BUILDING AND HOUSING CODE, AS THE SAME APPLIES TO GRADING PERMITS.**
 - C. **PUBLIC HEARING on AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 1705 OF ITS BUILDING AND HOUSING CODE, AS THE SAME APPLIES TO BUILDING PERMIT COORDINATION WITH PROVISIONS SET FORTH IN ARTICLE 1741 "GRADING REQUIREMENTS" AND ARTICLE 929 "STORMWATER ORDINANCE".**
 - D. **PUBLIC HEARING on AN ORDINANCE PROVIDING FOR THE ZONING**

RECLASSIFICATION OF A PARCEL OF REAL ESTATE IN THE FIFTH WARD OF THE CITY OF MORGANTOWN FROM (B-1) NEIGHBORHOOD BUSINESS DISTRICT TO (B-4) GENERAL BUSINESS 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.

7. UNFINISHED BUSINESS:

- A. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTIONS 929.01, 929.03, 929.05, 929.06, 929.10, 929.13, 929.19, 929.20 AND 929.22 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE, AS THE SAME APPLIES TO STORMWATER MANAGEMENT AND SURFACE WATER DISCHARGE CONTROL. (First Reading November 1, 2011)**
- B. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 1741 OF ITS BUILDING AND HOUSING CODE, AS THE SAME APPLIES TO GRADING PERMITS. (First Reading November 1, 2011)**
- C. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 1705 OF ITS BUILDING AND HOUSING CODE, AS THE SAME APPLIES TO BUILDING PERMIT COORDINATION WITH PROVISIONS SET FORTH IN ARTICLE 1741 "GRADING REQUIREMENTS" AND ARTICLE 929 "STORMWATER ORDINANCE". (First Reading November 1, 2011)**
- D. Consideration of APPROVAL of SECOND READING (ADOPTION) of AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF A PARCEL OF REAL ESTATE IN THE FIFTH WARD OF THE CITY OF MORGANTOWN FROM (B-1) NEIGHBORHOOD BUSINESS DISTRICT TO (B-4) GENERAL BUSINESS 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 November 15, 2011)**
- E. BOARDS AND COMMISSIONS**

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

9. **NEW BUSINESS**

A. Consideration of APPROVAL of FIRST READING of AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE STORMWATER PORTION OF THE EXISTING COMBINED UTILITY SYSTEM OF THE CITY OF MORGANTOWN AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$3,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2012; PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND OTHER DOCUMENTS RELATING TO THE BONDS; AND ENACTING OTHER PROVISIONS WITH RESPECT TO SUCH BONDS.

B. Consideration of APPROVAL of FIRST READING of ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WATER PORTION OF THE EXISTING PUBLIC COMBINED WATERWORKS, SEWERAGE AND STORMWATER SYSTEM OF THE CITY OF MORGANTOWN AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$1,100,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2012 A (WEST VIRGINIA DWTRF PROGRAM) AND NOT MORE THAN \$1,600,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2012 B (WEST VIRGINIA DWTRF PROGRAM); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A LOAN AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE

TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

- C. Consideration of APPROVAL of FIRST READING of AN ORDINANCE AMENDING ARTICLE 169, SECTION 169.01, OF THE MORGANTOWN CITY CODE, AS THE SAME APPLIES TO MORGANTOWN UTILITY BOARD MEMBERS.**
- D. Consideration of APPROVAL of FIRST READING of AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF REALTY IN THE SIXTH WARD OF THE CITY OF MORGANTOWN FROM (PUD) PLANNED UNIT DEVELOPMENT TO (R-1A) SINGLE-FAMILY RESIDENTIAL DISTRICT THEREBY RESCINDING THE "HABITAT FOR HUMANITY JEROME PARK PLANNED UNIT DEVELOPMENT" 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.**
- E. Consideration of APPROVAL of FIRST READING of AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT BY AND BETWEEN THE CITY OF MORGANTOWN, LICENSOR, AND MONONGALIA COUNTY DEVELOPMENT AUTHORITY, LICENSEE, AS THE SAME APPLIES TO A PORTION OF THE REALTY BEING UTILIZED FOR THE CONSTRUCTION OF ROAD KNOWN AS THE MORGANTOWN MUNICIPAL AIRPORT ACCESS ROAD.**
- F. Consideration of a RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY PARTICIPATION GRANT, FUNDS FOR USE BY THE WEST VIRGINIA BOTANIC GARDENS.**
- G. Consideration of a RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY PARTICIPATION GRANT, FUNDS FOR USE BY THE CENTER FOR EXCELLENCE IN DISABILITIES AT WEST VIRGINIA UNIVERSITY.**

10. SPECIAL COMMITTEE REPORTS

11. REPORT FROM CITY MANAGER:

INFORMATION:

1. Board of Health Clean Indoor Air Regulation

NEW BUSINESS:

1. Transfer of Ownership of Tailwinds, Inc. and Ali Baba Restaurant to Kunundrum International, LLC

12. REPORT FROM CITY CLERK
13. REPORT FROM CITY ATTORNEY
14. REPORT FROM COUNCIL MEMBERS
15. EXECUTIVE SESSION
16. ADJOURNMENT

If you need an accommodation contact us at 284-7439