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City tells legislators '08 wishes

Seeks changes in pilot program for home rule

BY CASSIE SHANER The Dominion Post

MORGANTOWN CITY COUNCIL

will meet in regular session at 7:30 p.m. Jan. 3, in City Council chambers, Morgantown Municipal Building, 389 Spruce St. This month's committee-of-the-whole meeting, typically scheduled the last Tuesday of the month, has been canceled.

Morgantown City Council met with local delegates Tuesday to discuss the city's wish list for the 2008 legislative session.

Delegates Barbara Evans Fleischauer, Alex Shook and Bob Beach, all D-Monongalia, attended a work session before council's regularly scheduled meeting Tuesday to address legislative priorities before the session begins Jan. 14. Councilman Don Spencer prepared a list of suggested initiatives, including amendments to enabling legislation for the county's proposed \$2-a-week service fee and the state's Municipal Home Rule Pilot Program.

The home rule program would create local autonomy and limit the degree of state interference in local affairs for five West Virginia cities. Morgantown initially planned to submit an application to the home rule program by Jan. 1, but decided to wait for state officials to make technical changes in the legislation.

City Manager Dan Boroff has cited the criteria by which cities would be selected for the program and the selection of board members as two areas that need to be reviewed. Boroff said Tuesday that the West Virginia Municipal League is working to devise a draft of the changes.

"I think you probably want to change it as little as possible," Fleischauer said, adding that she would like a copy of the draft before the legislative session begins.

Mayor Ron Justice suggested a few changes to West Virginia code 7-20-12, which authorizes counties to implement a service fee. He cited minimum-wage earners who have to pay the fee — a common argument against the proposal — as a concern.

"There should be some sort of way that a County Commission could exempt a certain group of people," Justice said. "We need to put some qualifiers for that small percentage of the population. I think that could be done."

Justice said he spoke with a woman who earns just \$12,000 per year and uses mass transit. Under the county's proposal, she would be required to pay the service fee.

But Fleischauer said it would be difficult to restrict a certain group from paying the fee. "It's hard to draw those lines," she said.

Other legislative priorities for the city included:

Expanding the city's Board of Zoning Appeals to seven members to increase representation.

Working with the Alcohol and Beverage Control Commission to allow Morgantown Police officers to enter bars to enforce underage-drinking laws.

Creating a licensing system for rental property to enforce building code regulations.

Establishing an election system that allows residents to vote exclusively by mail.

Sunnyside Up issues

At the start of council's regular meeting, Councilman Ron Bane read a letter directed to the citizens of

Morgantown. In the letter, Bane apologized to residents for wasting tax dollars to support Sunnyside Up, a nonprofit organization designed to redevelop the Sunnyside area.

The city and WVU each provide \$100,000 annually to support the agency. Earlier this month, Bane said he will not support the city's 2008-'09 fiscal year budget if it includes money for Sunnyside Up.

"I should have done a better job questioning those who were running this project," Bane said, reading the letter. "Since the last council meeting, I have been filled with emotion, and I ask you to forgive me and I promise you that I will do a better job watching out for your tax dollars."

Later, Councilwoman Jenny Selin said she has attended several Sunnyside Up meetings and believes the group is making progress.

"I would keep that group fully funded," Selin said. "It looks to me as though we are moving forward."

Councilman Bill Byrne noted that Sunnyside Up is working to create a tax-increment financing district for infrastructure improvements in the neighborhood.

Also at Tuesday's meeting, council unanimously adopted a law that amends parking meter enforcement hours. City code prevented the Morgantown Parking Authority from enforcing on-street parking meter regulations from midnight to 9 a.m. Under the new code, the rules will be enforced 24 hours a day Monday through Saturday.

The parking authority does not enforce parking meter rules Sundays and certain holidays.