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Legislators hear city's '07 wish list

Morgantown council seeks more local control

BY GARY GRAY The Dominion Post

MORGANTOWN CITY COUNCIL

has canceled its Dec. 26 committee-of-the-whole meeting. Council meets in regular session at 7:30 p.m. Tuesday, Jan. 2, in council chambers, at 389 Spruce St.

Morgantown City Council members hosted elected state senators and delegates Tuesday to lay out what they feel are the city's top legislative issues.

Topping the city's wish list — as it did when legislators made a similar visit last year — was the issue of greater local control and less state interference.

State Sen. Michael Oliverio and delegates Charlene Marshall, Barbara Evans Fleischauer and Alex Shook, all Democrats, listened as council members expressed their concerns.

"Give us a chance," councilman Don Spencer said about the Legislature granting Morgantown greater home rule. "Give us a chance to take a step. We need greater latitude. We've identified over 30 items of which we are powerless to act."

Increased home rule remains important to council members, but the Legislature has been reluctant to provide greater latitude to communities in addressing local issues and problems.

The state has a history of having a heavy hand in local fire and building codes, as well as an unwillingness to let local police enter bars.

"One way that such an impasse can be addressed is to establish a time-limited pilot project for a specific location to test the benefits and limitations of such a change," said Dan Boroff, Morgantown city manager. "Morgantown has offered to serve as the pilot for such a test. Such a pilot project could be put in effect for three to five years."

Shook and Oliverio said they would look into getting that done.

"Meetings like this educate us," Shook said. "I'm particularly interested in home rule. It seems like it's a fairly simple argument."

Oliverio said he admired council members' commitment for continuing to fight for more local control.

"We're going to have to be more creative," he said. "This community will, I believe, in 2007 be given a vehicle by which to use that creativity through a user fee."

A user fee would tax people working within the city limits, regardless of their residence. Revenues from the fee could go mainly toward infrastructure improvements.

Oliverio also announced Tuesday that Paul Mattox, West Virginia Department of Transportation secretary, has pledged that the state will repave High Street once construction on the city's Business Improvement Districts is complete.

Meanwhile, council members expressed their desire to see the state Alcohol Beverage Control Commissioner deputize city officers to act as commission inspectors.

"I will try to help with this," Marshall said. "I worked with the city officials on the creation of that bill, and I will be there trying again."

Increased home rule would also give Morgantown more control of its roads, taxation, beverage use and solid-waste management.

Accountability for trash and litter at rental properties has been hotly debated by council, and a number of suggested remedies have been tried.

"We have potential solutions, but we don't have the enabling power," councilman Bill Byrne said. "This home-rule thing is crucial for us to manage the rental business in this town."

Fleischauer suggested incremental changes toward home rule, noting how tough it has been to get the Legislature to vote for across-the-board changes.

"I don't think it would be hard to enact laws to give cities more power to control the situation," she said. "I think it's always easier to see if the wheel has already been invented. But I would be willing to help with this."

The city also wants legislators to take one of two positions on fire and police pensions.

"Either amend state codes to increase contributions from employees, employers and the state, while increasing the retirement age from 50 to 55 for new hires, or place all new employees under a defined [cost] or benefit [paid] program," Boroff said.

Council members also asked legislators to require fire inspections for all residential rental properties. State fire codes authorize inspections of buildings with three or more units — single and double, nonowner occupied houses are exempt from inspections.



Jason DeProspero/The Dominion Post Barbara Evans Fleischauer (left) speaks to Morgantown City Council members, as her fellow House of Delegates members Charlene Marshall and Alex Shook, along with state Senator Mike Oliverio, listen Tuesday evening.