

**REGULAR MEETING November 3, 2015:** The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, November 3, 2015 at 7:00 p.m.

**PRESENT:** City Manager Jeff Mikorski, City Clerk Linda Tucker, Mayor Marti Shamberger, City Attorney Ryan Simonton, Assistant City Manager Glen Kelly and Council Members: Ron Bane, Deputy Mayor Bill Kawecki, Wes Nugent, Jenny Selin, Jay Redmond, and Nancy Ganz.

Mayor Shamberger called the meeting to order.

**CORRESPONDENCE:** Mayor Shamberger presented Proclamations for Extra Mile and Home Health. Mayor Shamberger read an email from Adrienne Dering in reference to the Urban Agriculture Ordinance and Ms. Dering requested e-mail be part of the record. **(Exhibit A in the Vault)** Marti Shamberger announced and recognized the Bad to Better Building students that are helping the City Manager with this project are William Bard, Elizabeth Barnett, Tracy Bercini and Francis Grubas.

**PUBLIC HEARING:**

**PUBLIC HEARING - AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH FRIENDS OF DECKERS CREEK, INC. FOR SPACE AT THE WOODBURN SCHOOL SITE.**

Mayor Shamberger declared this Public Hearing open.

Holly Purpura, 2756 University Avenue, is with the Friends of Deckers Creek, spoke in reference to getting the approval from Council for the lease agreement, and encourages them to consider the approval at Woodburn School.

There being no other appearances, Mayor Shamberger declared the Public Hearing closed.

**PUBLIC HEARING - AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH MORGANTOWN THEATRE COMPANY FOR SPACE AT THE METROPOLITAN THEATRE.**

Mayor Shamberger declared this Public Hearing open.

There being no appearances, Mayor Shamberger declared the Public Hearing closed.

**UNFINISHED BUSINESS:**

**AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH FRIENDS OF DECKERS CREEK, INC. FOR SPACE AT THE WOODBURN SCHOOL SITE.** The below entitled Ordinance was presented for second reading.

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH FRIENDS OF DECKERS CREEK, INC. FOR SPACE AT THE WOODBURN SCHOOL SITE.

City Manager explained, motion by Ganz, second by Selin, to adopt the above-entitled Ordinance. Motion carried 7-0.

**AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH MORGANTOWN**

**THEATRE COMPANY FOR SPACE AT THE METROPOLITAN THEATRE.** The below entitled Ordinance was presented for second reading.

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH MORGANTOWN THEATRE COMPANY FOR SPACE AT THE METROPOLITAN THEATRE.

City Manager explained, motion by Selin, second by Ganz, to adopt the above-entitled Ordinance. Motion carried 7-0.

**BOARDS AND COMMISSIONS:** By acclamation, Council approved the appointment of Lola Contreras to serve on the Sister Cities Commission.

**PUBLIC PORTION:**

Mayor Shamberger declared the Public Portion open.

Dave Biafora, 6200 Mid Atlantic Drive, spoke in regards to the non-permitted building at the ACC, the University Avenue closure and Council or City Manager who gave the authorization to close a city street. He then continued to slander the Council, Mayor, and the City Manager on how they manage the City. Mayor Shamberger requested Mr. Biafora be escorted out of the meeting by the Police Officer.

James Giuliani, 256 Prairie Avenue, presented a handout to all of Council explaining that his neighbor was approved for something that he was denied. He wants questions answered. How can they continue building new housing for students when there are some housing not being completely at full capacity? University Place is 55% with 400 and some empty, Evansdale Park is 35% with 750 empty, and Pierpont is sitting with the lights off with no one living there and Vandalia is at 80%. WVU is paying \$2 million for housing, no one is living in them, and the City does not have a say in what they do.

There being no more appearances, Mayor Shamberger declared the Public Portion closed.

**SPECIAL COMMITTEE REPORTS:** Mayor Shamberger announced that the I-79 access study would be meeting on the first weekend in December.

**NEW BUSINESS:**

**AN ORDINANCE AMENDING TABLE 1331.05.01 "PERMITTED LAND USES" OF THE PLANNING AND ZONING CODE AS IT RELATES TO "TWO-FAMILY DWELLING" USES IN THE B-1, NEIGHBORHOOD BUSINESS DISTRICT:** The above-entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING TABLE 1331.05.01 "PERMITTED LAND USES" OF THE PLANNING AND ZONING CODE AS IT RELATES TO "TWO-FAMILY DWELLING" USES IN THE B-1, NEIGHBORHOOD BUSINESS DISTRICT.

City Manager explained, motion by Kawecki, second by Selin, to suspend the above-entitled Ordinance to second reading. Motion failed 6-1. (Jenny Selin voting yes)

**AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 14.50 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-48 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:** The above entitled Ordinance was presented for first reading.

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 14.50 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-48 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.

City Manager explained, motion by Kawecki, second by Selin, to pass the above-entitled Ordinance to second reading. Motion carried 7-0.

**AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 0.76 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-60 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:** The above entitled Ordinance was presented for first reading.

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City Manager explained, motion by Selin, second by Kawecki, to pass the above-entitled Ordinance to second reading. Motion carried 7-0.

**AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 4.20 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-66 BY AMENDING ARTICLE 1131 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:** The above entitled Ordinance was presented for first reading.

AN ORDINANCE TO PROVIDE THE ZONING CLASSIFICATION FOR 4.20 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY THAT WAS ANNEXED INTO THE CITY OF MORGANTOWN BY ORDINANCE 15-66 BY AMENDING ARTICLE 1131 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.

City Manager explained, motion by Selin, second by Kawecki, to pass the above-entitled Ordinance to second reading. Motion carried 7-0.

## CITY MANAGERS REPORT:

### **Information:**

#### **1. City's New Director of Finance**

I am happy to announce that after many applicants and interviews, James Goff accepted the position offer, CPA to be Morgantown's new Director of Finance starting November 16, 2015. He comes to us with 20 years of professional experience in finance and management. For the last year he was the Director of Commercial Finance for Mylan, Inc., prior to that he worked as the Vice President of Finance and Accounting for Thrasher Engineering and the Vice President of Finance of Greer Industries and Corporate Controller for West Virginia Radio Corporation. I know he will be an outstanding addition to the City of Morgantown's management team and guide the Finance Department as we move forward.

I want to thank Denise White who filled in as the interim Director and Lori Livengood who took on the role of Acting Director over these past few months. With their help and commitment to the City, it allowed us to continue to move forward in the Finance Department.

### **New Business:**

#### **1. Everbridge Mass Notification**

The City of Morgantown has used the Nixle system for mass notification information in the City for the last few years and the system has not generated very much activity, with less than 200 accounts over that time. Recently the Monongalia County Office of Emergency Management requested we look to join them in getting a more robust mass notification system that each can use for small-scale notifications, but joined that in the case of a large-scale event, one system would be able to be used for everyone. It would allow anyone to join through a single setup process in or outside of the City. By joining resources, we are able to provide a far better program for the residents of the City and the whole County. Attached are descriptions of the program that include text and phone calling notifications, GIS support, and SMART weather alerting. I recommend we replace our Nixle system, (which costs \$2790 annually) with the more robust system from Everbridge and allocate additional \$7,210 toward the improved, integrated program. Monongalia County Office of Emergency Management would pay the remaining \$26,504. If approved, additional funding will be seen in an upcoming budget adjustment in contracted services for in the City Manager's office account.

After City Manager explained, after discussion, motion by Selin, second by Bane to replace our Nixle System with the Everbridge Mass Notification System. Motion carried 7-0.

**REPORT FROM ASSISTANT CITY MANAGER:** Assistant City Manager, Glen Kelly stated he was surprised that the annexation of other properties was not on the Agenda for tonight. He announced that Senator Capito, Senator Manchin and President of the Airport Association would be in on a Conference Call on Wednesday in regards to six of the airports. He also announced that the City's property sold to MCDA for \$1.1 million of that money would go to the Airport, in which \$300,000 will go to the design work and the rest to the hangers.

**REPORT FROM CITY CLERK:** (Exhibits Ordinance; Payroll & Comparison filed in Vault)

City Clerk, Linda Tucker, spoke about the Wards & Boundaries changes and has spoken with the County Clerk, Carye Blaney, and she is going to be at the COW Meeting on November 24, 2015. She reminded Council to email questions to Linda Tucker, City Clerk, by November 16 and then she will

forward them on to Carye. City Clerk mentioned contacting the Secretary of State's Office and Secretary of State told her that the City should follow the charter unless it has changed. Linda Tucker, City Clerk mentioned the laminated post card that was being passed out during the Election and reported the following head commissioners and commissioners were called at each Precinct to find out if they were aware of the laminated card. Precinct 1 - Jeanne Strader from Church of God (Head Commissioner) stated she was not aware of any laminated post card or any problems with the write in candidates. Precinct 2A & 2B - Debra Saab & Marsha Bellotte from Morgantown High School were not aware of any laminated post card or any problems with the write in candidates. Marsha said there were voters that came in and had the wrong precinct; they were given the option to go to the right poll or vote there and do a provisional ballot. Precinct 10 - Dave Gaston from BOPARC (Head Commissioner) said that the write in candidates were very easy to handle and the training that was provided to the Head Commissioners and Poll workers was very good. Dave was not aware of any post card. Linda Tucker then mentioned that she also contacted everyone at the Presbyterian Church and was not successful in reaching anyone. Precinct 23 - Toni Jones from Suncrest United Methodist Church (Head Commissioner) stated that no one at her precinct with citizens or poll workers had any problems with the write in candidates, also there was no post card, and if there were, she would have contacted Linda Tucker or Colleen Skotnicki. Precinct 26 - Mechelle Cunningham from CMA Church was contacted but was not able to be reached at that time. A message was left for her to contact Linda Tucker or Colleen Skotnicki. Precinct 26 - Roger Warsewich from Sabraton Baptist Church stated that everyone understood how the write in candidates worked and was trained properly; he also did not see any laminated post card at his precinct. City Clerk noted contacting the Secretary of State's office in which they told her that the citizens were able to bring the sample ballot from the newspaper to the Polls. City Clerk stated that sample ballots were placed at early voting and, the voters kept taking the sample ballots and placing them to the Ivo's. Dave Gaston mentioned that he too had the same issue at his precinct with the sample ballots. Mayor, Marti Shamberger mentioned that she requested the City Clerk have the Ordinances of the pay scale of the Poll workers from 2013&2015. City Clerk noted that she enclosed in the packet a spreadsheet of the pay scale. City Clerk also mentioned enclosed is a chart of the Municipal Election Comparison that shows the percentage of the surrounding cities and what their voter turnout was. City Clerk spoke with Carye Blaney, County Clerk, in regards to doing the election with the county. City Clerk also mentioned that the Poll workers would not work if there were paper ballots for the next election. Councilor Ganz experienced questions from citizens; there was many good and bad things. She thinks that we should have a Procedures and Lesson's Learned, in other words she states that in the case of circumstances that have occurred, and there were questions about the cards sent out and the press releases. She would like to see how to prevent some of the difficulties with that, and to prevent difficulties with the Wards & Boundaries, and the citizens knowing where they are. Linda Tucker, City Clerk, stated that the Wards & Boundaries is a county issue not the City. Councilor Ganz proceeds to mention that there has been some concerns and in fact, there are current litigations on that issue. Councilor Ganz commented to prevent this in the future a procedure needs to be done. Councilor Selin stated that even if there was a card with the write in candidates, the concern is uniformity. Councilor Selin mentioned that if someone had a card that was laminated for the people to use to vote that it should be at all precincts. Linda Tucker, City Clerk, stated that she was not aware of any card at the Polls. Councilor Nugent asked that would be electioneering information. Councilor Selin states that it was not electioneering information, that a Poll worker had the card, and that a Poll worker provided it. Councilor Nugent then asks Councilor Selin if she had the card with her and she said no. Councilor Selin then stated that the card was offered at the polling place that she voted at and she believed it was being offered as a courtesy and not electioneering and thought it would be useful. Councilor Nugent stated that it is inappropriate that there is no card to verify electioneering based information at some of the polling places, he states "This is outside of the laws" so if that was happening regardless if it was a courtesy, it is not appropriate. Councilor Bane stated he is concerned because Councilor Selin just made the statement that she knew of a polling place that had the plastic laminated cards and that is in direct violation of any kind of election laws. Mayor, Marti Shamberger states that she kind of back tracks on that statement that was made, because if you can bring in the sample ballot that was posted in the newspaper, what is the difference? Councilor Bane states that the laminated

card has the write in candidates on it and the newspaper was just a sample ballot. Councilor Selin then stated that it was something that she did not do but was offered to her at her polling place. Councilor Bane says that because Councilor Selin had knowledge of this going on, the law was broken at a polling place and she did not contact anyone in regards to it. Councilor Selin said that she did not know that anyone at that time was breaking the law. Councilor Bane says to her that this was not her first election. Councilor Selin then states that she did not do anything wrong and that she went to vote just like everyone else. Linda Tucker, City Clerk, says that she is just hearing of this now, why didn't someone come forward to me during the election. Councilor Selin says to Linda Tucker "this was not new information" and that Mayor, Marti Shamberger, mentioned it to you. Councilor Ganz stated that her and her husband voted early and they saw the laminated card taped to the IVO. Councilor Ganz proceeded to say that Linda Tucker, City Clerk, was aware that it was taped on the Ivo's and that it was a mistake and that is why we need to have these procedures in order before the next election so this does not happen again. Councilor Ganz does not believe that there was any malfeasance intended and that Linda Tucker, City Clerk agreed. Councilor Ganz proceeded to state that there has been issues and a current lawsuit related to the Ethics Commission, Wards & Boundaries, and she is asking the City Election Official to go from the beginning and do an outline to prevent problems in the future. Councilor Ganz requested a procedural manual as our report on lessons learned such as, the laminated card that had the incorrect precinct on it. Linda Tucker, City Clerk, spoke up and said "That was not my fault someone else made up those cards" and then Councilor Ganz said "it does not matter whose fault it was I do not want it to happen again" and continued that it does not matter who handed the laminated cards out she thinks it was in good faith. Councilor Selin stated, "That it was just a courtesy". Councilor Ganz continues on to say that she just does not want it taped to the Ivo's and that it was someone trying to help somebody, so to prevent that "if we would have had the procedures from the beginning this would have never happened". Councilor Ganz also brought up about the Ethics Commission that Linda Tucker, City Clerk, contacted them by phone and letter, and it was never publicized. Councilor Ganz stated she does not want to see this happen again. Councilor Nugent calls a "point of order" stating "this is not relevant whatsoever" and Councilor Ganz says "it has a lot to do with it" then the Mayor, Marti Shamberger, wants order back in this meeting and says that Councilor Nugent was out of order. Linda Tucker, City Clerk requests that Council send an email to her exactly what they want in the report. Mayor Marti Shamberger also requests that an Election Report be done within 60 days of the election.

**REPORT FROM CITY ATTORNEY:**

No Report

**REPORT FROM COUNCIL MEMBERS:**

Councilor Bane:

Councilor Bane mentioned to the City Manager, Jeff Mikorski, about a lighting project of LED lights on High Street to be switched for better efficiency. City Manager, Jeff Mikorski noted that Mon Power has not provided us with any information about the LED lighting and they are currently working on that. City Manager, Jeff Mikorski, commented that they talked about adding LED lights to the decorative lights on High Street. Councilor Bane is requesting Council that if they can consider looking into filing for a grant to fund this project. Councilor Bane drove down University Avenue and noted that the Morgantown sign is in terrible shape and needs to be

repaired or replaced. Councilor Bane announced a race was held at Morgantown High School by Med Express in memory of L. J. Haines (Bane's Nephew) and he thanked everyone who participated in the event, which had 80 participate; raised \$2,000 for Morgantown Boosters..

Deputy Mayor Kawecki:

Deputy Mayor Kawecki mentioned about the lighting downtown and agrees with Councilor Bane and stated that Main Street has been working with the City to improve the lighting in the downtown area. Deputy Mayor Kawecki reported that by 2017 Pittsburgh would have replaced sodium fixtures in place that the cost savings would be \$14 million so therefore we need to watch as to what we can ask Allegheny Power to do. He noted that we would need their cooperation in order to put this in place. He would like to thank Allegheny Power for the placement of the new light pole Pleasant Street.

Councilor Nugent:

Councilor Nugent read an email to City Council by the City Manager, Jeff Mikorski in regards to University Overhill that American Campus Communities opened a model apartment leasing office on their construction site without applying for a temporary permit. Councilor Nugent wants to thank the City Manager, Mayor, and Deputy Mayor for attending the Wiles Hill groundbreaking for the new Fairmont Morgantown Housing Authority. Councilor Nugent mentioned the proposed increase from MUB and he will be looking into how they came up with the rate increase that they did. Councilor Nugent mentioned about the rules for Council, the order of the Agenda, and the December COW and other topics in November. After the public portion, he thinks that it would be good to have a discussion because we as a Council would quiet anyone speaking at the public podium and thinks that it is a harsh recourse that is reserved for the extreme and he does not believe that what

he heard did not violate the rules of decorum. In fact, he questions whether if it was in fact out of order. He stated as American citizens, we have no right not to be offended and the comments as tough as they may be, as long as they are not derogatory and slanderous. Councilor Nugent noted that he did not hear any names being used and he thinks it is a very delicate balancing act that we need to follow with the public portion. Councilor Nugent also mentioned that he hopes that Council can keep that in mind in future sessions.

Councilor Selin:

Councilor Selin commented on the public portion and thinks that there is a line between where remarks are personal and generally slanderous. Councilor Selin noted that Council are accused as people who steal and comments are made that are not germane to an individual topic. Councilor Selin stated that when personal remarks are made there is no documentation to back it up. Councilor Selin encouraged the public to speak on any topic but the general personal remarks that are not furthering any public disclosure does not have a proper place and are not welcome. Councilor Selin reported that the University Avenue Corridor Study of the MPO is continuing and she appreciates what they have done and the work put into their report.

Councilor Redmond:

Councilor Redmond mentioned that the Pedestrian Safety Board had a meeting on Tuesday, which he stated, "this should have been brought up in the Special Committee Report," Main Street Morgantown announced the work is being done with the Grant that they received. Councilor Redmond stated that essentially the Economic Development is working to identify safe walking routes from all the city's neighborhoods to downtown and that will bring the sidewalk issue, to come forward. Councilor Redmond announced that removal of ice and snow is coming and

he wants to remind everyone in the city that the removal is your responsibility.

Councilor Ganz:

Councilor Ganz appreciates the comments that Councilor Redmond made about the Pedestrian Safety Board. Councilor Ganz wants to talk about the question on public comments. She had spoken about it last week, finds that anything that is personally slanderous about taking funds are personal, and she does not appreciate it. Councilor Ganz states that she is looking forward to resolving some of the election concerns with a manual or procedures. Councilor Ganz mentioned that Dr. Lori Sherlock was the National Representative of the Ironman Competition in Hawaii and was very successful. One day Lori was riding her bicycle, fell, and was wearing her helmet, which saved her from any injuries. Councilor Ganz wants to remind everyone that there is an Ordinance where you have to wear your helmet anytime you are riding your bicycle and it is for the safety of the pedestrians. Councilor Ganz announces that several Credit Unions and Mon General are selling the Enjoy Coupon Books to fund the transportation for the Special Needs. She is encouraging everyone to look this up and consider purchasing one as there are a lot of savings for many stores, restaurants etc. Councilor Ganz announces that the Met Theatre is hosting "Oliver" sponsored by MTC and she is encouraging everyone to go see it.

Mayor Shamberger:

Mayor Shamberger announces that the first Friday of every month Woodburn hosts a potluck at 6:00 pm and music with Jim Truman at 6:45 pm and is open to the public. Mayor Shamberger enjoyed attending the Fairmont-Housing event on Grove Street; she thanked the Police and Fire for all of their work on Halloween, not only patrolling the neighborhoods but downtown as well. Chief Ed Preston did announce that there was anywhere from 15,000 –

20,000 people downtown on Halloween night; Veterans Day is next week and wants to thank Deputy Mayor Bill Kawecki, Assistant City Manager Glen Kelly and all of the veterans that work for our City and all others for serving our Country. Mayor Shamberger announced that having someone removed from a meeting is in the brochure and explains the rules. Mayor Shamberger made the following announcements: there will be no December COW meeting this year; Fire Fighter Coats Operation Warm at Suncrest Primary; Ragtime at the CAC 11/4/15; Morgantown Library Puppy Day at 11:00 am. - 1:00 pm; 11/7/15; Author Daniel Devece at 6:30 pm on 11/11/15; Read Baby Read at 10:30am 11/12/15; Inside Out; Oliver at the Met Theatre November 12<sup>th</sup> -15<sup>th</sup> ; Eastwood Elementary 4<sup>th</sup> and 5<sup>th</sup> Graders will be doing a Veterans Day Program at 9:30 am on 11/6/15. Mayor Shamberger reminded Councilors about the Community Leadership Forum at 6:30 pm on 11/4/15.

**EXECUTIVE SESSION:** Motion by Nugent, second by Kawecki, to go into an Executive Session to discuss personnel issues per State Code WV 6-A-4(b) (2). Present was City Manager, Jeff Mikorski, City Council, and City Attorney, Ryan Simonton. Motion carried by unanimous consent at 9:30 p.m.

**ADJOURNMENT:** There being no further items of business or discussion, motion by Selin, second by Ganz to adjourn. Motion carried by unanimous consent at 10:50 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**\*A FULL TRANSCRIPT OF ALL COUNCIL MEETINGS ARE AVAILABLE ON DVD AT THE MORGANTOWN CITY LIBRARY.**

October 9, 2015

Dear Members of the Morgantown City Council,

I have been actively interested in the Urban Agriculture proposal and the proposed ordinance changes that pertain to domestic fowl (chickens).

I truly believe in the concept of Rousseau's "social contract", that we are ALL FREE when we are willing to give up some of our rights in exchange for living in a community where the majority decides its accepted social norms in a democratic process.

When the proposed ordinance caught my attention, I knew little or nothing about the concept of urban chickens and nothing about animal husbandry in that respect. I purchase organic free range chicken and eggs for my family and only purchase beef that is grass fed free range. We don't eat veal. I like to make food choices where the animals lead a pretty good life and have "only one bad day."

I went to the Green Team public meeting with an open mind to seek understanding and to ask questions on things that were of concern to me... vaccinations, health risks, logic behind the numbers requested etc. I came away with those questions answered.

I then went home and did an extensive computer search for articles about keeping backyard chickens, including those about "best practices" from both hobby keepers and the USDA for commercial fowl keeping.

Here were my findings on the benefits of backyard chickens.

1. Fresh eggs
2. Poop can be used for composting and fertilizer
3. Family experience raising and caring for animals
4. Education on food sources.
5. Laying Hens have use for chicken stock for bases for soups and stews when slaughtered. (It is my understanding laying hens make bad friers.)

When I read up on the subject , I found it interesting that even many people who enjoyed the hobby of backyard chicken keeping advised the average person AGAINST IT. Why?

1. Chickens are hard to sex. If you get a set of hatchlings you may end up with roosters in your batch and you must cull the roosters
2. Chickens poop 6x per hour and have no ability to control their bowels.

(The University of Missouri reports six commercial laying hens will generate approx **11 pounds of manure every week** (1.5 gallons)

3. Hens begin laying eggs at approx 6 months of age and on average lay eggs until they are an average of 3 or 4. Chickens LIVE to be 6-10 years old.
4. What do you do with a non-producing hen?
5. Chickens attract predators with noise and smell.

All of the points listed above, pro and con, seem to be valid..

Additional points we heard at Council hearings for allowing multiple chickens have been as follows:

1. Chickens provide an “egg-cellent” source of protein.

I reject this point as invalid. Eggs, although a source of protein, are NOT an “excellent source”. A friend who is a vegetarian sent me a chart on protein sources. (see attached) If you take a look, you can see eggs are not so great. Do you know what IS? Spinach & Kale! These can be purchased as seeds for \$1.50 at Lowes and require only topsoil, water and sunlight to grow and provide a TRULY economic source of excellent protein! If your spinach dies, you plant new spinach....

2. Chickens are a LOW COST source of protein for struggling families.

I also reject this point as invalid. Chickens require food & housing and permitting for accessory structure. The cost of feeding chickens is greater than the cost of purchasing eggs.

Let’s be honest and admit that raising chickens for eggs is a hobby, not an economic solution to a poverty problem in an urban environment.

3. Chickens are a 4H project.

This point seems invalid as well. Not ONE of the people who spoke in favor of urban chickens made any reference to their child’s 4H chicken project. Do you know what is a valid 4H project within city limits that can be done NOW with live animals? Showing dogs in conformation or agility! 47% of Americans have one already!

4. Chickens are family pets.

This contention, to my mind, is just plain offensive. As someone who has spent years promoting the responsible care of family pets, I believe that the attitude voiced by a Council member, that chickens are no different from dogs or cats, is naive and poses a threat to the welfare of the chickens.

Chickens appear NOWHERE in any Encyclopedia or Dictionary or Wikipedia definition I could find online as a PET. In fact the definition of pet literally said that Livestock were NOT PETS!

Conversely, this is the definition of AGRICULTURE:

*“Agriculture is the cultivation of animals, plants, fungi, and other life forms for food, fiber, biofuel, medicinal and other products used to sustain and enhance human life.”*

I believe the Green Team appropriately placed chickens in their proposal because agricultural is the appropriate use for chickens.

I am very upset and disturbed by the argument that chickens are pets. I raise and show champion dogs. As part of my passion for this hobby I belong to and support many organizations that promote RESPONSIBLE pet ownership. I educate every single person I can about both responsible choices in purchasing from reputable breeders or adopting a pet from local rescue as well as proper care of a pets.

Before taking up a dog breeding and showing hobby I volunteered for over a decade fostering for rescue and saving pets from situations where they might have been caged or kenneled their entire lives! I have cleaned up the messes of irresponsible pet owners for many years!

Never, at any time on in any situation would I allow ANY PET of mine to live 24/7 outdoors or in a cage, much less **in a cage outdoors!** My contracts strictly prohibit such a case! Why? I raise PETS! I raise animals that bond with human beings as their pack. Animals that REQUIRE the time, affection and attention of their human owners!

You are asking for 6 chickens to spend their entire life in an enclosure. If you are asking this because they are a food source and you are planning to humanely kill and eat these chickens at the end of their productivity I can accept this as “the way of the world”. I don’t like it, but that IS what happens on a farm. But I still don’t want to watch it from my backyard.

Are most people who are not farm focused going to be able to kill their chickens at the end of 3 years when they stop laying eggs? IF NOT, you, as a City Council, are asking 6 live animals to spend up to 6 more years after that in a cage in someone’s back yard. That is an animal senselessly confined---not for the productive agricultural purpose it was bred for in the first place, but because the purchaser is not a farmer and doesn’t have the guts to treat a chicken like a chicken.

We get very upset when we hear of cultures where the harvesting of dogs and cats for fur and meat occurs. It is illegal in the United States to sell a coat made from dog. I am sure dog meat is also an excellent source of protein as well, but I don’t know who could bring themselves to slaughter, skin and eat the family dog even if in dire hunger or cold?

An article I read during my research encapsulated the heart of my concerns:

“The basic argument against backyard chickens is that allowing this practice creates an entirely new category of urban animal: an animal which may be routinely caged and slaughtered in a domestic urban environment.”

Conversely:

“If we protect the compassionate treatment of animals in the one realm of public awareness in which they currently enjoy respect — domestic urban environments—It paves the way for all animals to be treated more humanly.” ( paraphrasing)

I don’t want people to become desensitized to a caged animal in the back yard and start to perceive it as a “normal” thing for a pet. I don’t want the idea that when your pet ceases to be “productive” you get to kill it to become “normal”. Because pets are NOT livestock. The purpose of a pet is NOT necessarily to be “productive” at all.

There is no system in place for rescue for chickens. There is nowhere to shelter chickens when someone has to move unexpectedly and might not be able to take their chickens with them. There are not proper veterinary resources here in Morgantown to care for flocks of chickens if they were to become infected with bird flu or rabies or some such virus. And you can buy chickens at Tractor Supply without license or an adoption process.

Just as I believe uninformed back yard breeders and the people they sell to are BAD for dogs, I believe that allowing everyone have back yard chickens is bad for chickens. If this becomes legal you set the precedent that everyone NEEDS 6 chickens to properly start a chicken hobby. Maybe most people that might take up chickens as a hobby are not the kind of people who SHOULD. (Which is probably the same reason why you don’t allow 6 dogs or cats either.)

I don't choose to live with my food source and that IS one of the reasons I don't want to live in the country. I am an omnivore. I eat meat with pleasure! But a lot of your neighbors might be vegetarians for ethical reasons and they REALLY don't want see your food source from their backyard.

At the end of the day,.**If it were MY choice I would have NO backyard chickens in the city at all.** However, I realize that my perspective may not be shared with the rest of my community and I must live with what is decided.

I would urge you to consider keeping chickens in numbers up to 6 ONLY as a "permit only land use" and issue such permits with care to those who have signed and read the limitations of the hobby within the city. This would prevent the acquisition of chickens as a fad or an impulse. I pay a fee to license my dogs. Require a fee to license your chickens. A permitting process should also allow the public to weigh in, if this is a hobby which one neighborhood embraces and one neighborhood rejects.

If you allow 6 chickens but only 3 of any other animal, it would literally be a case of "some animals are more equal than others" You had better be ready to open Pandora's box for all small animal owners within the city.

Respectfully,

Adrienne Dering

26 Maple Ave.

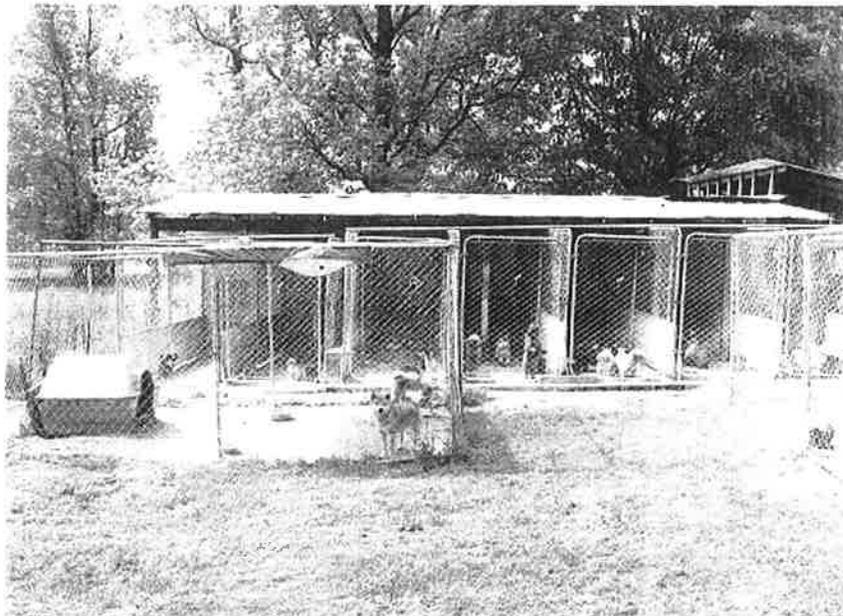
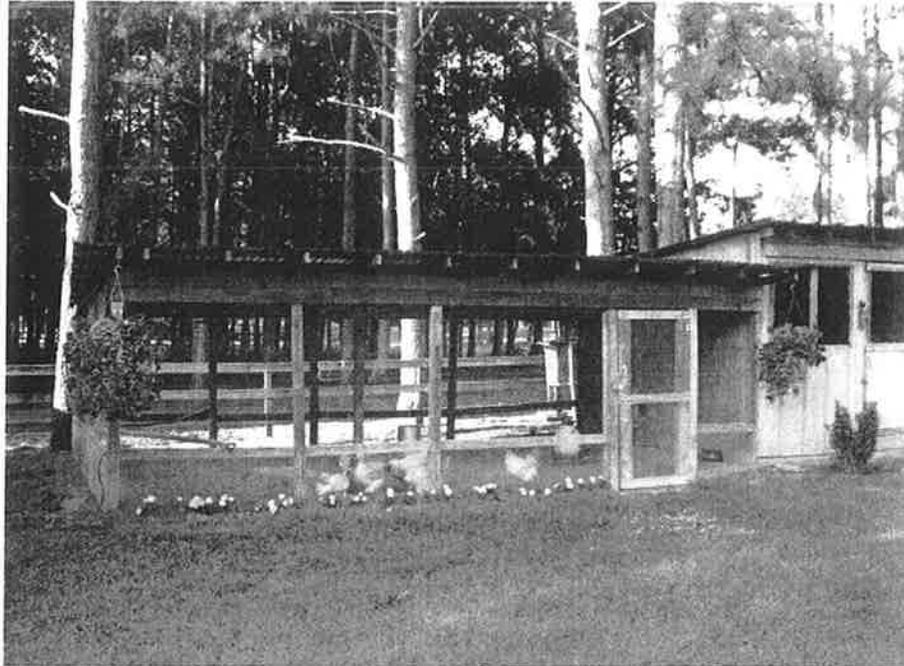
**PLEASE SEE BELOW THREE (3) ATTACHEMENTS FOR YOUR  
CONSIDERATION**

# ATTACHMENT 1

FOR YOUR CONSIDERATION:

## Chicken coop and enclosed run with 6 chickens

Proper dimensions for coop for 6 chickens 4x4 COOP space PER chicken. 10x10 RUN space Per Chicken.  
(according to backyardchickens.com)



**PUPPY MILL/Backyard breeder**

## ATTACHMENT 2

### EGG Cellent source of PROTIEN??

# Top 10 Sources of Veggie Protein

design / layout by:  
Q-Mars Imandel  
[www.facebook.com/vibender](http://www.facebook.com/vibender)

## Where do you get your protein?

(brought to you by The GIVE Project)

The GIVE  
project

[thegiveproject.org](http://thegiveproject.org)  
[www.facebook.com/giveproject](http://www.facebook.com/giveproject)



**Spinach**  
49% protein



**Kale**  
45% protein



**Broccoli**  
45% protein



**Cauliflower**  
40% protein



**Mushrooms**  
38% protein



**Parsley**  
34% protein



**Cucumbers**  
24% protein



**Green Pepper**  
22% protein



**Cabbage**  
22% protein



**Tomatoes**  
18% protein



**Beef**  
25.8% protein



**Chicken**  
23% protein



**Eggs**  
12% protein

### Protein in Meat:

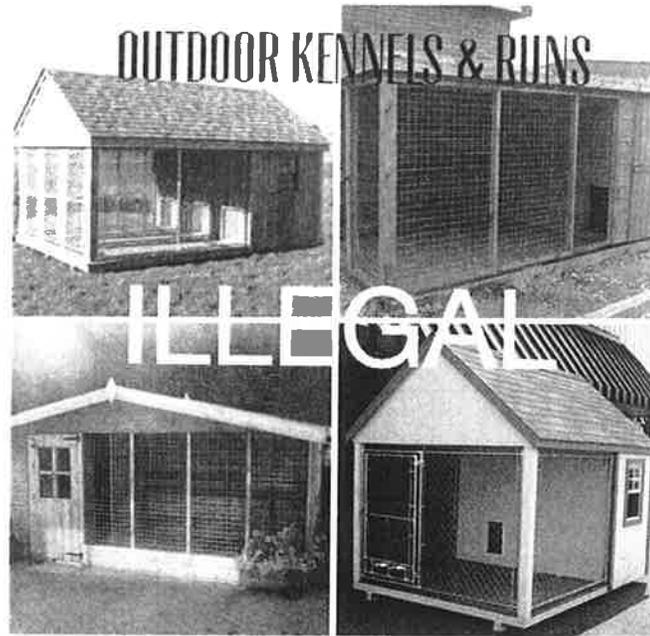


# ATTACHMENT 3

One of these is currently **ILLEGAL** in all residential areas of the City... One you are proposing to be legal by **RIGHT!**

**(I don't want to see EITHER in my neighborhood!)**

Can YOU tell the difference?







# The City of Morgantown

Linda L. Tucker  
389 Spruce Street, Room 10  
Morgantown, West Virginia 26505  
Direct: (304) 284-7439 Fax: (304) 284-7525  
ltucker@morgantownwv.gov  
Office of the City Clerk

## 2015 Municipal Election Report

### ➤ Election Results:

|       |                   |     |       |                  |     |
|-------|-------------------|-----|-------|------------------|-----|
| Wd. 1 | George Papandreas | 382 | Wd. 4 | Jenny Selin      | 904 |
| Wd. 1 | Ron Bane          | 616 | Wd. 5 | Marti Shamberger | 909 |
| Wd. 1 | *Rachel Fetty     | 417 | Wd. 6 | *Noel Hoffman    | 631 |
| Wd. 2 | Bill Kawecki      | 839 | Wd. 6 | Jay Redmond      | 783 |
| Wd. 2 | *Al Bonner        | 464 | Wd. 7 | Nancy Ganz       | 865 |
| Wd. 3 | Wes Nugent        | 893 | Wd. 7 | * Bill Graham    | 348 |

- Indicates Write-in Candidate

### ➤ Comparative Percentage:

| YEAR | REGISTERED VOTERS | BALLOTS CAST | % OF VOTERS |
|------|-------------------|--------------|-------------|
| 2003 | 14,747            | 3,629        | 16.4%       |
| 2005 | 14,144            | 1,403        | 9.9%        |
| 2007 | 13,900            | 225          | 1.6%        |
| 2009 | 16,106            | 1,467        | 9.1%        |
| 2011 | 16,621            | 3,699        | 22.25%      |
| 2013 | 16,622            | 2,094        | 12.6%       |
| 2015 | 17,107            | 1,540        | 9%          |

## Recommendations to Improve a Traditional Paper Ballot Municipal Election

### ➤ Suggestions and Concerns of Poll Workers:

- Polling Places are not convenient during City Elections for parking due to school is in session. During Primary and General Elections school is closed and Polling Places are more accessible.
- The City of Morgantown does not offer substantial payment to its poll workers for the amount of hours and work required with paper balloting elections.

- It is even harder to get poll workers when there are no contest on the ballot.

➤ Observances of the Clerk’s Office:



- Foremost, the City Clerk’s Office perceives a serious need to convert to electronic balloting procedures, as the paper ballot and hand-tallying process is tedious, especially when more modern and simplified voting options are available to date.
- Designate a specific supply pick up time for head commissioners from 1-5pm to avoid a morning rush when supplies are still being organized.
- Give each precinct only their applicable lists of absentee and early voters.
- Make sure that voters are aware their voting precinct with more publicity.
- Those that were collecting signatures noticed that when going door to door residents were afraid to open their doors to talk to those that were getting signatures verified for candidates. This would be a time for Council to discuss having a filing fee instead of signatures and disturbing the privacy of the citizen.

➤ Electronic Voting:

- The City Clerk’s Office concurs whole-heartedly with Ms. Blaney’s decision and explanation. Because paper balloting is time consuming, outmoded and costly. Combining forces and holding the City’s Municipal Election during the General is the right choice to reduce cost and increase voter turnout. We feel this change is necessary and would be the best and most viable option to improve all aspects of the Municipal Election.

➤ Comparative Costs from Past Elections:

- 2005 – 2013 shows costs of the Election Line Items and Poll worker expenses. It does not include payroll or overtime from other City Employees/Departments
- 2015 shows all line items.

| <u>YEAR</u> | <u>TOTAL COST</u> | <u>COST PER BALLOT CAST</u> | <u>BALLOTS CAST</u> |
|-------------|-------------------|-----------------------------|---------------------|
| *2005       | \$20,068.69       | \$14.30                     | 1,403               |
| *2007       | \$15,044.36       | \$67.73                     | 225                 |
| *2009       | \$15,239.75       | \$10.25                     | 1,467               |
| *2011       | \$35,831.84       | \$9.03                      | 3,699               |

|       |             |         |       |
|-------|-------------|---------|-------|
| *2013 | \$18,765.51 | \$8.96  | 2,094 |
| 2015  | \$21,894.07 | \$14.21 | 1,540 |

**Conclusion**

The City Clerk’s Office determines that it is not likely voter turnout will show a trend of increased participation unless changes can be made to update and modernize the electoral process. Our primary recommendation would be to make an intergovernmental agreement with Monongalia County to conduct the City’s election at the same time as the State and Federal Primaries.

The fact remains that reliable poll workers have become increasingly hard to secure. In order to attract and retain skilled and knowledgeable workers, Morgantown needs to keep up with the changing times with regard to voting technology and the equally important issue of poll worker compensation. Poll workers have a much easier time dealing with the County’s electronic voting machines than they do with paper ballots at City elections- and yet we pay them less than the County does, while asking them to work longer and harder. This is the number one reason so many of the workers we contacted declined to work our election. Moreover, additional poll workers approached us following the Municipal Election and informed us they would decline to work in the future if the City does not use the Ivos.

Research that the City Clerk’s Office has found shows that the use of electronic voting machines will improve the City of Morgantown elections. Benefits can include, but are not limited to: increased voter turnout, increased voter satisfaction in the electoral process, reduced election worker fatigue, faster return of precinct results after close of polls, and lessened voter wait time at precincts, among others. Changing the Municipal election date to coincide with the May Primaries with the use of the County’s electronic voting machines will lead to an increase in voter turnout over a period of electoral cycles. Studies prove this trend when electronic voting is applied.

When the City of Morgantown takes steps into the future, and makes changes for the betterment of the voters, and can be confident that the sanctity and integrity of the electoral process can only improve. We continue to happily serve the citizens of Morgantown and its Council, and hope that forward progress can be made in this area in the same way that we continue to learn and improve ourselves for the benefit of those we serve.

Attached is Mayor Shamberger questions answered, City Municipal Election Comparison, Election Official Ordinances Pay 2005/2015 and Payroll for 2013/2015 as reference:

# Municipal Election Comparison

Updated 11/3/2015

| <u>City</u>   | <u>Form of Government</u> | <u>% of Recent Voter Turnout</u> | <u>Primary</u> | <u>General</u>                        | <u>Filing Fee</u>        | <u>Petition</u>          | <u>Term Length</u> | <u>Staggered</u> |
|---------------|---------------------------|----------------------------------|----------------|---------------------------------------|--------------------------|--------------------------|--------------------|------------------|
| Morgantown    | Manager - Council         | 9.90%                            | No             | Last Tues. of April, odd yrs.         | No                       | 75 Signatures            | 2 years            | No               |
| Barboursville | Mayor - Council           | 26.66%                           | No             | 1st Tues. of June, odd yrs.           | No                       | 50 Signatures            | 4 years            | No               |
| Bridgeport    | Manager - Council         | 19%                              | No             | 2nd Tues. of June, odd yrs.           | \$25                     | No                       | 4 years            | Yes              |
| Charleston    | Mayor - Council           | 20%                              | County         | With County                           | \$100                    | No                       | 4 years            | No               |
| Clarksburg    | Council - Manager         | 20%                              | No             | 1st Tues. of June, every 2nd odd yrs. | Yes                      | No                       | 4 years            | Yes              |
| Fairmont      | Manager - Council         | 35%                              | No             | With County                           | \$15                     | No                       | 4 years            | No               |
| Grafton       | Manager - Mayor           | 27.96%                           | Yes            | With County                           | \$25 Optional            | 25 Signatures or pay fee | 4 years            | No               |
| Huntington    | Mayor - Council           | 53%                              | County         | With County                           | Mayor \$250 Council \$60 | No                       | 4 years            | No               |
| Parkersburg   | Strong Mayor              | 15%                              | County         | With County                           | No                       | No                       | 4 years            | No               |
| Wheeling      | Mayor - Manager           | 20.19%                           | County         | No                                    | \$50                     | No                       | 4 years            | No               |

**Upcoming Primary**  
**Dates**

**Potential Council**  
**Terms**

**Current Council**

**Term**

5/10/2016  
5/8/2018

7/1/2015 to 6/30/2018  
7/1/2018 to 6/30/20

Elected 4/28/2015  
Next Election 4/28/2017

7/1/2015 to 6/30/2017  
7/1/2017 to 6/30/2019

11/3/15 updated LLT

PAYROLL

Poll Workers 2015

Last Updated: 11/18/2015

| Memo | P# | Pty | Title | Name         | Last Name  | Phone #      | Address                                 | City, State     | Zip   | Training | Election Day | Head Comm. | Escort  | Miles | Milage | Total Pay |
|------|----|-----|-------|--------------|------------|--------------|-----------------------------------------|-----------------|-------|----------|--------------|------------|---------|-------|--------|-----------|
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 1  | R   | H C   | Jeanne       | Strader    | 276-1968     | <b>Church of God</b>                    |                 |       |          |              |            |         |       |        |           |
|      | 1  | D   | COMM  | Eiora (Jean) | Moore      | 291-6653     | 828 Madison Avenue                      | Morgantown, WV  | 26501 | \$35.00  | \$115.00     | \$35.00    |         | 8     | \$4.60 | \$189.60  |
|      | 1  | R   | CLERK | Martene      | Bischoff   | 983-2603     | 49 Johnson Lane                         | Morgantown, WV  | 26508 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      | 1  | D   | CLERK | Mary         | Phillips   | 328-5479     | 320 Sugar Grove Road                    | Morgantown, WV  | 26501 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      |    |     |       |              |            |              | 22 Weeping Willow Rd.                   | Maldesville, WV | 26541 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 2  |     |       |              |            |              | <b>MHS</b>                              |                 |       |          |              |            |         |       |        |           |
|      | 2A | D   | H C   | Joshua       | Harrison   | 216-6070     | 594 Brockway Avenue                     | Morgantown, WV  | 26501 | \$35.00  | \$115.00     | \$35.00    |         | 4     | \$2.30 | \$187.30  |
|      | 2A | R   | COMM  | William      | Boswell    | 296-7218     | 1201 Avalon Street                      | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 2A | D   | CLERK | Mary Jane    | Hall       | 292-7219     | 15 Elgin Street                         | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 2A | R   | CLERK | Marsha       | Bellotte   | 983-2540     | 1562 Chaplin Road                       | Morgantown, WV  | 26501 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 2  |     |       |              |            |              | <b>MHS</b>                              |                 |       |          |              |            |         |       |        |           |
|      | 2B | R   | H C   | Pat          | Jenkins    | 292-0788     | 164 Summer Street                       | Morgantown, WV  | 26505 | \$35.00  | \$115.00     | \$35.00    |         | 2     | \$1.15 | \$186.15  |
|      | 2B | D   | COMM  | Emma         | Finch      | 685-8495     | 14 Caroline Avenue Apt. 1-A             | Westover, WV    | 26501 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 2B | R   | CLERK | Charles      | Bowers     | 680-4434     | 222 Arwick Avenue                       | Morgantown, WV  | 26501 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      | 2B | D   | CLERK | Deborah      | Saab       | 906-8465     | PO Box 4016                             | Morgantown, WV  | 26504 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 10 |     |       |              |            |              | <b>BOPARC Senior Center</b>             |                 |       |          |              |            |         |       |        |           |
|      | 10 | D   | H C   | Dave         | Gaston     | 292-0732     | 1822 Listravia Avenue                   | Morgantown, WV  | 26505 | \$35.00  | \$115.00     | \$35.00    |         | 2.4   | \$1.36 | \$186.36  |
|      | 10 | R   | COMM  | Annabell     | Bennett    | 296-2221     | 1202 Mountainview Manor                 | Morgantown, WV  | 26501 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      | 10 | D   | CLERK | Barbara      | Palumbo    | 685-2424     | PO Box 824                              | Morgantown, WV  | 26501 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 10 | R   | CLERK | Amanda       | Steele     | 449-1273     | 331 Statter Run Road                    | Fairview, WV    | 26570 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 13 |     |       |              |            |              | <b>First Presbyterian Church</b>        |                 |       |          |              |            |         |       |        |           |
|      | 13 | D   | H C   | Deidra       | Burns      | 681-285-5203 | 40 Wade Street                          | Morgantown, WV  | 26505 | \$35.00  | \$115.00     | \$35.00    |         | 10    | \$5.75 | \$190.75  |
|      | 13 | D   | COMM  | Charles      | Hibbs      | 879-5167     | PO Box 993                              | Pentress, WV    | 26544 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 13 | R   | CLERK | Dorothy      | Skidmore   | 598-0435     | 1266 Bakers Ridge Road                  | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$150.00  |
|      | 13 | D   | CLERK | Judith       | Wilson     | 376-1234     | PO Box 164                              | Pentress, WV    | 26544 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 16 |     |       |              |            |              | <b>BOPARC Senior Center</b>             |                 |       |          |              |            |         |       |        |           |
|      | 16 | R   | H C   | Charylene    | St. Clair  | 288-0679     | 1664 Brookhaven Road                    | Morgantown, WV  | 26508 | \$35.00  | \$115.00     | \$35.00    |         | 4.5   | \$2.59 | \$187.59  |
|      | 16 | D   | COMM  | Lynn         | Harper     | 292-2850     | 254 Grandview Avenue                    | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      | 16 | D   | CLERK | Jessica      | Wilfong    | 685-0316     | 1123 Vista Del Rio Road                 | Morgantown, WV  | 26501 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 16 | R   | CLERK | Syvia        | Dial       | 291-5239     | 160 Theresa Drive                       | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 23 |     |       |              |            |              | <b>Suncrest United Methodist Church</b> |                 |       |          |              |            |         |       |        |           |
|      | 23 | D   | H C   | Toni         | Jones      | 319-1223     | 147 East Hillview Drive                 | Morgantown, WV  | 26508 | \$35.00  | \$115.00     | \$35.00    |         | 8     | \$4.60 | \$189.60  |
|      | 23 | R   | COMM  | Linda Ann    | Jones      | 598-5556     | 420 Pochahontas Avenue                  | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$165.00  |
|      | 23 | D   | CLERK | Shirley      | Curry      | 599-3799     | 421 Lawnview Drive                      | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 23 | R   | CLERK | Nancee       | Devlin     | 599-5482     | 903 Rawley Avenue                       | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      |    |     |       |              |            |              |                                         |                 |       |          |              |            |         |       |        |           |
|      | 26 |     |       |              |            |              | <b>CMA Church</b>                       |                 |       |          |              |            |         |       |        |           |
|      | 26 | R   | H C   | Mechelle     | Cunningham | 276-8027     | 1321 Sabraton Avenue                    | Morgantown, WV  | 26505 | \$35.00  | \$115.00     | \$35.00    |         | 2     | \$4.50 | \$189.50  |
|      | 26 | D   | COMM  | William      | Biro       | 276-2809     | 367 Spencer Avenue                      | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            | \$15.00 |       |        | \$166.00  |
|      | 26 | R   | CLERK | Dorothy      | Calvert    | 291-8929     | 1348 Goshen Road                        | Morgantown, WV  | 26508 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |
|      | 26 | D   | CLERK | Phyllis      | Garlow     | 599-6848     | 548 Lake Street                         | Morgantown, WV  | 26505 | \$35.00  | \$115.00     |            |         |       |        | \$150.00  |



**AN ORDINANCE AMENDING SECTION 105.42 OF THE MORGANTOWN CITY CODE, AS THE SAME APPLIES TO COMPENSATION OF ELECTION OFFICIALS AND OTHER EXPENSES.**

The City of Morgantown hereby ordains that Section 105.42 of its City Code is amended as follows (New matter underlined, deleted matter struck through.):

105.42 COMPENSATION OF ELECTION OFFICIALS AND OTHER EXPENSES.

Each Head Election Commissioner of the Election shall be allowed the sum of ~~seventy dollars (\$70.00)~~ seventy-five dollars (\$75.00). Each Commissioner and Poll Clerk shall be allowed the sum of ~~sixty dollars (\$60.00)~~ seventy-five dollars (\$75.00) for their services and where a Commissioner also acts as a messenger in calling for and delivering the ballots and supplies for his or her precinct and deliver the ballots, boxes, poll books, tally sheets, etc., back to the City Clerk, he or she shall receive ~~ten dollars (\$10.00)~~ fifteen dollars (\$15.00) in addition to the allowance herein provided. Each Commissioner and Poll Clerk shall also receive an additional ~~fifteen dollars (\$15.00)~~ thirty-five dollars (\$35.00) for attending a Training Session as mandated by West Virginia Code Section 3-1-46. The Ballot Commissioners shall be compensated for their services in connection with the election in the sum of one hundred dollars (\$100.00) each. The compensation of the election officers, cost of printing ballots, and all of the expenses incurred in holding and making the returns of the election shall be audited by Council and order paid out of the General Fund of the City.

This ordinance shall be effective upon date of adoption.

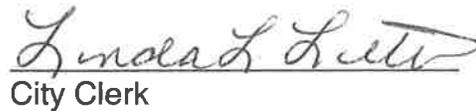
FIRST READING: February 1, 2005

ADOPTED: February 15, 2005

FILED: February 16, 2005

RECORDED: February 16, 2005

  
Mayor

  
City Clerk

**105.42 COMPENSATION OF ELECTION OFFICIALS AND OTHER EXPENSES.**

Each Head Election Commissioner of the election shall be allowed the sum of one hundred fifteen dollars (\$115.00). Each Commissioner and Poll Clerk shall be allowed the sum of one hundred fifteen dollars (\$115.00) for their services and where a Commissioner also acts as a messenger in calling for and delivering the ballots and supplies for his or her precinct and delivers the ballots, boxes, poll books, tally sheets, etc., back to the City Clerk, he or she shall receive thirty-five dollars (\$35.00) in addition to the allowance herein provided. Each Commissioner and Poll Clerk shall also receive an additional thirty-five dollars (\$35.00) for attending a training session as mandated by West Virginia Code 3-1-46. The Ballot Commissioners shall be compensated for their services in connection with the election in the sum of one hundred dollars (\$100.00) each. The compensation of the election officers, cost of printing ballots, and all of the expenses incurred in holding and making the returns of the election shall be audited by Council and order paid out of the General Fund of the City.

(Ord. 15-05. Passed 2-3-15.)