



Office of the City Clerk

The City of Morgantown

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Morgantown, West Virginia 26505
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**AGENDA
MORGANTOWN CITY COUNCIL
REGULAR MEETING
May 19, 2015
7:00 p.m.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE TO THE FLAG**
4. **APPROVAL OF MINUTES: April 21st 2015 Minutes**
5. **CORRESPONDENCE:**
6. **PUBLIC HEARINGS:**
 - A. **AN ORDINANCE AMENDING CITY CHARTER SECTION 2.12 AND ADDING A NEW SECTION 2.17 PERMITTING AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENTS BY RESOLUTION RATHER THAN ORDINANCE.**
 - B. **AN ORDINANCE AMENDING ARTICLE 1149 OF THE CITY CODE RELATING TO PUBLIC NUISANCE TO PROVIDE FOR PLACING OF PUBLIC NUISANCE REMOVAL LIENS WITHOUT A COURT ORDER.**
 - C. **AN ORDINANCE PROVIDING FEES AND PROCEDURES APPLICABLE TO REQUESTS FOR PUBLIC RECORDS.**
7. **UNFINISHED BUSINESS:**
 - A. **Consideration of APPROVAL of (SECOND READING) and (ADOPTION) of AN ORDINANCE AMENDING CITY CHARTER SECTION 2.12 AND ADDING A NEW SECTION 2.17 PERMITTING AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENTS BY RESOLUTION RATHER THAN ORDINANCE. (First Reading April 21, 2015)**

B. Consideration of **APPROVAL** of **(SECOND READING)** and **(ADOPTION)** of **AN ORDINANCE AMENDING ARTICLE 1149 OF THE CITY CODE RELATING TO PUBLIC NUISANCE TO PROVIDE FOR PLACING OF PUBLIC NUISANCE REMOVAL LIENS WITHOUT A COURT ORDER.** (First Reading April 21, 2015)

C. Consideration of **APPROVAL** of **(SECOND READING)** and **(ADOPTION)** of **AN ORDINANCE PROVIDING FEES AND PROCEDURES APPLICABLE TO REQUESTS FOR PUBLIC RECORDS.** (First Reading May 5, 2015)

D. BOARDS AND COMMISSIONS

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

9. **SPECIAL COMMITTEE REPORTS:**

10. **NEW BUSINESS:**

A. Consideration of **APPROVAL** of **FIRST READING** of **AN ORDINANCE AMENDING THE FY 2014-2015 BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND.**

B. Consideration of **APPROVAL** of **FIRST READING** of **AN ORDINANCE ANNULING PORTIONS OF QUAY STREET DEDICATING A PUBLIC RIGHT-OF-WAY ADJACENT TO QUAY STREET AND GRANTING AN EASEMENT IN THE QUAY STREET RIGHT OF WAY.**

C. Consideration of **APPROVAL** of **FIRST READING** of **AN ORDINANCE AUTHORIZING EXECUTION OF AN EASEMENT AGREEMENT FOR SUBSURFACE USE OF THE QUAY STREET RIGHT-OF-WAY.**

11. **CITY MANAGER'S REPORT:**

Information:

1. **Performance Metrics**

12. REPORT FROM CITY CLERK:
13. REPORT FROM CITY ATTORNEY:
14. REPORT FROM COUNCIL MEMBERS:
15. ADJOURNMENT:

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



Office of the City Manager

The City of Morgantown

City Manager
Jeff Mikorski, ICMA-CM
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City Manager's Report for City Council Meeting on May 19, 2015

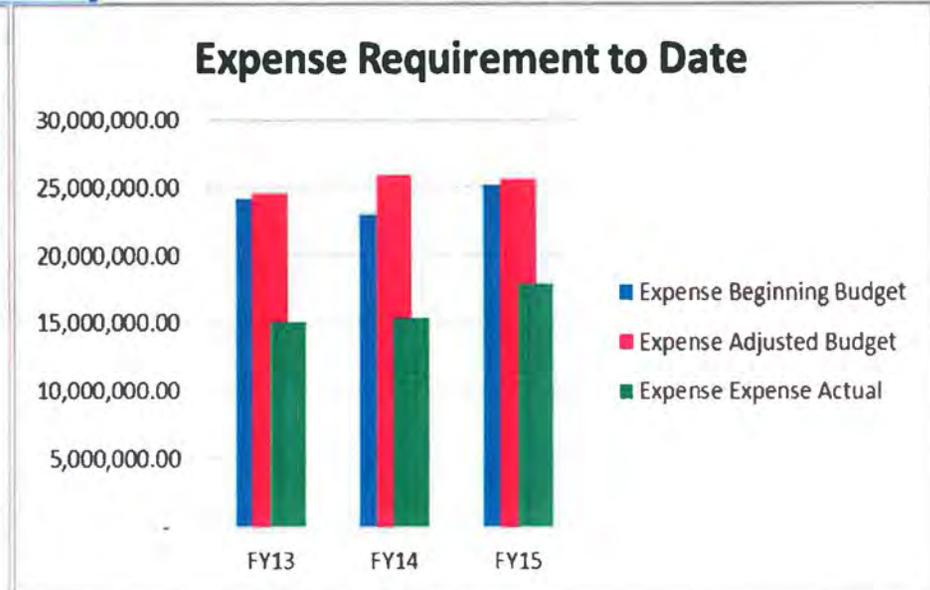
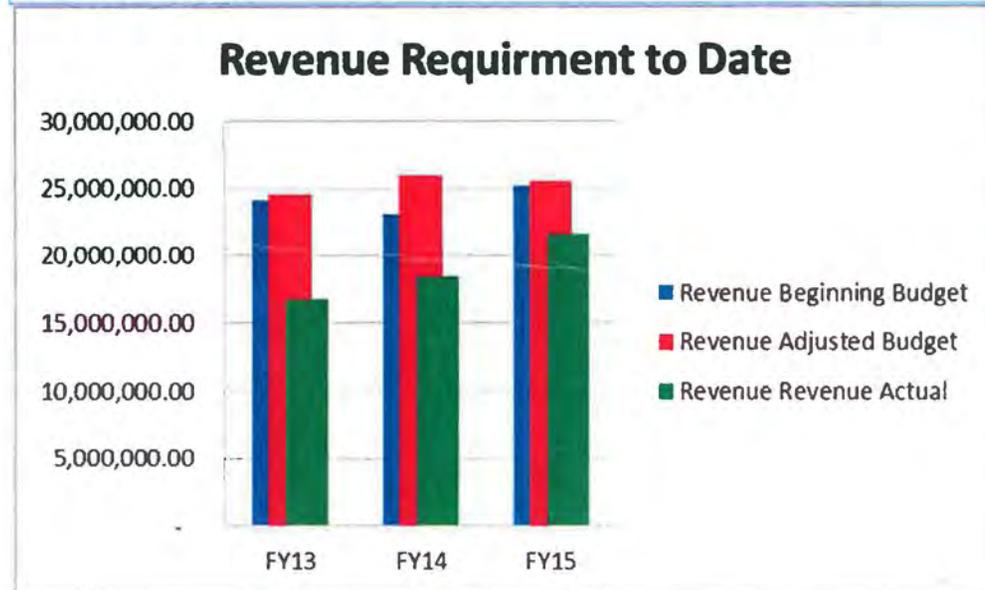
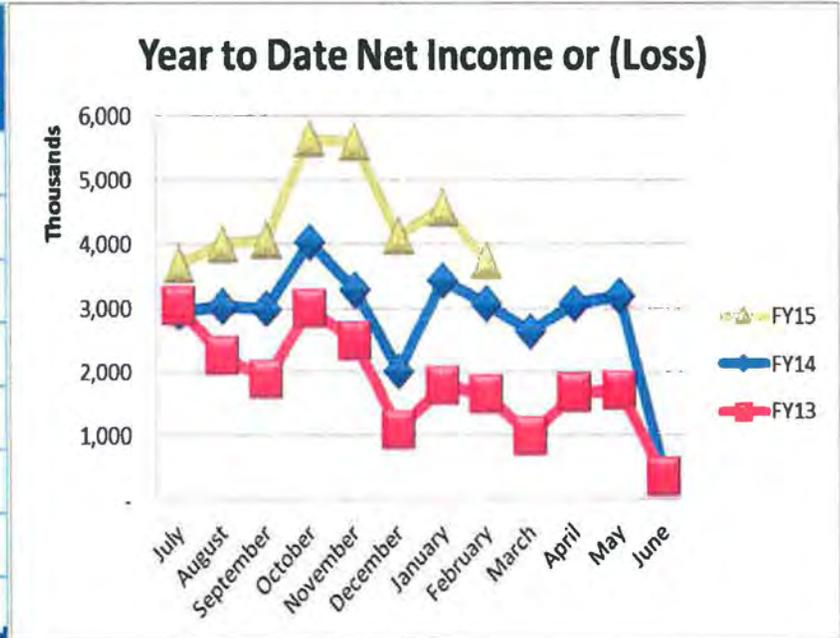
Information: Performance Metrics

Attached you will find the updated 2015 first quarter metric from Finance Department, Legal Department, Development Services Department, City Clerk's Office, Code Enforcement Department, Fire Department and the Morgantown Municipal Airport.

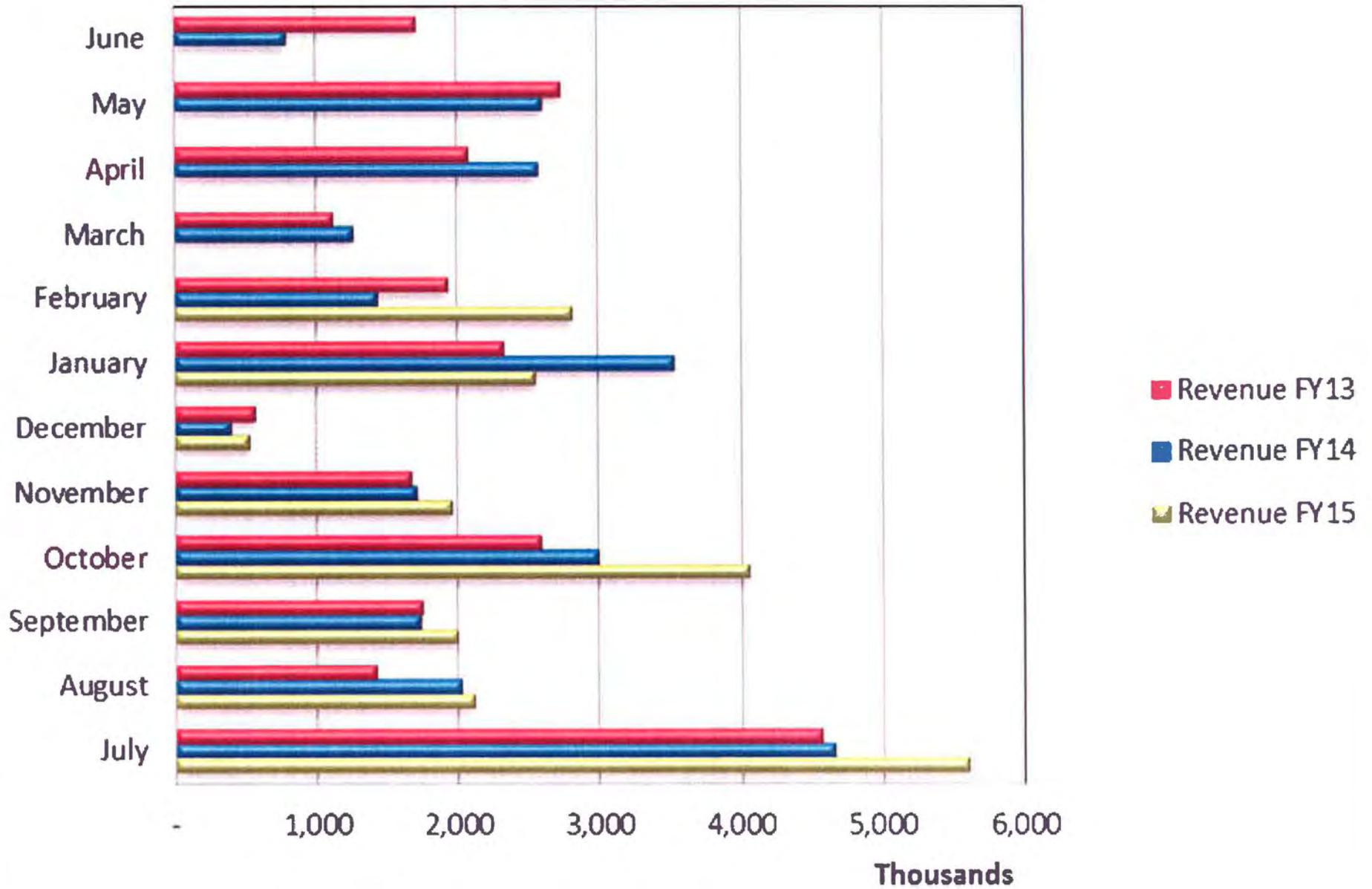

Jeff Mikorski ICMA-CM,
Morgantown City Manager

Finance Dashboard February 2015

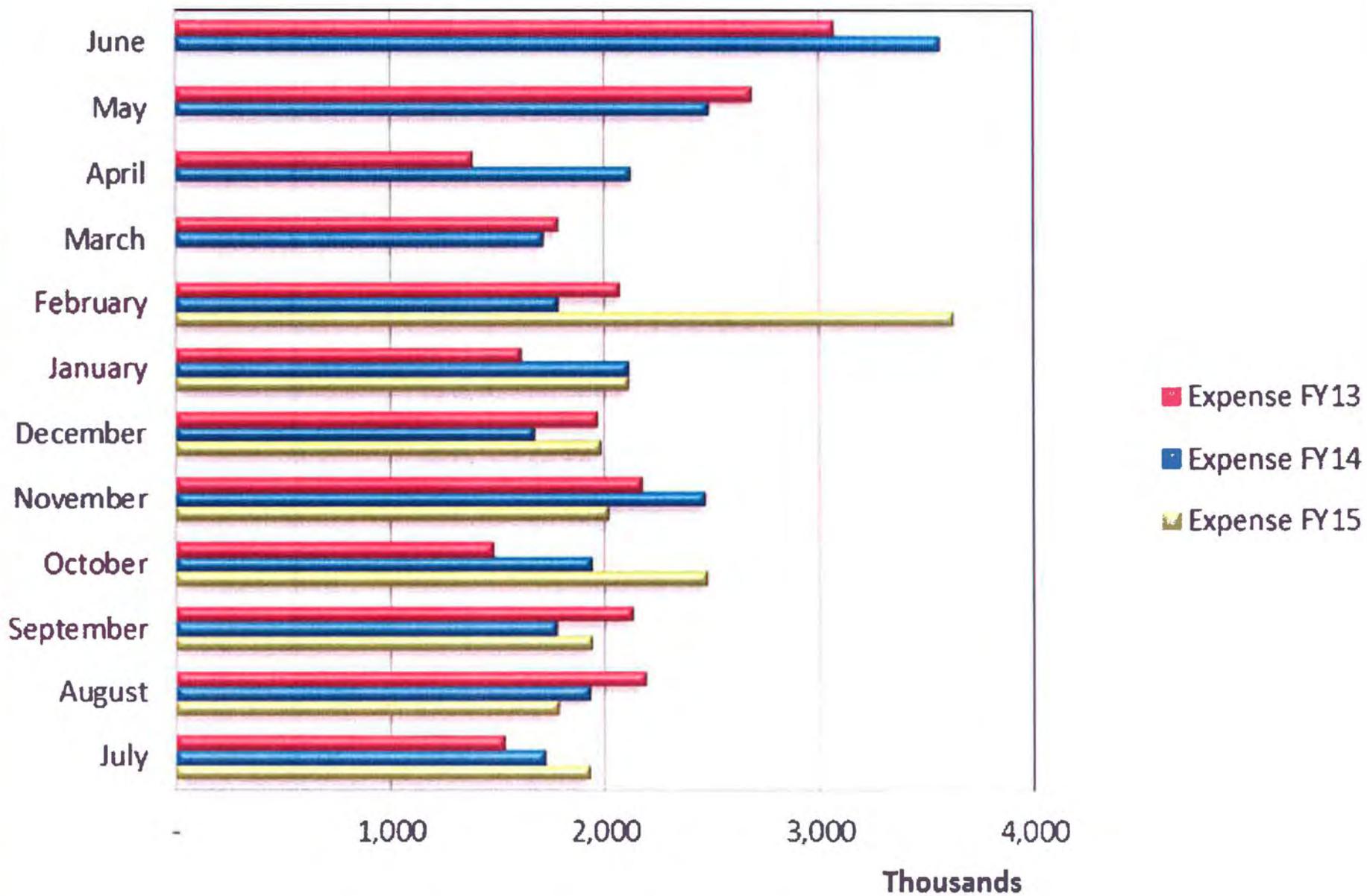
Metric	Current Prior			Flow1	Current Prior			Flow2
	Year	Year	Change		Month	Month	Change2	
A/P Checks	276	251	25		276	240	36	
Payroll Checks	511	485	26		511	500	11	
Retirement Checks	259	248	11		259	255	4	
Fire Fees Invoiced	4	4	0		4	7	-3	
B&O Returns Out	25	9	16		25	17	8	
B&O Returns In	969	749	220		969	1,578	-609	
B&O Late Letters	807	910	-103		807	0	807	
B&O Assessments	0	0	0		0	0	0	



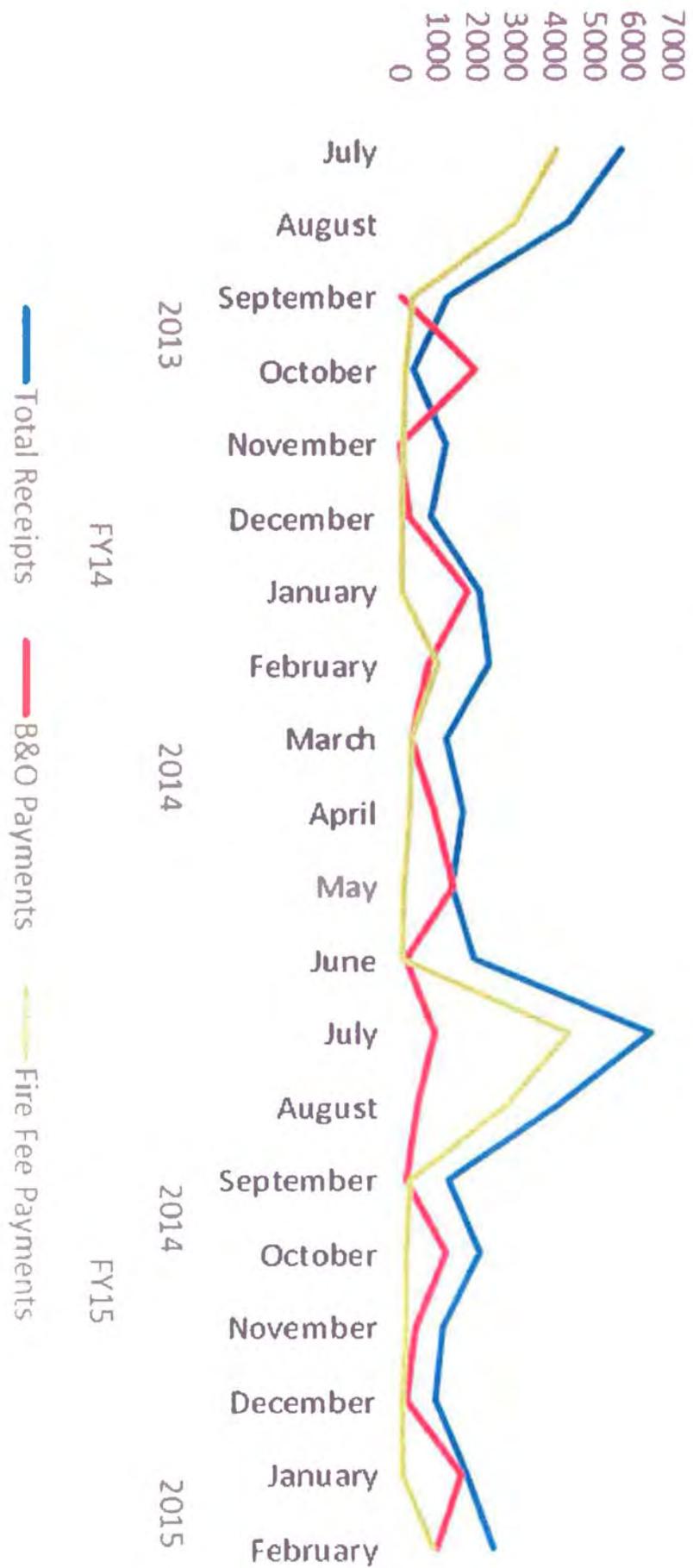
Monthly Revenue Comparison



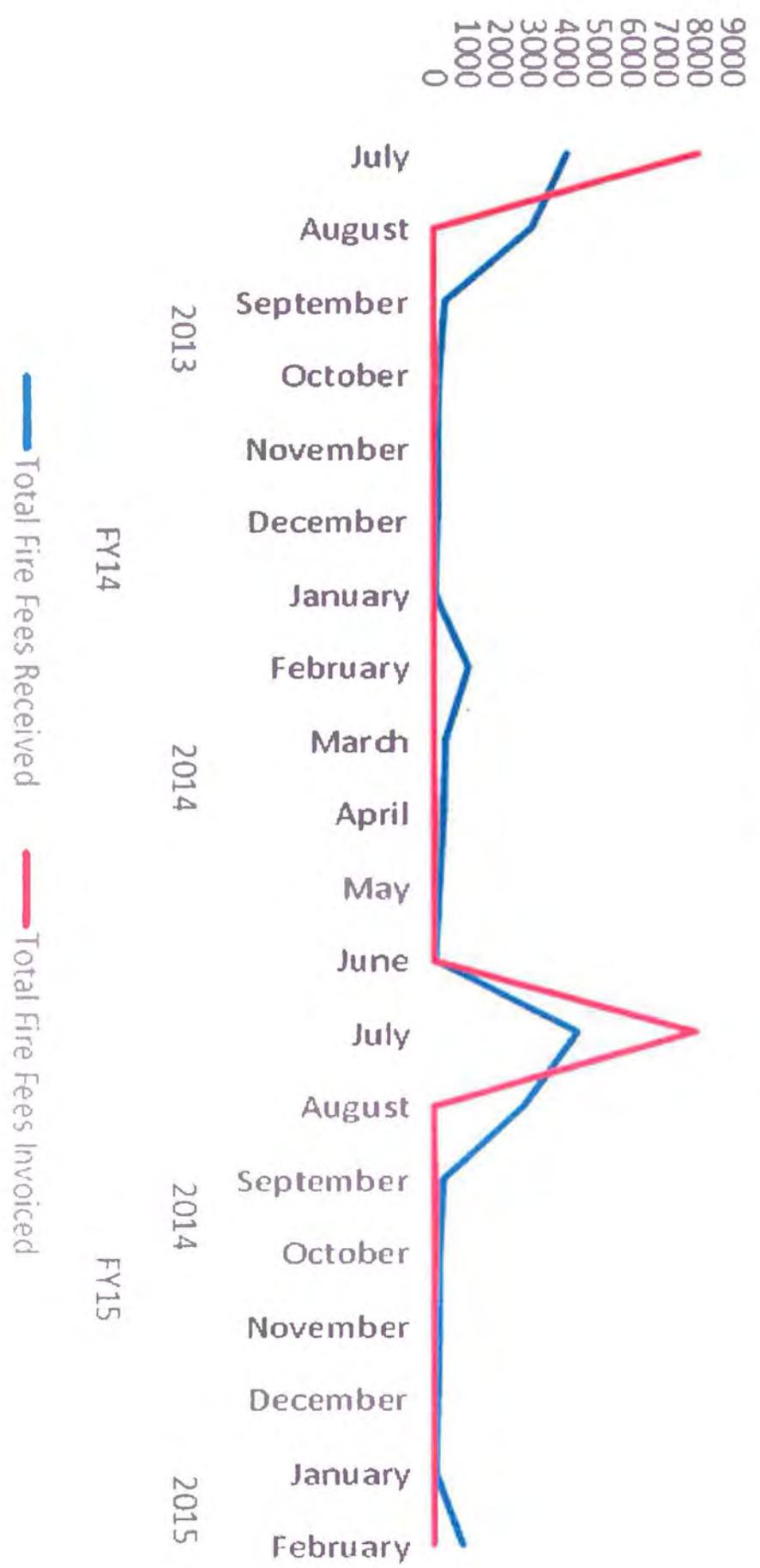
Monthly Expense Comparison



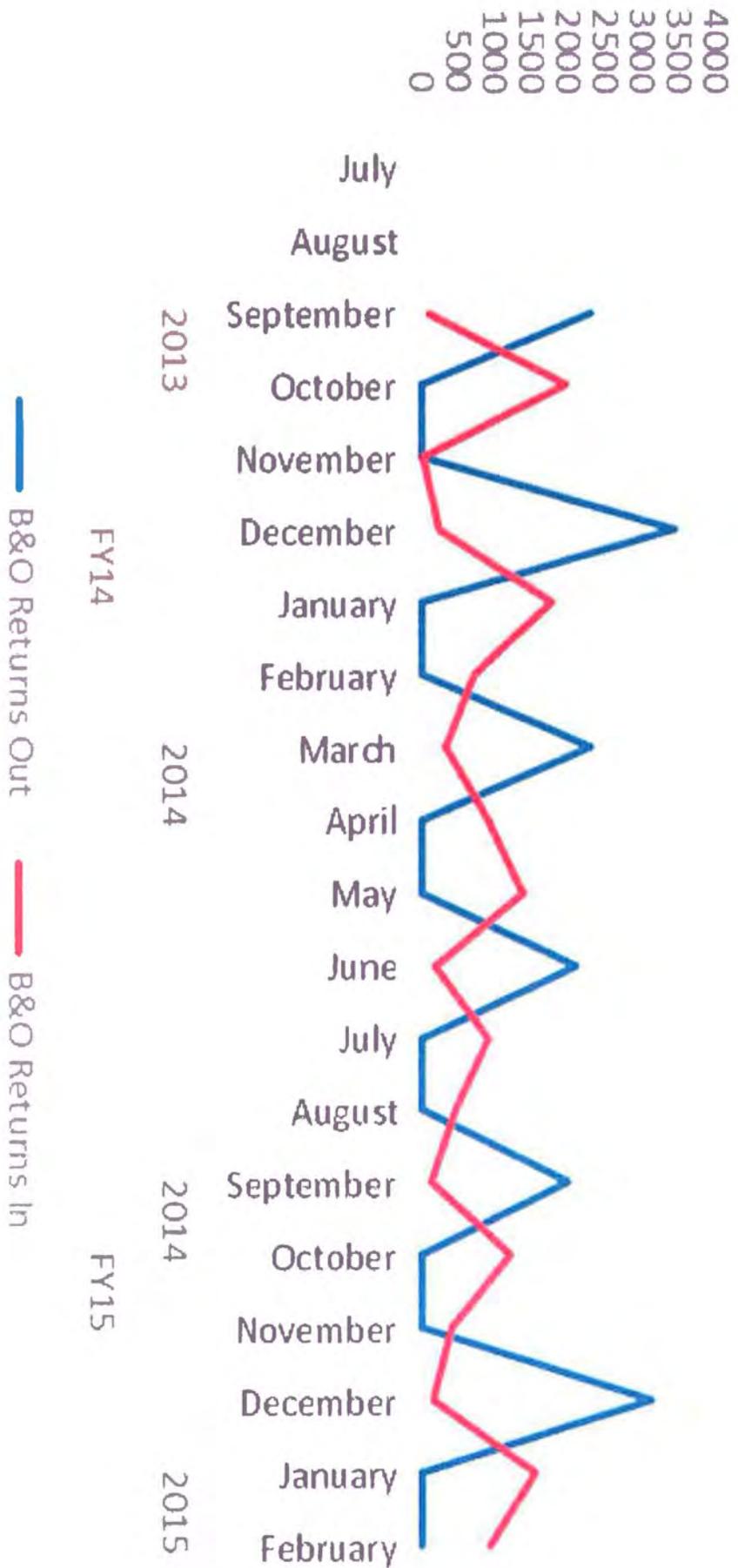
Production Flow - Receipts



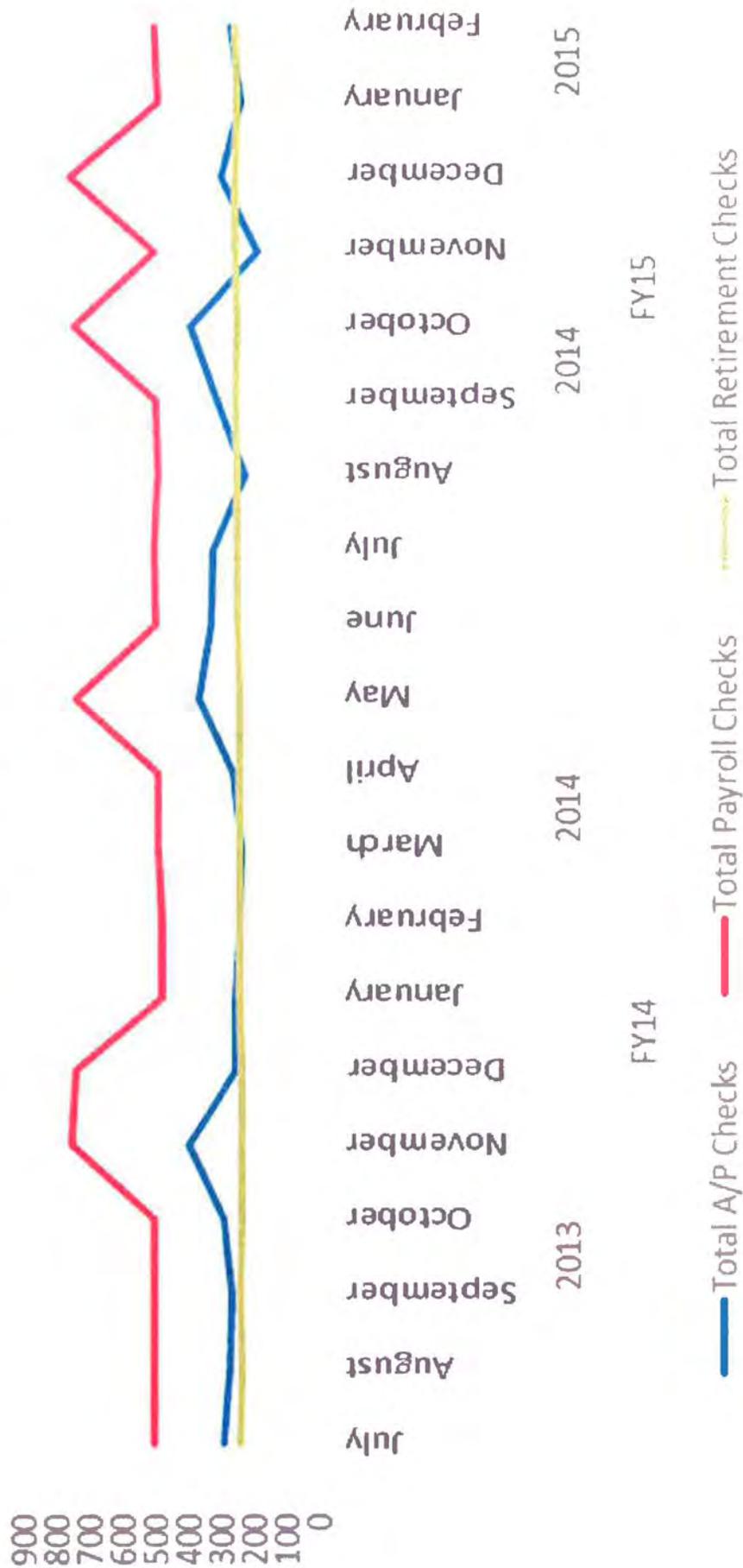
Production Flow - Fire Fees



Production Flow - B&O



Production Flow - Disbursements



Legal Department Metrics – First Quarter 2015

Activity	Incidents
Consultations	765
Ordinance/Resolution	43
Municipal Court Hearings	740
Muni. Ct. Hrgs. (DUI Cases)	281
Real Estate	27
Contracts	34
Litigation	23

Development Services Department	FY 2015			FY 2014
	Month	Quarter	Year-to-Quarter	Year
	MAR '15	JAN '15 - MAR '15	JUL '14 - MAR '15	JUL '13 - JUN '14
1. Implementation of the Comprehensive Plan.				
No. of "Immediate" Strategies implemented.	0	5	14	17
No. of "Short-Term" strategies initiated.	1	4	11	6
No. of "Mid-Term" strategies initiated.	0	1	5	0
2. Planning and Zoning Code Administration.				
No. of P&Z Code Applications	20	50	86	122
Site Plans (DSI/MDSI)	2	3	5	4
Minor Subdivisions	2	6	9	16
Major Subdivisions	0	0	0	1
Zoning Text Amendments	2	3	6	1
Zoning Map Amendments	0	3	9	5
Variances	12	25	48	74
Conditional Uses	1	3	7	18
Administrative Appeals	0	2	2	3
Sign Permit Applications	1	5	Tracking from JAN	Did not track
No. of Building Permit Applications Reviewed	17	53	169	94 ¹
Average No. of Days for Building Permit Application Plans Review	1.58	2.20	4.98	5.84 ¹
No. of Certificate of Occupancy Applications Reviewed	8	21		
Average No. of Days for Certificate of Occupancy Application Review	1	6	Tracking from JAN	Did not track
3. Planning and Zoning Code Enforcement.				
No. of zoning variances granted.	12	22	46	67
No. of zoning violations identified.	1	1	1	38
No. of zoning violations corrected.	1	1	1	25
4. Community Development & Brownfields Grant Administration.				
Remain below 150% carryover in unexpended C.D.B.G. funds.		1.13%	1.13%	92.00%
No. of Households Assisted (Housing)	IDIS quarterly reporting	4	8	13
No. of Persons Benefitting (Public Services)		1,073	12,864	2,204

¹ Started tracking building permits in OCT 2013

City Clerks Office Performance Measures Chart

City Clerk's Office	2012	2013	2014	2015	%Change 11-12	%Change 13-14	%Change 14-15	Notes
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Council Meetings

Regular	24	24	24	8	0%	0%	-67%	
Special	6	12	6	1	100%	-50%	-83%	
Committee of the Whole	11	10	9	4	-9%	-10%	-56%	
Conference Sessions	5	6	11	2	20%	83%	-82%	

Records

Current Records

Ordinances	51	56	66	20	10%	18%	-70%	
Resolutions	24	35	22	6	46%	-37%	-73%	

Permanent Archives 1900's 1990-2010 2011-2013 2014-2015 % Completed

Annual Codification	n/a	✓	✓	✓	✓	updated til 9-14	Council has looked at the Paperless Solution Cost would be \$1,214.10 2015 Budget.
MuniMetriX (Digitization)	n/a	✓	✓	✓	100%	updated til 1-14	
Microfilm	✓	✓	✓	✓	✓	updated til 9-13	

Municipal Election

Voter Statistics

Registered Voters	16,621	-	16,622	-	0%	-	
Total Votes	3,699	-	2,080	-	-44%	-	
Percentage of Elecorate	22.25%	-	12.06%	-	-46%	-	

Detail of Total Votes

Early Votes	-	339		431		-	April 28th, 2015 Election out of 17,107 voters 1,540 voted which is around 9%.
Election Day Votes	-	2094		1,540	-	-	
Provisional	-	6		15	-	-	
Absentee	-	6		3	-	-	

City of Morgantown Code Enforcement



Mission

Code Enforcement

To deliver exceptional service while upholding and enforcing Codes and Ordinances that are established or adopted to protect the public health, safety, and welfare of all residents, business owners, and visitors.

Vision

Code Enforcement

The vision of the Morgantown Code Enforcement Department is to promote and maintain a safe and desirable living and working environment throughout the City. We will strive to maintain and improve the quality of our community by administering fair and unbiased enforcement of State laws and local ordinances to correct violations and reduce hazards that create blight and adversely affect the quality of life of residents and guests.

Goals and Objectives

- **Building Code Compliance**

Safeguard the public health, safety and welfare through comprehensive and timely permit plan reviews, extensive building inspections, issuance of Certificates of Occupancies, in addition to continued education of employees.

- **Rental Housing Compliance**

Ensure public health, safety and welfare insofar as they are affected by the continued occupancy along with maintenance of structures as well as premises.

- **Property Maintenance Compliance**

Stop, prevent and correct neglected, deteriorated property as to its affects on the appearance, quality of life within the neighborhood and overall property value. Sustain a clean, habitable city environment through an all-inclusive commitment to inspect and maintain a healthy community.

- **Public Awareness**

Assist and educate the community with questions and concerns about public health, safety and welfare within the built environment through open seminars, informal neighborhood meetings, public announcements, and informative handouts.

Metrics

- Building Code Compliance - Track base line data concerning permit intake, plans review and Inspector performance.
- Rental Housing Compliance – Track base line records to insure all rentals are registered and inspected within three years.
- Property Maintenance Compliance – Develop and track baseline data concerning efficiency and effectiveness.
- Public Awareness – Develop and track baseline data concerning effectiveness of handouts, public meetings, neighborhood association meetings and media.

Performance Measures

Permits, Certificate of Occupancy, Training

	FY2015		FY2014	
	<i>March 2015</i>	<i>July-Mar 2015</i>	<i>March 2014</i>	<i>July-Mar 2014</i>
Permits Created	134	1200	124	967
Permits Issued	103	964	104	1001
Construction Value	\$1,275,101.80	\$14,778,641.05	\$2,657,348.13	\$20,279,115.20
Permit Fees Collected	\$8,832.92	\$94,281.85	\$12,676.60	\$91,522.38
Certificate of Occupancy Inspections	11	176	*not previously tracked	
Certificate of Occupancy Issued	4	65	12	48
Continued Education Training Hours	26	134		128
People Reached Through Public Education Programs	63	730	*not previously tracked	

Performance Measures

Building Inspectors

	FY2015		FY2014	
	<i>March 2015</i>	<i>Aug-Mar 2015</i>	<i>March 2014</i>	<i>July-Mar 2014</i>
Complaints	2	56	*not previously tracked	
Stop Work Orders	1	22		
Citations	0	2	*not previously tracked	
Court	0	7	*not previously tracked	
Plan Review	25	211	*not previously tracked	
Construction Inspections	125	744	*not previously tracked	

Performance Measures

Housing Inspectors

	FY2015		FY2014	
	<i>March 2015</i>	<i>Aug-Mar 2015</i>	<i>March 2014</i>	<i>July-Mar 2014</i>
Complaints	11	224	*not previously tracked	
Unfounded Complaints	3	-		
% of Complaints Unfounded	3%			
Citations	7	66	1	76
Official Notices	13	240	*not previously tracked	
Stop Work Orders	0	16	*not previously tracked	
Routine Rental Housing Inspections	526	1456	182	1519
Re-inspections Rental Housing Inspections	318	1080	131	1461
Condemnation of Housing	12	28	*not previously tracked	
Condemnation Lifted	9	21	*not previously tracked	

Performance Measures

Property Maintenance

	FY2015		FY2014	
	<i>March 2015</i>	<i>Aug-Mar 2015</i>	<i>March 2015</i>	<i>July-Mar 2015</i>
Complaints	21	168	*not previously tracked	
Unfounded Complaints	3	20		
% of Complaints Unfounded	7%	8.4%		
Complied Complaints	29	144	*not previously tracked	
Progress Checks	275	877	*not previously tracked	
Patrol Hours	114	670.5	*not previously tracked	
Garbage	31	114	*not previously tracked	
Official Notices	27	134	*not previously tracked	

*MORGANTOWN
FIRE
DEPARTMENT
MONTHLY
METRICS*



*MARCH
2015*

MORGANTOWN FIRE DEPARTMENT

MISSION STATEMENT

The Morgantown Fire Department is dedicated to the preservation of life and property within the limits of our skill, ability and resources from the ravages of fire or other unforeseen incidents through the delivery of prompt, professional services to the citizens, visitors and guests of the City of Morgantown.

VISION STATEMENT

It is the vision of the Morgantown Fire Department to provide timely, professional response with qualified personnel to mitigate a wide range of scenarios that threaten the lives, property, or environment of the citizens, visitors and guests of the City of Morgantown. We will work through our authority to help provide safe, code-complaint structures and through our knowledge and experience to educate the public in the dangers of fire.

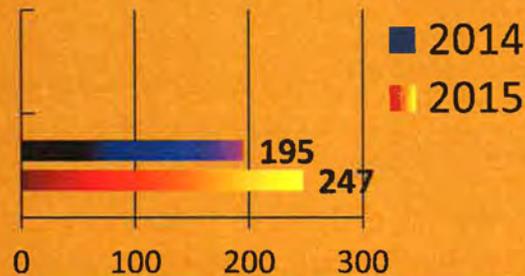


OPERATIONS

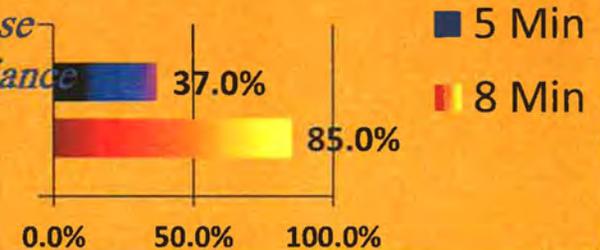
Average Response Times



March Incidents



Response Compliance



Operations Division Data	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	2014	% Change from 2014
Number of Incidents	238	222	247				707		2766	11 % Increase
Turnout Time (seconds)	76	95	72				81		60	20% Increase
First unit on scene within 5 minutes %	42.1	26.3	37				35%		34.5%	.5% Increase
Average Response Time	5:36	6:18	6:02				5:48		5:41	.2% Decrease
All First Due units on Scene Within 8 Minutes %	88.9	81.2	85				85%		75%	10% Increase
Number/Percentage of Overlapping Calls	80/33%	56/25%	57/23%				193/27%		708/25.6%	2.6% Decrease



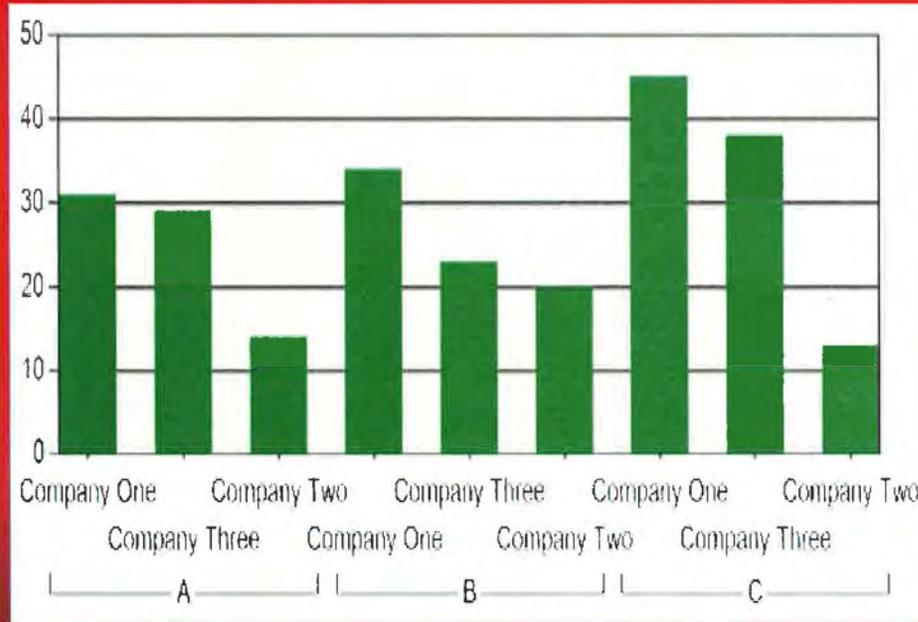
OPERATIONS

INCIDENTS/RESPONSE

BY CREW

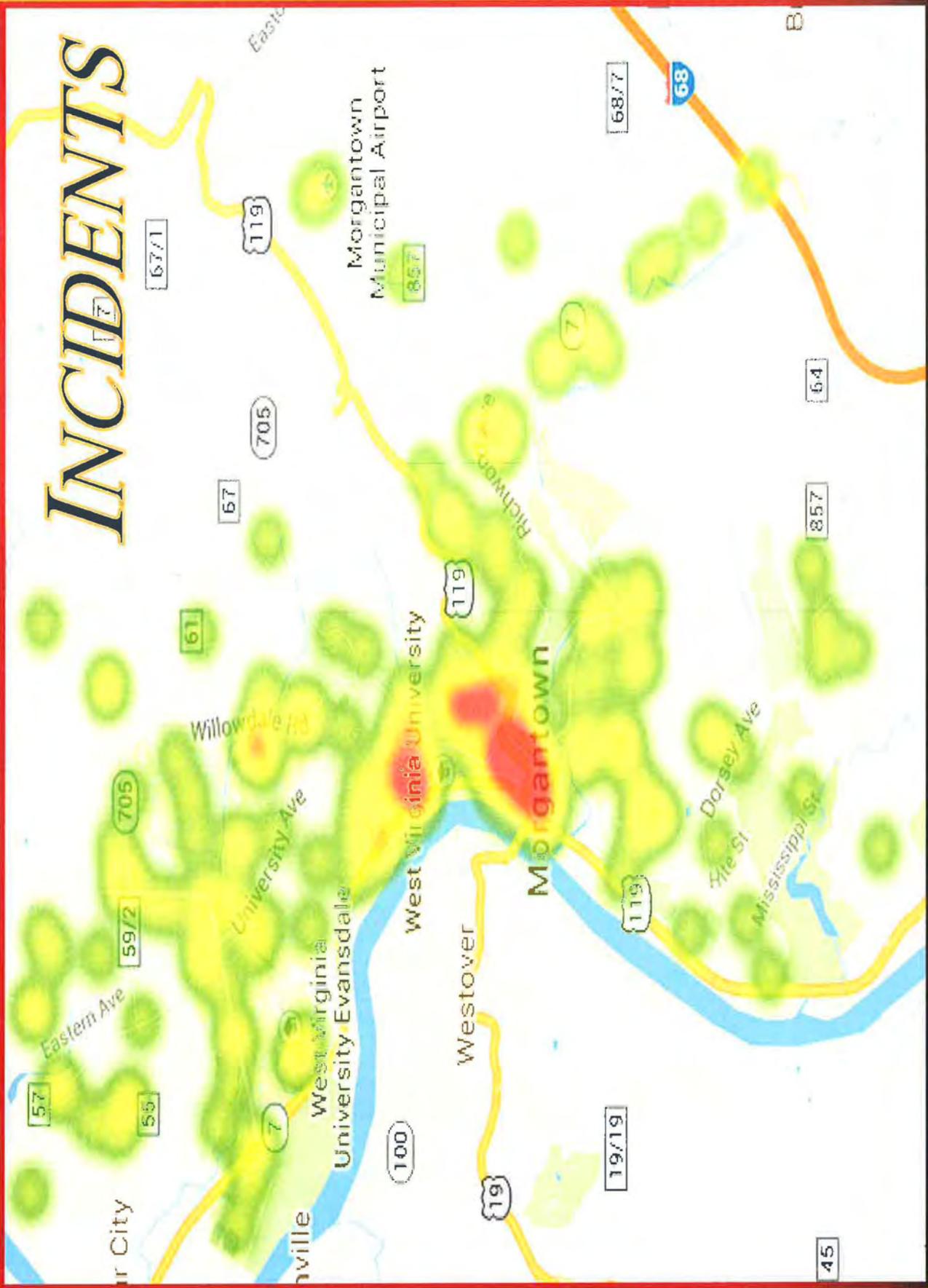
INCIDENTS

RESPONSE TIMES



SHIFT	AVG RESPONSE TIME MM:SS (Dispatch to Arrived)
Shift: A	
1 - Company One	6:50
2 - Company Two	6:45
3 - Company Three	6:33
Shift: B	
1 - Company One	6:59
2 - Company Two	7:06
3 - Company Three	7:10
Shift: C	
1 - Company One	7:05
2 - Company Two	8:52
3 - Company Three	6:58

INCIDENTS



STREET/DUMPSTER FIRES





TRAINING

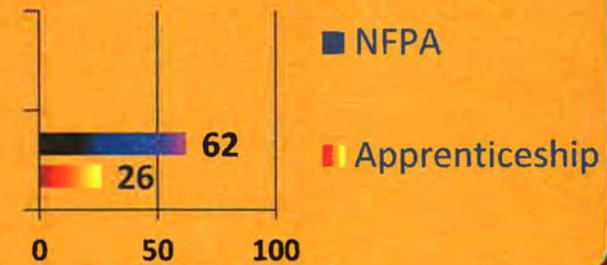
Classes Offered in March

Apprenticeship paperwork, 7 hours.
 Dive training, 15 hours.
 Pumps and valves, 26 hours.
 HazMat Awareness, 135 hours
 Jerome park street test, 84 hours.
 FF 1 & FF2 for new recruits, 528 hours.
 FFC M. Bean has completed his FO 1&2

Hours of Training for March



Hours Towards Compliance



Hours of Training	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Hours of Training Offered by the Department	392	102	795				1289		8669	40% Decrease
Hours of Training Taken Through Outside Agencies	90	24	36				150		1441	72% Decrease
Hours towards Apprenticeship Training	126	26	535				188		2313	11% Decrease
Hours put towards NFPA Compliance	180	62	175				417		4818	6% Increase

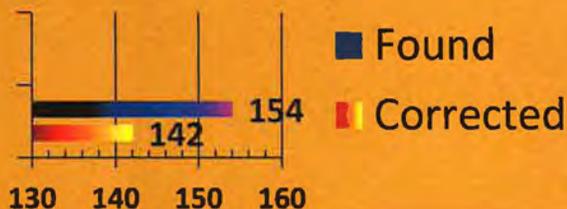


FIRE MARSHALS

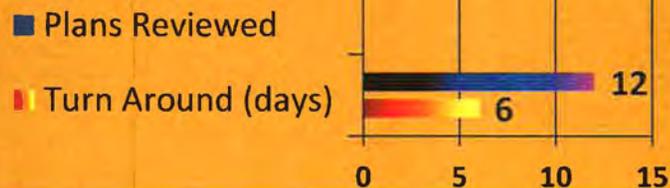
March Occupancies Inspected



Violations / Corrections



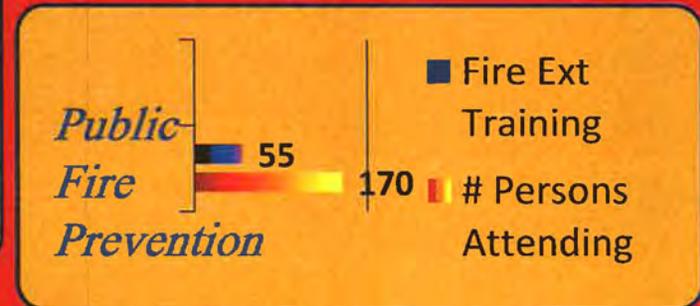
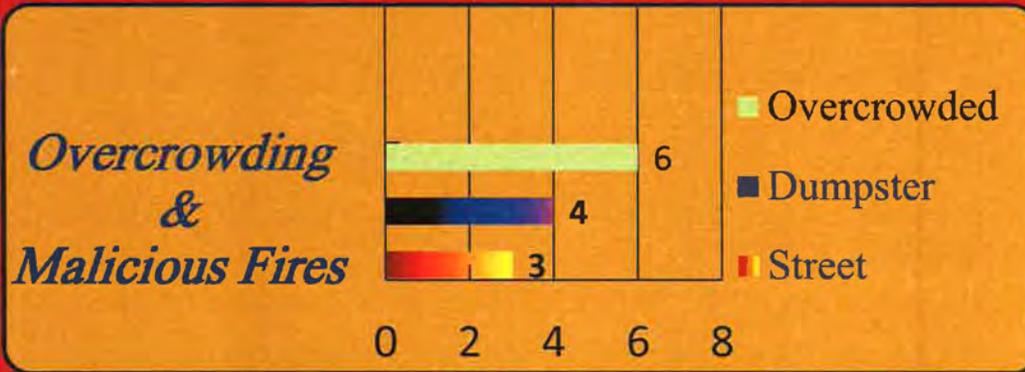
Plans Review



Effectiveness of Code Enforcement	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Total number of Inspections	159	443	768				1370		3966	69% Increase
Business Occupancy Inspections	6	5	11				22		380	17% Increase
Residential Occupancy Inspections	87	327	646				1060		1541	34% Decrease
Violations Found	44	78	154				266		1190	20% Increase
Violations Corrected	169	61	142				638		1283	3% Decrease
Plan Reviews Completed	8	9	12				29		105	20% Increase
Average Plans Review Time (Days)	18	5	6				9.6		7.5	0% Change



FIRE MARSHALS



Effectiveness of Code Enforcement	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2015	% Change from 2014
Dumpster Fires	16	1	4				21		55	16% Decrease
Street Fires	1	2	3				6		62	64% Increase
Overcrowded Occupancies	1	3	6				10		49	-----
Fines Collected	1075	3330	1680				\$6,085		\$18,735	-----
Number of persons attending FP talks	13	85	170				268		7771	0% Increase
Number of persons attending Fire Extinguisher Training	5	0	55				60		702	75% Increase

PERFORMANCE MEASURES - OPERATIONS

Morgantown Fire Department	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Manning on Emergency Apparatus										
Staffing	12/16 75%	12/16 75%	12/16 75%						12/16 75%	Based on NFPA 1710 Standard
Response to Incidents										
Number of Incidents	238	222	247				707		2766	11 % Increase
Turnout Time (seconds)	76	95	72				243		66	20% Increase
First unit on scene within 5 minutes %	42.1	26.3	37				35%		48.3%	.5% Increase
Average Response Time	5:36	6:18	6:02				5:48		5:41	.2% Decrease
All First Due units on Scene Within 8 Minutes %	88.9	81.2	85				85%		75	10% Increase

PERFORMANCE MEASURES - OPERATIONS

A Crew	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Manning on Emergency Apparatus										
Staffing	12.77/16 79.8%	12/16 75%	12/16 75%						12/16 75%	Based on NFPA 1710 Standard
Response to Incidents										
Total Number of Incidents	73	70	74						681	42% Increase
Turnout Time (seconds)	36	66	25						26.5	21% Decrease
Average Response Time	6:00	7:15	6:02						6:26	16% Decrease

PERFORMANCE MEASURES - OPERATIONS

B Crew	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Manning on Emergency Apparatus										
Staffing	12/16 75%	12/16 75%	12/16 75%						12/16 75%	Based on NFPA 1710 Standard
Response to Incidents										
Total Number of Incidents	82	76	77						827	40% Increase
Turnout Time (seconds)	:42	:27	27						19.5	6% Increase
Average Response Time	5:38	7:31	6:45						6:06	23% Increase*

PERFORMANCE MEASURES - OPERATIONS

C Crew	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Manning on Emergency Apparatus										
Staffing	12/16 75%	12.4/16 77%	11.8 /16 74%						12/16 75%	Based on NFPA 1710 Standard
Response to Incidents										
Total Number of Incidents	73	56	96						871	14% Decrease
Turnout Time (seconds)	:36	:41	:32						:39	2% Decrease
Average Response Time	6:37	6:32	7:00						6:13	4% Increase

PERFORMANCE MEASURES - TRAINING

Hours of Training	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Hours of Training Offered by the Department	392	102	795				1289		8669	21% Decrease
Hours of Training Taken Through Outside Agencies	90	24	36				150		1441	9% Decrease
Hours towards Apprenticeship Training	126	26	535				188		2313	26% Decrease
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CLASS LIST

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 Pumps and valves, 26 hours.
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PERFORMANCE MEASURES - FIRE MARSHALS

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Violations Found	44	78	154				266		1190	20% Increase
Violations Corrected	169	61	142				638		1283	3% Decrease
Plan Reviews Completed	8	9	12				29		105	20% Increase
Average Plans Review Time (Days)	18	5	6				9.6		7.5	0% Change
Effectiveness of Fire Prevention	Jan	Feb	Mar	Apr	May	Jun	First Half 2015	Second Half 2015	Total - 2014	% Change from 2014
Number of persons attending FP talks	13	85	170				268		7771	0% Increase
Number of persons attending Fire Extinguisher Training	5	0	55				60		702	75% Decrease

PERFORMANCE MEASURES - FIRE MARSHALS

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Malicious Fires										
Dumpster Fires	16	1	4				21		55	20% Decrease
Street Fires	1	2	3				6		62	75% Decrease
Co 1 Area	16	3	5				10		101	0% Increase
Co 2 Area	1	0	0				\$6,085		4	0% Increase
Co 3 Area	0	0	2				21		12	20% Decrease
Assembly Occupancy Enforcement										
Number of Assembly Occupancies Inspected	65	90	92				247		579	New Metric
Overcrowded Assembly Occupancies	2	1	0				3		29	New Metric
Overcrowded Residential Occupancies	0	2	3				5		14	New Metric
Fines Collected	1075	3330	1680				\$6,085		-----	New Metric



Metrics Brief

MGW Performance Measures

July 2014 – April 2015

8 May 2015

Briefing Format

- Vision / Mission Statements
- MGW Metrics
- FAA Part 139 Compliance
- TSA Compliance
- Enplanements
- Air Operations
- Revenue
- Performance Measures Matrix
- Capital Improvement Plan Matrix
- Director Comments



Morgantown Municipal Airport

Vision:

To be the Airport of Choice for Commercial Airline Passengers, Business Aviation, Personal Aviation, and Military Aviation in the Greater Morgantown Area.

Mission:

To provide the necessary facilities to support the aviation needs of the Greater Morgantown area; to safely and effectively maintain and develop those facilities; and to provide services and staff to support the needs of the customers using those facilities.



Metrics

- **Federal Aviation Administration Part 139 Compliance:** Part 139 compliance is the FAA's regulatory requirement that provides for the continued use of an airport by commercial airline and also meets the lesser requirements for military, charter and general aviation operations.
- **Transportation Security Administration Compliance:** TSA Compliance is required for Commercial Service Operations.
- **Enplanements :** Number of passengers outgoing on commercial airline and charter flights.
 - 10,000 Enplanements = \$1,000,000 in FAA Grant funds for Capital Development.
- **Flight Operations:** Landing, takeoff, hover taxi and airship taxi that are weighted by type such as military, commercial and general aviation. It justifies the continuation of an FAA sponsored control tower which is a requirement for a Part 139 airport. The cost to the city to maintain a tower should operations fall below appropriate level is \$60,000 per year.
- **Airport Revenues:** Airport revenues provide most funding for Part 139 Compliance and Sustainment for all Services. Revenue Sources include:
 - Fuel Sales
 - Rentals
 - Services

FAA Part 139 Compliance

FAA Part 139 Certification Inspection
Of 20 – 21 August, 2014 achieved a rating for
continued operations of MGW as a Part 139 Airport
15 Discrepancies Were Noted

13 of the 15 Discrepancies have been corrected

Legend Panel Taxiway Alpha Discrepancy; Get Well Date: Will meet compliance
as part of East Side Development Project.

Runway Edge Lighting Discrepancy; Get Well Date: Will meet compliance as part
of East Side Development Project.

TSA Compliance

MGW received the TSA Inspection Team on 5 June, 2014, **No Discrepancies Were Noted.**

MGW YTD TOTAL 2015:

2,013

COMMERCIAL ENPLANEMENTS

BY MONTH January 2015 – April 2015

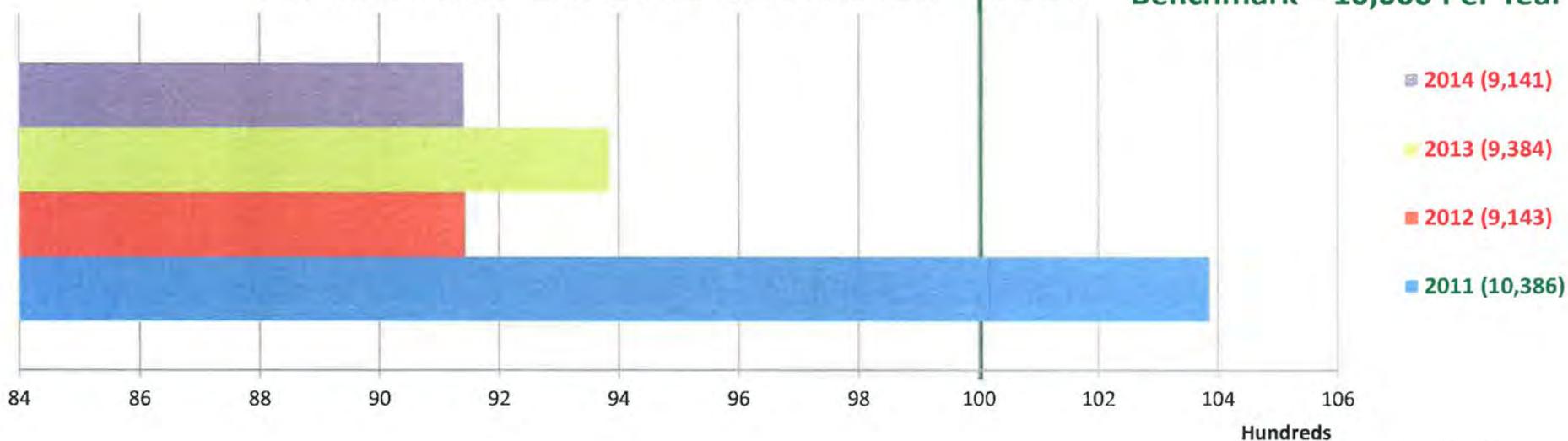
Benchmark - 833 Per Month

**1,319 Less Than Goal of 3,332
For Jan-Apr 2015**



COMMERCIAL ENPLANEMENTS 2011 - 2014

Benchmark – 10,000 Per Year

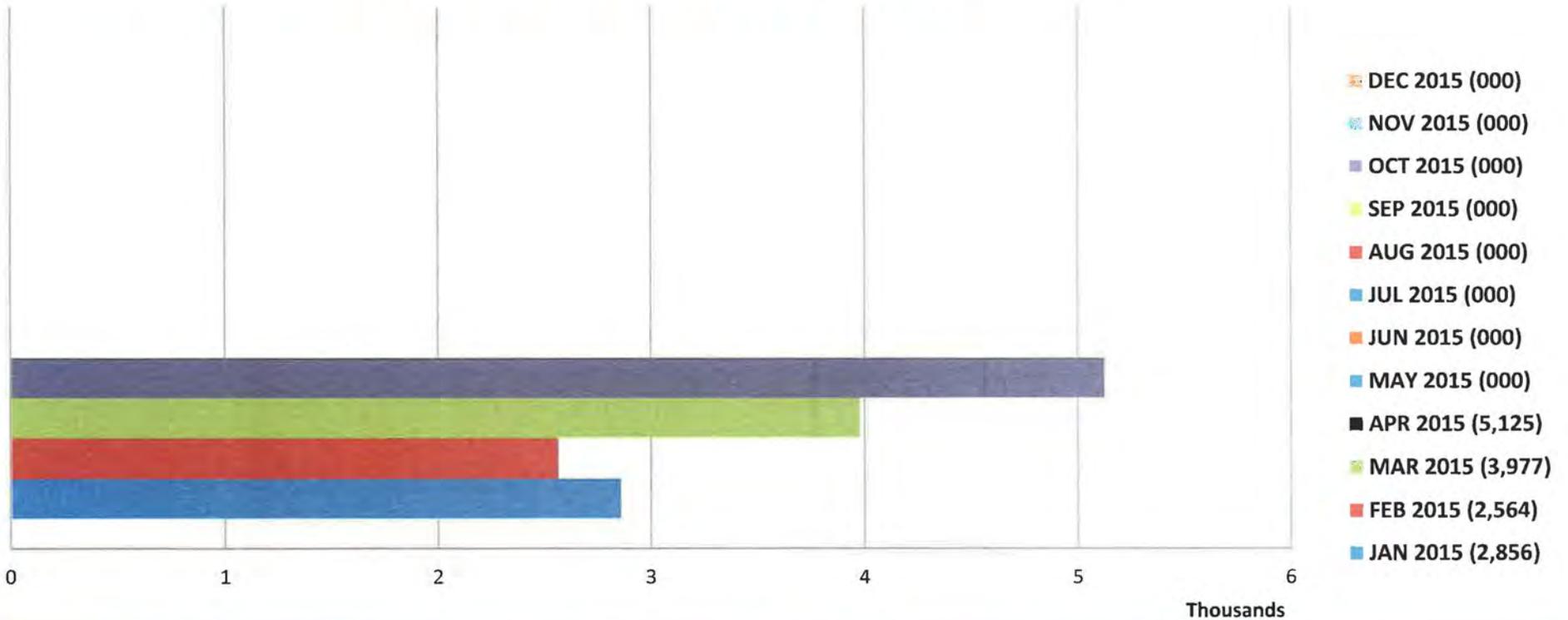


1 JAN 2015 – 30 APR 2015:

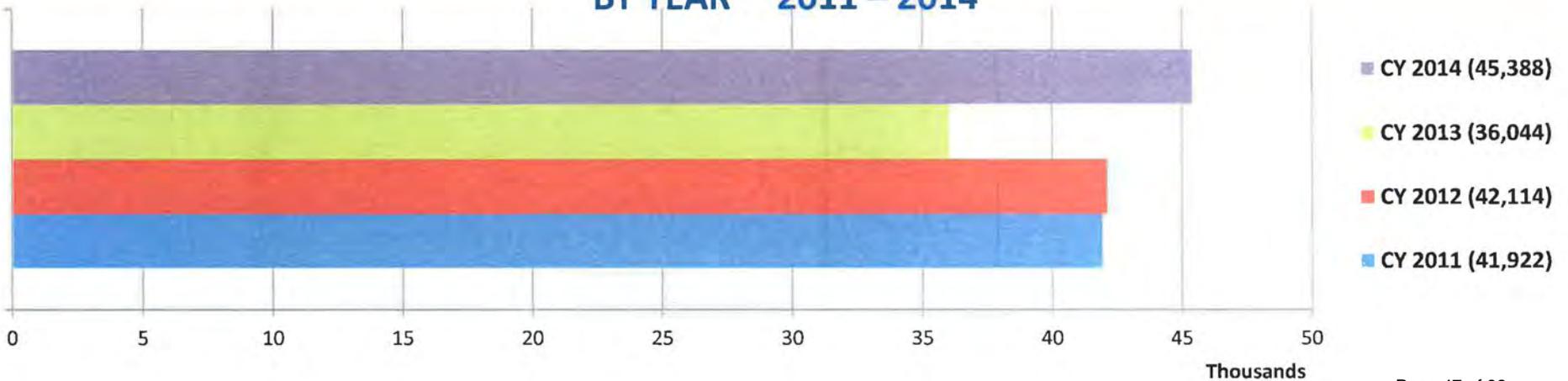
MGW AIR OPERATIONS

14,522

BY MONTH January 2015 – April 2015

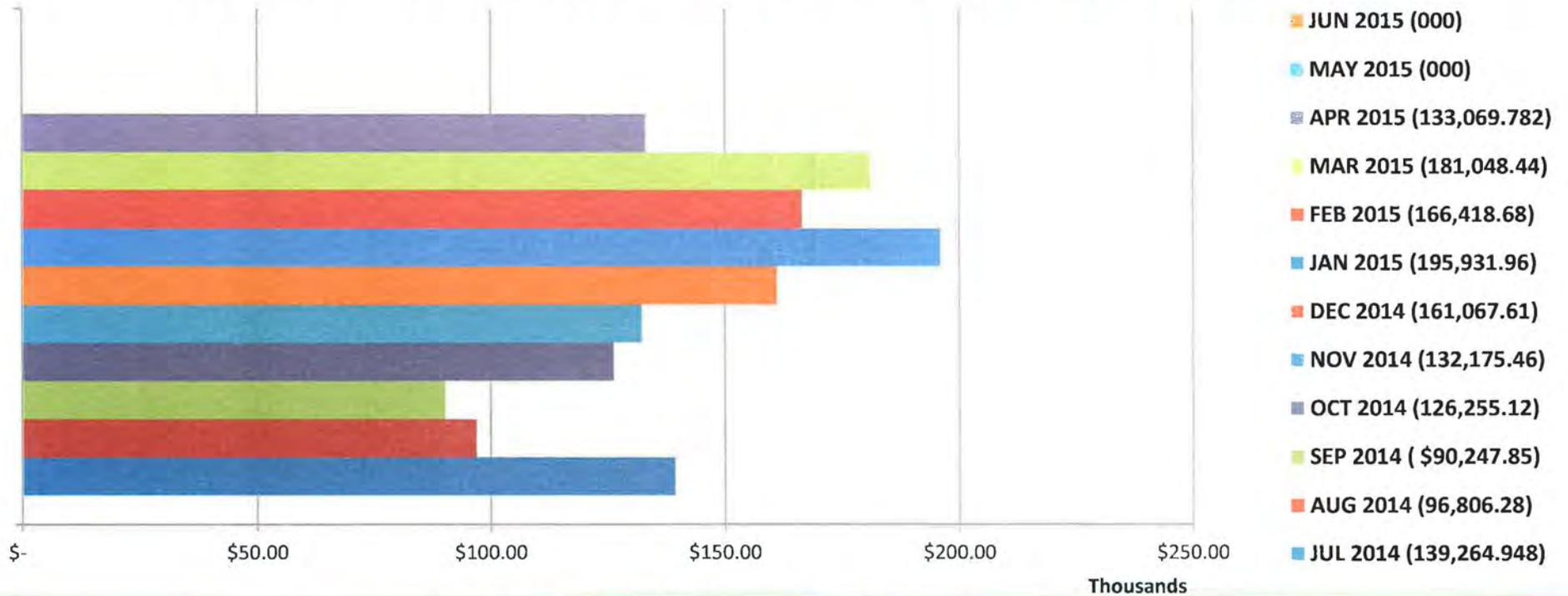


BY YEAR 2011 – 2014

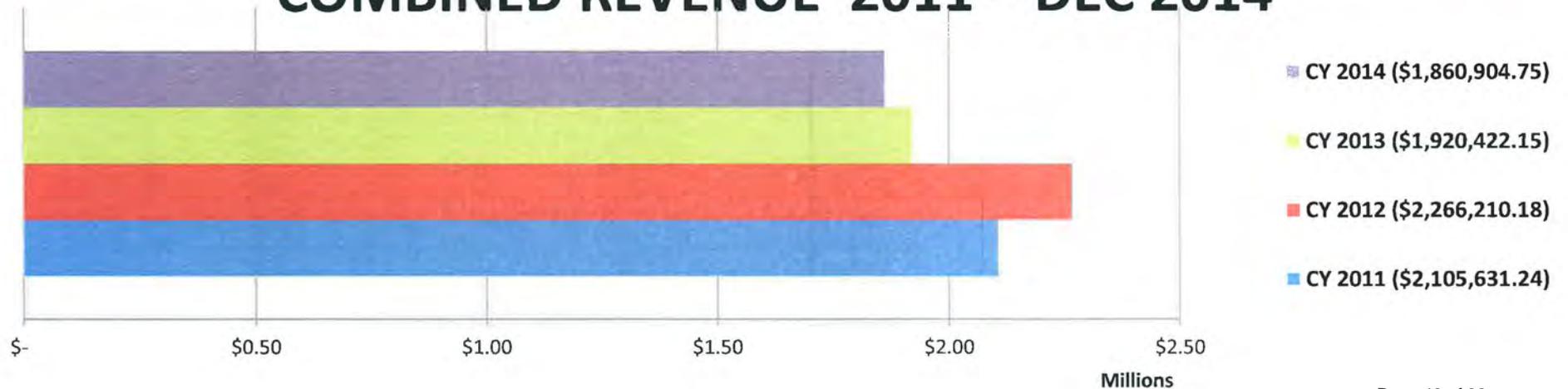


AIRPORT & FBO COMBINED REVENUE

(FY-15) JUL 2014 – APR 2015 **\$1,696,132.76**



COMBINED REVENUE 2011 – DEC 2014





MGW Performance Measures



	2012	2013	2014	2015
COMPLIANCE (by Calendar Year)				
FAA Part 139 Inspection Discrepancies	0 Remaining of 5	0 Remaining of 4	2 Remaining of 15	Not Yet Programmed
Training Complete (staff)	(11 of 11)	(10 of 10)	(8 of 11)	N/A
TSA Security Inspection Discrepancies	0	0	0	Not Yet Programmed
ENPLANEMENTS / AIR OPERATIONS (by Calendar Year)				
Commercial Airline	9,218	9,384	8,326	N/A
Charter Air	1,021	835	300	N/A
Flight Operations	42,114	36,044	41,973	N/A
SAFETY (by Calendar Year)				
Aviation				
Incidents	3	5	0	0
Accidents	0	1	0	0
Work Place				
Lost Work Time Accidents	1	0	0	0
AIRPORT (by State Fiscal Year)				
				JUL 2014 – APR 2015
Airfield Maintenance Expenditure	\$59,257	\$14,687	\$47,707	\$12,795.24
MGW Equipment Maintenance Expenditure	\$12,914	\$11,543	\$17,167	\$16,718.87
Building Maintenance Expenditure	\$15,759	\$15,336	\$16,739	\$7,851.76
Airport Revenues	\$416,087	\$322,076	\$176,240	\$273,846.64
FIXED BASE OPERATOR (by State Fiscal Year)				
				JUL 2014 – APR 2015
FBO Equipment Maintenance Expenditure	\$4,799	\$6,272	\$7,262	\$4,712.49
Fuel Sales Revenue	\$2,183,689	\$1,839,072	\$1,668,832	\$1,267,383.91
Gallons	420,186	270,734	251,603	275,902
Line Services Revenue	\$141,475	\$162,738	\$219,758	\$154,902.21
FBO Revenues	\$2,325,164	\$2,001,810	\$1,888,590	\$1,422,286.12
TOTAL ENTERPRISE REVENUES (by State Fiscal Year)				
				JUL 2014 – APR 2015
Total Revenues	\$2,741,251	\$2,323,886	\$2,064,830	\$1,696,132.76



MGW Goals and Objectives

Capital Improvement Plan



Capital Project	2013	2014	2015	Revenue Source
Complete Airport Master Plan and ALP Update to Allow Growth	Complete	Complete	Complete	FAA AIP / State Match
Environmental Assessment (EA) for Industrial Park	In Work	Complete	Complete	FAA / MCDA Agreement / Airport Land Sale / City Funds for Industrial Park / MCDA Front Funding
Land Transfer for Industrial Park	In Work	Complete	Complete	MCDA Agreement / Airport Land Sale / City Funds for Industrial Park / MCDA Front Funding
Access Road Construction and Infrastructure Development	Design/ Construction	Complete	Complete	WVNG Agreement / MCDA Agreement / Airport Land Sale / Sen Byrd Federal Grant / MCDA Front Funding
Terminal Improvements	Design	Complete	Complete	FAA AIP / State Match
East Side Development		Planning and Design	PERMIT ISSUED	FAA AIP / State Match
Runway Extension Phase I		Preliminary Design / Environmental Assessment	IRT APPROVED	FAA AIP / State Match

REGULAR MEETING April 21, 2015: The regular meeting of the Common Council of the City of Morgantown was held in the Council Chambers of City Hall on Tuesday, April 21, 2015 at 7:04 p.m.

PRESENT: City Manager Jeff Mikorski, City Clerk Linda Tucker, Mayor Selin, and Council Members: Bill Kawecki, Wes Nugent, Assistant City Manager Glen Kelly, Deputy Mayor Marti Shamberger, Mike Fike, Nancy Ganz, and City Attorney Ryan Simonton. Council Member Ron Bane was absent.

The meeting was called to order by Mayor Selin.

APPROVAL OF MINUTES: Minutes from the April 7th Meeting were approved after discussion, amending page 5 under Ordinance 735.24 changing a word “specifics” to “generalities”. Motion carried 3-2. (Shamberger abstained) (Ganz and Selin voted no)

CORRESPONDENCE: Mayor Selin read letters as part of the record (**Exhibit A**) from Rick Hill; retired Captain from the Fire Department, in support of amending the Home Rule Plan is an excellent opportunity to address the fire problem that is specific to Morgantown. (**Exhibit B**) Mark Lambert, 507 Burroughs Street, fully supports granting limited law enforcement training of City Fire Marshals. This training will continue to be an asset and a credit to the City of Morgantown. (**Exhibit C**) Mike Williams, MTW Apartments, property owner, has rental property located at St. Marys Street, Third Street and Beverly Avenue has had dumpster fires and appreciates the quick action of the undercover Fire Marshal personnel. Mr. Williams is in favor of expanded authority for Fire Marshals. Mayor Selin presented Proclamations to Morgantown High School Girls Basketball Team and WVU Rifle Team for their Championships. Mayor Selin also presented a Proclamation to Frank Gmeindl for Morgantown Bike Month. She also welcomed the Political Science class 220.

PUBLIC HEARING – PROPOSED AMENDMENT TO THE CITY OF MORGANTOWN HOME RULE APPLICATION

Tom Wiley, property owner, stated that he was in support of the Home Rule Ordinance for the Fire Department. He gave examples on a few instances that have occurred to his family involving fires that were set to his property.

Jim Craig, Rental Property Owner, 2 14th Fairway Court, stated that he is glad the Fire Marshals will be able to site individuals as needed.

Bill Burton, Rental Property Owner, 450 Linden Street, he also supports the Fire Marshals Ordinance, that it will free up our Police Officers.

Don Corwin, Rental Property Owner, 251 Beechurst Avenue, is also in support of the Fire Marshals in getting enforcement powers. In this city there has been a culture of arson and the students do not believe they will get caught.

Arthur Trusler, Co-Chair of Morgantown Housing and Advisory Commission, he noted that the Fire Marshals need to be on the front lines constantly and Council needs to vote in favor of this Ordinance.

City Manager Jeff Mikorski clarified that approval of this Ordinance will be later on after approval of the Home Rule Board.

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

PUBLIC HEARING - AN ORDINANCE AMENDING SECTIONS 1505.01 AND 1511.02 OF THE MORGANTOWN CITY CODE TO GRANT CITY FIRE MARSHALS AND DEPUTY FIRE MARSHALS ARREST AUTHORITY AT FIRE SCENES AND FOR CERTAIN VIOLATIONS OF THE FIRE PREVENTION CODE.

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

PUBLIC HEARING - AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A SANITARY SEWER LINE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 23, PARCEL 44, AND DECLARING THE ATTACHED EASEMENT AS A PART THEROF.

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

PUBLIC HEARING AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A FENCE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 28, PARCEL 134, AND DECLARING THE ATTACHED EASEMENT AS A PART THEREOF.

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

PUBLIC HEARING - AN ORDINANCE AMENDING CITY CODE SECTION 747.02 PRESCRIBING A FIRE SERVICE FEE.

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

PUBLIC HEARING - AN ORDINANCE AMENDING CITY CODE SECTION 735.24 SETTING THE BUSINESS AND OCCUPATION TAX RATE FOR SERVICES BUSINESSES.

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

UNFINISHED BUSINESS:

AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A SANITARY SEWER LINE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 23, PARCEL 44, AND DECLARING THE ATTACHED EASEMENT AS A PART THEROF. The below entitled Ordinance was presented for second reading.

AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A SANITARY SEWER LINE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 23, PARCEL 44, AND DECLARING THE ATTACHED EASEMENT AS A PART THEROF.

Motion by Shamberger, second by Ganz to adopt the above entitled Ordinance. Motion carried 6-0.

AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A FENCE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 28, PARCEL 134, AND DECLARING THE ATTACHED EASEMENT AS A PART THEREOF. The below entitled Ordinance was presented for second reading.

AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A FENCE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 28, PARCEL 134, AND DECLARING THE ATTACHED EASEMENT AS A PART THEREOF.

Motion by Shamberger, second by Ganz to adopt the above entitled Ordinance. Motion carried 6-0.

AN ORDINANCE AMENDING CITY CODE SECTION 747.02 PRESCRIBING A FIRE SERVICE FEE. The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING CITY CODE SECTION 747.02 PRESCRIBING A FIRE SERVICE FEE.

After City Manager's explanation, motion by Kawecki, second by Ganz to adopt the above entitled Ordinance. Motion carried 5-1.

AN ORDINANCE AMENDING CITY CODE SECTION 735.24 SETTING THE BUSINESS AND OCCUPATION TAX RATE FOR SERVICE BUSINESSES. The below entitled Ordinance was presented for second reading.

AN ORDINANCE AMENDING CITY CODE SECTION 735.24 SETTING THE BUSINESS AND OCCUPATION TAX RATE FOR SERVICE BUSINESSES.

After City Manager's explanation, motion by Kawecki, second by Fike to adopt the above entitled Ordinance. Motion carried 5-1.

BOARDS AND COMMISSIONS: The City Clerk, Linda Tucker, informed Council that Diane DeMedici, Administrator for the County Commissioner, emailed the Clerk that Ed Hawkins will be the new appointment for the Met Theatre. By acclamation, Council approved the appointment.

PUBLIC PORTION:

Nicki Byrne Hoffman, 1289 Carlisle Avenue, has come to the Council Meeting on behalf of the Jerome Park Neighborhood Association and Woodburn Commission commending the City Council in passing the Fire Fee to help pay for the City's needs and funds. She stated that her family owns a B & O Tax Service base business and that even though there have been multiple conversations about the raising of the fire fee, it will affect their business. She stated that she does not mind if they pay an additional \$25.00 a year they know that the money will go towards City needs and Funds.

Jimmie Simmons, 127 Willowdale Road, stated that she worries about the fate of zoning in the City; we have to manage the development. City Council needs to look at R-1A and R-2 zones and the products that come from that. One side is going to win, one will lose. Single family housing is at risk.

WVU Student body President George Capel (**Exhibit D**) and Vice President Ashley Morgan along with a large contingent of student leadership asked Council to consider placing a student on council as an ex-officio member.

SPECIAL COMMITTEE REPORTS: No reports.

NEW BUSINESS:

AN ORDINANCE PROVIDING A RIGHT-OF-WAY AND EASEMENT WITH MUB FOR CONSTRUCTION OF SEWER LINE: The below was presented for first reading.

AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A SANITARY SEWER LINE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 23, PARCEL 44, AND DECLARING THE ATTACHED EASEMENT AS A PART THEREOF.

After City Manager's explanation, motion by Nugent, second by Kawecki, to pass the above entitled ordinance to second reading. Motion carried 6-0.

AN ORDINANCE PROVIDING THE RIGHT-OF-WAY FOR CONSTRUCTION OF A FENCE: The below entitled Ordinance was presented for first reading.

AN ORDINANCE PROVIDING FOR EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE MORGANTOWN UTILITY BOARD FOR CONSTRUCTION OF A FENCE ON A PORTION OF PROPERTY IDENTIFIED ON UNION DISTRICT TAX MAP 28, PARCEL 134, AND DECLARING THE ATTACHED EASEMENT AS A PART THEREOF.

After the City Manager's explanation, motion by Bane, second by Nugent to pass the above entitled ordinance to second reading. Motion carried 6-0.

AN ORDINANCE AMENDING 347.02 SETTING THE FIRE FEE: The above entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING CITY CODE SECTION 347.02 PRESCRIBING A FIRE SERVICE FEE.

City Manager explained where the Fire Fee will be utilized. After discussion, motion by Kawecki, second by Ganz to approve the above entitled Ordinance to second reading. Motion carried 4-2. (Counselor Bane and Nugent voted no)

AN ORDINANCE AMENDING CITY CODE SECTION 735.24 SETTING THE BUSINESS AND OCCUPATION TAX RATE FOR SERVICE BUSINESSES: The above entitled Ordinance was presented for first reading.

AN ORDINANCE AMENDING CITY CODE 735.24 TO SET THE B & O TAX RATE FOR SERVICE BUSINESSES.

City Manager explained generalities on how the funds would be used and how the monies would be generated. Questions and discussions from Council, motion by Kawecki, second by Ganz to approve the above entitled Ordinance to second reading. Motion carried 4-2. (Bane and Nugent voting no)

CITY MANAGERS REPORT:

New Business:

1. Street Paving Bids

First two memos attached from Public Works Director Damien Davis are bid results for the street paving material and labor to pave City streets in 2015.

On April 2, bids were opened for the advertised purchase of hot laid bituminous asphaltic cement. One company provided a bid for the material, Greer Industries, for a price of \$253,520. I recommend Council approve the purchase of asphalt for paving to the lowest bidder, Greer Industries, for \$253,520.00.

Motion by Nugent, second by Kawecki to accept Greer Industries for \$253,520.00 to purchase asphalt for paving for 2015. Motion carried 6-0.

On April 7, bids were opened for the advertised purchase of contract services of milling and paving City streets. One contractor submitted a price for paving services, Parrotta Paving, for \$292,395.30. I recommend City Council approve the contract for Parrotta Paving in the amount of \$292,395.30.

After discussion, motion by Nugent, second by Kawecki to approve Parrotta Paving for \$292,395.30 for the milling and paving of the streets. Motion carried 6-0.

2. Landfill Laboratory Service Bids

As seen in attached memo from Public Works Director Damien Davis, bids for laboratory services for the closed Municipal Landfill were opened on February 26, with one company submitting a cost for the advertised services. I recommend City Council approve the contact with Reliance Laboratories in the amount of \$9,914.00 for services to be provided.

After discussion, motion by Kawecki, motion by Shamberger, to contract Reliance Laboratories in the amount of \$9,914.00 for advertised services. Motion carried 6-0.

3. Demolition Bids

As seen in the attached memo from Public Works Director Damien Davis, bids were requested for the demolition of the condemned building at 645 Brockway Avenue. Anderson Excavating, LLC submitted the lowest bid. I recommend City Council approve the contract for demolition services to Anderson Excavating, LLC in the amount of \$29,994.00.

Motion by Ganz, second by Kawecki, to approve Anderson Excavating, LLC to demolish condemned building on Brockway Avenue for \$29,994.00. Motion carried 6-0.

4. Brownfield Environmental Services

As a part of the Environmental Protection Agency (EPA) grant awarded to the City of Morgantown, environmental services are required to accomplish the Phase I, Phase II, Site Remediation and associated tasks needed on selected properties in Morgantown for potential redevelopment. Core Environmental Services, Inc. was selected out of a field of five companies that submitted qualifications. I recommend City Council approve the contract and authorize the City Manager to sign the contract for services outlined in the attached scope of work.

Motion by Ganz, second by Shamberger, to approve Core Environmental Services, Inc. to accomplish tasks needed on selected properties in Morgantown for potential development. Motion carried 6-0.

5. Capital Escrow Budget Revision #6

With last week's announcement of the Air Force Reserve IRT project taking place next year to begin the grading for a runway extension project; it has advanced our timeframe for a Runway Extension Environmental Assessment for the project to be initiated. A number of documents need to be completed as soon as possible to take advantage of the IRT opportunity and begin grading next year. The City of Morgantown must contract with the airport engineering of record, Michael Baker International, to begin the assessment. The cost of the contract for the Environmental Assessment is estimated at \$500,000. A contract will be available Tuesday to accompany the Capital Escrow revision, and I recommend that City Council approve the budgeting of the environmental assessment from Capital Escrow contingency funds to pay for the study and allow the City Manager to sign the contract. In addition, I recommend the budgeting of Urban Forestry funds, Urban Landscaping special project funds, and Campus Neighborhood Revitalization Corporation (Sunnyside Up) funds also from the Capital Escrow contingency funds. These funding levels were discussed during the Fiscal Year budget 2015-2016 Council meetings. Budgeting from existing Capital Escrow contingency funds will replace the funding of the projects in the upcoming FY budget, allowing for additional paving to be budgeted in the FY 2015-2016 budget.

Motion by Ganz, second by Shamberger, to approve the contract Environmental Assessment, estimated at \$500,000 budgeting of the Urban Forestry Funds, Urban Landscaping special project funds, and Campus Neighborhood Revitalization Corporation funds from the Capital Escrow. Motion carried 6-0.

Information:

1. Information Requested By Council

Attached is information that was requested by City Council during last Council Meeting. Attached is a memo from Chris Fletcher, Director of Development Services regarding the requested information on a re-zoning. Also, attached is an estimated breakdown of funds to be utilized by Council requested Business and Occupation Tax increase and Fire Fee increase.

After discussion, motion by Nugent, second by Kaweck, to approve the Planning Commission annual report. Motion carried 6-0.

2. Woodburn School Grants

The Woodburn School Redevelopment Commission presented a three phased approach to redeveloping the lower portion (playground area) of property. Before moving ahead by working with the City on grant opportunities, the Commission would like City Council to show support for the proposed project by approving the plan to move forward. The Manager's office will work with the Commission to apply for grants through the City, as property owner, and bring grant agreements forward for Council's action and possible matching fund requirements.

After discussion, motion by Ganz, second by Kaweck, to approve the Woodburn School Grants. Motion carried 6-0.

REPORT FROM CITY CLERK: Mrs. Tucker announced that a new Liquor License application was received for Pre-Gamers, LLC. and that it goes out to the ABCC on April 22, 2015. Mrs. Tucker also announced that the Early Voting continues (with 203 votes so far) until Saturday, April 25, 2015 in the City Hall Building Lobby from 8am to 5pm. There will be parking on Fayette and also under the Pavilion where the Farmers Market is held. Election Day is April 28, 2015 and polls open at 6:30 am and will close at 7:30 pm. If there are any questions about where you need to vote or polling place, please call the City Clerk's Office at (304) 284-7439.

REPORT FROM CITY ATTORNEY: City Attorney Ryan Simonton explained the Home Rule Amendment Process to City Council. He then advised if any of council has questions in regards to the procedures to contact him.

REPORT FROM COUNCIL MEMBERS:

Councilor Bane:

Absent

Councilor Kaweck:

No Report

Councilor Nugent:

Councilor Nugent commended the Outstanding Community participating this evening in the debate and discussion from the WVU Student Body President George Capal and Vice President Randy Jones. He also noted Chocolate Lovers Day as a great event. He noted sadly that Elegant Alley Cat is closing soon. He commended the Clerk on the Election, the Public Service Announcements and the Banners throughout the Community. Councilor Nugent commented about revenue decisions and said that in the future he would be more supportive. Councilor Nugent then requested more information to Council about the survey that is being conducted from the City Manager in a

report to City Council. He also submitted several code related incidents and asked the City Manager to follow up as soon as possible for these are health related issues.

Councilor Shamberger

Councilor Shamberger requested that from now on there be a report given from the Assistant City Manager on the Agenda. Mayor Selin noted a reminder to Assistant City Manager/Airport Director, Glen Kelly, a request for a Grand Opening and a tour of the new airport project. Glen Kelly explained the scope of the project and noted that he would keep Council informed. She then thanked Casto and Harris for the testing of the Election equipment. She then told Council of her experience speaking with a group of people in Fairmont about Neighborhood Associations. She informed everyone that the next First Friday event at Woodburn School will be May 1st; Apple Pappy will be the Band and art mural by Jamie Lester to view while attending the event. She then announced that one of the Basketball players from Morgantown High School that received Honors this evening will play on the WVU Girls Basketball Team this fall.

Councilor Fike:

Councilor Fike stood up in honor of WVU Students who spoke this evening in reference to the ex-officio member on City Council. After discussion, by consensus Mike Fike agreed to place ex-officio topic on a future COW Agenda.

Councilor Ganz:

Councilor Ganz noted the opportunities of working with students, Town and Gown, the Mutual Clean-ups, Service Learning Boards, and Civic Engagement. She noted there are also opportunities for students to serve on Boards and Commissions and Neighborhood Associations. Counselor Ganz agreed that the students need to be inter-related with Council; which would give elected officials ability to attend

their meetings also. Councilor Ganz explained Councilors could attend such meetings as Board of Governors or Faculty Senate. Councilor Ganz commented President Gee has stated we are inextricably connected so I continue in having that great relationship. Councilor Ganz also thanked Glen Kelly, Assistant City Manager/Airport Director for the progress at the Airport. Councilor Ganz also noted that the revenue decisions of the budget are tough for all of Council. She also commended the City Manager and Deputy Mayor for working with students with the Service Learning Project on the City's Survey. Councilor Ganz then reported the Suncrest Neighborhood Association meeting will be on April 30th at 6:30 pm. at Calvary Baptist Church.

Mayor Selin:

Mayor Selin publicly requested nominations are now being taken for Celebration of America; she along with the County Commission are seeking candidates for the July 4th Celebration. Mayor Selin noted in reference to the budget and expending of money and the basic services she thinks that the citizens would need to know what they will be getting for their money as we are spending money would that mean next year would we have more money for other expenses; we need to show citizens more accountability. Mayor Selin requested that a process be developed for a sidewalk program in the next couple months with a cost projection. Mayor Selin requested from the City Manager to Council an update on the Survey to clarify any questions they have. Mayor Selin then mentioned that she had spoken to a few business owners about the B & O Tax Rate and the City should have a clear answer to all business owners as we go forward.

ADJOURNMENT: There being no further items of business or discussion, the meeting adjourned by unanimous consent at 10:25 p.m.

City Clerk

Mayor

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

Exhibit A

Zimbra

llittle@cityofmorgantown.org

MFD Support

From : rickhill2000@aol.com

Fri, Apr 17, 2015 01:08 PM

Subject : MFD Support

1 attachment

To : llittle@cityofmorgantown.org

Hi Linda,

I have attached a letter I drafted in support of MFD. Please allow it to become part of the public record.

Thanks,

Rick Hill

Rick Hill MFD Support.docx

— 12 KB

April 17, 2015

City of Morgantown Public Hearing /
WV Municipal Home Rule Oversight Board

Dear Board Members,

Our fine city has been plagued with arson and malicious fires for the past 30 years. As the first appointed Morgantown Fire Marshal with 27 years of service at MFD, I witnessed the fire problem escalate to dangerous levels during my career. I fully support the City's proposed home rule ordinance to expand the investigative authority of its fire marshals to include the power to detain or arrest perpetrators setting fires. It is my understanding the West Virginia State Fire Commission voted to approve the city's proposed ordinance granting additional authority to fire marshals, and the West Virginia Attorney General issued a formal opinion supporting the legal basis of the proposal.

The citizens and taxpayers have a right to enjoy their community without fear of widespread property damage from dumpster and rubbish fires. I recently read a report that indicated the City of Morgantown ranked 2nd in the United States for the number of dumpster fires. The statistics are shocking when you realize more dumpster fires occur here than in Los Angeles or Philadelphia.

Amending the Home Rule plan is an excellent opportunity to address the fire problem that is specific to Morgantown. Please accept my comment of support into the official public hearing record.

Sincerely,

Richard A. Hill
Captain (Retired)
304-685-9048

20 April 2015

Morgantown City Council
Public Hearing &
WV Home Rule Board
Morgantown, WV

To whom it may concern,

Please accept my correspondence into the public hearing record. My name is Mark Lambert. I spent 23 years in the Investigation Division of the WV State Fire Marshal's Office. During the last several years I spent WVU home game weekends in Morgantown assisting the city FD/PD with the numerous malicious fires set in certain areas of town. In light of that firsthand experience, I fully support the granting of limited law enforcement authority and training of city fire marshals. Often times your marshals are drawn into dangerous situations with police units tied up on other, just as dangerous, situations. The decision to train individuals for the possible use of deadly force is never one to be taken lightly, and I fully believe with the proper training, city fire marshals will continue to be a valued asset and credit to the city of Morgantown.

Most Respectfully,

Mark R. Lambert
507 Burroughs Street
Morgantown, WV 26505
304-687-7228

Exhibit C

Zimbra

llittle@cityofmorgantown.org

Expanded authority for Fire Marshall

From : mike williams2 <mike_williams2@frontier.com>

Sun, Apr 19, 2015 07:12 PM

Subject : Expanded authority for Fire Marshall**To :** llittle@cityofmorgantown.org**Reply To :** mike williams2 <mike_williams2@frontier.com>

I wanted to voice my support for any expanded authority given to the Fire Marshal's office to discourage dumpster fires, particularly arrest power. I have rental properties located at St. Mary Street, Third Street, and Beverly Avenue.

I have had dumpster fires at the Third Street and Beverly Avenue locations. One fire would likely have resulted in substantial building damage but for the quick action of undercover fire marshal personnel that night.

Michael T Williams (MTW Apartments, LLC; GMCW Ventures, LLC; MTW Management, LLC)
304-669-5571

Exhibit D



April 20th, 2015

Distinguished Members of Morgantown City Council:

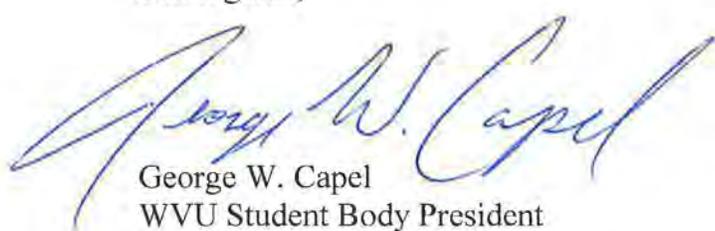
I am writing to encourage you to join myself, and the WVU student body, in our effort to create a permanent seat for an ex-officio, non-voting, WVU student member on the Morgantown City Council.

As students, we view this city as our home, and we want to take on a greater role to help make a difference for Morgantown, West Virginia. We believe that communication is essential to the success of our shared community, and we want to foster a more cohesive relationship between our WVU students and the City of Morgantown.

There is no doubt that Morgantown has changed over the years, as I have witnessed these changes with my own eyes. However, I am absolutely convinced that our greatest times are still ahead of us, provided that we pull together to make them a reality. We have a collective vision for a Morgantown community that chooses to break down its social barriers in furtherance of those common goals that are held by all of our major constituencies. In the words of former WVU President David C. Hardesty, "...we need to look around every community in West Virginia to see if we are doing everything we can to empower those who want to make something of themselves and their communities. Laws may need to be changed. Linkages must be forged. Collaborations must be fostered." I believe these words embody the situation at hand.

Tomorrow evening, our students will assemble with this vision in mind to make their voices heard at city hall. Needless to say, great power comes with great responsibility, but I believe that our students are up to the task. As Student Body President, I speak on behalf of nearly 30,000 students, and we humbly ask you to join us in advancing our cause. Thank you for your time and consideration. I look forward to working with you to realize our vision for the betterment of the entire Morgantown community.

Best regards,


George W. Capel
WVU Student Body President

BOARDS AND COMMISSIONS - TERMS EXPIRED AND CURRENT VACANCIES

FIRE CIVIL SERVICE:

Dan Hursh e-mailed that he must resign due to personal reasons. We are looking for a new Commissioner administratively. This is a City Manager appointment.

METROPOLITAN THEATRE COMMISSION:

Connie Merandi has resigned. Will advertise for candidates to replace vacancy. 7 members to be City residents, 1 member from Council, 1 member from County Commission.

MORGANTOWN HOUSING ADVISORY COMMISSION:

Chelsi Baker has done a press release for members. Council will be notified when the Clerk gets applications and will keep Council updated. Attached is press release.

URBAN LANDSCAPE:

Cindy Fike the 6th ward member is resigning. Nicole Panaccione, Fourth Ward resigned on 7/1/2014. Councilor Selin is looking for a replacement for that position on that commission. Also, Joseph Scotti resigned as Fifth Ward member. Am asking our Deputy Mayor and 5th Ward Council member to find a replacement. Nominated by CM, one from each WD, 13 members with staggered terms and 1 Councilor. City Manager and Clerk will be meeting to discuss appointments.

TREE BOARD:

Kara Hurst also resigned from the Tree Board. City Clerk advertised for new members. Residents appt. not ward specific; one member must have knowledge of tree management and care.

*POLICE & FIRE CIVIL SERVICE COMMISSIONS: NEW PRESIDENTS APPOINTED IN JANUARY.

**Information for Boards and Commissions vacancies are placed in the Dominion Post, are advertised on the City's Government Station Channel 15, and are posted at the Library and also information is on the City's Web Page.*

**Council decided on 3-21-06 by unanimous consent that if there is only one candidate for Boards & Commissions, that they will not interview; the City Clerk will check with Council before scheduling a Special Meeting.*

**BZA and Planning Commission term expirations are advertised in October and interviews must be completed by December per State Law.*

5/8/15

AN ORDINANCE AMENDING CITY CHARTER SECTION 2.12 AND ADDING A NEW SECTION 2.17 PERMITTING AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENTS BY RESOLUTION RATHER THAN ORDINANCE.

WHEREAS, pursuant to the authority granted to the City of Morgantown as a Home Rule Municipality under West Virginia Code § 8-1-5a, City Council is authorized to provide for the entry into agreements with other jurisdictions by resolution rather than by ordinance; and

WHEREAS, by authorizing the authority to enter agreements with other jurisdictions by resolution rather than by ordinance, the City shall be exempt from the provisions of West Virginia Code § 8-11-3(10); and

WHEREAS, West Virginia Code § 8-4-8 provides that whenever the governing body of a municipality shall deem it expedient to amend the charter of the City, it shall propose the amendment by ordinance; and

WHEREAS, City Council finds and determines that it would be in the best interest of the City to amend its Charter so that the City may enter agreements with other jurisdictions by resolution rather than by ordinance and thereby promote efficient governance;

NOW, THEREFORE, the City of Morgantown hereby ordains that the City Charter is amended as follows:

SECTION 2.12. ACTION REQUIRING AN ORDINANCE.

In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the City Council shall be by ordinance which:

- (1) Adopt or amend an administrative code or establish, alter or abolish any City department, office or agency;
- (2) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- (3) Levy taxes, except as otherwise provided in Article V with respect to the property tax levied by adoption of the budget. Provide for the collection of fees of any lawful kind;
- (4) Grant, renew or extend a franchise;
- (5) Regulate the rate charged for its services by a public utility, to the extent permitted by law;
- (6) Authorize the borrowing of money;
- (7) Convey or lease or authorize the conveyance or lease of any lands from the City or to the City;
- (8) Require a license to do business;
- (9) Provide for a public improvement;
- (10) Lay out or vacate a public street, avenue, road, alley or way;
- (11) Relate to planning and zoning;
- ~~(12) Provide for a contractual or other agreement with another jurisdiction;~~
- (12 3) Adopt with or without amendment ordinances proposed under the initiative power;
- (13 4) Change ward boundaries;

(14 5) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VIII with respect to repeal of ordinances reconsidered under the referendum power.

SECTION 2.17. RESOLUTIONS FOR INTERGOVERNMENTAL AGREEMENTS.

The City Council is authorized to provide for a contractual or other agreement with another jurisdiction by resolution.

This ordinance shall become effective upon adoption, subject to the statutory requirements imposed by West Virginia Code section 8-4-8.

FIRST READING:

Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:

AN ORDINANCE AMENDING ARTICLE 1149 OF THE CITY CODE RELATING TO PUBLIC NUISANCE TO PROVIDE FOR PLACING OF PUBLIC NUISANCE REMOVAL LIENS WITHOUT A COURT ORDER

WHEREAS, West Virginia Code § 8-12-5(23) permits the City to provide for the elimination of hazards to public health and safety and to abate or cause to be abated anything which in the opinion of a majority of the governing body is a public nuisance, but does not provide authority to recover the cost of eliminating such hazards by filing a lien against the property involved; and

WHEREAS, West Virginia Code § 8-12-16 permits the City to adopt ordinances regulating the repair, alteration or improvement, or the vacating and closing or removal or demolition of any buildings unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities or any other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare but does not specify that such ordinances may be adopted, or liens placed on property, for public nuisances identified by the City that do not meet the specific statutory categories; and

WHEREAS, pursuant to the authority granted to the City of Morgantown as a Home Rule Municipality under West Virginia Code § 8-1-5a, City Council is authorized to provide for the authority to file liens against real property without a court order for the costs to the City of abating a public nuisance on such property;

NOW THEREFORE, the City of Morgantown hereby ordains that Article 1149 of the City Code is amended as follows:

1149.01 PURPOSE; PUBLIC NUISANCE ABATEMENT.

Council may, by resolution, abate anything which, in the opinion of a majority of Council, constitutes a public nuisance after due notice to all parties that could be affected and after such hearings as Council deems necessary to ascertain a factual and rational basis for the abatement of any such public nuisance.

1149.02 APPLICATION.

The provisions of this article shall apply to all public nuisances as hereinafter designated which are now in existence or which may hereafter exist in the City.

1149.03 DEFINITION; PUBLIC NUISANCE.

(a) A public nuisance is one which affects an indefinite number of persons, or the residents of a particular locality, or people coming within the extent of its range or operation, although the extent of the annoyance or damage inflicted upon individuals may be unequal. Such public nuisance endangers the health, safety and welfare of the community and is dangerous and detrimental to the public health, may violate the laws of the City and/or State as well as obstructs the community from reasonable and comfortable use of property.

(b) A public nuisance may arise from the unreasonable, unwarrantable or unlawful behavior associated with the property, either real or personal, which hinders the neighboring community and the general public from enjoying the common and public rights enjoyed by the general community in like areas where no such public nuisance exists.

(c) For purposes of this article a continuing public nuisance is an uninterrupted or periodically recurring public nuisance, not necessarily a constant or unceasing injury, but a nuisance which occurs so often and is so necessarily an incident of the use of property complained of that it can fairly be said to be continuous. Such a nuisance may be of such character that its continuance is necessarily an injury which will continue without change.

(d) A continuing public nuisance may be found to be a permanent public nuisance when its continuance is necessarily an injury which will continue without change, unless Council takes such action to cease any like nuisance from becoming established and re-occurring at the particular location. It is not enough to show a slight interference to the public welfare and such will not be restrained unless the type of business or manner of operation is injurious to the public health, safety and welfare of the community or has a tendency to promote unlawful behavior or behavior which is considered by the City Administration, including its health and/or safety officials, to be a menace to public order and safety.

(e) The procedure by which the City of Morgantown will address public nuisances is set forth in the remaining sections of this article.

1149.04 REPORT, RECOMMENDATIONS TO COUNCIL AND HEARING.

Public safety and law enforcement officers, as well as affected members of the community, shall report findings and recommendations to the City Manager, and if the City Manager ascertains from the report and findings that the condition presents a public nuisance, as defined within this Article, the City Manager shall make his recommendation to City Council that just cause exists to abate the nuisance. Whereupon by a majority vote of City Council, a hearing shall be held after at least ten days' notice is provided to the property owner, tenant, business manager and/or licensee of the time and place of such hearing, which notice shall contain a statement or specifications of the charges, grounds or reasons for such proposed contemplated action, and which shall be served upon the property owner, tenant, business manager and/or licensee as notices under the West Virginia Rules of Civil Procedure or by certified mail, return receipt requested, and shall, in addition, be posted in a conspicuous place on the premises as well as within 100 feet surrounding such premises affected by the recommendation. The term "cause" shall include the doing or omitting of any act or permitting any condition to exist which causes a public nuisance as defined in this article. At which time and place, so designated in the notice, City Administration shall put forth its evidence in support of the recommendation made to City Council as well as the property owner, tenant, business manager and/or licensee shall have the right to appear and produce evidence in his/her/its behalf, and to be represented by counsel. At the conclusion of the hearing, City Council shall render a decision.

1149.05 FINDINGS OF CITY COUNCIL.

(a) At the conclusion of the hearing described in Section 1149.04, City Council will issue its findings on the matter. In doing so, it may determine that a public nuisance does not exist, or that a public nuisance does exist and in such case, what corrective action the property owner, tenant, business manager and/or licensee must take to eliminate the public nuisance and the time

period in which such action must take place. Additionally, upon a showing that there has been a continuing nuisance of similar character and circumstances at a particular location which meets the criteria for a permanent nuisance as set forth in Section 1149.03 of this article, City Council may declare such a permanent public nuisance and prohibit similar acts, occupations, types of businesses or structures at such location. In determining whether or not a permanent public nuisance exists, City Council shall consider reports of City administration, safety, and law enforcement officials, as well as public comment and complaints of the community spanning, at a minimum, a three year period immediately preceding the date of the hearing.

(b) Should any property owner, tenant, business manager and/or licensee fail to take the corrective action prescribed by City Council in the time period allotted, the City employees and/or agents of the City necessary to abate the nuisance may enter upon the property constituting a public nuisance and abate the conditions creating the nuisance, regardless of whether such nuisance constitutes a threat to public safety.

(c) If the City abates a nuisance as permitted by Section 1149.05(b), the City shall be entitled to a lien against the real property on which such nuisance was abated for all costs incurred in abating the nuisance, including the actual value of labor expended to abate the nuisance, without the necessity of obtaining a court order for such lien. The City may collect on such lien in the same manner as provided for liens for taxes or paving assessments, or by an action at law, or in any other manner provided by law for the collection of debts due to a municipality.

1149.06 RECONSIDERATION OF PERMANENT PUBLIC NUISANCE.

Should City Council declare a location to be a permanent public nuisance, any further use of that same location for the same use shall not be allowed; however, reconsideration by City Council of its Declaration of Permanent Nuisance may occur if such reconsideration request is filed in writing with City Council within three (3) months of City Council's decision on the matter. The relief requested in the petition for reconsideration may be granted by City Council if, in its opinion, the petitioner has presented it with sufficient information demonstrating that, more likely than not, the elements making up and causing the nature of the permanent public nuisance in question will be eliminated. The order of City Council in granting any such petition shall indicate that the use of the premises/realty at issue will be considered probationary for a period of one year from the date the use commences, and that any reoccurrence of similar activity which lead to the prior declaration of a permanent public nuisance or would lead to a new nuisance violation shall automatically reactivate City Council's previous determination that the site is a permanent public nuisance. In that event, upon written notice by the City Manager to and received by the Petitioner, such usage of the site shall cease immediately.

1149.07 APPEALS AND ENFORCEMENT.

In the event that such property owner, tenant, business manager and/or licensee may be aggrieved by such decision of City Council, which may include and not be limited to revocation or suspension of any licensures and/or the restricted use of such property having been declared a nuisance, petition for such review must be filed with the circuit court within a period of thirty days from and after the date of final action by Council. Any person, firm, corporation, landowner, licensee so affected has the right to apply to the circuit court for a temporary

injunction pursuant to the provisions of the W. Va. Code. The Municipality is also entitled to any and all appropriate judicial relief against public nuisances.

1149.08 STATE BUILDING CODE AND FIRE CODE.

This article shall not supersede those requirements and procedures set forth in either the West Virginia State Building Code or the West Virginia State Fire Code.

1149.09 SEVERABILITY.

If any section, subsection, provision, clause or phrase of this article or the application thereof to any person or circumstance is held unconstitutional or invalid, such unconstitutionality or invalidity shall not affect other sections, subsections, provisions, clauses or phrases or applications of this article and to this end each and every section, subsection, provision, clause and phrase of this article is declared to be severable. This article is in addition to and not dependent upon other articles of this Code.

This ordinance shall be effective upon date of adoption.

FIRST READING:

Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:

Zimbra

hcarl@cityofmorgantown.org

Public Hearing Notice

From : Heather Carl <hcarl@cityofmorgantown.org>

Thu, May 07, 2015 09:01 AM

Subject : Public Hearing Notice 1 attachment**To :** srivera@dominionpost.com**Cc :** Linda Little <llittle@cityofmorgantown.org>, Carol Allen <callen@cityofmorgantown.org>, Jeff Mikorski <jmikorski@cityofmorgantown.org>, Ryan Simonton <rsimonton@cityofmorgantown.org>

Sara,

Please see attached the Public Hearing Notice.

Thanks,

Heather Carl
Secretary/City Clerk's Office
389 Spruce Street Rm 10
Morgantown, WV 26505-5579
hcarl@cityofmorgantown.org
(304) 284-7439

http://127.0.0.1:1075/service/home/~/.5.19.15.1.docx?auth=co&loc=en_US&id=2684079e-4001-4e2c-9941-68a9622ff7c2:1073742340&part=2

 **5.19.15.1.docx**
22 KB

**AN ORDINANCE PROVIDING FEES AND PROCEDURES APPLICABLE TO
REQUESTS FOR PUBLIC RECORDS**

WHEREAS, the City of Morgantown previously adopted Ordinance 12-42 establishing fees to be charged for production of records pursuant to requests, including requests governed by the West Virginia Freedom of Information Act (the "Act"); and

WHEREAS, the West Virginia Code governing production of documents governed by the Act was amended by House Bill 2636, effective June 12, 2015; and

WHEREAS, the amendments to the Act require revisions to the City's process for producing requested public records; and

WHEREAS, the City intends to promote open access to public records and ensure that reasonable regulations govern the actions of public employees in responding to records requests;

NOW THEREFORE, the City of Morgantown hereby ordains as follows:

- (1) That the charges provided on the attached exhibit, made a part of this Ordinance, are hereby established and shall be charged for the production of public records under the West Virginia Freedom of Information Act; and
- (2) That the City Manager is authorized and directed to make reasonable rules and regulations necessary for the protection of public records and to prevent interference with the regular discharge of the duties of City employees involved in providing access to public records.

This ordinance shall be effective June 12, 2015.

FIRST READING:

Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:

EXHIBIT

Copies

8 1/2 x 11 to 11 x 17 Black & White or Color	\$ 0.25/page
24 x 36 to 36 x 42 Black & White	\$ 0.75/page
36" Wide Plotter/map B&W or Color	\$ 1.50/page

CD/DVD/Digital Media Duplication

Police/Fire InCar tape duplication	\$ 25.00
Public Meeting Videos, Documents, Other not specified in this Exhibit	\$ 1.00
Photographs (on photo paper)	\$ 3.00

Special Reports

Airport, Fire and Police Incident Report	\$ 5.00
Police Arrest Report	\$ 5.00
Fire and Police Motor Vehicle Crash Report	\$ 10.00

Other

1. If the City determines a non-employee vendor or contractor will assist in the production of records, the vendor or contractor services will be charged at cost.
2. Postage/Shipping/Special Handling will be charged at cost.
3. All fees must be paid prior to receiving requested material.

Zimbra

hcarl@cityofmorgantown.org

Public Hearing Notice

From : Heather Carl <hcarl@cityofmorgantown.org>

Wed, May 06, 2015 11:12 AM

Subject : Public Hearing Notice 2 attachments**To :** srivera@dominionpost.com**Cc :** Linda Little <llittle@cityofmorgantown.org>, Carol Allen <callen@cityofmorgantown.org>

Sarah,

Please see the attached Public Hearing Notice

Thank You,
Heather Carl
Secretary/City Clerk's Office
389 Spruce Street Rm 10
Morgantown, WV 26505-5579
hcarl@cityofmorgantown.org
(304) 284-7439

 **5.19.15.docx**

22 KB

 **6.2.15.docx**23 KB

AN ORDINANCE AMENDING THE FY 2014-2015 ANNUAL BUDGET OF THE CITY OF MORGANTOWN AS SHOWN IN THE REVISED BUDGET ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE AS THE SAME APPLIES TO THE GENERAL FUND.

The City of Morgantown hereby ordains:

That the FY 2014-2015 Annual Budget of the General Fund of the City of Morgantown is amended as shown in the revised budget (Revision 04) attached hereto and made a part of this ordinance.

First Reading:

Adopted:

Mayor

Filed:

Recorded:

City Clerk

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: 627-2417

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
 FY: **2014-2015**
 Fund: **General**
 Rev. No: **4**
 Pg. of No. **1 of 1**

City of Morgantown
 GOVERNMENT ENTITY

Person To Contact Regarding Request:

Name: **Denise R. White**
 Phone: **304-284-7407**
 Fax: **304-284-7418**

389 Spruce Street
 STREET OR PO BOX

Municipality
 Government Type

Morgantown CITY 26505 ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
305	Business and Occupation Tax	16,275,000	410,000		16,685,000
304	Excise Tax on Utilities	990,000	65,000		1,055,000
308	Hotel Occupancy Tax	875,000	14,000		889,000
309	Amusement Tax	5,000	7,000		12,000
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 496,000

Explanation for Account # 378, Municipal Specific:
 Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
414	Finance Office	790,814		24,721	766,093
415	City Clerk	176,015	14,200		190,215
416	Police Judge's Office	257,494	24,721		282,215
417	City Attorney	319,275	4,500		323,775
438	Elections	19,000	5,000		24,000
444	Contributions / Transfers to Other Funds	4,874,806	410,000		5,284,806
900	Parks & Recreation	1,271,059	10,500		1,281,559
901	Visitors Bureau	437,500	7,000		444,500
439	Data Processing	167,990	12,000		179,990
699	Contingencies*	271,024	32,800		303,824
	#N/A				

NET INCREASE/(DECREASE) Expenditures 496,000

APPROVED BY THE STATE AUDITOR

BY: Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

City of Morgantown

Finance Department

389 Spruce Street

Morgantown, WV 26505

Phone 304-284-7407/Fax 304-284-7418

dwhite@cityofmorgantown.org

MEMO

DATE: May 13, 2015
TO: Jeff Mikorski, City Manager
FROM: Denise White, Interim Finance Director *Denise*
RE: General Fund Budget Revision (#4)

The "Request for Revision to Approved Budget" for the General Fund for fiscal year 2015 accompanies this memo. This is the final budget revision for the fiscal year, and it must be submitted to the State Auditor's Office by June 10, 2015. Consequently, I am requesting that it be presented to Council, along with the accompanying ordinance, for first reading on Tuesday, May 19, 2015.

The following details the requested revisions:

- 1) Construction B&O taxes are expected to be \$410,000 over the amount currently budgeted. This increase in revenue is offset by an increase in Contributions to Capital Escrow in the same amount.
- 2) Hotel Occupancy Tax and Amusement Tax are expected to come in at \$14,000 and \$7,000 over budget, respectively. This increase in tax revenue is designated to the Visitors and Convention Bureau in the amount of \$7,000 (1/2 of the Hotel Occupancy Tax) and BOPARC in the amount of \$10,500 (1/4 of the Hotel Occupancy Tax and all of the Amusement Tax).
- 3) Excise Taxes on Utilities are expected to come in \$65,000 above budget. This additional revenue is used to cover departmental expected shortages as follows:

Finance	Part-time clerk transferred to Finance	(24,721)
Municipal Court	Part-time clerk transferred from Finance	24,721
City Attorney	Adjust salaries for part-time consulting	1,500
	Subscription service	<u>3,000</u>
		4,500.00
City Clerk	Professional Fees	4,000.00
	Contracted Services	3,200.00
	Civil Service	<u>7,000.00</u>
		14,200.00
Elections	Advertising	5,000
IT	NWS and Microsoft Agreements	12,000

The difference between the revenue and expenditure adjustments resulted in an increase to the Contingency line of \$32,800.

