



Office of the City Clerk

# The City of Morgantown

Linda L. Tucker, CMC  
389 Spruce Street, Room 10  
Morgantown, West Virginia 26505  
(304) 284-7439 Fax: (304) 284-7525  
ltucker@morgantownwv.gov

**AGENDA**  
**MORGANTOWN CITY COUNCIL**  
**COMMITTEE OF THE WHOLE**  
**September 27, 2016**  
**7:00 p.m.**

**NOTE:** Committee of the Whole Meetings of the Morgantown City Council are intended to provide an opportunity for the Council to receive information, ask questions, and identify policy options in an informal setting. No official action is taken at these meetings. At this Committee of the Whole Meeting the following matters are scheduled:

**PRESENTATIONS:**

1. Superintendent of Schools – for Levy
2. Compliance Review
3. Dan Shook – Safe Communities
4. Nuisance Property – Mike Stone
5. Aggressive Panhandling – Ordinance Parkersburg Case Law – Ryan Simonton & Brent Burton
6. Ally Jackson – Multidisciplinary Team
7. John Sonneday – Homeless Task

**PUBLIC PORTION:**

**ITEMS FOR DISCUSSION:**

1. Superintendent of Schools – for Levy
2. Ordinance Creating Taxi-Stands
3. Nuisance Property
4. Panhandling – Law Change
5. Gifts for Volunteers

**\*If you need an accommodation contact us at 284-7439\***

# Compliance Review Packet



- Summary Compliance Review Procedures
- Initial Letter & Pre-Compliance Review Questionnaire
- In-Compliance Letter
- Non-Compliance Letter & Compliance Review Findings Report
- Quarterly Statistical Data Report



CITY OF MORGANTOWN  
FINANCE DEPARTMENT

### Summary Compliance Review Procedures

1. Businesses are randomly chosen for the Compliance Review process. All active accounts are alphabetized and separated out by their filing classification and chosen at random using the following selection process:
  - a. A filing classification is chosen (e.g., Retailers, Restaurants, etc.).
  - b. The Excel RAND function is used to randomly select a predetermined number of businesses for Compliance Review.
2. Businesses are mailed a letter informing them their account has been selected for a Compliance Review. Included with the letter is a Pre-Compliance Review Questionnaire for business to complete. Businesses will be provided two weeks to complete questionnaire and to provide the appropriate supporting documentation.
3. If the business fails to respond within two weeks, a second letter will be mailed citing City Code and providing the business an additional 10 days to respond and provide the Pre-Compliance Review Questionnaire and appropriate supporting documentation.
  - a. If taxpayer fails to respond within the 10 days, a third letter will be prepared and mailed as needed (letter to include, but not limited to Subpoena, Assessment, Circuit Court, Additional Fines, Legal Costs, etc.).
4. Once the questionnaire and reports are received, Tax Auditor will complete the review process in a timely manner and provide correspondence to the business regarding the Compliance Review findings.



## FINANCE DEPARTMENT

September 22, 2016

# The City of Morgantown

389 SPRUCE STREET  
 MORGANTOWN, WEST VIRGINIA 26505  
 PHONE: (304) 284-7488 FAX: (304) 284-7418  
 jbriggs@morgantownwv.gov  
 www.morgantownwv.gov

Dear Business Owner:

The City of Morgantown appreciates and values your business. The Finance Department strives to analyze and promote accuracy, efficiency and professionalism. Our goal is to make business practices as fair and as simple as possible to support the economic growth of the citizens and businesses of the city.

The reason we are writing today is to inform you that your account has been randomly selected for a compliance review. During the compliance review process, we will be examining B&O Taxes, City Licensing, Municipal Service Fees, Fire Fees, and any other applicable taxes or fees. We value your business and want to insure that your account is in compliance with City Code.

Enclosed you will find the Pre-Compliance Review Questionnaire. Please complete the questionnaire and provide the documentation listed below by Date. In order to complete the Compliance Review, we are requesting the following information for the time period **January 1, 2013 – December 31, 2015**. Thank you for your time and cooperation. If you have any questions, please contact Tax Auditor John Briggs at 304-284-7488.

- Pre-Compliance Review Questionnaire
- Trial Balance
- Balance Sheet
- Income Statement
- WV Sales & Use Tax Report
- Payroll Journal/Reports
- Copy of current WV State Business Registration (if applicable)
- Copy of current WV ABC License (if applicable)
- Any other supporting documents for taxes and fees.

Thank you,

John Briggs  
 Tax Auditor

June 6, 2016

## Pre-Compliance Review Questionnaire

Business Identification			
B&O Account Number	Business Name	Business Phone	
Business Email		Business Website	
Official in Charge of Records – Name		Title	
Address of Business/Records			
City	State	Zip Code	Phone Number

If you rent, please complete the information below:

Landlords Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_

Please indicate below the number of employees working within Morgantown City Limits for each category that applies to your business:

Full-Time \_\_\_\_\_ Part-Time \_\_\_\_\_ Self-Employed \_\_\_\_\_ Volunteers \_\_\_\_\_ Seasonal/Temporary \_\_\_\_\_

Please indicate below the pay frequency of your business:

Weekly \_\_\_\_\_ Bi-Weekly \_\_\_\_\_ Semi-Monthly \_\_\_\_\_ Monthly \_\_\_\_\_ Other \_\_\_\_\_

Please list affiliated Companies and B&O Account Numbers

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Description of business activities and comments:

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To complete the Compliance Review for your business for the time period of January 1, 2013 – December 31, 2015 the City of Morgantown is requesting the following information be provided to the Finance Department.

- Completed Pre-Compliance Review Questionnaire
- Trial Balance
- Balance Sheet
- Income Statement
- WV Sales & Use Tax Report
- Payroll Journal/Report
- Copy of current WV State Business Registration (if applicable)
- Copy of current WV ABC License (if applicable)
- Any other supporting documentation for taxes and fees.

The above information is correct to the best of my knowledge.

Printed Name	Email Address:
Signature	Title
	Date

June 6, 2016

**FINANCE DEPARTMENT**

September 22, 2016

Dear Business Owner:

The City of Morgantown has completed its Compliance Review of your account and based on that review, your account is in compliance with City Code. At this time no further information is needed. I would like to thank you for your time and cooperation during the Compliance Review process.

Sincerely,

John Briggs  
Tax Auditor

# The City of Morgantown

389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
PHONE: (304) 284-7488 FAX: (304) 284-7418  
jbriggs@morgantownwv.gov  
www.morgantownwv.gov

**FINANCE DEPARTMENT**

September 22, 2016

Dear Business Owner:

The City of Morgantown has reviewed the material and information provided for the compliance review of your account. Based on that review, it has been determined that your account is "Noncompliant" in one or more areas reviewed. Enclosed is the Compliance Review Findings Report explaining the corrections required for your account to be "in compliance" with City Code.

The following compliance issues must be addressed and corrected within thirty (30) calendar days of receipt of this letter. Failure to correct these compliance issues, within thirty (30) calendar days specified in this letter, will lead to collective action. Thank you for taking the time to address this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

John Briggs  
Tax Auditor**The City of Morgantown**389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
PHONE: (304) 284-7488 FAX: (304) 284-7418  
jbriggs@morgantownwv.gov  
www.morgantownwv.gov

# City of Morgantown

## Compliance Review Findings Report

**B&O Account #:**

**Business Name:**

**Time period Reviewed:**

**Business & Occupations Taxes:**

**City Licensing:**

**Fire Fees:**

**Municipal Service Fees:**

# Compliance Review

## Quarterly Statistical Data Report

June 30, 2016

Number of Compliance Reviews	0
Number that complied	0
Number that did not comply	0

Number of compliant accounts	0
Number of noncompliant accounts	0

Areas of Noncompliance	
Business & Occupation Taxes	0.00%
Licensing	0.00%
Fire Fees	0.00%
User Fee	0.00%

Total revenue reviewed	\$0.00
% change in revenues reviewed	0.00%

**AN ORDINANCE CREATING A NEW ARTICLE 951 IN THE CITY CODE  
PROVIDING FOR TAXI STANDS**

WHEREAS, West Virginia Code section 8-12-5f authorizes the City of Morgantown to adopt an ordinance regulating taxicabs and taxi stands within the City, and Section 8-12-5f limits the authority to regulate to the specific areas identified in the Code section; and

WHEREAS, taxi service is an important public service in the City of Morgantown and is an essential component of the public transit network; and

WHEREAS, the City intends to establish taxi stands pursuant to the authority granted by the West Virginia Code to promote accessibility and use of taxi services in a safe and appropriate manner;

NOW, THEREFORE, the City of Morgantown hereby ordains that a new Article 951 is established as follows:

**951.1. Application**

- (a) Common carrier Taxicab services: This article shall apply to all taxicabs operated as common carriers pursuant to the authority of the West Virginia Public Service Commission within the municipal boundaries of the City of Morgantown. Each person or entity having a current certificate of convenience and necessity to operate as a common carrier by motor vehicle in the transportation of passengers in taxicab service for a service area including the City of Morgantown shall be subject to the provisions of this article.
- (b) Other passenger services: This article shall not apply to motor vehicle common carrier services other than taxicab services, nor shall this article apply to transportation services that do not operate as common carriers.

**951.2. Taxi Stand Locations**

Taxi stand locations established: There are hereby established taxi stands within the City at the following locations:

- (a) Taxi Stand 1: Spaces designated as 411 and 413 on High Street between Willey Street and Forrest Avenue.
- (b) Taxi Stand 2: Spaces designated as 21 and 22 on Chestnut Street between Fayette Street and Willey Street

Taxi stand locations are depicted on Table 951.2.1.

### 951.3. Taxi Stand Operations

(a) High Street taxi stand:

- (i) No more than four taxicabs may occupy the High Street taxi stand at any time, and no more than two taxicabs of a single certificated common carrier may occupy the taxi stand at one time.
- (ii) Any individual operator of a taxicab who is determined by the City Manager to be responsible for exceeding the permitted number of taxicabs in the taxi stand may be barred from using any taxi stand within the City for a period not to exceed six months.
- (iii) Any common carrier whose taxicabs the City Manager determines have exceeded the permitted number of taxicabs in the taxi stand three times or more within any calendar year may be barred from using any taxi stand within the city for a period not to exceed twelve months.

(b) Chestnut Street taxi stand:

- (i) No more than two taxicabs may occupy the Chestnut Street taxi stand at any time, and no more than one taxicab of a single certificated common carrier may occupy the taxi stand at one time.
- (ii) Any individual operator of a taxicab who is determined by the City Manager to be responsible for exceeding the permitted number of taxicabs in the taxi stand may be barred from using any taxi stand within the City for a period not to exceed six months.
- (iii) Any common carrier whose taxicabs the City Manager determines have exceeded the permitted number of taxicabs in the taxi stand three times or more within any calendar year may be barred from using any taxi stand within the city for a period not to exceed twelve months.

(c) Operation of taxi stands: No common carrier nor its agent may act as attendant at any taxi stands. Taxicab operators may only use the taxi stand for accepting or depositing passengers.

(d) Exclusive use. Taxi stands are designated solely for the use of common carrier taxicab services and authorized city personnel. No individual other than a taxicab operator for a licensed common carrier may accept or deposit passengers at the taxi stand.

(e) Hours of operation. Taxi stands may be used between the hours of 8 p.m. and 5 a.m.; provided, however, that such use shall occur only when appropriate signage designating an operating taxi stand has been placed or permitted to be placed at the site by the Morgantown Parking Authority.

**951.99. Penalty.**

Each violation of any provision of this article shall be punishable by a fine not exceeding five hundred dollars (\$500.00). Each day any violation continues shall constitute a separate offense, unless another provision of this Code specifically provides otherwise.

This ordinance shall be effective upon the date of adoption.

FIRST READING:

\_\_\_\_\_  
Mayor

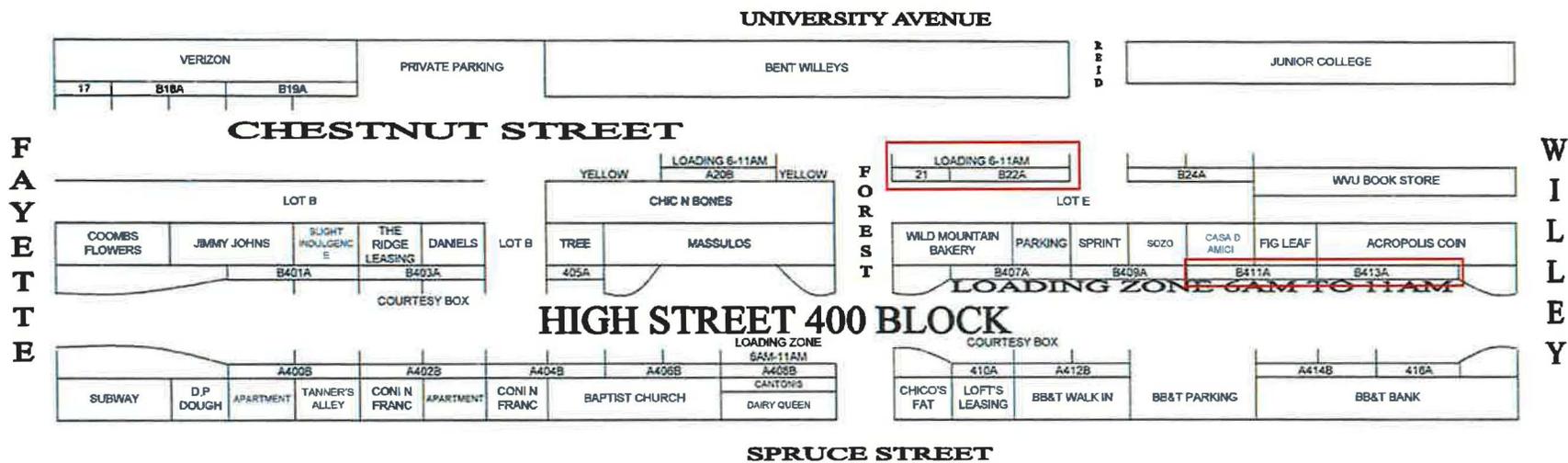
ADOPTED:

FILED:

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

RECORDED:

TABLE 951.2.1. Taxi Stand Locations



**For Fastest Service -  
 Order Online at [www.orderpens.com](http://www.orderpens.com)  
 Your Promo Code is 23V7HJ6G**

## Light Up Your Sales with the Gelato Pen and Flashlight Gift Set!

LINDA L LITTLE  
 CITY OF MORGANTOWN  
 389 SPRUCE ST  
 MORGANTOWN WV 26505-5579

Dear Linda L Little,

Here's an ad gift sure to **brighten** your customer's day as well as your bottom line. It's the best-selling **Gelato Gift Set!** A truly useful gift your customers will use every day and thank you with added business.

Take a look at the **FREE sample I've enclosed**, personalized just for you! Don't your matching imprints look great?

And now for the best part...our Special Offer for Preferred Customers:

**Buy 100 Gelato Gift Sets @ 99¢ each,  
 regardless of quantity!**

Just look at all you get:

- Double Advertising Value... featuring a special edition crystal pen with matching flashlight key tag.
- FREE Thank You Gift Bag... included with each gift set.
- Matching Imprints...of your 3-line message.

To order, call toll free 800-854-1000 or fax your order toll free to 800-854-7367. Remember, send no money now. We'll invoice you later after you've had a chance to see AND try out your Gelato Gift Set. **For fastest service-order online at [www.orderpens.com](http://www.orderpens.com).**  
**Your Promo Code is 23V7HJ6G.**

Best Regards,  
  
 Peter Kelly, CEO

 P.S. Hurry, supplies of the **Gelato Gift Set** are limited. Order now to avoid disappointment!

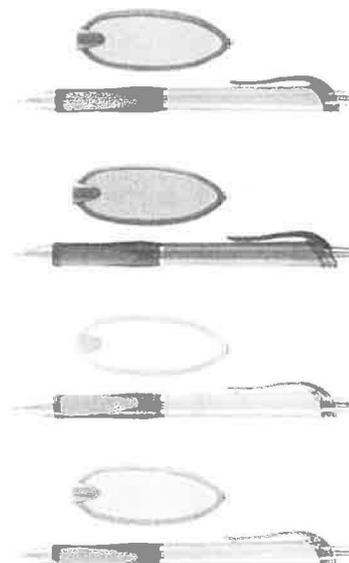
HJ6G-001543

*Thank You*



**Bonus! Free  
 Thank You Gift  
 Bag Included**

Also Available in These Popular Gelato Colors



Detach here and return Order Form in the enclosed envelope.

Visit our online catalog @ [www.pens.com](http://www.pens.com)

**Introductory Special Offer**

**YES!** Please rush my new GELATO GIFT SETS.  
 Bill me later. My product satisfaction is 100% guaranteed!

<b>1. Quantity:</b> (Check One Only)	<input type="checkbox"/> 100	<input type="checkbox"/> 250	<input type="checkbox"/> 500	<input type="checkbox"/> 1000	<input type="checkbox"/> 1500
<b>Sale Price Each:</b>	99¢	99¢	99¢	99¢	99¢

**2. Your Personalized Imprint**

CITY OF MORGANTOWN  
 389 SPRUCE ST  
 MORGANTOWN, WV 26505

**3. Color Choice** (Check One Only)

Blue-(Sample)
  Green
  Orange
  Pink
  Yellow
  Assorted

**4. Track Your Shipment** Please provide your Email Address below to receive online tracking information regarding your order.

**5. Ordered By** Name and valid Phone Number required to process order.

Page 15 of 18

**ORDER FORM**  
 toll free fax 800/854-PENS (7367)  
**NATIONAL PEN COMPANY**  
 342 Shelbyville Mills Road, Shelbyville, TN 37160

Call Toll-Free: 800/854-1000

UR 2423

DIP-XXX-BXR BX CB C

09/02/16  
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LINDA L LITTLE  
 CITY OF MORGANTOWN  
 389 SPRUCE ST  
 MORGANTOWN WV 26505-5579

PRINT Your Name

Area Code

Day Phone Number

Fax Number



# The **NEW!** Gelato Gift Set

*Personalize this Gift Set and your appreciation is sure to get noticed! Includes our best-selling Crystal Pen and a bright flashlight key tag with matching imprints. Pen and flashlight are color-coordinated in our popular gelato colors and come with FREE Thank You pouches! Ideal for customers, business partners and employees!*

**Special  
LOW  
Introductory  
Offer**

- Fun Assortment of eye-catching colors
- Best-selling Crystal Pen with bright flashlight key tag
- Double the impact with matching imprints

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