

MUNICIPAL HOME RULE  
PILOT PROGRAM

City of Clarksburg

2016  
PROGRESS  
REPORT

West Virginia State Code §8-1-5a (m) provides:

“Commencing December 1, 2015, and each year thereafter, each participating municipality shall give a progress report to the Municipal Home Rule Board and commencing January 1, 2016, and each year thereafter, the Municipal Home Rule Board shall give a summary report of all the participating municipalities to the Joint Committee on Government and Finance.”

The Municipal Home Rule Board has developed this standard format for Pilot Program participating municipalities to prepare and submit their respective Annual Progress Reports. The intent of this standard format is to gather and compile information in a consistent, easily understood, and efficient manner that will be used to develop a concise and practical summary report to the Joint Committee on Government and Finance.

Annual Progress Reports must be submitted electronically as an individual file in PDF format no later than the close of business on December 1, 2015 by emailing Debbie Browning at [debbie.a.browning@wv.gov](mailto:debbie.a.browning@wv.gov), West Virginia Development Office, West Virginia Home Rule Pilot Program, State Capitol Complex, Building 6, Room 553, Charleston, West Virginia 25305-0311, 304-558-2234.

<b>A. General Information</b>		
Name of Municipality: <b>City of Clarksburg</b>		
Certifying Official: <b>Martin Howe</b>	Title: <b>City Manager</b>	
Contact Person: <b>Martin Howe</b>	Title: <b>City Manager</b>	
Address: <b>222 West Main Street</b>		
City, State, Zip: <b>Clarksburg, WV 26301</b>		
Telephone Number: <b>304-624-1677</b>	Fax Number: <b>304-624-1662</b>	
E-Mail Address: <b>mhowe@cityofclarksburgwv.com</b>		
2010 Census Population: <b>16,578</b>		
<b>B. Municipal Classification</b>		
<input type="checkbox"/> Class I <input checked="" type="checkbox"/> Class II <input type="checkbox"/> Class III <input type="checkbox"/> Class IV		
<b>C. Pilot Program Entry Phase</b>		
<input type="checkbox"/> Phase I (2007 Legislation) <input checked="" type="checkbox"/> Phase II (2014 Legislation) <input type="checkbox"/> Phase III (2015 Legislation)		
<b>D. Attest</b>		
I hereby confirm that I am the authorized official for this municipality and certify that the information submitted herein and attached hereto is true and accurate and that this report addresses each and every initiative included in the original Home Rule Pilot Program Plan Application for this municipality and any subsequent amendments, if applicable.		
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <p><b>Martin Howe</b></p> <hr/> <p>Type Name of Certifying Official</p> </div> <div style="text-align: center;">  <hr/> <p>Signature of Certifying Official</p> </div> <div style="text-align: center;"> <p><b>12/1/16</b></p> <hr/> <p>Date</p> </div> </div>		

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must have a separate page.

<b>Initiative: Collection of Clean-Up Costs From Farmer's Mutual Insurance Company</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s): <b>The City does not anticipate any issues in adopting the required ordinance and anticipates doing so in 2016. (2015)</b>
<b>At this time, we have not needed to pursue this issue any further. We will assess the success of SB 88 as the need arises within our community. (2016)</b>
REVENUES – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.
SUCSESSES – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must have a separate page.

<b>Initiative: Collection of Demolition Liens</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s): <b><i>The City plans on adopting the ordinance some time in 2017. The challenge in enacting this ordinance is that in order to collect liens on houses demolished by the City, at its cost, it will require the assistance of the Sheriff of Harrison County and the Harrison County Tax Office to ensure that the demolition liens are collected and paid at the annual Delinquent Tax Sale in Harrison County. The City would recover a portion of its demolition costs from a purchaser of a property that was demolished by the City and has a lien on record with the Harrison County Clerk. (2015)</i></b>
REVENUES — In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.
SUCSESSES — In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. <b><i>The City has expanded its demolition program and it is anticipated that an ordinance will be adopted to implement this initiative. This would allow the City to increase its probability of collecting unpaid demolition liens. (2016)</i></b>
LESSONS LEARNED — In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

Please use this page to report progress on each **non-tax related initiative** included in your Home Rule Application. Each non-tax related initiative must have a separate page.

<b>Initiative: Relief from Party Affiliation Requirement for Municipal Non-Partisan Election and Board Commissioners</b>	
Category of Issues Addressed (check all that apply)	
<input checked="" type="checkbox"/> Organization	<input type="checkbox"/> Administration
<input type="checkbox"/> Personnel	<input type="checkbox"/> Other
Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?	
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, when was the ordinance enacted? <b>March 26, 2015</b>	
If no, please describe challenges faced in enacting the related ordinance(s)	
<p>SUCSESSES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.</p> <p><b>The initiative for relief from Party Affiliation for Municipal Non-Partisan Election and Board Commissioners consisted of the following four (4) components: (1) Relief from the mandate of opposite political party affiliation of election officials during City elections; (2) Relief from party affiliation requirement for Firemen’s Civil Service Commission; (3) Relief from party affiliation requirement for Policemen’s Civil Service Commission; and (4) Relief from party affiliation requirement for Municipal Building Commission. The implementation of this initiative allowed the City to place election officials in precincts they were familiar with, as well as serve in the positions they were most comfortable working. By removing the party affiliation requirement, we did not have to refuse any resident of the City who wished to work the election from doing so. In the past, we had to decline working City residents if they were not of a certain party affiliation and go outside the City limits to seek workers. Also, removing the party affiliation requirement for the noted Boards/Commissions, allowed for vacancies to be filled with individuals interested and qualified to fill such vacancies. (2015)</b></p> <p><b>The elimination of party affiliation requirements (as noted above) has been very successful as it has benefited the City of Clarksburg in the manner as identified above. (2016)</b></p>	
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p>	

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<b>Initiative: Procurement of Architect Engineering Services</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? <b>November 9, 2015</b>
If no, please describe challenges faced in enacting the related ordinance(s):
REVENUES — In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance. <b><i>Under this initiative, no additional revenues would be generated by the City. The ordinance modified the City's projects over \$250,000. Under the Request for Proposal process outlined in the ordinance, proposals will still be solicited from a number of qualified firms, but all proposals must include the estimated price or fee to be charged by the firm. Under the current State Statute, the price or fee cannot be considered until the most qualified firm is identified. Under the new ordinance, the City will now be able to consider the proposal which is most advantageous with the firm's fee to be considered in addition to all other evaluation factors. This could result in substantial savings to the taxpayers. (2015)</i></b>
SUCSESSES — In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. <b><i>Since the ordinance was just recently passed, the City has not requested proposals for procurement of architect/engineering services under the provisions of its recently passed ordinance. It may well be necessary to request proposals some time in calendar year 2016. (2015)</i></b>  <b><i>There were no projects in 2016 involving the procurement of architect engineering services under this ordinance. It is possible that in calendar year 2017, or in future years, that there will be projects exceeding \$250,000, whereby the City could secure the services more efficiently, utilizing the most qualified firm. (2016)</i></b>
LESSONS LEARNED — In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must have a separate page.

<b>Initiative: Building &amp; Zoning Administration/Enforcement Provisions</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s): <b><i>No direct revenues will result from the adoption of this ordinance, although, the City may anticipate an increase in the number of citations issued, which may result in additional fine revenues. (2015)</i></b>
REVENUES — In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance: <b><i>The City has a serious problem in all of its neighborhoods with property owners not maintaining their property. These issues include overgrown grass and weeds, junked motor vehicles, trash and garbage, broken windows, and failure to properly maintain sidewalks and driveways. Under the current State law, there is no authority that will allow Municipal Building Inspectors and City Police Officers to issue citations for the external violations and nuisances listed herein. The adoption of this ordinance will allow on the spot citations for these violations, which will hopefully make property owners clean up and maintain their property. This will improve the appearance of the neighborhoods. (2015)</i></b>
SUCSESSES — In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. <b><i>The City has not yet taken this initiative under consideration. The City of Clarksburg was engrossed in a long drawn out dispute with the WV State Fire Commission regarding Code Enforcement and the state building codes, that were properly adopted. With the ongoing dispute, the City did not pursue enacting this ordinance until resolved. Now that the matter has been resolved, the City may consider enacting this ordinance in 2017. (2016)</i></b>
LESSONS LEARNED — In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must have a separate page.

<b>Initiative: Appropriate, Adequate Funding for Advertising the City</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? <b>November 9, 2015</b>
If no, please describe challenges faced in enacting the related ordinance(s):
<p>REVENUES — In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance. <b>No revenues will be generated under the proposed ordinance, although, the indirect benefits may assist the City in economic development and long-term possible operation of additional tax revenues to the City. (2015)</b></p>
<p>SUCSESSES — In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. <b>Under the current provisions of Chapter 8 of the West Virginia Code, the City may only expend an amount of \$0.25 per capita to advertise the City. Based on the City’s population of approximately 16,000 people, this amounts to approximately \$4,000 per year. This Code provision has been in effect for many years and the City Administration was of the opinion that \$0.25 per capita was insufficient and needed to be increased. Under the recently adopted ordinance, the per capita was increased from \$0.25 to \$1.00 per capita, which will allow the City to expend approximately \$16,000 per year from its annual budget for the purpose of advertising the municipality and entertaining visitors which may include: 1) Sponsorships for non-profit organizations, cultural and art events, and sponsorship of special downtown events. 2) Sponsorships of events or programs of the Harrison County Chamber of Commerce, the Harrison County Economic Development Corp., Clarksburg Historical Society, Civic Groups, etc. 3) Local luncheon meetings with respective business colleagues. 4) Out-of-town travel to meet with prospective businesses. 5) Advertising the City in the newspapers, on websites, magazines, brochures, Facebook, and Twitter. 6) Hosting groups and visitors to the City. (2015)</b></p> <p><b>During the calendar year 2016, the City advertised the municipality by sponsoring an administrative luncheon with the Chamber of Commerce. Also, the City advertised local events such as a Downtown Halloween event, Veteran’s Day parade, and others in the Shinnston News. (2016)</b></p>

**LESSONS LEARNED** — In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must have a separate page.

<b>Initiative: Impose a 1% Sales &amp; Use Tax</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? <b>November 19, 2015</b>
If no, please describe challenges faced in enacting the related ordinance(s):
REVENUES — In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance. <b><i>The City adopted an ordinance to implement a 1% sales &amp; use tax which will take effect July 1, 2016. As required, the City adopted an ordinance to reduce the business &amp; occupation tax on gross income received from manufacturing and gross income from retail sales. This will result in a reduction of business &amp; occupation tax revenues from local businesses in the amount of \$800,000 - \$1 million. The estimated annual revenues from the 1% sales tax is \$2,970,000. After allowing for the reduction in business &amp; occupation tax, the net increase in City revenues will be approximately \$2 million. (2015)</i></b>
SUCSESSES — In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. <b><i>The proposed uses of the sales tax revenues included in the City's home rule application were, in order of priority, 1) to provide revenues for additional contributions on an annual basis to the Policemen's Pension &amp; Relief Fund and the Firemen's Pension &amp; Relief Fund to increase the funding ratio for both funds and to reduce the unfunded liability of both funds over a period of many years. Based on the most recent actuarial report, both funds are substantially under-funded and the additional contributions are very much needed and would not be possible without the additional sales tax revenues. 2) Provide funds for needed infrastructure improvements throughout the City. A portion of the sales tax revenues will be used in 2016-2017 for replacement of a dangerous and dilapidated bridge and for a major repair to a roadway in the Chestnut Hills area of the City. 3) Some revenues will also be used to assist the City with a major renovation and restoration of the Robinson Grand Theatre in Downtown Clarksburg. (2015)</i></b>
<b><i>Restoration of the theatre has been identified by the business community, art &amp; cultural community, City Council, and the general public as a needed project for the revitalization of Downtown Clarksburg. The City adopted an ordinance implementing a 1% Sales &amp; Use Tax. The tax became effective July 1<sup>st</sup>, 2016. The revenues generated will be used to finance Sales &amp; Use Tax Bonds and to provide additional contributions to the Police &amp; Fire Pension Fund. The City received a USDA</i></b>

**SUCSESSES "CONT'D" – Community Facilities Loan in the amount of \$1.6 million. Bond proceeds were used to replace an important neighborhood bridge and are currently being used to complete a major improvement project involving major repair and stabilization of a large portion of roadway that was deteriorated and unsafe in the Chestnut Hills area of the City. The sales tax bonds will also be used to finance a portion of a \$15 million bond issue for the renovation of the former Robinson Grand Theater. Bids for the project will be opened on December 22<sup>nd</sup> with work on the project to commence in January 2017 with an estimated completion date for the spring of 2018, the Robinson Grand project will allow expansion of the arts in Harrison County and will be a big economic boost to Downtown Clarksburg and the region.**

**The 1% Sales and Use Tax was implemented on July 1, 2016. The City received its first payment in the amount of \$427,403.15, representing collections for the months of July and August 2016. Additionally, the City received upcoming distribution amount of \$313,672.75 for the month of September 2016. Proceeds for the quarter for the 1% Sales and Use Tax are \$741,075.90. With this, we are on track to meet or to exceed our estimated annual revenues of \$2.9 million.**

**The City has already contributed in the current fiscal year \$223,334 to the Police and Fire Pension Fund and will contribute an additional \$446,668 in 2016-2017. The annual contribution will increase in 2017-2018. The additional contributions made possible by the Sales & Use Tax revenues will address the underfunded pension plans and make them more actuarially sound. (2016)**

**LESSONS LEARNED — In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.**

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<b>Initiative: Amending Article 521 Part Five of the Codified Ordinances of the City of Clarksburg Code to Allow for Sunday Alcohol Sales After 10:00 a.m.</b>
Category of Issues Addressed (check all that apply) <input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other
Was this non-tax initiative a part of your original plan application <input type="checkbox"/> or a plan amendment <input checked="" type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? <b>August 18, 2016</b>
If no, please describe challenges faced in enacting the related ordinance(s)
<p>SUCCESES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.</p> <p><b>The enactment of this ordinance allows establishments licensed to do so, to sell alcoholic beverages during televised sporting event times that may occur at an earlier hour; thus, increasing business opportunities and revenues therefor. Further, the “Brunch Bill” initiative was recently approved by the voters in Harrison County in the November 2016 General Election. (2016)</b></p>
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p>

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<b>Initiative: To Permit Local Certification and Supervision of Code Enforcement Officials and Inspectors</b>
Category of Issues Addressed (check all that apply) <input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other
Was this non-tax initiative a part of your original plan application <input type="checkbox"/> or a plan amendment <input checked="" type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? <b>August 18, 2016</b>
If no, please describe challenges faced in enacting the related ordinance(s)
<p>SUCSESSES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.</p> <p><b>The ordinance will allow for streamlining the process to permit new hires to start work immediately. It keeps them in compliance with the ICC and state procedures. The City does not have to submit for provisional licenses with the WV Fire Commission. (2016)</b></p>
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p><b>This does not change the way we operate in Clarksburg. This will allow for new hires to start work immediately under a provisional status instead of having to wait up to two years to obtain necessary certifications. (2016)</b></p>