

City of Buckhannon
70 East Main Street
Buckhannon, WV 26201



Phone: 304.472.1651
TDD# 304.472.9550
Fax# 304.472.0934

December 5, 2018

West Virginia Municipal Home Rule Board
ATTN: Debbie Browning
West Virginia Development Office
Building 6, Room 553, State Capitol Complex
1900 Kanawha Blvd., East
Charleston, West Virginia

RE: Application of the City of Buckhannon for Amendment to Written Plan

Dear Ms. Browning,

Attached you will find the application of the City of Buckhannon for an Amendment to its Written Plan under its participation in the West Virginia Municipal Home Rule Pilot Program.

Pursuant to the requirements established in West Virginia Code concerning application for amendment, the following documents are attached:

- 1) A copy of the proposed amendment to the written plan; this proposed amendment was made available to the public at Buckhannon City Hall beginning on October 1, 2018.
- 2) Evidence of publication of notice of a public hearing concerning the proposed amendment, which publication took place on September 17, 2018 and September 24, 2018.
- 3) Minutes of the public hearing concerning the proposed amendment, which took place on November 1, 2018. No comments were offered at the hearing either in writing or verbally.
- 4) A copy of the Ordinance authorizing the submission of this application for amendment.

This letter also constitutes the required letter from an attorney licensed to practice law in West Virginia; I hereby certify that the proposed amendment to the City of Buckhannon's written plan complies with the requirements of West Virginia Code §8-1-5a.

Very sincerely yours,

Thomas J. O'Neill
City Attorney
City of Buckhannon, West Virginia
West Virginia Bar No. 10575.

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70 East Main Street
Buckhannon, WV 26201



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September 12, 2018

The Record Delta
Attention: Legal Advertisement Department
2B Clarksburg Road PO Box 550
Buckhannon, WV 26201

RE: Class II Legal Advertisement - City of Buckhannon

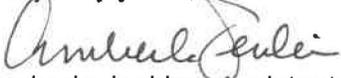
Dear Ladies and Gentlemen:

Please find attached herewith a "NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON AND OF PROPOSED ADOPTION OF AMENDMENT TO THE CITY OF BUCKHANNON'S HOME RULE PLAN," which I request your newspaper publish twice as a legal advertisement in your editions of September 17 and September 24, 2018, respectively.

Following the second publication of the attached legal advertisement on Monday, September 24, 2018 please forward your Publisher's Certificate and Affidavit along with your Publisher's statement to City Recorder Colin Reger at City Hall.

Should you have any questions or comments whatsoever concerning the publication of this legal advertisement, please contact me at City Hall at 304-472-1651, immediately. Thank you for your assistance in this matter. This letter and attached legal advertisement are being transmitted to you by e-mail attachment and further will be sent by U.S. Postal Service to you at your Clarksburg Road Office.

Very truly yours,


Amberle Jenkins, Assistant City Recorder

Attachment - Legal advertisement - notice of public meeting re: Home Rule Plan Amendment

cc: Members of City Council
David McCauley, Mayor
Thomas J. O'Neill, City Attorney

**NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY
OF BUCKHANNON AND OF PROPOSED ADOPTION OF AN
AMENDMENT TO THE CITY'S HOME RULE PLAN**

TO: All residents of the City of Buckhannon

Notice is hereby given to all residents of the City of Buckhannon of the City Council's proposed adoption of an Amendment to the Municipal Home Rule Plan of the City of Buckhannon to permit the City's adoption of a one-percent municipal sales and use tax.

The Council of the City of Buckhannon will hold a public hearing on the topic of the adoption of said Amendment, to be held on Thursday, November 1, 2018, at 7:00 p.m. o'clock, at Buckhannon's City Hall located at 70 East Main Street in Buckhannon, Upshur County, West Virginia. A reasonable number of copies of the proposed Amendment to the City's Municipal Home Rule Plan will be on file at City Hall at least thirty days prior to said hearing, and may be inspected by any member of the public during the regular business hours of City Hall.

All interested persons may appear at the November 1, 2018 meeting at 7:00 p.m. and be heard with respect to the City Council's proposed adoption of said Amendment.



Thomas J. O'Neill, City Attorney

THE RECORD DELTA

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA, COUNTY OF UPSHUR,
Debra Hull, Legal Clerk of the Record Delta, a
Newspaper Published in Buckhannon in said County,
do hereby certify that the annexed
NOTICE TO THE CITY HOME RULE PLAN
Was published once a week for two consecutive
weeks in said Record Delta Newspaper as aforesaid,
commencing on the 17TH day of September, 2018

Legal Clerk:



WEST VIRGINIA, UPSHUR COUNTY, TO WIT:

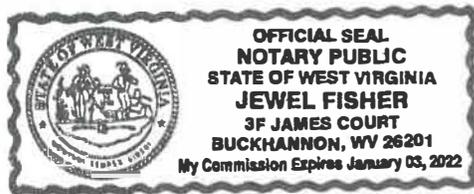
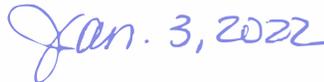
Subscribed and sworn before me

this 7th day of December, 2018

Notary Public:



My commission expires:



City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, November 1, 2018

- A. PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKAHNNON AND OF PROPOSED ADOPTION OF AN AMENDMENT TO THE CITY'S HOME RULE PLAN TO PERMIT THE CITY'S ADOPTION OF A ONE-PERCENT MUNICIPAL SALES AND USE TAX**
- B. Call to Order**
- B.1 Moment of Silence
 - B.2 Pledge to the Flag of the United States of America
 - B.3 Mayor's Greetings
- C. Recognized Guests**
- C.1 Al Tucker-Band of Brothers
- D. Department & Board Reports**
- D.1 Information Coordinator/Grant Researcher- Callie Cronin Sams
 - D.2 Public Works Director- Jerry Arnold
 - D.3 Finance Director- Amberle Jenkins
 - D.4 Fire Chief-JB Kimble
 - D.5 City Attorney- Tom O'Neill
- E. Correspondence & Information**
- E.1 Notice of Public Hearing of Proposed Adoption of an Amendment to the City's Home Rule Plan-1% Sales & Use Tax
 - E.2 Municipal Home Rule Pilot Program Amendment Application
 - E.3 Report of Cats Lewis-Upshur Animal Control Facility-September 2018
 - E.4 Mayoral Proclamation Christian Heritage Week proclaimed by Governor Justice
 - E.5 COB Notice of Building/Zoning Code Tutorial Session Nov. 19th at 6pm at City Hall
 - E.6 Proclamation Alpha Delta Kappa Day
 - E.7 Article Treating the Opioid Crisis as a Natural Disaster <https://www.npr.org/sections/health-shots/2018/10/28/658476111/a->
 - E.8 Article Pittsburgh Synagogue Shooting <https://6abc.com/names-released-of-all-11-victims-of-synagogue-shooting/4565341/>
 - E.9 Article Morgantown City Council consider Ordinance- Properties declared Public Nuisance
- F. Consent Agenda**
- F.1 Approval of Minutes-Regular meeting 10/18/18
 - F.2 Approval of Building and Wiring Permits
 - F.3 Approval of Payment of the Bills
- G. Strategic Issues for Discussion and/or Vote**
- G.1 Approval Fire Department Accreditation-Services Provided to the Community
 - G.2 Discussion Fire Department Rank Structure
 - G.3 UCDA Request Closure of S Spring Street from Nov 18th through Dec 31st RE: Innovation Center Construction
 - G.4 Discussion /Possible Vote to Expand SYCC Board of Directors Board Membership from 10 to 11
 - G.5 Request Charles Ackerman-Waste Department to absorb dumping fees associates with 15 & 15½ Island Ave
 - G.6 Ordinance 428 Properties Declared a Public Nuisance 2nd & Final Reading
 - G.7 Ordinance 430 Residential Parking around WVWC 2nd & Final Reading
 - G.8 Ordinance 431 Authorization to Submit Proposed Amendment to Home Rule Board 2nd & Final Reading
 - G.9 Resolution 2018-19 Acceptance Deed of Dedication John & Debra Moss Trader's Alley Property
 - G.10 Resolution 2018-20 Acceptance Deed of Dedication Health Facilities Main Street Mural Property
 - G.11 Resolution 2018-21 Acceptance Deed of Dedication Health Facilities Trader's Alley Property
 - G.12 Approval Civility Resolution 2018-24
 - G.13 Discussion/Possible Vote Establishment of Municipal Minimum Wage Full Time Employees
 - G.14 Establishment of Diversity Appreciation Coalition
 - G.15 Approval to submit Families Leading Change Mini Grant Application
 - G.16 Referral to Police Civil Service Commission for testing to replenish the Eligibility List
- H. Comments and Announcements**
- H.1 Mary Albaugh
 - H.2 Pamela Cuppari
 - H.3 C J Rylands
 - H.4 Robbie Skinner
 - H.5 David Thomas
 - H.6 Colin Reger
- I. Mayor's Comments and Announcements**
- I.1 Mayor Greetings-WV Municipal League Board Meeting Reception 10/25/18
- J. Adjournment**

**ORDINANCE NO. 431 OF THE CITY OF BUCKHANNON,
AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN
AMENDMENT TO THE CITY'S HOME RULE PLAN TO
THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD**

WHEREAS, the West Virginia Municipal Home Rule Board accepted the City of Buckhannon into Phase II of the West Virginia Municipal Home Rule Pilot Program on October 6, 2014, and approved the written plan submitted therewith; and,

WHEREAS, Chapter 8, Article 1, Section 5a, paragraph (k) of the West Virginia Code of 1931, as amended, permits municipalities participating in the Municipal Home Rule Pilot Program to amend their written plans; and,

WHEREAS, the City of Buckhannon is considering the submission of an amendment to the city's home rule plan, which would permit establishment of a municipal sales and use tax at a rate not to exceed one percent, while providing for the reduction of the city's business and occupation tax receipts; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – AUTHORIZATION TO SUBMIT AMENDED PLAN: The Mayor is hereby authorized to submit, pursuant to the rules and procedures established by the West Virginia Municipal Home Rule Board, an application for approval of an amendment to the written plan of the City of Buckhannon to permit establishment of a municipal sales and use tax at a rate not to exceed one percent while providing for the reduction of the city's business and occupation tax receipts, and to take all acts necessary and proper to carry out the submission of said application.

ARTICLE II - EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., December 1, 2018.

FIRST READING: October 18, 2018

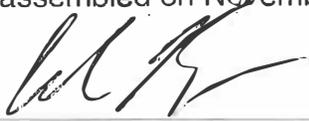
PUBLIC HEARING, SECOND READING,
PASSAGE & ADOPTION: November 1, 2018



David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 431 was lawfully ordained and enacted by the Council of the City of Buckhannon during a regular session of the said Council assembled on November 1, 2018.



Colin Reger, City Recorder

STATE OF WEST VIRGINIA, COUNTY OF UPSHUR, CITY OF BUCKHANNON, TO WIT:

A regular meeting of the Buckhannon City Council was held on Thursday, November 1, 2018 at 7:00pm in City Hall. The following were in attendance:

Mayor	David McCauley	Present
Recorder	Colin Reger	Absent
Council Member	Mary Albaugh	Present
Council Member	Pam Cuppari	Present
Council Member	CJ Rylands	Present
Council Member	Robbie Skinner	Present
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present
Police Chief	Matthew Gregory	Present
Fire Chief	J B Kimble	Present
Director of Public Works	Jerry Arnold	Absent
Grants & Information Coordinator	Callie Cronin Sams	Present
Record Delta Newspaper		Present
Channel 3		Present
The Intermountain Newspaper		Present

Also in attendance: Tammy Reger-Chamber of Commerce, Matt Kerner-Opportunity House, Rob Hinton-UCDA, Mary & Larry Dean, Randy Sanders, Al Tucker, Joey Baxa, Jerry & Bruce Henderson, Terry & Elissa Mills, Robyn Simons, Evelyn Syski, Stephen Beer & Jody Light.

Meeting Agenda Posted 10/29/18

***City Council of Buckhannon - 7:00 pm in Council Chambers
Meeting Agenda for Thursday, November 1, 2018***

A. PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKAHNNON AND OF PROPOSED ADOPTION OF AN AMENDMENT TO THE CITY'S HOME RULE PLAN TO PERMIT THE CITY'S ADOPTION OF A ONE-PERCENT MUNICIPAL SALES AND USE TAX

B. Call to Order

- B.1 Moment of Silence
- B.2 Pledge to the Flag of the United States of America
- B.3 Mayor's Greetings

C. Recognized Guests

- C.1 Al Tucker-Band of Brothers

D. Department & Board Reports

- D.1 Information Coordinator/Grant Researcher- Callie Cronin Sams
- D.2 Public Works Director- Jerry Arnold
- D.3 Finance Director- Amberle Jenkins
- D.4 Fire Chief-JB Kimble
- D.5 City Attorney- Tom O'Neill

E. Correspondence & Information

E.1 Notice of Public Hearing of Proposed Adoption of an Amendment to the City's Home Rule Plan-1% Sales & Use Tax

- E.2 Municipal Home Rule Pilot Program Amendment Application
- E.3 Report of Cats Lewis-Upshur Animal Control Facility-September 2018
- E.4 Mayoral Proclamation Christian Heritage Week proclaimed by Governor Justice
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- E.7 Article Treating the Opioid Crisis as a Natural Disaster [https://www.npr.org/sections/health-](https://www.npr.org/sections/health-shots/2018/10/28/658476111/a-)

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[shooting/4565341/](https://6abc.com/names-released-of-all-11-victims-of-synagogue-shooting/4565341/)

E.9 Article Morgantown City Council consider Ordinance- Properties declared Public Nuisance

F. Consent Agenda

- F.1 Approval of Minutes-Regular meeting 10/18/18
- F.2 Approval of Building and Wiring Permits
- F.3 Approval of Payment of the Bills

G. Strategic Issues for Discussion and/or Vote

- G.1 Approval Fire Department Accreditation-Services Provided to the Community
- G.2 Discussion Fire Department Rank Structure
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- H.6 Colin Reger

I. Mayor's Comments and Announcements

- I.1 Mayor Greetings-WV Municipal League Board Meeting Reception 10/25/18

J. Adjournment

PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON AND OF PROPOSED ADOPTION OF AN AMENDMENT TO THE CITY'S HOME RULE PLAN TO PERMIT THE CITY'S ADOPTION OF A ONE-PERCENT MUNICIPAL SALES AND USE TAX

Mayor McCauley asked if anyone was in attendance to speak for or against the proposed adoption of an ordinance to amend the City's Home Rule Plan.

No one spoke in opposition or in favor of the proposal.

Call to Order: The meeting was called to order by Mayor McCauley followed by a moment of silence. Mayor McCauley noted the passing of former Mayor James Knorr and to keep the Arnold family, who also lost a family member (Bill Sanders) recently in their thoughts. The pledge to the US flag was led by guest Al Tucker.

The Mayor read an opening statement:

CITY OF BUCKHANNON – MAYOR'S OPENING STATEMENT– November 1, 2018

Good evening, & welcome to this evening's City Council meeting. Tonight, I'd like to start our meeting out with some observations. I observe that this is such a very special community. During the past two or three weeks, our City sponsored the elimination dinner out at the Event Center & raised \$10,000 for our new multi-use space at Stockert. We realized nearly an additional \$25,000 in gifts, \$20,000 from the Minsker family & Buckhannon Toyota alone, all during October.

Last week, Buckhannon hosted the WV Municipal League Board meeting for the first time in many years. The recently opened Opera House served as a spectacular venue for the reception & dinner that was sponsored by Orion Strategies & AT & T. The Board meeting itself was held in our Community & Training Room. The reviews were rave from all who attended from all over our state. One of the officers with our League stated that this was the very finest Board meeting they had ever attended. The theatre will be amazing, & the community & training room already is.

Last Thursday through Sunday, Buckhannon Community Theatre staged War of the Worlds in our City's Colonial Theatre, & it was fantastic. The fact that so many kids were featured during the performances reminds us all as to why we undertook that important initiative nearly two years ago. Last Saturday, 200 volunteers, including 170 Wesleyan students came out for our inaugural Community Unity, Kindness in Service Day, and worked all day either at our Senior Center, in our parks, cleaning curbs downtown, cleaning areas along Camden Avenue & our River Trail & cemetery, & winterizing our community garden. Wesleyan continues to be a special collaborator in all that we do. Saturday evening, the Buckhannon Pride Group sponsored the Hocus Pocus Spooktacular at the Lascaux micro theatre on Trader's Alley. It, too, was a fun event. By the way, if you've not checked out Trader's Alley & Milkman Lane recently, you'll be excited to see the improvements that are nearing completion there. It was a terrific week with so many fun activities, truly something for everyone.

Then, the past couple of nights, our City sponsored Trunk or Treat at our Public Safety Complex, & then last night everyone enjoyed a tropical Halloween. So much of what we do is about our youth. Please- if you're not involved, get involved- we have a satisfying job for everyone! Service, volunteering is what it's all about-

Recognized Guests:

C.1 Al Tucker-Band of Brothers -Mayor McCauley recognized Al Tucker. Mr. Tucker explained the following calendar fund raiser.

Help Us Help Kids 2018

Help Us Help Kids is a Christmas project conducted by a Band of Brothers comprised of Christian men from various churches across Upshur County. The goal is to make the Christmas and New Year's season much brighter for underprivileged children and their parents. This is the third year for this initiative. Thanks to the generosity of hundreds of people, we have been able to help kids locally, statewide and internationally. We raise our money through the sale of a West Virginia Scenic calendar and donations.



Each year, we have a major focus, one that aims to help the neediest families and kids in our state. In 2016, it was the flood victims in southern West Virginia. Last year, it was the flood victims in Wetzel County. Recipients were so grateful that they were able to have an unexpected nice Christmas due to the kindness of those who helped us. This year, we will help families and kids in the poorest county in the state, McDowell County. Our work is based on Jesus' calling in Matthew 25:40 NIV:

'Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me.'

Other Targeted Kids Groups

- Prison Angel Tree and Addiction Recovery Programs
- Haiti and Guatemala Orphans, and North American Native Mission Work
- Middle School Pantry and Elementary School Backpack Programs
- Parish House Food Pantry & Christmas Store for Needy Kids
- Youth Mission Work and others if calendar sales & donations allow for it, such as:
- North Carolina Hurricane & Indonesian Tsunami Victims

Calendars are \$15 each. Make checks to "Band of Brothers."

(Contact –Pat Brake 304-677-0214, Kevin Hawkins 304-704-8566, Bill Nicholson 304-439-4170, Tim Rock 304-642-2555, John Simons 304-613-4063 or Al Tucker 304-704-4292)

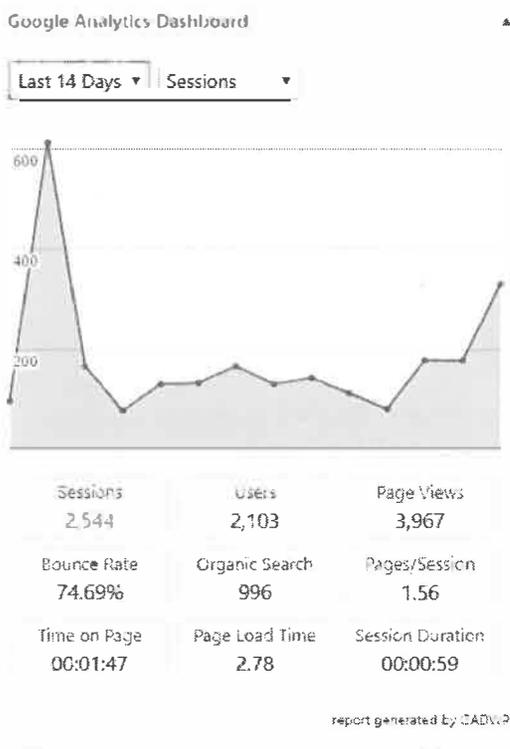
Department & Board Reports:

D.1 Information Coordinator/Grant Researcher- Callie Cronin Sams

Grant & Information Coordinator- Sams presented and explained the following information.

Information Coordinator & Grant Researcher Report – Callie Cronin Sams – Nov. 1, 2018 – City Council Meeting

Website & Social Media



FaceBook Posts:

Date	Post Content	Views
10/27/2018 9:48 AM	Great job & thank you to all the panic pants!	199
10/26/2018 12:10 PM	Picking candy for Halloween? Grab a few canned food items	998
10/24/2018 10:41 PM	CITY OF BUCKHANNON » Zoning & Building Code Forum &	511
10/24/2018 10:17 AM	Just in case you'd like a preview, here is the original radio	367
10/23/2018 10:38 AM	CITY OF BUCKHANNON » War of the Worlds starts Thursday at	305
10/23/2018 2:05 PM	Shows start this Thursday!	0
10/20/2018 7:48 AM	Please do not flush wipes, even if they claim to be "flushable"	1.8K
10/18/2018 7:05 PM	CITY OF BUCKHANNON » Buckhannon Police Department	896
10/19/2018 2:44 PM	CITY OF BUCKHANNON » Former mayor & council	1.5K
10/19/2018 10:45 AM	CITY OF BUCKHANNON » Thank you, Amanda Hayes,	2K

- over 2K views on the Amanda Hayes thank you post & #BuckhannonRecycles post

All Posts Published

Published	Post	Type	Targeting	Reach	Post Clicks
10/31/2018	Check out the video from Community & Kindness Day--			215	
10/31/2018	Check out the video from Community & Kindness Day--			94	
10/31/2018	CITY OF BUCKHANNON » #BuckhannonRecycles			238	
10/31/2018	We are sharing this interview and story that My Buckhannon			230	
10/31/2018	Happy Halloween from the BVC! Here are some safety tips to			760	
10/30/2018	GO GREEN and win PRIZES! Starting November 1, the City of			2.2K	
10/29/2018	Thanks to all who came out for Community Unity & Kindness			567	
10/29/2018	We still have plenty of spots left for our Grant Workshop THIS			931	



Grants:

Buckhannon Volunteer Center (Casey Gilbert, Coordinator): Casey Gilbert reporting on Community & Kindness Day
<http://buckhannonwv.org/community-kindness-day-2018/> Full Video on website; created by Elizabeth Stover, WVWC Service Scholar

Other Grants (Callie):

People for Bikes, submitted 10/19
 Received award of 50K at the WV Solid Waste Authority Conference that City receiving \$50 for new hook lift truck for recycling center, will replace 10 year old truck
 Families Leading Change Mini-grants due Wednesday, Nov. 7th
 Researching: JP Morgan Chase, Advancing Cities; America Walks; WV Humanities Council; David Rockefeller Pollinator Initiative; Police: active shooter training gear & body/car cams

Upcoming Events:

- 11/1-11/15 #BuckhannonRecycles campaign
- 11/2/18 Grant writing workshop at Public Safety Complex (BVC)
- 11/11-12 Veterans Day & Observance (Parade on 11/12 at 9:30 AM)
- Dec. 1, 8, 15, 22 Winter Wonderland Wagon Rides
- Dec. 8 Christmas Parade – Applications at City Hall



Speakers & Sessions

Nicki Bentley-Colthart
 Director of Foundation & Government Relations, WVWC

Best Practices in Grant Proposal Writing

Justin Raines
 Eastern Regional Coordinator, Our Children Our Future

Relational Aspect of Grant Proposals

Callie Cronin-Sams
 Information Coordinator & Grant Writer, City of Buckhannon
**Partnering with Local Government:
 Building a Strong Team for a Better Grant Proposal**

Mayor McCauley also noted the possibility to apply for recycling grants next year that may help fund a recycling building.

Motion Rylands/Skinner to promote item G15 –Approval to submit Families Leading Change Mini-Grant Application -Council consideration. Motion carried.

Ms. Sams explained the following grant opportunities for SYCC, nature and supplies:



**Families Leading Change
Mini-Grant Instructions and Application
Student and Family-Led Projects in Schools
Application Deadline: Nov. 7th at 12 pm**

Background:	<p>West Virginia schools are in crisis. We are at the bottom of the rankings, parent and community engagement is down, and the education system is broken. But it doesn't have to be that way. As parents and community leaders, we have the power to make our schools better.</p> <p>All over West Virginia, local families have been working for years to start innovative, sustainable projects that make our schools stronger, healthier, and higher-performing. Families Leading Change is a coalition of more than 50 community organizations and school groups working together – we have the WVPTA, the Principals Association, the Department of Education, the Teachers' Unions and groups like the Education Alliance all at the table together. We have to work together.</p> <p>This mini-grant application is for diverse, local TEAMS (not individuals), that are committed to long-term improvements in West Virginia's education system. Maybe you want to start an after-school program, or expand the school breakfast program, or open up your school as a community center after hours, or introduce a program that encourages entrepreneurship or encourages fathers to be more involved. We are looking for you!</p>
Available Awards and Criteria:	<p>Mini-grants may range from \$500 to \$2,000, and are available to SCHOOL-BASED TEAMS that attend the Try This Conference, Families Leading Change Summit, or Young WV Conference. At least two members of your team must attend one of these events. These are competitive grants, with no guarantee of an award. The best applications will have a simple, clear project that:</p> <ul style="list-style-type: none"> ○ Has clear, measurable outcomes; ○ Is ready to be implemented; ○ Is built to last; <u>no one-time events or fairs</u>; ○ Includes a diverse team of partners, each of whom is making a significant contribution to the project. <p>Your team must be led by a family member (parent, grandparent, kin, student), and must have the support of a school principal so that it can last beyond year one.</p>
Application Requirements:	<p><u>You must complete the full application, including all attachments:</u></p> <ul style="list-style-type: none"> ✓ The Coversheet and Page 2 – which includes your SMART goals, project team information, budget and other basic questions. ✓ The one page project description (including a timeline for how you will complete in one year), ✓ The “Long Term Impact Plan” document, which demonstrates how you want to spread your work beyond your school; ✓ At least 2 letters of commitment from Project Team members who are helping with money, volunteer time or some other resource. ✓ 2-Page Families Leading Change Project Checklist – to evaluate your school's needs! ✓ A signature, which indicates a promise to achieve your goals and file two reports <p><i>We encourage teams to identify a non-profit to serve as the Lead Organization (see page 2), but it is not a requirement. We also encourage you to meet with your team before the conference, to review this application and complete the FLC Checklist (available on-line). If any part of your application is received after October 31st at 12 pm it will not be considered. Looking for good project ideas? The website (www.familiesleadingchange.org is full of them). Got questions? Want help with your application? Contact Jenny Anderson at janderson@ourfuturewv.org.</i></p>

APPLICATION COVERSHEET, PAGE 1

Your School(s):
Project Title:
Team Leader (Name & Organization— <i>This is the <u>primary contact person</u> who takes responsibility for the overall success of the project</i>):
I am a (circle one): parent grandparent student other family member
Lead Organization (where the check goes, could be your PTA, PTO, or a community agency):
Lead Organization Street Address:
Non-profit FEIN Tax ID# (if applicable):
Website (if applicable):
Mini-Grant Request in dollars: \$
***This is the very first time that I have ever applied for a grant!! Yes No
*I attended the mini grant webinar session(s) leading up to the FLC Summit. 0 1 2 3 4 (Circle how many)
Key Outcomes. In the space below, please list the 2-5 SMART GOALS, or key outcomes. SMART goals are specific, measurable, attainable, relevant, and time-bound. Being specific is a great way to keep you and your team on track, and it lets us know how you will judge success (<i>i.e. certify our school as an "America's Entrepreneurial School", begin a year-round afterschool program that serves 12 children/day, incorporate at least 5 hours of substance abuse prevention into each grade level curriculum, attract 3 daily afterschool activities – with 5+ students each – to the school through a shared use agreement, hold 2 annual college readiness days for 200 students and 12 local college representatives, etc.</i>)
Your signature below is your promise to achieve your goals and to file two reports:
Team Leader Signature: _____
Date: _____

APPLICATION, PAGE 2

PROJECT TEAM

List the people and organizations on your team, and their contribution (i.e. "100 volunteer hours to build playground", "\$500 in matching funds," "facilitating our meetings"). At least 2 people on the team must attend the FLC Summit, including the final session. Your team must include families and the principal; you will get bonus points for including other partners from the list below. If you have more team members, add below the grid.

Team members (List Name, E-mail and Phone for each Team Member. Remember: each team must be led by a parent, student, or family member, & must include a school representative.)	How is this person connected to the school? (parent, student, grandparent, principal, teacher, school service personnel, community leader, etc.)	Contribution (could be money, personal time, volunteers, etc.)
Family/Student Team Leader:		
School principal/teacher/school staff:		
Student Team member (if not a leader):		
Team member:		

BASIC PROJECT BUDGET

Sketch out your project below. Identify expenses (i.e. trail cutting supplies, race clock, meals). Then list the total cost. Ask: how much cash can we get elsewhere? What donations can we get in-kind? How much cash do we need from FLC? Fill in the blanks in each comment.

EXPENSE (i.e. materials, supplies, printing and copying, marketing, meeting expenses, training, etc.)	TOTAL COST (should add up all of the following columns)	Cash you are getting from other sources	Amount donated in-kind (i.e. the value of donated web design, or construction materials)	Cash you are requesting from FLC
Total for each column				

List two programs/projects at www.familiesleadingchange.org or something you learned at the FLC Summit that will help you with your project:

- 1.
- 2.

REQUIREMENT: Who are the two members of you team who will attend one of our leadership trainings during the year?

There will be a variety of these offered during the mini grant timeline TBA. (List name, e-mail and phone number):

Got everything? Before you submit, please make sure you included these attachments:

- This two-page application (coversheet and page 2)
- A one-page project description
- The 2-Page Families Leading Change Project CHECKLIST
- The Long-Term Impact Plan
- At least two letters of commitment from partner organizations on your team that describe their contributions, and your signature!

Return to WV HKFC, 412 Elizabeth Street, Charleston, WV 25311 or as one combined document to janderson@ourfuturewv.org by October 31st at 12 pm.

1-PAGE PROJECT DESCRIPTION

Your 1-page project description should tell us how you are going to achieve the SMART Goals above. Some questions to answer. Do you have a track record of successful projects in the past? What is your timeline for implementing the project? How will you make this sustainable after the first school year (remember that we will fund a project only for the first year?)

LONG-TERM IMPACT PLAN

Our schools need long-term change more than one-time events. Our mini-grants are designed as start-up dollars. Please write a few sentences about how your project or program will last beyond the first year without funding from us:

Every project has a deeper, broader goal. When you start a college readiness program, you are trying to increase enrollment. When you work on alternatives to discipline, you are trying to reduce incidents of discipline and time outside of school. When you start a healthy backpack program, you're moving your community toward the long-term goal of diminishing child hunger.

Our big goal is:

What other steps could be taken toward that same goal in your community AFTER THIS YEAR? We will keep encouraging you to see your project as part of a long-term process, one step among many. What are at least two other possible steps toward your broader goal?

- 1.
- 2.

Add more if you like.

Finally, we believe it is important to not just work in one school, or one county, but across the state. Each team is required to do at least one meeting – either with your state legislators, or with your county school board – where you tell the story of your project and try to advance other key issues in the school. Check at least one of the following:

- We will meet with our County school board
- We will meet with our Legislators at the Capitol
- I will create a "How To" Video or virtual guidebook on this project

Note: Each team will receive a project coach, who will help you prepare for this meeting.

What are some of the issues you may want to raise at a meeting with your school board or lawmaker, in addition to telling them about your project?

If you want to brainstorm about your project and its deeper goal, e-mail Jenny Anderson at janderson@ourfuturewv.org with your phone number, and we will call you!

Tips and Grant Buzz Words:

What does sustainable mean?

Sustain-a-whatee?

Sustainable means the ability to continue your grant project work beyond the FLC funding year –

Things to think about-

- If you are not around to volunteer for this program, who will take it over? (Once your child moves on to another school or graduates, will the project STOP?)
- Is there capacity to find volunteers past the first year of the project?
- Consider writing a "Train the Trainer" element into your grant? (a way to prep the next group of parents or students to lead)
- Will your team be able to find ways to get more funding or "leverage" things to keep the project going?

- Is this really something that the school will consider important enough to support beyond a year?
- THINK BIG...you have a year end goal, what about a 5-year plan and goal?

What are SMART Goals?

Does that mean I have to be super smart? Nah....You know what a goal is. It can be anything that you set for yourself and push yourself to achieve. For your project, it is a team goal you want to achieve.

Sometimes that goal may be small (like waking up an hour earlier than you normally do) and sometimes it may be larger (like earning a promotion). (Credit- <https://www.briantracy.com/blog/personal-success/smart-goals/>)

SMART Goals are organized and have a timeline. They tell a story about how you will reach your project goal. When you go to do your report mid year and at the end of the mini grant year, these SMART goals will help you literally tell your success story.

S: Specific- Write out a clear goal your project will achieve

M: Measurable- This is how you will track your progress during your year

A: Achievable- Create challenging, but also create goals that you will be realistically able to achieve in this upcoming year. (You may need to scale down just a bit)

R: Relevant- These goals should be relevant to your project and overall goal. It is easy to get sidetracked and add other mini goals that do not help you achieve your overall goal. Lots of people can have great ideas! BUT, if you can't focus on the real impact that the overall goal will make, sometimes nothing gets done and it will set you up for failure.

T: Time Bound- Create a timeline for your year long project. Dividing the project is quarters might help. Choose milestones that will help springboard the next set of goals. Add numbers to these goals and set a deadline when you will accomplish them.

How do I make a project budget?

Ugh...I was not good at Math in School....How on Earth can I make a budget?

If you are the "Financial Wiz and bookkeeper in your home, you can do a project budget.... Easy peazy.

A project budget serves as a guideline and includes all cost for implementation of the project.

How to start:

List all the things that you estimate and know will need to make this project a success.

- Tangible materials and supplies (curriculum, building supplies, etc.)
- Travel or training expense
- Labor hours (professional and a volunteer is worth \$24.14 hr.)
- Venue or building rental

Think about who in the community and who you know personally, businesses or individuals, clubs or organizations that might help donate items, time, or give additional funding. Go ahead and make the ask if they would like to be a part of your team and if they might be able to help with some of the items you will need!! The worst they can say in "no"! You will be surprised who steps up to help!

Then get to work and create the budget. Remember, it is just an estimate at this point. Things will change good and bad throughout your project timeline.

Tip- Only ask FLC for things that you know you will need to start up the project and you cannot get funding for without this mini grant. It looks impressive when you do some foot work ahead of time and list multiple partners that have committed to help fund or donate other things for your project.

<https://www.smartsheet.com/blog/essential-guide-writing-smart-goals>

Motion Albaugh/Rylands to approve to submit the Families Leading Change Mini- Grant application. Motion carried.

D.2 Public Works Director- Jerry Arnold- In the absence of Mr. Arnold, Mayor McCauley read the following report:

**Buckhannon City Council
Public Works Director Report Jerry Arnold
November 1, 2018**

Director:

- I will be meeting with Ty Bradley (BrickStreet) on Monday. He will be conducting safety audits on a couple of our projects and facilities.
- We conducted a supervisors/project team meeting on Monday to discuss the request from UCDA and Dan Hill Construction for the temporary closure of Spring Street. The group discussed that a side from the inconvenience, the proposed closure did not pose any elevated or additional safety concerns. Bryson requested an updated schedule, site plan, and the safety plan for protecting pedestrian/vehicular traffic in the public way. Amby was concerned about notification of the businesses that would be affected by the closure. She provided a list of those businesses and if the closure is approved it will be the responsibility of the UCDA and their contractor to notify the businesses and provide them with the anticipated schedule. The group discussed the need for the city to be named as secondary insured on Dan Hill Construction's liability insurance and was advised by our city attorney to request this document as part of the request documentation.

Water Department:

- Continue to Inspect on the WSI project on Brushy Fork
- Repaired a leak on Franklin Street last week.
- Precision Pump is working to replace a check valve, butterfly valve, a variable frequency drive, and the raw water pump this week.
- We continue to conduct testing on large meters.

Sewer Department:

- Contractor has been working on the road bores for the Brushy Fork extension.
- Crew 1- continues to work on Wood St. Project #2.
- Crew-2 have been working on a sewer complaint at 94 & 96 E. Main St..
- The maintenance crew is working on remodeling the restrooms at the plant.

Waste Department:

- The Waste Department had an employee resign. We will be advertising to fill this position.
- The Waste Department received a \$50,000.00 grant from the WVDEP to be used toward the purchase of a new hook lift recycling truck.

Street Department:

- Continue to work on Traders Alley.
- We are installing insulation and performing some additional demolition during rainy days.
- We will be install/replace about 200' of guardrail along Upper Dr.

Engineering:

- ACP Water System Improvements Project – Contract No. 2 has about 90% of the pipe installed to date.
- Gateway West Engineering and Surveying – Meetings were held with the DOH District 7 office to finalize the refuge island to be installed at the SJH entrance. Since this review has been completed, final revisions to drawings, specifications, letters and permits are being addressed. Anticipate submitting the revisions by the end of the month.

D.3 Finance Director- Amberle Jenkins- Director of Finance and Admin- Jenkins presented the following information:

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CITY OF BUCKHANNON
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2018

001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TAXES						
001-301-000-01 AD VALOREM TAXES	828,249	70,513.38	491,665.25	0.00	336,583.75	59.36
001-301-000-02 PRIOR YEAR TAXES	20,000	1,930.92	9,759.97	0.00	10,240.03	48.80
001-303-000-00 GAS & OIL SEVERANCE TAX	7,400	11,844.73	11,844.73	0.00	4,444.73	160.06
001-304-000-00 2% UTILITY TAX	250,000	19,041.44	82,180.38	0.00	167,819.62	32.87
001-305-000-00 B & O TAX	1,200,000	178,308.90	534,902.73	0.00	665,097.27	44.58
001-305-000-01 B&O CONTRACTORS	60,870	17,521.61	27,970.85	0.00	32,899.15	45.95
001-306-000-00 LIQUOR TAX	70,000	4,670.53	12,293.33	0.00	57,706.67	17.56
001-307-000-00 ANIMAL CONTROL TAXES	1,000	143.10	812.70	0.00	187.30	81.27
001-308-000-00 HOTEL MOTEL TAX	170,000	20,630.60	89,174.28	0.00	80,825.72	52.46
001-310-000-00 Auditor Taxes Accrued	0	0.00	0.00	0.00	0.00	0.00
TOTAL TAXES	2,607,519	324,605.21	1,260,604.22	0.00	1,346,914.78	48.34
FINES AND FEES						
001-320-000-00 COURT COSTS, FEES & CHARG	41,000	3,816.00	12,636.00	0.00	28,164.00	30.82
001-320-000-01 BASIC FEE (POLICE DEPT.)	1,000	100.00	200.00	0.00	800.00	20.00
001-320-000-02 POLICE FEE -CITATION	10,000	1,600.00	4,180.00	0.00	5,820.00	41.80
001-320-000-03 POLICE/FINGERPRINT REVENU	100	50.00	125.00	0.00	25.00	125.00
001-320-000-04 SUMMONS FEE FOR PARKING T	200	0.00	0.00	0.00	200.00	0.00
001-321-000-00 LCT 5 (OLD D&L/CVB PROPER	0	0.00	0.00	0.00	0.00	0.00
TOTAL FINES AND FEES	52,300	5,566.00	17,141.00	0.00	35,159.00	32.77
LIC PERMITS & FRANCHISE						
001-325-000-00 CITY BUSINESS LICENSE	16,000	70.00	15,359.50	0.00	640.50	96.00
001-326-000-00 BUILDING PERMIT FEES	30,000	5,212.84	22,358.31	0.00	7,641.69	74.53
001-326-000-10 PROPERTY REGIST - VACANT	0	0.00	0.00	0.00	0.00	0.00
001-328-000-00 FRANCHISE FEES	69,000	0.00	16,962.80	0.00	52,037.20	24.58
001-330-000-00 TRF TRUCK FEE	30,000	337.19	20,914.71	0.00	9,085.29	69.72
TOTAL LIC PERMITS & FRANCHISE	145,000	5,620.03	75,595.32	0.00	69,404.68	52.13
OTHER FEES						
001-340-000-00 DONATION THEATRE UTILBILL	60	1,854.88	8,103.98	0.00	8,043.98	1,506.63
001-341-000-00 ESC MUNICIPAL SURCHARGE	94,000	7,946.86	31,760.25	0.00	62,239.75	33.79
001-341-000-01 ESC MUN SURCHARGE OLD ACC	0	0.00	0.00	0.00	0.00	0.00
001-345-000-00 RENTS	30,000	0.00	0.00	0.00	30,000.00	0.00
TOTAL OTHER FEES	124,060	9,801.74	40,864.23	0.00	84,195.77	32.13
HEALTH AND SAFETY						
001-351-000-00 POLICE PROTECTION FEES	75,000	6,347.10	25,376.71	0.00	49,623.29	33.84
001-352-000-00 FIRE PROTECTION FEES	150,000	12,882.15	51,512.10	0.00	98,487.90	34.34
TOTAL HEALTH AND SAFETY	225,000	19,229.25	76,888.81	0.00	148,111.19	34.17
CHARGES FOR SERVICES						
001-362-000-00 SYC CONTRIB. UCC AND BOE	45,000	0.00	0.00	0.00	45,000.00	0.00
001-362-000-01 SYC UTILITY REVENUE	2,500	211.50	844.50	0.00	1,655.50	33.78
001-362-000-02 SYC CAMP BUCKNNEER FEES	18,000	189.00	18,069.00	0.00	69.00	100.38
001-362-000-03 SYC DRILL TEAM FEES	5,000	109.00	1,110.00	0.00	3,890.00	22.20
001-362-000-04 SYC BASKETBALL FEES	18,000	4,291.00	4,856.00	0.00	13,144.00	26.98

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CITY OF BUCKHANNON
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2018

001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
001-362-000-05 SYC ROOM RENTAL FEES	3,500	300.00	990.00	0.00	2,510.00	28.29
001-362-000-06 SYC ART/DRAMA FEES	0	0.00	0.00	0.00	0.00	0.00
001-362-000-07 SYC AFTER SCHOOL FEES	10,000	5,592.00	10,522.23	0.00	522.23	105.50
001-362-000-08 SYC DRINK/SHACK MACHINE	0	0.00	0.00	0.00	0.00	0.00
001-362-000-09 SYC DONATIONS	2,000	32,748.00	45,046.00	0.00	43,046.00	225.23
001-362-000-10 SYC KARATE FEES	1,500	450.00	1,010.00	0.00	90.00	67.33
001-362-000-11 RED RIBBON WEEK	0	0.00	0.00	0.00	0.00	0.00
001-362-000-12 SYC GIRLS GO GOLFING	0	0.00	0.00	0.00	0.00	0.00
001-362-000-13 UCARE/SYC	0	0.00	0.00	0.00	0.00	0.00
001-362-000-14 SYC BINGO FUND RAISER	0	0.00	0.00	0.00	0.00	0.00
001-362-000-15 SYC CHILDRENS FESTIVAL DO	500	100.00	800.00	0.00	300.00	160.00
001-362-000-16 SYC TEEN DANCES	500	0.00	0.00	0.00	500.00	0.00
001-362-000-17 ZUMBA REVENUE	1,000	10.00	35.00	0.00	965.00	3.50
001-362-000-18 YOGA FITNESS CLASS REVENUE	1,000	60.00	395.00	0.00	605.00	39.50
001-362-000-19 GUITAR LESSONS REVENUE	0	0.00	0.00	0.00	0.00	0.00
001-362-000-20 SYC MISC ACTV REVENUE 1TY	500	40.00	40.00	0.00	460.00	8.00
001-362-000-25 SYC REQUEST	0	0.00	0.00	0.00	0.00	0.00
TOTAL CHARGES FOR SERVICES	117,000	41,171.50	52,117.73	0.00	24,382.27	76.73

GRANTS

001-365-000-00 POLICE DEPT. - RECOVERY GR	0	0.00	0.00	0.00	0.00	0.00
001-365-000-01 USDA GRANT-FARMERS MARKET	0	0.00	0.00	0.00	0.00	0.00
001-365-000-02 LWCF GRANT/ NB PARK	29,348	0.00	7,921.50	0.00	22,426.50	26.99
001-365-000-00 POLICE DEPT. - GRANTS	20,000	0.00	5,819.32	0.00	17,180.68	29.09
001-365-000-31 SYC STATE COMMUNITY PARTI	0	0.00	0.00	0.00	0.00	0.00
001-365-000-02 RIVER WALK TRAIL GRANT	0	0.00	0.00	0.00	0.00	0.00
001-365-000-04 SAFE HAVES TO SCHOOL GRANT	0	0.00	0.00	0.00	0.00	0.00
001-365-000-31 HISTORIC LAND MARK GRANT	0	0.00	0.00	0.00	0.00	0.00
001-365-000-06 STREET DEPT. GRANTS	0	0.00	0.00	0.00	0.00	0.00
001-365-000-07 POLICE HIGHLAND GRANT TRAIN	0	0.00	0.00	0.00	0.00	0.00
001-365-000-00 SAFE ROUTES POLICE GRANT	0	0.00	0.00	0.00	0.00	0.00
001-365-000-09 VOLUNTEER COORDINATOR GRA	0	0.00	0.00	0.00	0.00	0.00
001-365-000-10 Reclassify grant/donation	0	0.00	0.00	0.00	0.00	0.00
001-365-000-11 Reclassify grant/donation	0	0.00	0.00	0.00	0.00	0.00
001-365-000-12 GATEWAY WEST GRANT REV	300,000	0.00	2,660.87	0.00	297,339.13	0.89
001-365-000-13 LAND WATER CONG GR(LWCPI)F	0	0.00	0.00	0.00	0.00	0.00
001-365-000-14 CULTURE APTS GRNT (THEATR)	50,000	0.00	102,000.00	0.00	52,000.00	204.00
001-365-000-15 REAP-CLEAN UP GRANT	0	0.00	3,500.00	0.00	3,500.00	0.00
001-365-000-09 FIRE TRUCK GRANT/LOAN	0	0.00	0.00	0.00	0.00	0.00
001-365-000-01 CONTRIBUTION VOL. FIRE DE	15,000	0.00	0.00	0.00	15,000.00	0.00
001-365-000-02 2010 BOND ISSUE	0	0.00	0.00	0.00	0.00	0.00
001-365-000-03 CONTRIBUTIONS BOE-PRO OFF	58,300	0.00	0.00	0.00	58,300.00	0.00
001-365-000-04 SANITARY REPAY LOAN	0	0.00	0.00	0.00	0.00	0.00
TOTAL GRANTS	475,648	0.00	121,901.69	0.00	353,746.31	25.63

INTRAFUND CONTR/CHARGES

001-369-000-00 CONTRIBUTION FUNDS-BRUSHY	8,000	0.00	0.00	0.00	8,000.00	0.00
001-369-000-01 CONTRIBUTION FRM MUN STAB	0	0.00	0.00	0.00	0.00	0.00
001-370-000-00 LATE CHARGES - GEN FUND	200	57.55	226.58	0.00	26.58	113.29
TOTAL INTRAFUND CONTR/CHARGES	8,200	57.55	226.58	0.00	7,973.42	2.76

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CITY OF BUCKHANNON
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2018

001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
OTHER REVENUE						
001-375-000-00 GRANTING TAX INCOME	11,200	987.79	3,825.53	0.00	7,374.47	34.16
001-377-000-00 MGRD CAPITAL TRHS FRM CS	0	0.00	0.00	0.00	0.00	0.00
001-379-000-00 GAIN/LOSS SALE OF FIXED A	0	0.00	0.00	0.00	0.00	0.00
001-380-000-00 GENERAL FUND INTEREST	400	0.00	15.03	0.00	384.97	3.76
001-381-000-00 STREET DEPT. BILLING/PCAR	0	690.00	2,025.00	0.00	3,025.00	0.00
001-382-000-00 REWARDS-REWARDS BOARD	3,000	0.00	1,125.51	0.00	2,374.49	37.18
001-397-000-00 VIDEO LOTTERY	10,000	1,691.39	9,835.56	0.00	10,164.44	32.14
001-399-000-00 MISCELLANEOUS REVENUE	2,000	1,802.55	9,130.58	0.00	7,130.58	456.53
001-399-000-01 CAT TAG REGISTRATION	0	0.00	0.00	0.00	0.00	0.00
001-399-000-02 HISTORIC LANDMARK REV	0	0.00	0.00	0.00	0.00	0.00
001-399-000-03 EVENT/FIREWORK REVENUE	0	0.00	4,200.00	0.00	4,200.00	0.00
TOTAL OTHER REVENUE	32,600	5,181.74	29,127.21	0.00	27,424.79	78.27
TOTAL REVENUE	3,786,827	414,203.01	1,709,496.79	0.00	2,077,330.21	45.14

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CITY OF BUCKHANNON
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2018

001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
ECONOMIC DEVELOPMENT						
CONTRIBUTIONS						
001-402-567-00 ECONOMIC DEVELOPMENT	30,000	0.00	0.00	0.00	30,000.00	0.00
TOTAL CONTRIBUTIONS	30,000	0.00	0.00	0.00	30,000.00	0.00
TOTAL ECONOMIC DEVELOPMENT	30,000	0.00	0.00	0.00	30,000.00	0.00
MAYOR'S OFFICE						
SALARIES & BENEFITS						
001-409-101-00 MAYOR'S ELECTED SALARY	3,000	250.00	1,900.00	0.00	2,800.00	33.33
001-409-103-00 MAYOR'S ASSISTANT SALARY	21,000	2,878.27	11,612.71	0.00	9,387.29	55.30
001-409-104-00 MAYOR'S F.I.C.A.	1,610	238.44	861.36	0.00	848.64	59.71
001-409-105-00 MAYOR'S INSURANCE	32,100	3,215.39	12,861.56	0.00	19,238.44	40.07
001-409-106-00 MAYOR'S RETIREMENT	2,310	151.98	591.97	0.00	1,718.03	25.63
001-409-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	60,020	6,734.08	27,827.60	0.00	32,992.40	45.03
CONTRACTUAL SERVICES						
001-409-211-00 MAYOR'S TELEPHONE	3,000	282.60	728.51	0.00	2,271.49	24.28
001-409-214-00 MAYOR'S TRAVEL	0	0.00	0.00	0.00	0.00	0.00
001-409-218-00 MAYOR'S POSTAGE	9,000	760.18	3,632.44	0.00	5,367.56	33.69
001-409-220-00 MAYOR'S LEGAL PUBLICATION	5,000	1,207.68	1,411.50	0.00	3,588.50	28.23
001-409-222-00 MAYOR'S DUES	2,000	496.00	1,611.02	0.00	388.98	80.55
001-409-223-00 PROFESSIONAL SERVICES	0	0.00	0.00	0.00	0.00	0.00
001-409-223-01 PROFESSIONAL (ARCHITECT)	0	0.00	0.00	0.00	0.00	0.00
001-409-226-00 MAYOR'S INSURANCE & BONDS	1,500	88.55	139.33	0.00	1,360.67	9.28
TOTAL CONTRACTUAL SERVICES	27,500	2,885.06	6,923.60	0.00	20,576.40	25.17
COMMODITIES						
001-409-341-00 MAYOR'S SUPPLIES & MATER	22,000	3,429.33	10,125.49	0.00	11,874.51	46.02
001-409-341-06 EVENT/FIREWORK EXPENSE	0	377.21	4,466.03	0.00	4,466.03	0.00
001-409-341-06 VOLUNTEER COORDINATOR EXP	0	62.12	152.38	860.00	1,012.38	0.00
TOTAL COMMODITIES	22,000	3,868.66	14,743.90	860.00	6,296.10	70.93
CAPITAL OUTLAY						
001-409-457-00 MAYOR'S CAPITAL OUTLAY MI	0	0.00	0.00	0.00	0.00	0.00
001-409-458-00 MAYOR'S REPAY SANITARY/WA	0	0.00	0.00	0.00	0.00	0.00
001-409-458-01 TRANSFER TO SANITARY FUND	0	0.00	0.00	0.00	0.00	0.00
001-409-460-00 SANITARY BD (BRUSHY FOR)L	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0	0.00	0.00	0.00	0.00	0.00

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CITY OF BUCKHANNON
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2018

001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
CONTRIBUTIONS						
001-409-568-00 CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
NON-OPERATING EXPENSES						
001-409-670-00 PROG BNK NOTE PAYABLE INT	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAYOR'S OFFICE	109,520	13,458.79	48,694.10	860.00	59,965.90	45.25
COUNCIL						
SALARIES & BENEFITS						
001-410-101-00 COUNCIL'S ELECTED SALARIE	12,000	1,000.00	4,000.00	0.00	8,000.00	33.33
001-410-103-00 CAT CONTROL SALARY	1,500	0.00	0.00	0.00	1,500.00	0.00
001-410-104-00 COUNCIL'S F.I.C.A.	1,100	76.50	306.00	0.00	794.00	27.82
001-410-106-00 COUNCIL'S RETIREMENT	500	20.00	80.00	0.00	420.00	16.00
TOTAL SALARIES & BENEFITS	15,100	1,096.50	4,386.00	0.00	10,714.00	29.05
CONTRACTUAL SERVICES						
001-410-211-00 CLOSE CAP OUTLAY EXP	0	0.00	0.00	0.00	0.00	0.00
001-410-214-00 COUNCIL TRAVEL	0	0.00	0.00	0.00	0.00	0.00
001-410-223-00 PROFESSIONAL (LEGAL)	12,500	1,041.87	4,166.68	0.00	8,333.32	33.33
001-410-226-00 COUNCIL INSURANCE (PROPER	7,000	242.69	2,337.70	0.00	4,662.30	33.40
TOTAL CONTRACTUAL SERVICES	19,500	1,283.75	6,504.38	0.00	12,995.62	33.36
COMMODITIES						
001-410-341-00 CLOSE CAP OUTLAY EXP	0	0.00	0.00	0.00	0.00	0.00
TOTAL COMMODITIES	0	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY						
001-410-450-01 THEATRE BUILDING	6,000	29.54	528.92	0.00	5,471.08	8.82
001-410-450-02 THEATRE CAPITAL	50,000	0.00	669.79	0.00	49,330.21	1.32
001-410-457-00 CAP PUBLIC SAFETY COMP RE	0	0.00	8.00	0.00	0.00	0.00
001-410-459-00 COUNCIL CAPITAL OUTLAY	5,000	0.00	5,000.00	0.00	0.00	100.00
001-410-459-01 PROPERTY PURCHASE 48REMAIN	0	0.00	0.00	0.00	0.00	0.00
001-410-460-00 CAT CONTROL EXPENSE	500	20.00	20.00	0.00	480.00	4.00
TOTAL CAPITAL OUTLAY	61,500	49.54	6,209.71	0.00	55,290.29	10.10
CONTRIBUTIONS						
001-410-568-00 CONTRIBUTIONS(Lacade)	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
NON-OPERATING EXPENSES						
001-410-999-00 Reclassify SanNote Ord 36	0	0.00	0.00	0.00	0.00	0.00
001-410-999-50 RecordCapPavCostPdByCoalT	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00

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CITY OF BUCKHANNON
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001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TOTAL COUNCIL	96,100	2,429.79	17,100.09	0.00	78,999.91	17.79
RECORDER						
SALARIES & BENEFITS						
001-411-101-00 RECORDER'S ELECTED SALARY	1,800	150.00	600.00	0.00	1,200.00	33.33
001-411-104-00 RECORDER'S F.I.C.A.	150	11.48	45.92	0.00	104.08	30.61
001-411-106-00 RECORDER'S RETIREMENT	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	1,950	161.48	645.92	0.00	1,304.08	33.12
CONTRACTUAL SERVICES						
001-411-214-00 RECORDER TRAVEL	0	0.00	0.00	0.00	0.00	0.00
001-411-222-00 RECORDER DUES	50	0.00	35.00	0.00	15.00	70.00
001-411-226-00 INSURANCE/COMPENSATION/bo	500	5.50	707.52	0.00	207.52	141.50
TOTAL CONTRACTUAL SERVICES	550	5.50	742.52	0.00	192.52	135.00
TOTAL RECORDER	2,500	166.98	1,388.44	0.00	1,111.56	55.54
TREASURER						
SALARIES & BENEFITS						
001-413-101-00 TREASURER'S SALARY	6,200	437.56	1,750.24	0.00	4,449.76	28.23
001-413-103-00 TREASURER'S ASSISTANT SAL	0	0.00	0.00	0.00	0.00	0.00
001-413-104-00 TREASURER'S F.I.C.A.	500	33.46	133.84	0.00	366.16	26.77
001-413-105-00 TREASURER'S GROUP INSURAN	56	4.60	18.40	0.00	37.60	32.86
001-413-106-00 TREASURER'S RETIREMENT	690	42.76	175.04	0.00	514.96	25.37
001-413-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	7,446	519.38	2,077.52	0.00	5,368.48	27.90
CONTRACTUAL SERVICES						
001-413-214-00 TREASURER'S TRAVEL	0	0.00	0.00	0.00	0.00	0.00
001-413-224-00 AUDIT	2,500	0.00	1,663.25	0.00	836.75	66.53
001-413-226-00 TREASURER'S INSURANCE & B	1,000	7.96	39.76	0.00	960.24	3.98
TOTAL CONTRACTUAL SERVICES	3,500	7.96	1,703.03	0.00	1,796.97	48.66
TOTAL TREASURER	10,946	527.34	3,780.55	0.00	7,165.45	34.54
COURT						
SALARIES & BENEFITS						
001-416-103-00 POLICE JUDGE SALARY	8,000	625.00	2,500.00	0.00	5,500.00	31.25
001-416-104-00 POLICE JUDGE FICA	700	47.81	191.24	0.00	508.76	27.32
001-416-105-00 POLICE JUDGE INSURANCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	8,700	672.81	2,691.24	0.00	6,008.76	29.93

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CITY OF BUCKHANNON
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001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
CONTRACTUAL SERVICES						
001-416-221-00 POLICE JUDGE TRAINING	100	0.00	0.00	0.00	100.00	0.00
001-416-226-00 POLICE JUDGE INS BONDS	400	33.54	36.46	0.00	363.54	9.12
TOTAL CONTRACTUAL SERVICES	500	33.54	36.46	0.00	463.54	7.29
TOTAL COURT	9,200	706.35	2,727.70	0.00	6,472.30	29.65
CITY ATTORNEY						
SALARIES & BENEFITS						
001-417-103-00 CITY ATTORNEY (ASSISTANT)	1,750	145.75	583.00	0.00	1,167.00	33.31
001-417-104-00 CITY ATTORNEY FICA	135	11.15	44.60	0.00	90.40	33.94
001-417-105-00 CITY ATTORNEY INSURANCE	5,400	471.05	1,884.20	0.00	3,515.80	34.89
001-417-106-00 CITY ATTORNEY RETIREMENT	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	7,285	627.95	2,511.80	0.00	4,773.20	34.48
CONTRACTUAL SERVICES						
001-417-221-00 CITY ATTORNEY TRAINING	0	0.00	0.00	0.00	0.00	0.00
001-417-222-00 CITY ATTORNEY DUES	0	0.00	0.00	0.00	0.00	0.00
001-417-226-00 CITY ATTORNEY INS UNEMPL	225	30.77	31.41	0.00	193.59	13.96
TOTAL CONTRACTUAL SERVICES	225	30.77	31.41	0.00	193.59	13.96
TOTAL CITY ATTORNEY	7,510	658.72	2,543.21	0.00	4,966.79	33.85

CITY ENGINEER

SALARIES & BENEFITS						
001-420-103-00 CITY ENGINEER SALARY	0	0.00	0.00	0.00	0.00	0.00
001-420-104-00 CITY ENGINEER FICA TAX	0	0.00	0.00	0.00	0.00	0.00
001-420-106-00 CITY ENGINEER RETIREMENT	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	0	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES						
001-420-221-00 ENGINEER TRAINING	0	0.00	0.00	0.00	0.00	0.00
001-420-223-00 CITY ARCHITECT	6,000	0.00	3,000.00	0.00	3,000.00	50.00
001-420-226-00 CITY ENGINEER INS & BONDS	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRACTUAL SERVICES	6,000	0.00	3,000.00	0.00	3,000.00	50.00
TOTAL CITY ENGINEER	6,000	0.00	3,000.00	0.00	3,000.00	50.00

REGIONAL DUES

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CITY OF BUCKHANNON
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DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
CONTRACTUAL SERVICES						
001-435-222-00 REGIONAL DUES	5,650	0.00	5,639.00	0.00	11.00	99.81
TOTAL CONTRACTUAL SERVICES	5,650	0.00	5,639.00	0.00	11.00	99.81
TOTAL REGIONAL DUES	5,650	0.00	5,639.00	0.00	11.00	99.81
HOUSING						
COMMODITIES						
001-436-341-99 CLEAN UP ASSISTANCE EXP	0	0.00	0.00	0.00	0.00	0.00
001-436-354-00 HOUSING ENFORCEMENT	8,000	0.00	11.00	0.00	7,989.00	0.14
TOTAL COMMODITIES	8,000	0.00	11.00	0.00	7,989.00	0.14
TOTAL HOUSING	8,000	0.00	11.00	0.00	7,989.00	0.14
ZONING						
SALARIES & BENEFITS						
001-437-103-00 ZONING SALARY	35,000	2,692.30	19,769.30	0.00	24,230.70	30.77
001-437-104-00 ZONING F.I.C.A.	2,700	255.96	823.84	0.00	1,876.16	30.51
001-437-105-00 ZONING HEALTH INS	5,400	468.75	1,875.00	0.00	3,525.00	34.72
001-437-106-00 ZONING RETIREMENT	3,850	269.24	1,876.26	0.00	2,773.74	29.97
TOTAL SALARIES & BENEFITS	46,950	3,636.25	14,544.40	0.00	32,405.60	30.98
CONTRACTUAL SERVICES						
001-437-214-00 TRAVEL EXPENSE	1,000	0.00	89.29	0.00	910.71	9.00
001-437-221-00 ZONING TRAINING	1,000	0.00	0.00	0.00	1,000.00	0.00
001-437-226-00 ZONING INSURANCE & BONDS	2,000	88.47	442.35	0.00	1,557.65	22.12
TOTAL CONTRACTUAL SERVICES	4,000	88.47	531.64	0.00	3,467.66	13.21
COMMODITIES						
001-437-341-00 ZONING SUPPLIES	1,500	121.54	489.10	0.00	1,010.90	32.61
TOTAL COMMODITIES	1,500	121.54	489.10	0.00	1,010.90	32.61
TOTAL ZONING	52,450	3,846.26	15,566.44	0.00	36,883.50	29.68
ELECTION						
SALARIES & BENEFITS						
001-438-103-00 ELECTION SALARIES	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	0	0.00	0.00	0.00	0.00	0.00

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DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
CONTRACTUAL SERVICES						
001-438-230-00 ELECTION	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRACTUAL SERVICES	0	0.00	0.00	0.00	0.00	0.00
TOTAL ELECTION	0	0.00	0.00	0.00	0.00	0.00
DATA PROCESSING						
CONTRACTUAL SERVICES						
001-439-230-00 DATA PROCESSING	20,000	1,864.97	8,904.77	0.00	11,095.23	44.52
TOTAL CONTRACTUAL SERVICES	20,000	1,864.97	8,904.77	0.00	11,095.23	44.52
CAPITAL OUTLAY						
001-439-459-00 DATA PROCESSING CAPITAL O	7,500	0.00	2,191.01	0.00	5,308.99	29.31
TOTAL CAPITAL OUTLAY	7,500	0.00	2,191.01	0.00	5,308.99	29.31
TOTAL DATA PROCESSING	27,500	1,864.97	11,095.78	0.00	16,404.22	40.35
CITY HALL						
SALARIES & BENEFITS						
001-440-103-00 CITY HALL JANITOR SALARY	25,500	2,306.70	9,174.38	0.00	20,325.62	31.18
001-440-104-00 CITY HALL FICA	2,300	174.23	692.83	0.00	1,607.17	30.12
001-440-105-00 CITY HALL JANITOR INSURAN	75	4.60	18.48	0.00	56.60	24.53
001-440-106-00 GROUP RETIREMENT	3,250	230.67	917.43	0.00	2,332.57	28.23
001-440-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	31,125	2,716.18	10,803.04	0.00	24,321.96	30.76
CONTRACTUAL SERVICES						
001-440-213-00 CITY HALL UTILITIES	20,000	2,802.18	7,524.58	0.00	12,475.42	37.62
001-440-216-00 CITY HALL MAINTENANCE & R	5,500	332.02	1,898.64	0.00	4,601.36	19.98
001-440-226-00 CITY HALL INSURANCE & BON	1,500	56.22	281.10	0.00	1,218.90	18.74
TOTAL CONTRACTUAL SERVICES	27,000	3,190.42	8,904.32	0.00	18,095.68	32.98
COMMODITIES						
001-440-341-00 CITY HALL SUPPLIES	1,000	42.44	139.54	0.00	860.46	13.95
TOTAL COMMODITIES	1,000	42.44	139.54	0.00	860.46	13.95
CAPITAL OUTLAY						
001-440-459-00 GEOTHERMAL GRANT CITY HAL	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0	0.00	0.00	0.00	0.00	0.00
CONTRIBUTIONS						
001-440-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00

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CITY OF BUCKHANNON
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DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TOTAL CITY HALL	63,125	5,949.04	19,846.90	0.00	43,278.10	31.44
MUN FINANCE CONTRIB						
SALARIES & BENEFITS						
001-444-000-00 TRANSF TO MUN FINANC STAB	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	0	0.00	0.00	0.00	0.00	0.00
CONTRIBUTIONS						
001-444-566-00 CONTRIBUTION TO RAINY DAY	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
TOTAL MUN FINANCE CONTRIB	0	0.00	0.00	0.00	0.00	0.00
BAD DEBT						
NON-OPERATING EXPENSES						
001-550-676-00 BAD DEBT EXPENSE	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
TOTAL BAD DEBT	0	0.00	0.00	0.00	0.00	0.00
ELECTRICIAN - CONTRACTED						
CONTRACTUAL SERVICES						
001-568-230-00 ELECTRICIAN CONTRACTED	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRACTUAL SERVICES	0	0.00	0.00	0.00	0.00	0.00
TOTAL ELECTRICIAN - CONTRACTED	0	0.00	0.00	0.00	0.00	0.00
CONTINGENCY						
CONTRIBUTIONS						
001-699-568-00 CONTINGENCY COUNCIL DETER	31,130	0.00	0.00	0.00	31,130.00	0.00
TOTAL CONTRIBUTIONS	31,130	0.00	0.00	0.00	31,130.00	0.00
TOTAL CONTINGENCY	31,130	0.00	0.00	0.00	31,130.00	0.00

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CITY OF BUCKHAMMCH
REVENUE & EXPENSE REPORT (UNAUDITED)
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% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
POLICE						
SALARIES & BENEFITS						
001-700-103-00 POLICE DEPT. SALARIES	552,742	42,290.63	169,390.27	0.00	424,349.73	28.41
001-700-103-25 POLICE DEPT. PRO	0	2,068.15	8,065.79	0.00	8,065.79	0.00
001-700-104-00 POLICE DEPT. FICA TAX	45,345	3,340.61	13,291.18	0.00	32,053.82	29.31
001-700-105-00 POLICE DEPT. GROUP INSUR	175,000	16,891.55	64,467.02	0.00	110,532.98	36.84
001-700-106-00 POLICE DEPT. RETIREMENT	0	3,953.58	15,814.06	0.00	44,185.94	26.36
001-700-106-25 POLICE RET PRO	0	206.61	806.53	0.00	806.53	0.00
001-700-108-00 RECOVERY GRANT OVERTIME P	0	0.00	0.00	0.00	0.00	0.00
001-700-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	873,087	68,751.33	279,838.90	0.00	602,250.10	31.02
CONTRACTUAL SERVICES						
001-700-211-00 POLICE DEPT. TELEPHONES	7,800	798.27	2,607.45	0.00	5,192.55	33.43
001-700-213-00 POLICE DEPT. UTILITIES	0	0.00	0.00	0.00	0.00	0.00
001-700-214-00 POLICE DEPT. TRAVEL EXPEN	2,600	0.00	1,995.46	0.00	4.54	99.77
001-700-221-00 POLICE DEPT. TRAINING	12,000	3,154.74	5,259.85	0.00	6,740.15	43.83
001-700-221-01 POLICE HMLAND GRANT TRAIN	0	0.00	0.00	0.00	0.00	0.00
001-700-225-00 POLICE DEPT. UNIFORM MAIN	0	0.00	0.00	0.00	0.00	0.00
001-700-226-00 POLICE DEPT. INSURANCE &	41,000	2,743.87	12,831.93	0.00	28,168.07	30.57
001-700-233-00 POLICE DEPT. CRIMINAL INV	2,000	0.00	0.00	0.00	2,000.00	0.00
TOTAL CONTRACTUAL SERVICES	64,800	6,686.88	22,394.69	0.00	42,405.31	34.56
COMMODITIES						
001-700-341-00 POLICE DEPT. MAT & SUPPLI	29,500	2,301.23	12,957.73	274.99	7,267.28	61.45
001-700-341-01 POLICE HMLAND GRANT RADIO	0	0.00	0.00	0.00	0.00	0.00
001-700-341-02 POLICE GRANT (AUDIO SURVE	0	0.00	0.00	0.00	0.00	0.00
001-700-341-03 POLICE GRANTS	0	0.00	0.00	0.00	0.00	0.00
001-700-341-04 CVR-LET-RJ FEES EXPENSED	10,000	588.00	2,012.00	0.00	7,988.00	23.12
001-700-343-00 POLICE DEPT. AUTO SUPPLIE	30,000	2,276.87	13,519.19	0.00	16,480.81	45.06
001-700-344-00 POLICE DEPT. FEELING PRIS	0	0.00	0.00	0.00	0.00	0.00
001-700-345-00 POLICE DEPT. UNIFORMS	7,000	1,183.99	3,432.75	166.23	3,411.01	51.27
001-700-353-00 RECOVERY GRANT SORT/HAROW	0	0.00	0.00	0.00	0.00	0.00
001-700-379-00 DISPOSAL/SALE ASSETS	0	0.00	0.00	0.00	0.00	0.00
TOTAL COMMODITIES	67,500	6,350.07	31,911.68	441.22	35,147.28	47.93
CAPITAL OUTLAY						
001-700-459-00 POLICE DEPT. NEW EQUIP.	80,700	8,835.27	32,792.20	0.00	47,907.80	48.63
TOTAL CAPITAL OUTLAY	80,700	8,835.27	32,792.20	0.00	47,907.80	48.63
CONTRIBUTIONS						
001-700-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
NON-OPERATING EXPENSES						
001-700-670-00 FORD NOTE PAYABLE INT EXP	0	0.00	0.00	0.00	0.00	0.00
001-700-672-00 BOND PAYABLE INT EXP	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00

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CITY OF BUCKHAMMCH
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2018

001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TOTAL POLICE	1,086,087	90,633.55	357,935.47	441.22	727,710.31	33.00
FIRE						
SALARIES & BENEFITS						
001-706-103-00 FIRE DEPT. SALARIES	390,000	28,588.46	112,456.64	0.00	277,543.36	28.84
001-706-104-00 FIRE DEPT. FICA TAX	30,000	2,263.52	8,424.59	0.00	21,375.41	28.75
001-706-105-00 FIRE DEPT. GROUP INSURANC	82,000	7,947.45	31,832.68	0.00	50,967.32	37.84
001-706-106-00 FIRE DEPT. GROUP RETIREME	39,000	2,736.50	10,367.39	0.00	28,632.61	26.58
001-706-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	541,000	42,535.93	162,481.30	0.00	378,518.70	30.03
CONTRACTUAL SERVICES						
001-706-211-00 FIRE DEPT. TELEPHONES	1,750	168.41	359.40	0.00	1,390.60	20.54
001-706-213-00 FIRE DEPT. UTILITIES	0	0.00	0.00	0.00	0.00	0.00
001-706-214-00 FIRE DEPT. TRAVEL EXPENSE	3,500	0.00	0.00	0.00	3,500.00	0.00
001-706-216-00 FIRE DEPT. MAINTENANCE	4,500	75.00	388.25	0.00	4,119.74	8.45
001-706-221-00 FIRE DEPT. TRAINING	10,000	0.00	0.00	0.00	10,000.00	0.00
001-706-226-00 FIRE DEPT. INSURANCE & BG	38,000	1,192.17	11,459.44	0.00	26,540.56	30.16
TOTAL CONTRACTUAL SERVICES	57,750	1,435.58	12,399.10	0.00	45,550.90	21.12
COMMODITIES						
001-706-341-00 FIRE DEPT. MATERIAL & SUP	8,000	473.85	1,873.39	0.00	6,926.61	13.38
001-706-343-00 FIRE DEPT. AUTO SUPPLIES	17,500	1,331.10	4,648.01	0.00	12,851.99	26.56
001-706-345-00 FIRE DEPT. UNIFORMS	3,150	830.63	1,106.15	0.00	2,023.85	35.75
001-706-349-00 FIRE DEPT HAZARDOUS MAT R	500	0.00	0.00	0.00	500.00	0.00
TOTAL COMMODITIES	29,150	2,635.58	6,844.55	0.00	22,305.45	23.48
CAPITAL OUTLAY						
001-706-459-00 FIRE DEPT. CAPITAL OUTLAY	75,000	3,678.20	18,832.51	0.00	56,167.49	25.11
001-706-461-00 NEW FIRE STATION PAYMENT	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	75,000	3,678.20	18,832.51	0.00	56,167.49	25.11
CONTRIBUTIONS						
001-706-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
NON-OPERATING EXPENSES						
001-706-670-00 FIRE TRK NOTE PAYABLE INT EXP	0	0.00	0.00	0.00	0.00	0.00
001-706-672-00 BOND PAYABLE INT EXP	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
TOTAL FIRE	702,900	50,365.49	200,357.46	0.00	502,542.54	28.50

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001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
DOG WARDEN - CONTRACTED						
CONTRACTUAL SERVICES						
001-707-230-00 DOG WARDEN CONTRACTED SER	1,000	0.00	0.00	0.00	1,000.00	0.00
TOTAL CONTRACTUAL SERVICES	1,000	0.00	0.00	0.00	1,000.00	0.00
TOTAL DOG WARDEN CONTRACTED	1,000	0.00	0.00	0.00	1,000.00	0.00
FLOOD CONTROL						
CONTRACTUAL SERVICES						
001-714-230-00 FLOOD CONTROL-RIVER CLEAN	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRACTUAL SERVICES	0	0.00	0.00	0.00	0.00	0.00
TOTAL FLOOD CONTROL	0	0.00	0.00	0.00	0.00	0.00
FIRE - CONTRACTED						
CONTRACTUAL SERVICES						
001-715-230-00 FIRE DEP CONTRACTED/HYDRA	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRACTUAL SERVICES	0	0.00	0.00	0.00	0.00	0.00
TOTAL FIRE CONTRACTED	0	0.00	0.00	0.00	0.00	0.00
STREET						
SALARIES & BENEFITS						
001-750-103-00 STREET DEPT. SALARIES	354,000	30,166.63	123,813.38	0.00	230,186.62	34.98
001-750-104-00 STREET DEPT. FICA TAX	27,000	2,293.32	9,413.18	0.00	17,586.82	34.86
001-750-105-00 STREET DEPT. GROUP INSURA	101,600	9,764.03	39,056.12	0.00	62,543.88	38.44
001-750-106-00 STREET DEPT. GROUP RETIRE	35,400	2,590.54	10,185.01	0.00	25,214.99	28.77
001-750-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	518,000	44,814.52	182,467.69	0.00	335,532.31	35.23
CONTRACTUAL SERVICES						
001-750-211-00 STREET DEPT. TELEPHONES	4,000	471.23	1,488.14	0.00	2,511.86	37.20
001-750-213-00 STREET DEPT. UTILITIES	8,000	588.50	1,777.37	0.00	6,222.63	22.22
001-750-215-00 CONTRIBUTION TO FLOWER CP	25,000	0.00	0.00	0.00	25,000.00	0.00
001-750-226-00 STREET DEPT. INSURANCE &	50,000	3,337.83	15,740.37	0.00	34,259.63	33.48
TOTAL CONTRACTUAL SERVICES	87,000	4,397.56	19,005.88	0.00	67,994.12	21.85

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CITY OF BUCKHANNON
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DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
COMMODITIES						
001-750-341-00 STREET DEPT. MAT & SUPPLI	81,000	3,472.28	13,306.82	66.50	67,626.68	16.51
001-750-343-00 STREET DEPT. AUTO SUPPLIE	30,000	3,328.70	18,198.09	0.00	11,801.91	60.66
001-750-345-00 STREET DEPT. UNIFORMS	5,000	320.80	956.48	0.00	4,043.52	19.13
001-750-379-00 DISPOSAL/SALE ASSETS	0	0.00	0.00	0.00	0.00	0.00
TOTAL COMMODITIES	116,000	7,121.78	32,461.39	66.50	83,472.11	28.04
CAPITAL OUTLAY						
001-750-458-00 WALK TRAIL	0	0.00	0.00	0.00	0.00	0.00
001-750-458-01 SAFE WAYS TO SCHOOL GRANT	0	0.00	0.00	0.00	0.00	0.00
001-750-458-02 STORM SEWER PROJECTS	0	0.00	0.00	0.00	0.00	0.00
001-750-458-03 DOG PARK	0	28.88	472.11	0.00	472.11	0.00
001-750-458-04 TRANSPORTATION ENHANCE GR	0	0.00	0.00	0.00	0.00	0.00
001-750-458-05 STREET DEPT PROJECTS	103,800	5,083.36	34,156.49	0.00	68,843.51	33.14
001-750-458-06 PROJECT?	0	0.00	0.00	0.00	0.00	0.00
001-750-458-07 LNCP/ NORTH BUCK. PARK	35,813	0.00	0.00	0.00	35,813.00	0.00
001-750-458-08 GATEWAY WEST GRANT EXPENS	280,000	0.00	0.00	0.00	280,000.00	0.00
001-750-459-00 STREET DEPT. CAPITAL OUTL	62,000	664.11	4,559.31	0.00	57,440.69	7.35
001-750-459-99 STREET PV JR-PDT	0	0.00	0.00	0.00	0.00	0.00
001-750-461-00 STREET PAVING	118,125	1,021.68	107,652.23	5,127.68	15,600.45	86.79
TOTAL CAPITAL OUTLAY	598,938	6,798.03	146,840.14	5,127.68	457,225.54	23.66
CONTRIBUTIONS						
001-750-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
NON-OPERATING EXPENSES						
001-750-670-00 NOTE PAYABLE INT EXP	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
TOTAL STREET	3,319,938	63,131.89	380,775.10	5,661.18	944,224.08	28.46
STREET LIGHTS						
CONTRACTUAL SERVICES						
001-751-213-00 STREET LIGHTS	70,000	5,732.26	22,792.96	0.00	47,207.04	32.56
TOTAL CONTRACTUAL SERVICES	70,000	5,732.26	22,792.96	0.00	47,207.04	32.56
TOTAL STREET LIGHTS	70,000	5,732.26	22,792.96	0.00	47,207.04	32.56
TRAFFIC SIGNALS & SIGNS						
CONTRACTUAL SERVICES						
001-752-213-00 TRAFFIC SIGNALS POWER	2,500	526.36	1,604.22	0.00	895.78	64.17
001-752-230-00 SIGNS & SIGNALS	15,000	70.98	70.96	0.00	14,929.02	4.7
TOTAL CONTRACTUAL SERVICES	17,500	597.34	1,675.20	0.00	15,824.80	9.87

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CITY OF BUCKHANNON
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DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TOTAL TRAFFIC SIGNALS & SIGNS	17,500	597.34	1,675.20	0.00	15,024.80	9.57
SNOW REMOVAL						
COMMODITIES						
001-753-341-00 SNOW REMOVAL	20,000	0.00	0.00	0.00	20,000.00	0.00
TOTAL COMMODITIES	20,000	0.00	0.00	0.00	20,000.00	0.00
TOTAL SNOW REMOVAL	20,000	0.00	0.00	0.00	20,000.00	0.00
AIRPORT						
CONTRIBUTIONS						
001-759-567-00 AIRPORT	15,000	0.00	0.00	0.00	15,000.00	0.00
TOTAL CONTRIBUTIONS	15,000	0.00	0.00	0.00	15,000.00	0.00
TOTAL AIRPORT	15,000	0.00	0.00	0.00	15,000.00	0.00
PUBLIC TRANSIT						
CONTRIBUTIONS						
001-759-568-00 PUBLIC TRANSIT	10,000	10,000.00	10,000.00	0.00	0.00	100.00
TOTAL CONTRIBUTIONS	10,000	10,000.00	10,000.00	0.00	0.00	100.00
TOTAL PUBLIC TRANSIT	10,000	10,000.00	10,000.00	0.00	0.00	100.00
HEALTH DEPT						
CONTRIBUTIONS						
001-803-568-00 BUCKHANNON-UPSHUR HEALTH	5,000	0.00	0.00	0.00	5,000.00	0.00
TOTAL CONTRIBUTIONS	5,000	0.00	0.00	0.00	5,000.00	0.00
TOTAL HEALTH DEPT	5,000	0.00	0.00	0.00	5,000.00	0.00
STORM WATER						
COMMODITIES						
001-805-344-00 STORM WATER TO SANITARY	50,000	0.00	0.00	0.00	50,000.00	0.00
TOTAL COMMODITIES	50,000	0.00	0.00	0.00	50,000.00	0.00

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TOTAL STORM WATER	50,000	0.00	0.00	0.00	50,000.00	0.00
PARK 25% TO CPWB						
COMMODITIES						
001-900-341-00 PARK-30% HOT/MOT PD TO CP	45,000	9,201.90	20,563.11	0.00	24,436.89	45.70
TOTAL COMMODITIES	45,000	9,201.90	20,563.11	0.00	24,436.89	45.70
CONTRIBUTIONS						
001-900-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
TOTAL PARK 25% TO CPWB	45,000	9,201.90	20,563.11	0.00	24,436.89	45.70
CVB 75% TO CVB						
CONTRACTUAL SERVICES						
001-901-235-00 HOTEL/MOTEL 70% PAID TO C	119,000	21,471.10	47,960.57	0.00	71,019.43	40.32
TOTAL CONTRACTUAL SERVICES	119,000	21,471.10	47,960.57	0.00	71,019.43	40.32
TOTAL CVB 75% TO CVB	119,000	21,471.10	47,960.57	0.00	71,019.43	40.32
STOCKERT YOUTH CENTER						
SALARIES & BENEFITS						
001-907-101-00 STOCKERT YOUTH CENTER SAL	124,500	8,865.07	42,452.22	0.00	81,947.78	34.18
001-907-103-00 CAMP BUCKHANNON SALARIES	22,000	1,098.00	9,877.51	0.00	12,122.49	44.90
001-907-103-01 SYC BUS DRIVERS	8,000	0.00	348.75	0.00	7,651.25	4.35
001-907-104-00 FICA TAX	12,100	766.85	4,035.62	0.00	8,064.38	33.35
001-907-105-00 GROUP INSURANCE	23,000	1,962.70	7,854.80	0.00	15,145.20	34.15
001-907-106-00 GROUP RETIREMENT	7,500	564.34	2,175.88	0.00	5,324.12	29.01
001-907-109-00 COMPENSATED ABSENCE	6	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	197,100	13,243.96	66,844.78	0.00	130,255.22	33.92
CONTRACTUAL SERVICES						
001-907-212-00 TELEPHONES	2,100	418.00	829.81	0.00	1,270.19	39.51
001-907-213-00 UTILITIES	13,500	2,257.24	6,590.19	0.00	6,909.81	48.87
001-907-214-00 TRAVEL EXPENSE	500	0.00	0.00	0.00	500.00	0.00
001-907-216-00 MAINTENANCE	5,500	360.41	1,436.48	0.00	4,063.52	26.12
001-907-218-00 POSTAGE	0	0.00	0.00	0.00	0.00	0.00
001-907-221-00 TRAINING	250	0.00	375.00	0.00	25.00	110.00
001-907-226-00 INSURANCE & BONDS	13,500	849.20	3,585.66	0.00	9,914.34	26.56
001-907-230-00 SYC CONTRACTUAL BUS SER	0	0.00	0.00	0.00	0.00	0.00

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001-907-230-01 WORK STUDY/AMERICORP	2,000	5,000.00	8,000.00	0.00	6,000.00	400.00
TOTAL CONTRACTUAL SERVICES	37,600	9,884.85	20,717.14	0.00	16,882.86	55.10
COMMODITIES						
001-907-341-00 MATERIALS & SUPPLIES EXPE	5,000	709.44	3,361.05	0.00	1,638.95	67.32
001-907-341-01 OPERATING EXPENSES	1,500	258.77	507.57	0.00	992.43	33.84
001-907-343-00 SYNC AUTO SUPPLIES	2,000	2,077.05	2,291.79	0.00	291.79	114.59
001-907-354-00 DRILL TEAM	5,000	888.35	888.35	0.00	4,111.65	17.77
001-907-355-00 DANCE TEAM	1,000	0.00	0.00	0.00	1,000.00	0.00
001-907-356-00 YOUTH BASKETBALL	18,300	0.00	781.07	0.00	17,218.93	4.34
001-907-357-00 TUTORING	250	0.00	0.00	0.00	250.00	0.00
001-907-358-00 MISC. DANCE/PARTIES	500	0.00	22.18	0.00	477.82	4.44
001-907-359-00 ART/DRAMA PROGRAM	250	0.00	0.00	0.00	250.00	0.00
001-907-360-00 CAMP BUCANNEER SUPPLIES	3,000	0.00	1,408.43	0.00	1,591.57	46.95
001-907-361-00 AFTER SCHOOL SUPPLIES	4,000	977.52	1,641.46	0.00	2,358.54	41.04
001-907-362-00 DRINK/SNACK MACHINE	0	0.00	0.00	0.00	0.00	0.00
001-907-363-00 KARATE CLASS INSTRUCTION	1,500	360.00	840.00	0.00	660.00	56.00
001-907-364-00 SKATEPARK	0	0.00	0.00	0.00	0.00	0.00
001-907-365-00 RED RIBBON WEEK EXPENSE	0	0.00	0.00	0.00	0.00	0.00
001-907-366-00 FUND RAISER	1,000	2,207.95	2,207.95	0.00	1,207.95	220.80
001-907-367-00 GIRLS GO GOLFING	0	0.00	0.00	0.00	0.00	0.00
001-907-368-00 UCARE/SYC	0	0.00	0.00	0.00	0.00	0.00
001-907-368-01 ZUMBA	1,000	0.00	24.00	0.00	976.00	2.40
001-907-368-02 YOGA FITNESS CLASS	1,000	92.00	348.00	0.00	652.00	34.80
001-907-368-03 GUITAR LESSONS	0	0.00	0.00	0.00	0.00	0.00
001-907-368-04 MISC ACTIVITIES-ONE TIME	500	25.33	25.33	0.00	474.67	5.07
001-907-368-05 FIVE PROMISES GRNT SYC	0	0.00	0.00	0.00	0.00	0.00
TOTAL COMMODITIES	45,500	7,596.41	14,347.18	0.00	31,152.82	31.53
CAPITAL OUTLAY						
001-907-458-00 CAPITAL CAMPAIGN (BOE & U	0	0.00	0.00	0.00	0.00	0.00
001-907-458-01 SYC CHILDRENS FESTIVAL	1,000	58.97	603.76	0.00	396.24	60.38
001-907-459-00 CAPITAL OUTLAY	2,000	0.00	0.00	0.00	2,000.00	0.00
001-907-477-00 SYC TEEN DANCES	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	3,000	58.97	603.76	0.00	2,396.24	20.13
CONTRIBUTIONS						
001-907-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
TOTAL STOCKERT YOUTH CENTER	283,200	29,784.19	102,512.86	0.00	180,687.14	36.20
CONVENTION CENTER						
CAPITAL OUTLAY						
001-910-457-00 CONFERENCE CENTER PAYMENT	41,000	3,351.00	13,404.00	0.00	27,596.00	32.69
TOTAL CAPITAL OUTLAY	41,000	3,351.00	13,404.00	0.00	27,596.00	32.69
TOTAL CONVENTION CENTER	41,000	3,351.00	13,404.00	0.00	27,596.00	32.69

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001-GENERAL FUND

% OF YEAR COMPLETED: 33.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
HISTORIC LANDMARKS						
CONTRACTUAL SERVICES						
001-911-223-00 HISTORIC LAND MARK EXPENS	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRACTUAL SERVICES	0	0.00	0.00	0.00	0.00	0.00
TOTAL HISTORIC LANDMARKS	0	0.00	0.00	0.00	0.00	0.00
SAFETY COMPLEX POLICE						
CONTRACTUAL SERVICES						
001-976-213-00 SAFETY COMPLEX UTILITIES	24,000	2,936.12	7,551.29	0.00	16,448.71	31.46
001-976-216-00 SAFETY COMPLEX MAINT	5,000	157.38	634.38	0.00	4,365.62	12.69
001-976-226-00 SAFETY COMPLEX INSURANCE	10,000	0.00	1,123.64	0.00	8,876.36	11.24
TOTAL CONTRACTUAL SERVICES	39,000	3,093.50	9,309.31	0.00	29,690.69	25.87
CAPITAL OUTLAY						
001-976-461-00 SAFETY COMPLEX POLICE DEP	158,600	13,437.98	66,270.30	0.00	92,329.70	41.78
TOTAL CAPITAL OUTLAY	158,600	13,437.98	66,270.30	0.00	92,329.70	41.78
TOTAL SAFETY COMPLEX POLICE	197,600	16,531.48	75,579.61	0.00	122,020.39	38.25
TOTAL EXPENDITURES	4,442,856	330,338.35	1,364,969.55	3,759.96	3,081,646.41	30.64
REVENUE OVER/(UNDER) EXPENDITURES	(656,029)	83,864.66	344,527.24	3,759.96	1,004,316.20	53.09

D.4 Fire Chief-JB Kimble- Fire Chief-Kimble presented the following information



**CERTIFICATION OF INSPECTION
AERIAL LIFT DEVICE**

Certification Number: M67239-40553424
Owner: **Buckhannon Fire Department**
Address: **22 South Florida Street, Buckhannon, WV 26201**
Type of Unit: **Sutphen**
Year: **2007**
Serial Number: **HS-4255**
Owner's ID Number: **Truck 11**
Boom Type: **100' Telescopic Platform**

I certify that on September 12, 2018, the above described device was inspected and tested in reference to NFPA 1911 to include the 5 year Non-Destructive Testing.

Complete test results are recorded in the Mistras Group Inc. Aerial Lift Device inspection report number M67239-40553424.

The effectiveness of such certification shall in no event exceed one-year from the above date.

Inspector: A. Loft

Company Official:

1480 James Parkway | Heath, OH 43056 | Phone: (800) 333-8629 | Fax: (740) 788-9189

Chief Kimble also explained some concerns he has about parking issues on Chancery St. Recently, an emergency was in the area and the emergency equipment could not access the street. Chief Kimble has made the Courthouse staff aware of the problem in the past. Council concurred the problem and the Mayor and Chief Kimble will talk to the Commission.

Council Cuppari asked about data on emergency calls involving drugs. Chief Kimble explained the fire department did not start answering this type of call until 2017 when staff had the proper training.

D.5 City Attorney- Tom O'Neill- Attorney O'Neill will report items under Strategic.

Correspondence & Information:

E.1 Notice of Public Hearing of Proposed Adoption of an Amendment to the City's Home Rule Plan-1% Sales & Use Tax

September 12, 2018

The Record Delta
Attention: Legal Advertisement Department
2B Clarksburg Road PO Box 550
Buckhannon, WV 26201

RE: Class II Legal Advertisement - City of Buckhannon

Dear Ladies and Gentlemen:

Please find attached herewith a "NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON AND OF PROPOSED ADOPTION OF AMENDMENT TO THE CITY OF BUCKHANNON'S HOME RULE PLAN," which I request your newspaper publish twice as a legal advertisement in your editions of September 17 and September 24, 2018, respectively.

Following the second publication of the attached legal advertisement on Monday, September 24, 2018 please forward your Publisher's Certificate and Affidavit along with your Publisher's statement to City Recorder Colin Reger at City Hall.

Should you have any questions or comments whatsoever concerning the publication of this legal advertisement, please contact me at City Hall at 304-472-1651, immediately. Thank you for your assistance in this matter. This letter and attached legal advertisement are being transmitted to you by e-mail attachment and further will be sent by U.S. Postal Service to you at your Clarksburg Road Office.

Very truly yours,

Amberle Jenkins, Assistant City Recorder

Attachment - Legal advertisement - notice of public meeting re: Home Rule Plan Amendment

cc: Members of City Council
David McCauley, Mayor
Thomas J. O'Neill, City Attorney

**NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY
OF BUCKHANNON AND OF PROPOSED ADOPTION OF AN
AMENDMENT TO THE CITY'S HOME RULE PLAN**

TO: All residents of the City of Buckhannon

Notice is hereby given to all residents of the City of Buckhannon of the City Council's proposed adoption of an Amendment to the Municipal Home Rule Plan of the City of Buckhannon to permit the City's adoption of a one-percent municipal sales and use tax.

The Council of the City of Buckhannon will hold a public hearing on the topic of the adoption of said Amendment, to be held on Thursday, November 1, 2018, at 7:00 p.m. o'clock, at Buckhannon's City Hall located at 70 East Main Street in Buckhannon, Upshur County, West Virginia. A reasonable number of copies of the proposed Amendment to the City's Municipal Home Rule Plan will be on file at City Hall at least thirty days prior to said hearing, and may be inspected by any member of the public during the regular business hours of City Hall.

All interested persons may appear at the November 1, 2018 meeting at 7:00 p.m. and be heard with respect to the City Council's proposed adoption of said Amendment.

Thomas J O'Neill, City Attorney

E.2 Municipal Home Rule Pilot Program Amendment Application

CITY OF BUCKHANNON

MUNICIPAL HOME RULE PILOT PROGRAM AMENDMENT APPLICATION



**SUBMITTED TO THE WEST VIRGINIA
MUNICIPAL HOME RULE BOARD**

**Municipal Home Rule Pilot Program
APPLICATION FOR AMENDED PLAN**

SECTION I: APPLICANT INFORMATION	
A. General Information	
Name of Municipality: City of Buckhannon	
Certifying Official: David W. McCauley	Title: Mayor
Contact Person: Amberle Jenkins	Title: Director of Finance
Address: 70 E. Main Street	
City, State, Zip: Buckhannon, West Virginia 26201	
Telephone Number: 304-472-1651	Fax Number: 304-472-4620
E-Mail Address: Mayor@buckhannonwv.org	
2010 Census Population: 5,639	
B. Municipal Classification	
<input type="checkbox"/> Class 1 <input type="checkbox"/> Class II <input checked="" type="checkbox"/> Class III <input type="checkbox"/> Class IV	
C. Category of Issues to be Addressed (please attach descriptions for applicable categories)	
<input checked="" type="checkbox"/> Tax <input type="checkbox"/> Organization <input type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other	

SECTION II: NARRATIVE (written plan, including the following) See Attachments
1) Please see Page 3

SECTION III: AFFIDAVITS See Attachments
Hearing Mandate Verification Publication Mandate Verification Ordinance Authorizing Submission of Plan Fiscal Impact Worksheets/Formulas Feasibility Study (if taxes are proposed) Attorney Opinion (application complies with statutory requirements) State of West Virginia Fees Statement (none outstanding) Agreement to Requirements Statement (firearms, ammunition and firearm accessories)

Requirements Concerning Firearms, Ammunition and Firearm Accessories

Definitions: As used in this subsection:

- (A) Ammunition means fixed cartridge ammunition, shotgun shells, the individual components of fixed cartridge ammunition and shotgun shells, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.
- (B) Firearm accessory means a device specifically designed or adapted to enable the wearing or carrying about one's person, or the storage or mounting in or a conveyance, of a firearm, or an attachment or device specifically designed or adapted to be inserted into a affixed onto a firearm to enable, alter or improve the functioning or capabilities of the firearm.
- (C) Firearm has the same meaning as in W. Va. § 61-7-2.

General Rule:

- (A) Municipalities participating in the Municipal Home Rule Pilot Program may not restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any revolver, pistol, rifle, or shotgun, or indirectly prohibit the ownership of the ammunition, or, to restrict in any manner the right of any person to purchase, posses, transfer, own, carry, transport, sell or store any other firearm accessory or accouterment, under any order, ordinance or rule promulgated or enforced by the municipality. This rule may not be construed to prevent any law enforcement official with appropriate authority from enforcing any statute enacted by the state.
- (B) The authority of a municipality to regulate firearms, ammunition, or firearm accessories may not be inferred from its proprietary authority, home rule status or any other inherent or general power.

- (C) Any existing or future orders, ordinances, or rules promulgated or enforced in violation of this subsection are null and void.
- (D) A municipality may regulate the carrying of a firearm in municipal buildings dedicated to government operations, other than parking buildings or garages.

Applicability and Effective Dates:

Ninety days after a new municipality has been selected by the Board to participate in the pilot program, or a previously participating municipality has chosen to continue to participate in the pilot program, any municipal gun ordinances previously authorized by the provisions of section five-a, article twelve, chapter eight of this code shall no longer be of any force or effect for any municipality participating in this program, to the extent they are in conflict with the provisions of this subsection: Provided, that no provision in this subsection may be construed to limit the authority of a municipality to restrict the commercial use of real estate in designated areas through planning or zoning ordinance.

Certifying Official Signature (Mayor or designee): **David W. McCauley, Mayor**

City of Buckhannon Home Rule Amendment Application

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III. Proposal: To implement up to a 1% municipal sales and use tax within the municipal boundaries of the City of Buckhannon	5

Background

Nestled in the heart of north central West Virginia, Buckhannon is located just miles from Interstate 79 and along U.S. Routes 119, 48 (Corridor H) and 33. Our community offers the simplicity of small town life with the benefit of specialty and antique shops, restaurants, motels, bed and breakfast establishments, Civil War heritage and cultural experiences, and an outstanding liberal arts college – West Virginia Wesleyan College, a 4-year residential college which draws many hundreds of students from other states and countries with the ancillary economic benefits to the community and the state of their faculty, staff, visitors and alumni. Buckhannon’s Main Street is a registered Historic District and hosts numerous community events year-round including the renowned West Virginia Strawberry Festival, and Festival Fridays – a new community tradition which draws crowds of hundreds into our downtown’s crown jewel park – Jawbone Park – on Friday afternoons from the late spring through early autumn to enjoy locally-sourced food and drink, live music, and camaraderie.

Buckhannon’s arts district includes a retail outlet for local artists, a micro-theatre and a performing arts center on the campus of West Virginia Wesleyan College that hosts numerous productions including Mountain Stage performances, Jazz performances and theatre productions. Every September, the Main Street Arts Festival celebrates Buckhannon’s local art organizations and talented artists. The City recently purchased the almost century-old Colonial Theatre, the restoration of which is well underway. Outdoor recreation can be found within Buckhannon’s city limits. The Buckhannon River is known as one of the best musky fishing locations in the nation and has multiple entries for small boats and kayaks. Our scenic parks are great spots for picnics, walking, biking, and more.

Though the City of Buckhannon promotes its distinctiveness and individual history, it is not too dissimilar from other cities in West Virginia. As with all cities in the state, the City of

Buckhannon and its elected representatives are committed to providing every appropriate opportunity for economic growth and diversification for its residents and the businesses located within the City, as well as the municipality's ability to fund essential public services. The City's participation in the Municipal Home Rule Pilot Program has resulted in increased flexibility and responsiveness in meeting the City's challenges, and city leadership is grateful for Buckhannon's participation in the Municipal Home Rule Pilot Program.

The City of Buckhannon maintains a business and occupation tax structure unique in West Virginia. The retail component, which represents the majority of receipts, contains a three-tier structure, but more importantly includes a \$1 Million initial exemption for all retail, wholesaler, and manufacturing taxpayers; the City adopted this exemption in order to protect the smallest and most economically vulnerable enterprises from the potentially negative impacts of the tax on their operations. In addition, the existing B&O only covers certain business sectors, such as contractors, financial services, retail & wholesale sales, and manufacturing. There is no general B&O tax applicable to all licensed businesses. Indeed, Buckhannon's B&O tax structure may be the most generous in the state by virtue of those threshold exemptions and limitations to certain business sectors.

Municipal Classification

The City of Buckhannon has a population of 5,639 (2010 U.S. Census) and is classified under West Virginia Code § 8-1-3 (3) as a Class III city.

Proposal: To implement up to a 1% municipal sales and use tax within the municipal boundaries of the City of Buckhannon

Problem: The Council of the City of Buckhannon would like to consider the implementation of a sales and use tax for any purchases made within municipal limits. West Virginia Code §8-13C-1, *et seq.* prohibits the imposition of a municipal sales and use tax without elimination of the municipality's business and occupation tax. This restriction has hampered the ability of the City of Buckhannon to maintain and enhance vital public services and threatens the ability of the City's revenues to keep up with the pace of inflation. As the municipal B&O funds approximately 25% of the City's General Fund budget, elimination of this key revenue source is not feasible.

The City certainly has alternative avenues with which to raise revenue. It may increase fire and police service fees, implement a stormwater service fee within certain watersheds, and collect a fire fee from its "first due" service area, including areas outside of the municipality. For several reasons, particularly the deeply negative impact of a first due fire fee on the remaining volunteer fire departments located throughout the rest of Upshur County, the City believes that implementation of a municipal sales and use tax is the most prudent and responsible option. Importantly, it shares the cost of certain city services – most or all of which are enjoyed by city residents and nonresidents alike – among the broader population benefitting from those services. In addition, a sales tax is a tax of choice – a person can avoid paying the tax by making a strategic decision regarding the location of their purchases¹.

While City outlays have risen over the past years as a consequence of the cost of goods and services the City uses in carrying out its mandates, Buckhannon has maintained a balanced budget by making certain changes to its operations, including adopting fleet management services in lieu of vehicle purchases, reducing payroll through attrition, and working with vendors to minimize increases in insurance costs. The City's ability to manage stagnant revenue and steadily increasing costs has reached a point where undesirable and potentially harmful cuts to city services, including public safety and infrastructure, may be required to equalize revenues and expenditures under future budgets.

Solution: If this Amendment is approved by the Municipal Home Rule Board, the City of Buckhannon will consider the enactment of an ordinance implementing a municipal retail sales and use tax at a rate up to 1%, while increasing its existing retail, wholesale, and manufacturing

¹ It is worth noting, however, that economic studies have demonstrated that sales tax rates have little to no impact on a consumer's choice of business patronage.

Mayoral Proclamation
in harmony with
Christian Heritage Week in West Virginia
November 18-24, 2018
as proclaimed by
Governor Jim Justice

WHEREAS, Thanksgiving week marks the twenty-seventh consecutive *Christian Heritage Week in West Virginia*; thus continuing a tradition of annual proclamations beginning with Governor Gaston Caperton in 1992 thru 1996 and continued by Governor Cecil Underwood from 1997 thru 2000, Governor Bob Wise from 2001 thru 2004, Governor Joe Manchin from 2005 thru 2010, Governor Earl Ray Tomblin from 2011 thru 2016 and Governor Jim Justice in 2017 and 2018; and,

WHEREAS, 208 mayors from 130 cities, towns and villages throughout the State of West Virginia have proclaimed *Christian Heritage Week* since 2001; and,

WHEREAS, local churches are encouraged to participate with relevant Sunday School lessons, sermons, patriotic song services, youth programs and prayer meetings.

NOW, THEREFORE, Let it be Known that November 18-24, 2018, Thanksgiving week, is hereby proclaimed as:

Christian Heritage Week
in the
City of Buckhannon, West Virginia

and I invite all citizens to join me in this observance each in their own way.

by 
Mayor
date Oct 18, 2018

- E.5 COB Notice of Building/Zoning Code Tutorial Session Nov. 19th at 6pm at City Hall
- E.6 Proclamation Alpha Delta Kappa Day

MAYOR'S PROCLAMATION

Whereas, ALPHA DELTA KAPPA the international organization for women educators was founded in the summer of 1954 & now has 33 active chapters in West Virginia with 1,125 members; and,

Whereas, the Kappa Chapter comprised of women educators was organized & members were initiated in Clarksburg on October 9, 1959; and,

Whereas, ALPHA DELTA KAPPA is dedicated to educational excellence, altruism, world understanding, & recognition of outstanding women educators;

Whereas, ALPHA DELTA KAPPA supports numerous benevolent & philanthropic purposes including the Julia Kovach Memorial Project, Camp Kno Koma for children with diabetes, the St. Jude's Children Research Hospital, & the Alzheimer's Association; and,

Whereas, ALPHA DELTA KAPPA's major goals are to build a fraternal fellowship among educators contributing to their effectiveness in promoting excellence in education, to establish high standards of education, & to promote educational & charitable projects & activities thereby enriching the lives of individuals everywhere & assisting these individuals into happy, constructive, & fulfilling lives while sponsoring scholarships at the state & chapter levels to contribute to professional development; and,

Whereas, our City now desires to recognize **ALPHA DELTA KAPPA's** members for their many outstanding contributions to our community during their month of celebration in October.

NOW, THEREFORE, I, DAVID W. McCAULEY, MAYOR OF THE CITY OF BUCKHANNON, pursuant to the power & authority duly vested in me, do hereby proclaim Monday, October 29, 2018 to be "**ALPHA DELTA KAPPA DAY**" throughout our City of Buckhannon.

I further urge all of our residents to thank & commend **ALPHA DELTA KAPPA** & all of their members for their many contributions to education, the advancement & recognition of women educators, & philanthropic support efforts during their most special day.

Given under my hand & the official seal of
The City of Buckhannon, this 29th day of October, 2018

David W. McCauley, Mayor

- E.7 Article Treating the Opioid Crisis as a Natural Disaster-

<https://www.npr.org/sections/health-shots/2018/10/28/658476111/a->

- E.8 Article Pittsburgh Synagogue Shooting -<https://6abc.com/names-released-of-all-11-victims-of-synagogue-shooting/4565341/>

- E.9 Article Morgantown City Council consider Ordinance- Properties declared Public Nuisance <http://wajr.com/morgantown-city-council>

Consent Agenda:

F.1 Approval of Minutes-Regular meeting 10/18/18

F.2 Approval of Building and Wiring Permits

**COUNCIL MEETING
Building, Electrical, Demolition Permits
OCTOBER 18, 2018**

Permit Number	Submitted By and Location	Contractor	Description of Work to be Performed	Building Value	Electrical Code	Total Electrical Fees Paid	Total Building Fees Paid	Zoning	Asbestos	Flood Zone	Elev. Certificate	Non Conversion Use	Historic District
74261	Margaret Posey 81 S Florida St	Appalachian Roofing	Re-Roof Metal over Shingle	\$7,500.00			\$82.50						X
74262	Linda Walker 7 Leonard St	Tri County Construction	Re-Roof Metal over Shingle	\$5,300.00			\$58.30						
74263	Austin Radabaugh 3 Lower Dr	Self	Enclosing 12'x16' rear Porch/Patio	\$35,000.00			\$38.50	X					
74264	Buckhannon Manor 10 Nona St	TF06 LLC	150+ Window Replacement	\$250,000.00			\$1,375.00			X			
74265	Alan Canfield 46 Upper Dr	K&Z Construction	Re-Roof Metal over Shingle	\$4,000.00			\$44.00						
74266	St Joseph's Hospital 1 Amalia Dr	High Point Construction	Interior Remodel, Rewiring for Doors & Light Fixtures	\$319,000.00	A	\$100.00	\$1,754.50						
74267	Verl Powers 71 W Lincoln St	Cutright Home Builders	Re-Roof Metal over Shingle	\$16,000.00			\$176.00						
74268	Linda Loudin 213 Wood St	Michael Rhodes	Drainage System-Block Waterproofing	\$2,500.00			\$27.50			X			
74269	Amy Tenney 162 Wood St	Foam Coat Roofing	Foam Roofing & Coating	\$5,416.00			\$59.58			X			
74270	Francisco Figueroa 21 Madison St	Mon Power	Electrical Reconnect		A	\$100.00				X			X
74271	Benjamin Farley Agency 117 S Kanawha St	Dale Williams Construction	Replacing Wood Shakes w/ Metal Soffit	\$2,500.00			\$23.75						X

**COUNCIL MEETING
Building, Electrical, Demolition Permits
OCTOBER 18, 2018**

74272	Sam Baxa 7 E Main St	Window World	5 Replacement Windows	\$2,060.00			\$22.66						X
TOTAL				\$649,276.00		\$200.00	\$3,662.29						

F.3 Approval of Payment of the Bills

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT	
MAYOR'S OFFICE	RAILSTON PRESS INC	409-341-00	MAYOR'S SUPPLIES & M	CLEANING SUPPLIES	86.26	
	CASTO AND HARRIS	409-341-00	MAYOR'S SUPPLIES & M	ORDINANCE BOOK	219.62	
	PITNEY BOWES INC	409-238-00	MAYOR'S POSTAGE	PITNEY BOWES	769.16	
	BUCKHANNON CHAMBER OF COMMER	409-232-00	MAYOR'S DUES	MEMBERSHIP 2019	496.00	
	WV PUBLIC EMPLOYEES RETIREME	409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	78.39	
		409-106-03	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	73.59	
	US CELLULAR	409-211-00	MAYOR'S TELEPHONE	642-1651 613-0113 6002	60.86	
	BADZIK PRINTING SERVICE, INC	409-341-00	MAYOR'S SUPPLIES & M	DISBURSEMENT ACCT CKS	92.78	
	WALMART STORES INC -BUCKHANN	409-341-05	EVENT/FIREWORK EXPEN	PCRD-FALL FEST ACTVITIES	37.01	
		409-341-06	VOLUNTEER COORDINATO	WATER COOLER VOL EVSMT	46.17	
		409-341-06	VOLUNTEER COORDINATO	TOTES - VOLUNTEER EVENT	16.95	
	BUCKHANNON ROTARY	409-341-00	MAYOR'S SUPPLIES & M	SPRING 2018 BLOCD SCREENIN	119.00	
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	94.92	
		409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	22.21	
	AMAZON.COM	409-341-00	MAYOR'S SUPPLIES & M	PCRD-OFFICE SUPPLIES	26.93	
		409-341-00	MAYOR'S SUPPLIES & M	PCRD-HIGHLIGHTERS	4.90	
	LEXIS NEXIS - MATTHEW BENDER	409-341-00	MAYOR'S SUPPLIES & M	WV CODE 2018 RVOLS 3, 9A&9B	446.61	
	AT&T MOBILITY	409-211-00	MAYOR'S TELEPHONE	304-704-8355	24.09	
	FRONTIER	409-211-00	MAYOR'S TELEPHONE	304-472-1651-101515-4	60.56	
		409-211-00	MAYOR'S TELEPHONE	304-093-2273-060600-4	41.02	
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	709.91	
				TOTAL:	3,469.16	
	COUNCIL	WV PUBLIC EMPLOYEES RETIREME	410-106-00	COUNCIL'S RETIREMENT	WV RETIREMENT CONTRIBUTION	20.00
		THOMAS J O'NEILL	410-223-00	PROFESSIONAL (LEGAL)	OCT 2018 ATTY FEES	1,041.67
		UPSHUR COUNTY COMMISSION	410-460-00	CAT CONTROL EXPENSE	CATS CAUGHT AUG 2018	10.00
		410-460-00	CAT CONTROL EXPENSE	CATS CAUGHT SEPT 2018	19.00	
INTERNAL REVENUE SERVICE		410-104-00	COUNCIL'S F.I.C.A.	FICA WITHHELD AND MATCHED	62.60	
		410-104-00	COUNCIL'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	14.50	
TRAVELERS INSURANCE		410-226-00	COUNCIL INSURANCE (P	INS PREM AUTO LIAB UMBREL	214.57	

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	400.00
				TOTAL:	2,772.74
RECORDER	INTERNAL REVENUE SERVICE	411-104-00	RECORDER'S F.I.C.A.	FICA WITHHELD AND MATCHED	9.30
		411-104-00	RECORDER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	2.19
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	150.00
				TOTAL:	161.49
TREASURER	WV PUBLIC EMPLOYEES RETIREME	413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	21.88
		413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	21.88
	INTERNAL REVENUE SERVICE	413-104-00	TREASURER'S F.I.C.A.	FICA WITHHELD AND MATCHED	12.56
		413-104-00	TREASURER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	3.17
				TOTAL:	60.49
COURT	INTERNAL REVENUE SERVICE	416-104-00	POLICE JUDGE FICA	FICA WITHHELD AND MATCHED	38.75
		416-104-00	POLICE JUDGE FICA	MEDICARE WITHHELD & MATCHE	9.06
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	625.00
				TOTAL:	673.91
CITY ATTORNEY	INTERNAL REVENUE SERVICE	417-104-00	CITY ATTORNEY FICA	FICA WITHHELD AND MATCHED	9.04
		417-104-00	CITY ATTORNEY FICA	MEDICARE WITHHELD & MATCHE	2.11
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	145.75
				TOTAL:	156.90
ZONING	WV PUBLIC EMPLOYEES RETIREME	437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	134.62
		437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	134.62
	INTERNAL REVENUE SERVICE	437-104-00	ZONING P.I.C.A.	FICA WITHHELD AND MATCHED	83.46
		437-104-00	ZONING P.I.C.A.	MEDICARE WITHHELD & MATCHE	19.52
				TOTAL:	372.22
DATA PROCESSING	RAVEN ROCK NETWORKS INC	439-230-00	DATA PROCESSING	NAS DOWN	85.00
				TOTAL:	85.00
CITY HALL	MON POWER	440-213-00	CITY HALL UTILITIES	110088782062 70 B MAIN ST	1,277.23
	UNIFIRST CORP.	440-216-00	CITY HALL MAINTENANC	ALL DEPT SEPT 2018 UNIFORM	238.37
	WV PUBLIC EMPLOYEES RETIREME	440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	116.03
		440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	114.64
	CRITES ELECTRICAL SUPPLY INC	440-216-00	CITY HALL MAINTENANC	ZEW BULB	8.35
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	73.16
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	16.41
				TOTAL:	1,841.19
POLICE	GO-MAPT	700-343-00	POLICE DEPT. AUTO SU	PCRD-FUEL CRSR TRAVEL	35.00
	COMMDC LEASING	700-341-00	POLICE DEPT. MAT & S	POLICE DEPT COPIER USAGE	218.42
	WV PUBLIC EMPLOYEES INSURANC	700-105-00	POLICE DEPT. GROUP I	GF OCT 2018 RETIREE'S INS	1,136.00
	EPMA	700-341-00	POLICE DEPT. MAT & S	COPI/SSJ TESTS FOR OCT	129.00
	POSITIVE PROMOTIONS	700-341-00	POLICE DEPT. MAT & S	PCRD-TRKORTRT EDUCATION	866.87
	QUICK SLICK OIL CHANGE	700-343-00	POLICE DEPT. AUTO SU	OIL CHANGES	26.95
		700-343-00	POLICE DEPT. AUTO SU	OIL CHANGES	26.95
		700-343-00	POLICE DEPT. AUTO SU	OIL CHANGES	26.95
		700-343-00	POLICE DEPT. AUTO SU	OIL CHANGES	26.95
	SUNSET GRAPHICS LLC	700-345-00	POLICE DEPT. UNIFORM	VIPS PATCHES SEWN ON SHIR	44.00
	WV PUBLIC EMPLOYEES RETIREME	700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,709.53
		700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,511.31

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	BUCKHANNON POSTMASTER	700-106-00	POLICE RET PRO	WV RETIREMENT CONTRIBUTION	306.81
		700-341-00	POLICE DEPT. MAT & S	PCRD-SHP EVID TO LAB	25.00
		700-341-00	POLICE DEPT. MAT & S	PCRD-SHP EVID TO LAB	18.40
	WV CONSOLIDATED PUBLIC RETIR	700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	341.46
		700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	391.38
	WV LAW ENFORCEMENT DISTRIBU	700-345-00	POLICE DEPT. UNIFORM	HOLSTER	100.49
	US CELLULAR	700-211-00	POLICE DEPT. TELEPHO	940-1797 643-5733	205.91
	INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,375.58
		700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	321.71
	UPCHUR BUCKHANNON HEALTH DEP	700-341-00	POLICE DEPT. MAT & S	HEP A SHOT ANGEL MCCAULEY	117.60
	CIRCUIT COURT CLERK	700-341-00	POLICE DEPT. MAT & S	BILLING FERR HENSON CASE	225.00
	EXECUTING ATTY OF UPCHUR C	700-341-00	POLICE DEPT. MAT & S	FORFEITURE - HENSON CASE	70.00
	FRONTIER	700-211-00	POLICE DEPT. TELEPHO	304-473-7911-073614-4 PCL	0.00
		700-211-00	POLICE DEPT. TELEPHO	304-901-6194-111399-4	76.30
	TRAVELERS INSURANCE	700-226-00	POLICE DEPT. INSURAN	INS PREM AUTO LIAB UMBREL	1,478.54
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	2,037.27
				TOTAL:	12,750.47
FIRE	GIBBONS FIRE EQUIPMENT	700-341-00	FIRE DEPT. MATERIAL	NAME BAR CHIEF BUGLES	142.00
	J.P. BOHEAN EQUIPMENT FINAN	700-459-00	FIRE DEPT. CAPITAL G	FIRE DEPT NOV 18 FIRE TRK	3,678.20
	WV PUBLIC EMPLOYEES INSURANC	700-105-00	FIRE DEPT. GROUP INS	GF OCT 2018 RETIREE'S INS	1,603.00
	WV PUBLIC EMPLOYEES RETIREME	700-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	737.95
		700-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	758.49
	WV CONSOLIDATED PUBLIC RETIR	700-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	679.78
		700-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	580.58
	BUCKHANNON POTARY	700-341-00	FIRE DEPT. MATERIAL	SPRING 2018 ALCOH SCREENIN	110.00
	INTERNAL REVENUE SERVICE	700-104-00	FIRE DEPT. FICA TAX	FICA WITHHELD AND MATCHED	301.12
		700-104-00	FIRE DEPT. FICA TAX	MEDICARE WITHHELD & MATCHE	296.07
	AMAZON.COM	700-341-00	FIRE DEPT. MATERIAL	PCRD-FIRE INSPECT BOOK	93.00
	MISTEAS GROUP INC	700-343-00	FIRE DEPT. AUTO SUPP	TELESCOPIC PLATFORM INSPEC	759.00
	FRONTIER	700-211-00	FIRE DEPT. TELEPHONE	304-472-2868-101915-4	78.92
	TRAVELERS INSURANCE	700-226-00	FIRE DEPT. INSURANCE	INS PREM AUTO LIAB UMBREL	476.68
				TOTAL:	10,752.94
STREET	MON POWER	750-213-00	STREET DEPT. UTILITY	110084762464 20 FACTORY CT	139.57
		750-213-00	STREET DEPT. UTILITY	110084762126 GARAGE	28.89
		750-213-00	STREET DEPT. UTILITY	110084761755 17 1/2 FACTOR	41.36
	FISHER AUTO PARTS INC	750-343-00	STREET DEPT. AUTO SU	TARP STRAPS & TIRE RPR KI	6.40
		750-343-00	STREET DEPT. AUTO SU	Tarp Straps and	26.19
	UNIFIRST CORP.	750-216-00	STREET DEPT. UNIFORM	ALL DEPT SEPT 2018 UNIFORM	329.80
	SOUTHERN STATES COOP INC	750-341-00	STREET DEPT. MAT & S	BOOTS HAWKINS & CAREENTER	239.09
		750-341-00	STREET DEPT. MAT & S	2 Pairs Boots	189.99
	RITE-WAY HEATING & PLUMBING	750-341-00	STREET DEPT. MAT & S	Commode Seat	18.99
	BAKER TRUCK EQUIPMENT COMPAN	750-343-00	STREET DEPT. AUTO SU	Pump and Clutch Kit-	1,491.18
	J F ALLEN CO	750-461-00	STREET PAVING	Blacktop for Utility Cuts	684.42
	NAPA-AUTOWER AUTO SUPPLY	750-343-00	STREET DEPT. AUTO SU	OIL AIR FUEL FILTER	84.28
	LOWES BUSINESS ACCOUNTS	750-458-05	STREET DEPT PROJECTS	PLYWOOD & LUMBER-MOSS WAL	160.32
		750-458-05	STREET DEPT PROJECTS	Plywood and 2x4 Lumber	1,181.76
		750-341-00	STREET DEPT. MAT & S	Shovel paint supp.	85.38
		750-458-05	STREET DEPT PROJECTS	PLYWOOD & LUMBER-MOSS WAL	204.03
		750-341-00	STREET DEPT. MAT & S	SHOVEL PAINT PLUMBING SUP	39.63
		750-341-00	STREET DEPT. MAT & S	SHOVEL PAINT PLUMBING SUP	365.32
	CENTRAL SUPPLY CO	750-458-05	STREET DEPT PROJECTS	Concrete for Moss Wall	3,176.46
	WV PUBLIC EMPLOYEES RETIREME	750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,201.56

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
		750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,308.98
	BESTONE COMM	750-343-00	STREET DEPT.	AUTO SU Front Tire for Backhoe	161.36
	US CELLULAR	750-211-00	STREET DEPT.	TELEPHO 642-1601940-2024 642-4948	304.12
	SIGN GUY LLC	750-341-00	STREET DEPT.	MAT & S Jimmy Pankow print	80.00
		750-341-00	STREET DEPT.	MAT & S JIMMY PANKOW PRINT	118.40
	COMMUNITY BANK	750-459-00	STREET DEPT.	CAPITAL GF NOV 2018 SKID STEER PYM	664.11
	JIFFYSHIRTS.COM	750-458-03	DOG PARK	PCRD-DOG PRK EVENT TSHT	58.88
	WALMART STORES INC -BUCKHANN	750-341-00	STREET DEPT.	MAT & S PCRD-KNIFETOCUTINSULATION	24.91
	MOUNTAIN STATE PEST GUARD	750-341-00	STREET DEPT.	MAT & S STREET DEPT PEST INSPECTIO	30.00
	BUCKHANNON ROTARY	750-341-00	STREET DEPT.	MAT & S SPRING 2018 BLOOD SCREENIN	155.00
	INTERNAL REVENUE SERVICE	750-104-00	STREET DEPT.	FICA TA FICA WITHHELD AND MATCHED	932.10
		750-104-00	STREET DEPT.	FICA TA MEDICARE WITHHELD & MATCHE	218.00
	DESHDR BUCKHANNON HEALTH DEP	750-341-00	STREET DEPT.	MAT & S 3RD HEP B SHOTS BRAD HAWKI	100.00
	FRONTIER	750-211-00	STREET DEPT.	TELEPHO 304-472-5755-101615-4	77.22
	TRAVELERS INSURANCE	750-226-00	STREET DEPT.	INSURAN INS PREM AUTO LIAB UMBREL	1,508.64
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	4,365.95
				TOTAL:	15,873.79
STREET LIGHTS	MOH POWER	751-213-00	STREET LIGHTS	110080742484 R. MAIN ST	78.36
				TOTAL:	78.36
TRAFFIC SIGNALS & SIGN	MOH POWER	752-213-00	TRAFFIC SIGNALS POWE	110087174485 S. KANAWHA ST	19.30
		752-213-00	TRAFFIC SIGNALS POWE	110088235830 REGER ST RT 2	48.45
		752-213-00	TRAFFIC SIGNALS POWE	110100156731 107 E MAIN ST	133.21
	CENTRAL SUPPLY CO	752-230-00	SIGNS & SIGNALS	SPEED PATCH FOR SIGNS	70.98
				TOTAL:	271.94
STOCKERT YOUTH CENTER	MOH POWER	907-213-00	UTILITIES	110084592119 SYC	901.46
		907-213-00	UTILITIES	110084767308 79 E MAIN ST	10.52
	RALSTON BRESS INC	907-341-00	MATERIALS & SUPPLIES	SYCC DECALS LOGO DESIGN	375.55
		907-341-00	MATERIALS & SUPPLIES	SYCC DECALS LOGO DESIGN	100.00
	FISHER AUTO PARTS INC	907-343-00	SYC AUTO SUPPLIES	PAINT SUPPLIES FOR BUS 2	1,932.14
		907-343-00	SYC AUTO SUPPLIES	1 1/2 MASKING TAPE BUS 2	47.16
		907-343-00	SYC AUTO SUPPLIES	GAL REDUCER BUS 2	63.19
	UNIFIRST CORP.	907-216-00	MAINTENANCE	ALL DEPT SEPT 2018 UNIFORM	95.19
	COLE TRUCK PARTS INC	907-343-00	SYC AUTO SUPPLIES	ST LAMP WIPER BLADE BUS2	34.56
	BANDLAND, LLC	907-354-00	DRILL TEAM	PCRD-BATONS	180.66
		907-354-00	DRILL TEAM	PCRD-DRL TM FLGS STKS	156.49
	PITNEY BOWES INC	907-218-00	POSTAGE	PITNEY BOWES	0.00
	MOUNTAINEER GAS COMPANY	907-213-00	UTILITIES	383925-483167 70 E MAIN ST	33.44
	VOLUNTEER WEST VIRGINIA	907-230-01	WORK STUDY/AMERICORP	ADMIN FEE AMERICORPS VIST	5,000.00
	HART OFFICE SOLUTIONS INC	907-341-00	MATERIALS & SUPPLIES	EQUIPMENT CONTRACT	71.39
	WV PUBLIC EMPLOYEES RETIREME	907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	285.75
		907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	278.59
	UC CELLULAR	907-211-00	TELEPHONES	613-6610	22.48
	CASEYBARK'S	907-354-00	DRILL TEAM	PCRD-DRL TM TSHRTS	543.08
	EVENT CENTER AT BRUSHY FORK	907-366-00	FUND RAISER	RENT EXP SYCC ELIMIN	342.00
	RESTAURANTSTORE	907-366-00	FUND RAISER	PCRD-TBLCLTHSSYCELIMINER	198.17
	WALMART STORES INC -BUCKHANN	907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SNACKS	142.35
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	61.39
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SNACKS	183.75
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SNACKS	37.08
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SNACKS	18.05
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	105.88

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
		907-366-00	FUND RAISER	SODA/WATER-ELIMINATION DIN	96.02
		907-341-00	MATERIALS & SUPPLIES	SUPPLIES OFFICE BLDG	30.82
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SNACKS	171.20
		907-368-04	MISC ACTIVITIES-ONE	FALL FEST ACTIVITY SUPPLI	25.33
	MOUNTAIN STATE PEST GUARD	907-216-00	MAINTENANCE	SYCC SEPT PEST INSPECTION	34.75
		907-216-00	MAINTENANCE	SYCC MONTHLY PEST INSPECTI	34.75
	INTERNAL REVENUE SERVICE	907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	334.48
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	78.22
	C.J. MAGGIES CORP	907-366-00	FUND RAISER	SYCC ELIMINATION DINNER	1,500.00
	STAPLES ADVANTAGE	907-341-00	MATERIALS & SUPPLIES	PCRD-OFFICE SUPPLIES	131.68
	SAMS CLUB	907-458-01	SYC CHILDRENS FESTIV	PCRD-CUPS CHLR FEST	27.98
	FRONTIER	907-211-00	TELEPHONES	304-473-0145-042701-4	196.42
	TRAVELERS INSURANCE	907-226-00	INSURANCE & BONDS	INS PREM AUTO LIAB UMBREL	294.10
	**PAYROLL EXPENSES			10/19/2018 - 10/31/2018	1,089.39
				TOTAL:	15,277.58
SAFETY COMPLEX POLICE	MOH POWER	976-213-00	SAFETY COMPLEX UTILI	110080783078 22 S FLORIDA	1,386.34
	UNIFIRST CORP.	976-216-00	SAFETY COMPLEX MAINT	POLICE DEPT SEPT RUGS	112.38
	MOUNTAINEER GAS COMPANY	976-213-00	SAFETY COMPLEX UTILI	383931-483167 20 S FLORIDA	57.48
	CHASE	976-461-00	SAFETY COMPLEX POLIC	NOV 2018 SAFETY COMPLEX PY	13,208.08
				TOTAL:	14,764.28

Motion Skinner/Rylands to approve the Consent Agenda. Motion carried.

Strategic Issues for Discussion and/or Vote:

G.1 Approval Fire Department Accreditation-Services Provided to the Community-

Chief Kimble explained the following services that are offered thru the Fire Department. He needs Council to formally approve this as part of the certification process.

Motion Skinner/Cuppari to approve the Services Provided Policy as submitted by Fire Chief Kimble. Motion carried.

Buckhannon Fire Department

Services Offered

The Buckhannon Fire Department (BFD) offers a variety of emergency and non-emergency services. The fire service in general has become involved in much more than fire mitigation. This organization is no exception. However, it is difficult to find why and how these services came to be offered. Many do not have a formal adoption or acknowledgement by the Authority Having Jurisdiction (AHJ).

For the Buckhannon Fire Department, the City of Buckhannon's governing body will be considered the Authority Having Jurisdiction. This may appear confusing since the Buckhannon Fire Department provides services to a first blue area that spans a great deal further than the incorporation boundaries for the City of Buckhannon. This position is being taken in part because the Buckhannon Volunteer Fire Department's by-laws state that they automatically accept the Fire Chief hired by the City of Buckhannon as their Fire Chief. The City of Buckhannon also provides an operational budget in excess of \$700,000 which includes paid personnel, worker's compensation insurance, and the fire station itself. No other governing body has this level of investment in the Buckhannon Fire Department. However, it may be necessary at times to consult with the Upshur County Commission as they are the main governing body for those areas lying outside of the corporation limits.

Below is an outline of each emergency service the Buckhannon Fire Department offers. The outline will include a description of the service and the extent to which the service is provided. Following the emergency services section is a section containing a list of the non-emergency responses the Buckhannon Fire Department is dispatched to.

Emergency

Fire

Fire suppression is the most obvious service to be provided by the Buckhannon Fire Department. It is the reason for the creation of the fire service in general. The fire department responds to all different types of fires. This includes but is not limited to structural, vehicle, machinery, wildland, and utility. The department is committed to suppression, rescue, exposure protection, and salvage efforts in response to a fire emergency. The BFD's efforts end once the threats of life safety and property destruction have been mitigated. The department currently has nobody certified to make a conclusive fire cause determination.

Technical Rescue

Technical rescue has largely become a part of the fire service in general. The Buckhannon Fire Department has provided technical rescue services for many years. These services include responses to the following incident types: vehicle extrication, confined space rescues, rope rescues, water rescues, and wilderness search and rescue. The BFD's involvement in each of these varies. The department is capable of handling extrication from any vehicle type. The water rescue capabilities are limited to known and visible victims which do not require swift water rescue techniques. The other identified rescue disciplines are currently going through an equipment and training evaluation process to determine the extent to which they can be provided. Rescue disciplines in which we have no response capabilities include trench rescue and structural collapse.

Examples of incidents within scope:

- Motor vehicle accident with entrapment
- Industrial site confined space standby
- ATV accident over an embankment
- Vehicle stalled out in standing floodwater
- Witnessed drowning with visible victim
- Occupants stuck in an elevator
- Child locked in a vehicle

Examples of incidents not within scope:

- Kayaker stranded on a tree in fast moving water
- Building collapse
- Utility worker stuck in a hole from collapsing soil

Emergency Medical Service (EMS)

Medical incidents have increased across the United States and the fire service has been identified as a solution to response inadequacies. The BFD's role has changed dramatically over the course of the last decade. This began when the AHJ decided all career firefighters employed by the City of Buckhannon would become Emergency Medical Technicians (EMT). During this time the department responded only at the request of Upshur County EMS. When the department moved to two personnel per shift they began responding to cardiac arrests as part of the initial dispatch inside the city. In 2018 this was expanded to include all emergency medical call types which the other Upshur County fire departments respond to automatically. Outside of the city limits the BFD responds only at the request of Upshur County EMS. The department is capable of providing in field assessment and most treatment capabilities at the EMT level in the state of West Virginia but, has no transport capabilities.

Hazardous Materials (HazMat)

Hazardous materials incidents vary greatly in magnitude. The department responds to all potential hazardous materials incidents within the first due response area. The goals for this response are the immediate rescue of victims, evacuation of potential victims, containment of the substance, and notifying the appropriate resources. The department is not involved in the clean up of hazardous materials. The department is also not trained or equipped to identify unknown chemicals. Majority of the department's responses to hazardous materials involves natural gas, carbon monoxide, and flammable liquid spills of less than 5 gallon. The biggest identified hazard in this category within our community is the chlorine storage at the water treatment facility.

Non-Emergency Response List

- Vehicle lockouts
- Patient lifting assistance
- Animal rescue
- Vehicle accidents with no injuries
- Traffic control
- Water in basements
- Utility line down
- Tree down in roadway

G.2 Discussion Fire Department Rank Structure - Chief Kimble explained that the State views the entire Department as one unit. Both Volunteer and Career staff will be required to undergo the same training and standards as the career staff. In order to align each, the rank structure, he recommends the following changes. This would add two more Captain positions to the career staff.

Buckhannon Fire Department

Rank System Restructuring

10/21/2018

Current Buckhannon Fire Department Rank Structure

Chief of Department --(Career Appointed)

Assistant Chief --(Career/Volunteer Appointed)

(1) Captain --(Career Tested)

(2) Lieutenant --(Career Tested)

(2) Lieutenant --(Volunteer Appointed)

Firefighter First Class

Firefighter

Probationary Firefighter

***PROPOSED* Buckhannon Fire Department Rank Structure**

Chief of Department --(Career Appointed)

Assistant Chief/Administrative Captain --(Career/Volunteer Appointed)

(3) Captain --(Career Tested)

(1) Captain --(Volunteer Tested)

(5) Lieutenant --(Career/Volunteer Tested)

Senior Firefighter --(Career/Volunteer Appointed)

Firefighter

Probationary Firefighter

Qualifications and Requirements of Position

Chief of Department:

- Appointed by City of Buckhannon Council

Assistant Chief/Administrative Captain:

- Appointed by Chief of Department

Captain:

- Minimum of 10 Years of Service
- Promotional Testing with Passing Score
- Fire Officer 2
- Rescue Technician
- Engineer
- Incident Command System 400

Lieutenant:

- Minimum 5 Years of Service
- Promotional Testing with Passing Score
- Fire Officer 1
- Rescue Operator
- Driver Operator
- Incident Command System 300

Senior Firefighter:

- Minimum 3 Years of Service
- Firefighter 2
- Emergency Vehicle Operator
- Incident Command System 200
 - Incident Command System 800
 - Completion of One of the Following
 - Rescue Operator
 - Emergency Medical Responder
 - Driver Operator
 - Hazardous Materials Technician

Firefighter:

- 1 Year of Service
- Firefighter 1
- First Aid/CPR
- Hazardous Materials Operations
- Incident Command System 100
- Incident Command System 700
- Completion of Buckhannon Fire Department Recruit Training

Probationary Firefighter:

Buckhannon Fire Department Training Related Positions

Rescue Operator:

- Rescue Core
- Rope Rescue Level 1
- Vehicle & Machinery Extrication Level 1
- Swift Water Rescue Awareness

Rescue Technician:

- Rescue Operator
- Vehicle & Machinery Extrication Level 2
- Rope Rescue Level 2
- Confined Space Rescue Level 1

Emergency Vehicle Operator

- Emergency Vehicle Operations Class
- Traffic Incident Management System
- Completion of Driver Training for Squad 1

Driver Operator

- Emergency Vehicle Operator
- Driver/Operator Engine Apparatus
- Completion of Driver Training for All Engines and Rescue 11

Engineer:

- Driver Operator
- Driver/Operator Aerial Apparatus
- Completion of Driver Training for All Apparatus

Council discussed the matter.

Council motion to authorize Chief Kimble to proceed with the process and asked that Chief Kimble work out the details with the City Attorney and bring back a final policy at a future meeting.

Motion Skinner/Albaugh to authorize Chief Kimble to work with City Attorney to draft a rank structure for Council to consider. Motion carried.

G.3 UCDA Request Closure of S Spring Street from Nov 18th through Dec 31st RE: Innovation Center Construction - Mayor McCauley recognized UCDA Director-Rob Hinton.

Mr. Hinton submitted and explained the need to close Spring Street temporarily in order to work on construction of the Innovation Center at the corner of Spring and Main St. Contractor will be as flexible as possible since this is a main thoroughfare.

Danhill Construction Co.

P.O. Box 685
Gaulley Bridge, WV 25085
Office: (304) 632-1600 Ext: 5
Fax: (304) 632-1501
Cell: (304) 553-1553

City of Buckhannon
70 East Main Street
Buckhannon, WV 26201

Re: Scheduling for Steel Delivery & Erection at 21 East Main Street

Dear Mr. Bryson VanNostrand, City of Buckhannon

Danhill Construction Company as per request of the City of Buckhannon is pleased to submit this letter identifying in detail our request for approval for the South Spring Street road closure as per photo attached and as per time schedule identified below in this letter.

The road closure is being requested to allow for the delivery, off-loading and erection of large steel columns and beams.

We propose to work (4) four each (10) ten-hour days, allowing Fridays to be a make-up work day for rain days. The construction safety fence will be relocated to the original location prior to the street reopening every Friday evening by 5:00 pm. Thursday evenings should we manage to achieve a 40-hour work week.

Danhill Construction Company will provide a competent Superintendent, Ziad Cooper 304-663-6017 on site everyday while the work is being performed. The Superintendent's role will be to provide safety awareness for pedestrian traffic and vehicular traffic, in coordination with the rigging crew and crane operator.

Coordinating Critical Scheduling for Next Two Months with the City of Buckhannon:

Delivery of Metal Decking: November 8, 2018 - The metal decking will be delivered and off-load at the staging area in the parking lot the City of Buckhannon has provided for our use. (No road closure is required for this delivery)

Delivery & Erection of Structural Steel: November 26, 2018 we request permission to close Spring Street on Monday, November 26 - Friday November 30, 2018. The road will be reopened at the end of the business day on November 30, 2018 by 5:00 pm.

Danhill Construction Co.

P.O. Box 685
Gaulley Bridge, WV 25085
Office: (304) 632-1600 Ext: 5
Fax: (304) 632-1501
Cell: (304) 553-1553

Delivery & Erection of Structural Steel: December 3, 2018 we request permission to close Spring Street on Monday, December 3 - Friday December 7, 2018. The road will be reopened at the end of the business day on December 7, 2018 by 5:00 pm.

Delivery & Erection of Structural Steel: December 10, 2018 we request permission to close Spring Street on Monday, December 10 - Friday December 14, 2018. The road will be reopened at the end of the business day on December 14, 2018 by 5:00 pm.

Delivery & Erection of Steel Decking Second Floor: December 17, 2018 we request permission to close Spring Street on Monday, December 17 - Friday December 21, 2018. The road will be reopened at the end of the business day on December 21, 2018 by 5:00 pm.

Delivery & Erection of Steel Decking Third Floor: December 24, 2018 we request permission to close Spring Street on Monday, December 24 - Friday December 28, 2018. The road will be reopened at the end of the business day on December 28, 2018 by 5:00 pm.

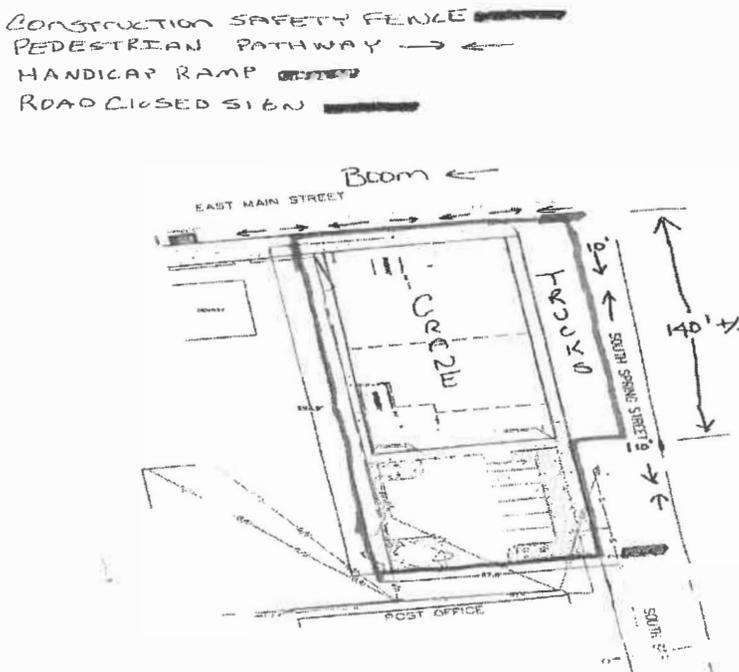
Delivery & Erection of Steel Decking Roof: December 31, 2018 we request permission to close Spring Street on Monday, December 31 - Friday January 4, 2019. The road will be reopened at the end of the business day on January 4, 2019 by 5:00 pm.

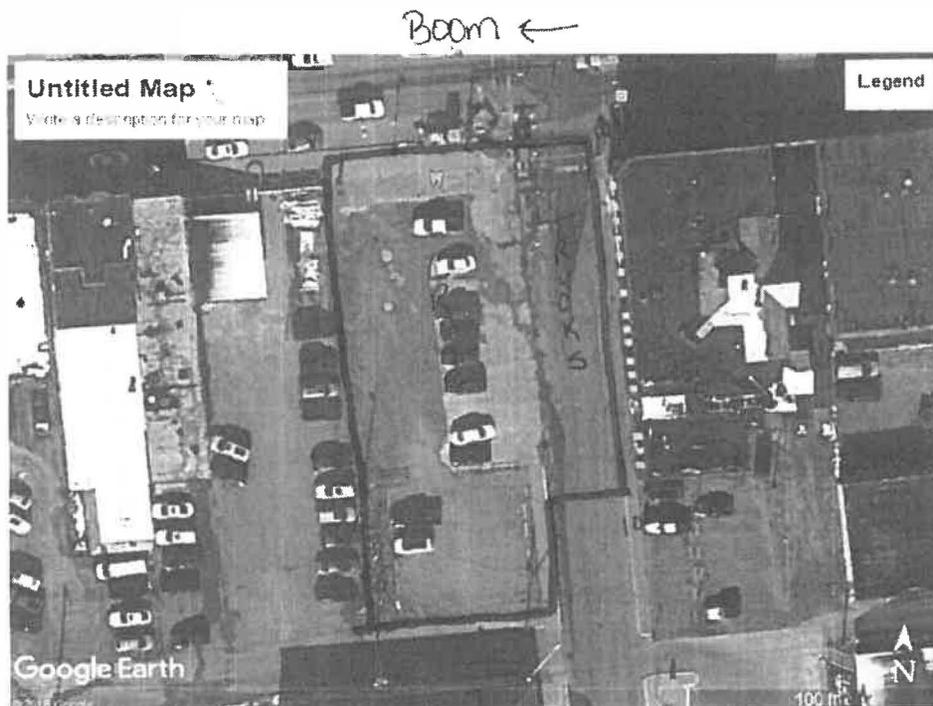
Danhill Construction Company is requesting a letter from the City of Buckhannon accepting our safety plan, staging plan and the request for South Spring Street road closure Schedule provided within this letter.

Respectfully Submitted,

Chris Dozier, Cost Estimator/Project Manager
Cell: 304-553-1553

Attached: Certificate of Insurance, Photo Identifying Staging of Safety Construction Fence, Trucks & Crane





Motion Skinner/Thomas to approve the temporary closure as requested. Council briefly discussed why one lane of traffic could not be permitted due to liability and safety issues. Motion carried.

G.4 Discussion /Possible Vote to Expand SYCC Board of Directors Board Membership from 10 to 11 -Mayor McCauley recommends expansion of the Board and that Buddy Brady be added for his exhaustive efforts in fund raising for the Stockert Youth and Community Center. Motion Albaugh/Rylands to expand and add one more position to the Board. Buddy Brady will be appointed to this position. Motion carried.

G.5 Request Charles Ackerman-Waste Department to absorb dumping fees associates with 15 & 15½ Island Ave:
Mayor McCauley explained the request and recommendation from the Housing Enforcement Board-

HEB 10-17-18 Mr. Ackerman addressed the Board regarding the property located at 15 Island Avenue. Mr. Ackerman and staff explained recently the City Housing Enforcement took steps to post the property as a danger to human habitation. The residents that lived there had children and have moved from the residence. The building is in very poor condition. The foundation is slipping into the river.

Mr. Ackerman explained he would be interested in obtaining the property as his home is located across from it. He expects the taxes will lapse and the current assumed owner is not interested in paying the taxes or cleaning up the property. If he were to acquire the property he would raze the building and landscape and mow the small lot. Since the City would ultimately be saddled with the costs to remediate the property if he didn't step in, he would like financial assistance to help clean it up, if he were to acquire it. The total costs to raze, title and clear they property would be about \$8,000.00 and asked if the City would consider assisting with part of the cost.

Mayor McCauley commended Mr. Ackerman for his plans, however, he is not sure the City should help a private owner without facing backlash and requests from other like situations. Mayor McCauley suggested asking City Council for assistance to dispose of the materials from the razing of the building by means of paying the Waste Department for the dumping fees.

Mr. Ackerman would appreciate hearing any considerations or suggestions.

HEB: Motion Thomas/Hollen to recommend to City Council at the November 1st meeting, to work with the Waste Department and absorb the dumping fees associated with the razing of the building at 15 & 15 ½ Island Avenue under the condition that Mr. Ackerman acquires the property. Motion carried.

Council briefly discussed if this would be considered for possible future requests. Mayor McCauley stated that Council could consider any requests such as this as they arise on a case by case basis.

Motion Thomas/Albaugh to approve paying the Waste Collection Board the tonnage dumping fees generated by the structure being raised at 15 & 15 ½ Island Avenue as requested by Mr. Charles Akerman. Motion carried.

**G.6 Ordinance 428 Properties Declared a Public Nuisance 2nd & Final Reading
City Attorney O'Neill read ordinance heading for final reading.**

Motion Skinner/Albaugh to approve Ordinance 428 on second and final reading.

Discussion: Mayor McCauley called upon all persons that wished to speak on the matter.

Chief Kimble explained that he and Chief Gregory brought the request for such an ordinance to the attention of Mayor and Council after both departments have been exposed several times to incidents. These incidents include exposure to HIV and HEP with blood, saliva, combative behavior. Both, the fire and police departments believe this is another tool to help the problem.

Chief Gregory concurred with Chief Kimble. Currently two police officers are going thru the blood born pathogens protocols from exposure to HIV or HEP. The drug problem is a multifaceted problem and will take several approaches to battle it. There is no single solution. The City of Martinsburg has seen an 87% reduction in incidents since implementing their ordinance 2 years ago. Chief Gregory spoke with the Police Chief of Martinsburg, who recounted the "broken window" syndrome, that other communities have experience by ignoring solutions to the drug problem. Chief Gregory also gave an example of a property on Upper Drive in which the owner of the property rented to know drug dealers. This ordinance would target that type of landlord, not the landlords that want to do the right thing.

Geraldine Henderson- resident, landlord and business owner- explained that there has not been any criticism toward the police or fire departments, but there is concern over the due process and liability for landlords. She feels there has not been clear answers to when a property owner will know and how will this will work with the magistrate in the eviction process. She would like to see the ordinance tabled 6 months in order to better understand and begin implementing strategies to handle the process.

Terry Mills -resident, landlord and business owner- voiced concern over the exemption language and wonders why the penalties afforded in State Code would not address the problem. Question did arise as to the Opportunity House and falling in the exemption status. Mr. Kerner, who is the Director of Opportunity explained that they are inspected and fall within regulations of the State and some Federal guidelines due to funding. Chief Gregory explained that State Code address the judicial process which is up to the discretion of the courts. Violators are often repeat offenders.

Jody Light - resident, landlord and business owner- was concern about creating more homelessness and that landlords would stop reporting concerns in fear of consequences of the ordinance. As for the exempted facilities, she has concern that there could be a time that a facility such as the Opportunity House would be operated by irresponsible staff. She too would like a 6 month period before implementing the ordinance. She is concerned about the eviction process.

Elissa Mills - resident, landlord and business owner - remarked that she screens her potential tenants. She doesn't think there should be exemptions other than the hospital. There is concern that homes can be seized.

Mayor McCauley called for the vote.

**Albaugh, Skinner, Rylands and McCauley voted Yes
Cuppari and Thomas Abstained from vote**

Council Cuppari feels the wording is not clear and it is not fair to motels that have several rooms and larger chance of incident.

Council Thomas feels this is a step in the right direction, but that there should be a more comprehensive approach to dealing with the drug problem.

Motion carried.

**ORDINANCE NO. 428 OF THE CITY OF BUCKHANNON, AN ORDINANCE
PROVIDING FOR THE ABATEMENT OF PREMISES DEEMED PUBLIC NUISANCES WITHIN THE
MUNICIPAL BOUNDARIES OF THE CITY OF BUCKHANNON**

WHEREAS, the scourge of drug abuse which has ravaged our country and our state, and has not left the City of Buckhannon untouched; and,

WHEREAS, other criminal behavior, often but not always connected with the use of illegal narcotics and other illegal psychoactive substances, presents clear and present dangers to the citizens of the City of Buckhannon and the City's first responders within the Police Department and Fire Department; and,

WHEREAS, West Virginia Code § 8-12-5(13) empowers the City of Buckhannon to "prevent injury or annoyance to the public or individuals from anything dangerous, offensive or unwholesome"; and

WHEREAS, West Virginia Code § 8-12-5(23) further empowers the City of Buckhannon to enact ordinances to "provide for the elimination of hazards to public health and public safety and to abate or cause to be abated anything which . . . is a public nuisance"; and,

WHEREAS, West Virginia Code § 8-12-5(44) further empowers the City of Buckhannon to "protect and promote the public morals, safety, health, welfare and good order" of the City; and,

WHEREAS, West Virginia Code § 8-12-5(58) further empowers the City of Buckhannon to provide penalties for offenses and violations of laws duly enacted by the governing body of the City; and,

WHEREAS, when citizens reside in close proximity to each other, as within the bounds of a municipality such as the City of Buckhannon, the increased population density relative to areas of a more rural, forested, or agricultural character of necessity alters the social compact underpinning the foundation of our polity with respect to private property rights, especially when certain private real property is regularly used in, or is the frequent scene of, criminal drug or illicit activity; and,

WHEREAS, the City of Buckhannon wishes in all respects to enhance the quality of life for all citizens, protect the general public from criminal activity and its effects, abate public nuisances, regulate land use in a matter to protect property values of neighboring properties, protect the reciprocal property rights of neighboring property owners, and reduce or eliminate the hazards to the public welfare that arise from properties used for criminal activity.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

Article I – CERTAIN PROPERTIES DECLARED A PUBLIC NUISANCE:

(a) Any premises used for the illegal felony possession, storage, or delivery of or trafficking in controlled substances is hereby declared to be a public nuisance; *Provided*, that a public nuisance or violation of this Ordinance shall be deemed to exist when 1) any of the following offenses defined in West Virginia Code are committed, in whole or in part, on the premises: manufacture of a controlled substance, possession of a controlled substance with intent to deliver, delivery of a controlled substance, any felony offense established in West Virginia Code §61-2-10b committed while under the influence of a controlled substance, any felony offense established under West Virginia Code Chapter 60A while in possession of a firearm, or any felonious assault or battery – whether with or without a deadly weapon – committed while under the influence of an illegal substance, and 2) the premises is used for two or more such offenses or incidents within a twenty-four consecutive month period. The provisions of this Ordinance shall not be deemed to be applicable to any hospital, clinic, or residential drug treatment facility that is either licensed, certified, or otherwise subject to supervision or inspection by the State of West Virginia.

(b) Any person who owns, manages or controls any premises and who fails to implement reasonable and warranted abatement measures identified in the notice issued pursuant to Article II of this Ordinance within the 30 - day period following the notice, or within any other agreed upon period, shall be guilty of a misdemeanor as provided in Article II of this Ordinance and subject to a fine according to the schedule set forth in Article III of this Ordinance.

(c) Upon the commission of any act specified in subsection (a) of this Article, the City will notify the owner of the premises upon which the act or acts were committed, in writing, that an act triggering potential designation of the premises as a public nuisance occurred on the premises.

Article II – ORDER OF ABATEMENT

(a) The Chief of Police, City Engineer, Zoning Enforcement Officer, or representative of the City as authorized by the City's Housing Enforcement Board, may bring an action to abate a public nuisance described by this section in the City's Municipal Court by filing a complaint therein. Such complaint shall identify with specificity the premises alleged to be a public nuisance, the activity occurring thereupon which constitutes a violation under Article I of this Ordinance, and the frequency with which said activity has occurred upon the premises. Upon the filing of a complaint, the Municipal Court shall serve written notice of process upon each owner of the premises, their tenants or any residents of the premises if known, and shall post a conspicuous notice on the front door of any dwelling located upon the premises that a complaint has been filed pursuant to this Ordinance, and identifying the date and time of any hearing on the complaint scheduled by the Municipal Court. For purposes of service of process, compliance with the requirements of this section shall establish sufficient notice for the Municipal Court to hear the complaint and render an order of liability under this Ordinance. The Municipal Court shall deem the premises a Public Nuisance if the complaining officer establishes by a preponderance of the evidence that the premises was used in the commission of those activities set forth in Article I of this Ordinance.

(b) Upon a finding by the Municipal Court that the premises is a Public Nuisance under this Ordinance, the Municipal Court shall issue an Order of Abatement requiring the defendants to take measures reasonably calculated to prevent the recurrence of the illegal activity.

(c) The Municipal Court may issue a search warrant to the Chief of Police, City Engineer, Zoning Enforcement Officer, or representative of the City as authorized by the City's Housing Enforcement Board to ensure compliance with the Order of Abatement or any other order of the Municipal Court issued pursuant to this Ordinance.

(d) If any person in control of any premises deemed a Public Nuisance under this Ordinance, to whom an Order of Abatement is issued under this Ordinance, fails to implement the directives of the Order of Abatement within thirty (30) days of its issuance, that person is guilty of a misdemeanor, and is subject to the penalty established in Article III of this Ordinance.

(e) Any person in control of any premises whereupon any person engages in manufacture of a controlled substance, possession of a controlled substance with intent to deliver, delivery of a controlled substance, any felony offense established in West Virginia Code §61-2-10b committed while under the influence of a controlled substance, or any felony offense established under West Virginia Code Chapter 60A while in

possession of a firearm is guilty of a misdemeanor if he or she knew or was willfully ignorant of such offenses being committed on the premises and took no action to prevent or abate such activity, or participated in such activity, and is subject to the penalty established in Article III of this Ordinance.

Article III – PENALTY

(a) Each day that a violation of this Ordinance continues shall be considered a separate and distinct offense.

i. No person shall be found in violation this Ordinance under section (e) of Article II hereof unless the abatement measures ordered under Article II of this Ordinance were reasonable and warranted, and that the defendant knowingly failed to implement them.

ii. A person may be found in violation of this Ordinance under section (f) of Article II hereof regardless of whether an Order of Abatement is issued under this Ordinance.

(b) Upon a finding of liability under this ordinance, the defendant shall be fined not less than \$100.00 and not more than \$1,000.00 per offense.

(c) Any fine imposed under this Ordinance shall be considered a lien upon the premises determined to be a Public Nuisance under this Ordinance, and the City shall cause to be recorded in the office of the Clerk of the County Commission of Upshur County, West Virginia a Notice of Lien if any fine imposed under this Ordinance is not paid under such terms established by the City's Municipal Court.

Article IV – SEVERABILITY:

In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof which are not specifically determined to be unconstitutional or invalid.

ARTICLE V - EFFECTIVE DATE:

This Ordinance shall be deemed effective January 1, 2019.

FIRST READING: October 18, 2018

SECOND READING, PASSAGE AND ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 428 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder

G.7 Ordinance 430 Residential Parking around WVWC 2nd & Final Reading:
City Attorney O'Neil read Ordinance 430 for the 2nd and final reading-

ORDINANCE NO. 430 OF THE CITY OF BUCKHANNON, PROVIDING FOR RESIDENT-ONLY PARKING ON CERTAIN STREETS IN THE CITY OF BUCKHANNON IN THE VICINITY OF WEST VIRGINIA WESLEYAN COLLEGE, PROVIDING FOR SIGNAGE DESIGNATING “RESIDENTIAL PARKING ONLY”, ESTABLISHING PENALTIES, AND PROVIDING FOR ENFORCEMENT

WHEREAS, pursuant to Chapter 8, Article 12, Section 5 of the West Virginia Code, as amended, municipalities are granted plenary power and authority to regulate streets, avenues, roads, ways, sidewalks, crosswalks and public spaces belonging to the municipality and to regulate the conditions under which they may be made within the corporate limits; and,

WHEREAS, West Virginia Wesleyan College (hereafter, the “College”) is an integral part of the great Buckhannon community’s vibrancy, economic wellbeing, and quality of life; and,

WHEREAS, the College is located within that zone known as “R-2” General Residential District A; and,

WHEREAS, many homes located on streets in the vicinity of the College have limited parking options, which include some necessary on-street parking; and,

WHEREAS, it has become apparent that students or other visitors to the campus of the College have, over time, come to utilize residential streets in certain areas near the College for parking; and,

WHEREAS, many municipal residents who live in proximity to the campus of the College have felt displaced by students and other visitors to campus in that finding regular, long-term parking near their own homes has become difficult; and,

WHEREAS, the Council of the City of Buckhannon has deemed it to be reasonable and appropriate to enact an ordinance regulating parking on residential streets in the vicinity of the College for the benefit of the residents of the municipality;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – DEFINITIONS:

- (1) “Resident” shall mean the owner or owners of any tract of real property, whether owner-occupied or not owner-occupied, fronting on any of the streets designated as “Residential-Only Parking Zones”, or a tenant thereof. For purposes of this Ordinance only, a tenant of an owner of any tract of real property within a Residential-Only Parking Zone required to provide off-street parking to its inhabitants under Ordinance No. 244, Article V, Section 502(D) is not deemed to be a Resident.
- (2) “Dwelling” shall mean a single-family detached residence, a discrete unit of a multi-family residence, or an apartment within a structure subdivided for occupancy by multiple individuals or families; *Provided*, that any structure required to provide off-street parking to its inhabitants under Ordinance No. 244, Article V, Section 502(D) shall be deemed to be one Dwelling for purposes of this Ordinance.
- (3) “Residential-Only Parking Zone” shall mean the following portions of the following city streets:
 - a) College Avenue, between South Florida Street and Meade Street
 - b) Barbour Street, between South Florida Street and Meade Street
 - c) Fayette Street, between South Florida Street and Meade Street
 - d) Pocahontas Street, between South Florida Street and Meade Street
- (4) “Residential Parking Permit” or “Permit” shall mean a placard, card, sticker, or such other device as may be issued by the City of Buckhannon, which shall identify the bearer as a Resident or a guest of a Resident for purposes of this Ordinance. A Residential Parking Permit must be openly displayed on a vehicle as provided in this Ordinance when parked within the Residential-Only Parking Zone.
- (5) “Motor vehicle” shall mean any means of conveyance recognized as a motor vehicle under the laws of the State of West Virginia.

ARTICLE II – DESIGNATION

Section 1. The parking of a motor vehicle for any period of time exceeding two consecutive hours, between the hours of 8:00 a.m. and 4:00 p.m., Mondays through Fridays, is prohibited in a

Residential-Only Parking Zone, except by a Resident or their guest openly displaying a Residential Parking Permit on the dashboard of the motor vehicle.

Section 2. The Street Department of the City of Buckhannon will erect signage within the Residential-Only Parking Zone identifying the parking restrictions created by this Ordinance.

Section 3. Each Dwelling within the Residential-Only Parking Zone may be issued two Residential Parking Permits for on-street parking. The Permits will be issued at no cost to a Resident of the Dwelling and shall be valid for one year from the date of issue. Permits will be numbered and registered with the City of Buckhannon for tracking purposes. Applicants for Residential Parking Permits must provide proof of their residency within the Residential-Only Parking Zone prior to receiving a Residential Parking Permit. Residents may apply for renewals of their Permit within thirty days of the expiration of any current Permit, and must return any unexpired Permit upon receipt of a new Permit.

Section 4. In the event of loss or theft of a Permit, the City will issue a replacement Permit to a Resident and the lost or stolen Permit will be cancelled and invalid for purposes of this Ordinance, and the City will notate its lost or stolen status on any registry created to track permits under section three of this article. Any person using a Permit registered as lost or stolen will be guilty of a violation of this Ordinance and subject to the penalties established herein.

Section 5. The provisions of Section 1 of this Article shall not be in effect on any state or federal holiday, or on any day the City Council, by motion, may designate.

ARTICLE III –VIOLATIONS and NOTICE OF VIOLATIONS

Section 1. Any person parking a motor vehicle within the Residential-Only Parking Zone for a period of time longer than two consecutive hours without displaying a Residential Parking Permit on the motor vehicle is in violation of this Ordinance.

Section 2. Any violations of this Ordinance, or any Ordinance modified hereby, may be served upon violators by United States Mail, first class postage prepaid. A Certificate of Service executed by the Parking Enforcement Officer and included within the citation file shall be sufficient evidence of service upon the violator.

Section 3. Violation of this Ordinance shall be punishable by a fine of twenty-five dollars (\$25.00). No violation of this Ordinance shall be punishable by any term of imprisonment or incarceration.

ARTICLE IV – SEVERABILITY: In the event that any section(s) or provision(s) of this Ordinance is determined to be in violation of state or federal statute or court ruling, unconstitutional, invalid or otherwise unenforceable by a Court of competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the sections and provisions thereof which are not specifically held to be in violation of state or federal statute or court ruling, unconstitutional, invalid or otherwise unenforceable.

ARTICLE V – EFFECTIVE DATE: This Ordinance shall be deemed effective January 1, 2019.

FIRST READING: October 18, 2018
SECOND READING, PASSAGE AND ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 430 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder

Motion Albaugh/Skinner to approve Ordinance 430 on the 2nd and Final reading.

Council Thomas asked if the issues regarding the Parish House were resolved. Mayor McCauley explained that those issues need brought before Consolidated Public Works Board and is not part of this ordinance.

Motion carried.

G.8 Ordinance 431 Authorization to Submit Proposed Amendment to Home Rule Board 2nd & Final Reading-

City Attorney O'Neill read Ordinance 431 for the 2nd and final reading. He further explained that this ordinance is to permit submission of an ordinance to the Home Rule Board to implement 1% sales tax. Attorney O'Neill inquired on the decision to reduce or eliminate B&O. Mayor and Council commented that the recommendation from the Revenue Review Committee was for a five cent reduction to the retail B&O tiers. (.25 to .20 and .50 to .45)

Motion Skinner/Rylands to approve Ordinance 431 on second and final reading. Motion carried.

**ORDINANCE NO. 431 OF THE CITY OF BUCKHANNON,
AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN
AMENDMENT TO THE CITY'S HOME RULE PLAN TO
THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD**

WHEREAS, the West Virginia Municipal Home Rule Board accepted the City of Buckhannon into Phase II of the West Virginia Municipal Home Rule Pilot Program on October 6, 2014, and approved the written plan submitted therewith; and,

WHEREAS, Chapter 8, Article 1, Section 5a, paragraph (k) of the West Virginia Code of 1931, as amended, permits municipalities participating in the Municipal Home Rule Pilot Program to amend their written plans; and,

WHEREAS, the City of Buckhannon is considering the submission of an amendment to the city's home rule plan, which would permit establishment of a municipal sales and use tax at a rate not to exceed one percent, while providing for the reduction of the city's business and occupation tax receipts; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – AUTHORIZATION TO SUBMIT AMENDED PLAN: The Mayor is hereby authorized to submit, pursuant to the rules and procedures established by the West Virginia Municipal Home Rule Board, an application for approval of an amendment to the written plan of the City of Buckhannon to permit establishment of a municipal sales and use tax at a rate not to exceed one percent while providing for the reduction of the city's business and occupation tax receipts, and to take all acts necessary and proper to carry out the submission of said application.

ARTICLE II - EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., December 1, 2018.

FIRST READING: October 18, 2018

PUBLIC HEARING, SECOND READING,
PASSAGE & ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 431 was lawfully ordained and enacted by the Council of the City of Buckhannon during a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder

The next three items (G.9, G.10 and g.11) were tabled until documents are received.

G.9 Resolution 2018-19 Acceptance Deed of Dedication John & Debra Moss Trader’s Alley Property-Tabled

G.10 Resolution 2018-20 Acceptance Deed of Dedication Health Facilities Main Street Mural Property-Tabled

G.11 Resolution 2018-21 Acceptance Deed of Dedication Health Facilities Trader’s Alley Property-Tabled

G.12 Approval Civility Resolution 2018-24 - Mayor McCauley read the following resolution that is being endorsed by the Municipal League.

RESOLUTION NO. 2018-24 OF THE COUNCIL OF THE CITY OF BUCKHANNON ADOPTING THE WEST VIRGINIA MUNICIPAL LEAGUE’S CIVILITY RESOLUTION JUST ADOPTED DURING THE LEAGUE’S BOARD OF DIRECTORS’ MEETING HELD IN BUCKHANNON ON OCTOBER 26, 2018

WHEREAS, Buckhannon very recently hosted the West Virginia Municipal League (WVML) Board of Directors’ quarterly meeting on October 25 and 26; and,

WHEREAS, one of the primary matters discussed and acted upon by the WVML Board was adoption of a resolution supporting efforts to revive civility at the local, governmental level; and,

WHEREAS, the WVML’s Board unanimously passed and adopted the resolution, a copy of which is exhibited herewith, while urging all 231 of the WVML’s member municipalities to embrace the substance of the resolution through adoption of their own resolutions subscribing to civility; and,

WHEREAS, the WVML’s resolution specifically calls for “listening to each other and listening across differences for understanding” as it “is important in building respect and sustaining our sense of community”; and,

WHEREAS, the WVML resolution further observes that “civil discourse is the free and respectful exchange of different ideas in a way that respects and affirms all persons, while hearing their perspectives”; and,

WHEREAS, the WVML’s resolution further observes that “heated rhetoric and a dramatic shift away from collaboration leaves us unable to solve the challenges confronting our community” and “listening across differences for understanding and exercising civility assists in the process of working together, rebuilding trust and helps us to create lasting solutions to our most pressing challenges, while fostering respect among opposing groups” and “sharing our personal hopes, dreams, fears, and the definition of what being American means to us, can help us tell that story of what unites us over what divides us, and can reunite us around shared values during this time when our country needs it” and “recognizing the importance of listening to each other, exercising civility in our discourse, rebuilding trust and reconnecting around what unites us, are key elements” of the City of Buckhannon’s mission.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

SECTION 1: The Council of the City of Buckhannon hereby fully adopts and embraces the WVML resolution as Buckhannon’s resolution respecting civility.

SECTION 2: The City strongly urges all local, governmental entities to adopt similar civility resolutions.

SECTION 3: The City Council encourages everyone in our Buckhannon-Upshur community to undertake and promote affirmative steps and promote the adoption of policies to encourage the exercise of civility in all of its societal and governmental functions.

SECTION 4: That this Resolution, or a copy thereof, may be provided to any and all affected persons or entities, to manifest the City of Buckhannon’s commitment to exercising civility in the exercise of all of its functions at all times, including but not limited to all municipal boards, commissions, and committees.

VOTE ON RESOLUTION

IN FAVOR

OPPOSED

(1) _____
David W. McCauley, Mayor

- (2) _____
Colin Reger, City Recorder
- (3) _____
Pamela Cuppari, Council Member
- (4) _____
Mary Albaugh, Council Member
- (5) _____
Clifford J. Rylands, Council Member
- (6) _____
Robbie Skinner, Council Member
- (7) _____
J. David Thomas, Council Member

CERTIFICATE OF ENACTMENT

I, Amberle Jenkins, Assistant City Recorder, do hereby certify that the foregoing Resolution No. 2018-24 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on November 1, 2018.

Amberle Jenkins, Assistant City Recorder

A Resolution Supporting Reviving Civility

Whereas: Listening to each other and listening across differences for understanding is important in building respect and sustaining our sense of community; and

Whereas: Civil discourse is the free and respectful exchange of different ideas in a way that respects and affirm all persons, while hearing their perspectives; and

Whereas: Heated rhetoric and a dramatic shift away from collaboration leaves us unable to solve the challenges confronting our community; and

Whereas: Listening across differences for understanding and exercising civility assists in the process of working together, rebuilding trust and helps us to create lasting solutions to our most pressing challenges, while fostering respect among opposing groups; and

Whereas: Sharing our personal hopes, dreams, fears, and the definition of what being American means to us, can help us tell that story of what unites us over what divides us, and can reunite us around shared values during this time when our country needs it; and

Whereas: Recognizing the importance of listening to each other, exercising civility in our discourse, rebuilding trust and reconnecting around what unites us, are key elements of the WV Municipal League's mission.

Now Therefore: we, the Board of Directors of the WV Municipal League resolve to practice civility by listening respectfully to people who have different views, avoiding language that is insulting or derogatory to others, and supporting efforts to work together across ideological and political lines.

Adopted this 26th day of October 2018.

President

Secretary

Motion Rylands/Albaugh to approve Resolution 2018-04. Motion carried.

G.13 Discussion/Possible Vote Establishment of Municipal Minimum Wage Full Time

Employees: Mayor McCauley called upon Council to establish a minimum starting wage for full-time city employees to \$10.00 per hour. He feels the current starting rate of \$9.00 is not enough and other organizations are paying a higher rate to attract candidates. He noted that three current employees are making less than \$10 per hr now.

Motion Thomas/Cuppari to adopt recommendation.

Discussion: Council Ryland and Skinner feel that with benefits this is not necessary. There was a step classification adopted that would allow employees to receive pay increases due to added duties and responsibilities. They would like to have time to ask questions and deliberate on issue before making a decision.

Council Thomas rescinded his motion and the matter was tabled until next meeting.

G.14 Establishment of Diversity Appreciation Coalition: Mayor read the following statement-

CITY OF BUCKHANNON – MAYOR’S STATEMENT– DIVERSITY APPRECIATION COALITION - November 1, 2018

During recent months, I've reported incidents to our City Council & our citizenry respecting egregious treatment of persons of color in our community, particularly Wesleyan students. We hear stories about residents of our area being harassed or mistreated because of their orientation. Only 100 miles up the road, 11 persons were murdered in a Pittsburgh synagogue just last Saturday. One of those savagely killed was Dan Stein, a former Wesleyan student who used to walk our streets. Robbie Skinner's dad, Bob, was a friend of Dan's. The reason for Dan's murder- he was Jewish. Dr. Jerry Rabinowitz was an M.D. & a work colleague of my sister's, who's an R.N. in Pittsburgh. Just last year, in Charleston, South Carolina, nine black parishioners were killed because- they were black. In 2016, 49 were killed at a nightclub in Orlando, Florida because- they were gay. These atrocities occur everywhere. They could occur- here.

I'm not sure how we've deteriorated so terribly in our treatment of our fellow citizens, or how we've managed to turn the hands of time back decades to somehow think that such things may be tolerated, that they may be so cavalierly accepted, as we move on awaiting the next horrible tragedy next week or next month. I don't know how we became so divisive in almost everything we do. I believe we need to refocus our societal efforts on kindness, empathy, tolerance, & appreciation of people being different. I don't want us to get used to being numb as these horrors continue to occur.

I'd like to have our City Council sponsor what I'm going to initially call our Diversity Appreciation Coalition. I'd see us working closely with our school system, West Virginia Wesleyan College, & various community groups- to contrive ways & methods to educate people about the importance of appreciating diversity. If our City Council agrees to serve as the anchor for this endeavor, I've already received commitments from Dr. Sara Stankus, our schools superintendent; Dr. Robbie Quarles, the multi-culture director at WVWC; attorney Daya Wright; Dannie Stiles with the Buckhannon Pride group; soon-to-be Dr. Theresa Poling Wesleyan nursing faculty member; Cathy McCauley, a longtime B-U schools counselor; and some other folks who are deciding about their participation with this group. Our meetings would be very public, & anyone who wants to be part of the group will be welcome to participate. Together- we can make a difference. And as you've heard me say a thousand times- we're all in it- together.

Motion Thomas/Rylands to approve establishment of Diversity Appreciation Coalition.

Motion carried.

G.15 Approval to submit Families Leading Change Mini Grant Application - Previously voted on earlier in the meeting (D.1).

G.16 Referral to Police Civil Service Commission for testing to replenish the Eligibility List

Mayor McCauley reported that there are only two candidates on the eligibility list and three are needed. He asked Council to authorize replenishing the list.

Motion Skinner/Rylands to authorize Police Civil Service Commission to begin the process to replenish the eligibility list for police candidates. Motion carried.

Comments and Announcements:

H.1 Mary Albaugh - Thanked everyone for their support in regard to the recent passing of her husband. She reminded everyone of the Veteran's Parade on Nov 12th.

H.2 Pamela Cuppari – Reminded everyone that the theme this year is Christmas in Whoville. Anyone that might be interested in home tours please contact her. The proceeds will go toward Christmas Decorations. The Christmas parade will be held Dec 7th.

H.3 C J Rylands-None

H.4 Robbie Skinner- He listened to all the comments this evening regarding the nuisance property ordinance and sees this ordinance as an investment in the community. It is not intended to attack landlords. There is no one solutions to the drug problem and this is a tool to use as a part of the solution. It is a million little things, to stop this.

H.5 David Thomas – Commented about several issues in today’s society such as graphic violence and language on tv and video, children born with additions.

H.6 Colin Reger –Absent

Mayor’s Comments and Announcements:

- Mayor McCauley reported that one of our local residents – Carol Sheffield – has left two sympathy cards for the public to sign which will be sent to the family and staff at WVWC in regard to the young man that passed away at one of the dorms.
- Mayor Greetings-WV Municipal League Board Meeting Reception-

Mayor Greetings – WV Municipal League Board Meeting Reception The Opera House, East Main Street, Buckhannon, WV – October 25, 2018 – 5:30 p.m.

Good evening ladies & gentlemen, & a very special welcome to all of our friends & colleagues with our West Virginia Municipal League. It is Buckhannon’s distinct pleasure & honor to have you all here in our beloved “Sunnybuck” for the League’s quarterly Board meeting. Perhaps we’re best known around our State as the place where West Virginia College is located, or maybe it’s the venue of the Strawberry Festival, or it could be you’ve heard about our flower & landscape program, or our terrific public art program- but however it is that you know about Buckhannon, it all comes together amazingly well here for us to produce one great town that’s right here in the near epicenter of West Virginia.

We hope you’ll enjoy your time this evening in the newly completed Opera House. Before you head back home, be sure to pose for a photo with Lurch, Ted Cassidy once resided here in Buckhannon, & attended Wesleyan. Be sure to check out the City Seal mural, the Evening Star mural, the rooster mural on the side of CJ Maggie’s restaurant, & the monkeys mural in the middle of our newest project, Trader’s Alley that connects Main Street with Jawbone Park. In Jawbone Park, you’ll find the highly acclaimed sculpture of Buckongahelas & Mahonegon created by the late Ross Straight, one of our most acclaimed artists & the ginormous French Creek Freddie statue.

Peek in at our City owned & operated Colonial Theatre with Al the Alien atop it. It was operated from 1973-80 by the most famous UFOlogist, Gray Barker, who produced the books that led to the movies, Men in Black, the Mothman Prophecy, & the Philadelphia Experiment. We also have a dedication there to Pare Lorentz, FDR’s documentarian who grew up in Buckhanon & attended Wesleyan. Soon, Jimmy Pankow of the rock band Chicago will come here for the dedication of his statue & bench- he created the rock opus, “A Ballet for a Girl in Buc[k]hannon” about his girlfriend Terry Heisler who left him to attend Wesleyan way back in 1968. Our City operates its own Stockert Youth & Community Center & we manage a fleet of busses to bring folks to our place. If you find your way to campus, you’ll be heartily welcomed by our college community. Wesley Chapel is the largest sanctuary in West Virginia & is well worth the five block walk amid the most beautiful campus around. Pop in at Fish Hawk Acres, and Stone Tower Brews, CJ Maggies restaurant, the ¾ Cafe & the Lascaux micro theatre, the 88 Restaurant & lounge, Don Pacos across the street from Jawbone Park, Buckhannon’s mini-Tamarack Artistry on Main, Fat Tire & Mountain Roaster Coffee, & Main Street Antiques.

Please indulge me while I introduce you to some of the terrific folks who make it all happen here in Buckhannon. Please stand & be recognized. First, our City Council members, Recorder Colin Reger, & councilors Dave Thomas, Pam Cuppari, Mary Albaugh, Robbie Skinner, & C.J. Rylands. CJ also is the co-sponsor of this evening’s excellent meal Our Director of Finance & Administration, Amby Jenkins, & our Director of Public Works, Jerry Arnold. Upshur County Commission President, Sam Nolte. Upshur County schools superintendent, Dr. Sara Stankus, & Assistant Schools superintendent, Dr. Debra Harrison. Mr. Skip Gjolberg, CEO of St. Joseph’s Hospital/WVU Medicine, by the way St. Joseph’s is sponsoring our breakfast & lunch tomorrow. Dr. Scott McKinney, VP for Finance at Wesleyan. Mr. Curtis Wilkerson, President of Orion Strategies & also president of our City’s Planning Commission, who by the way is sponsoring our bar this evening. Mr. Mark Hayes, plant manager at Corhart/St. Gobain & president of our Chamber of Commerce. Mr. Chad Corley, one of our community’s best business partners & manager of our Lowes. Our citizen Utility Board members- Don Nestor, Eric Waggoner, Mark Waldo, former League City Recorder of the Year & board member, Nancy Shobe, Phil Loftis, Gene Frey, & Nathan Fetty. Also attending are our special mayoral guests, Mayor Van Broughton of Elkins, & Julia Spelsberg of Weston. We are pleased to have you all here breaking bread with our Municipal League board members & League staff. Thanks for attending. A week ago today, Buckhannon lost longtime councilor & mayor Jim Knorr. I’d ask that you join me in a moment of silent reflection in memory of Mayor Knorr, & then, former mayor, Nancy Shobe, will bring us our blessing.

Moment of Silence- Nancy Shobe invocation- Enjoy your meal & our company folks! We hope you have a great time in Buckhannon!

Motion Albaugh/Rylands to adjourn at 9:36 pm.

Mayor David McCauley

Assistant Recorder Amberle Jenkins

City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, October 18, 2018

A. Call to Order

- A.1 Moment of Silence
- A.2 Pledge to the Flag of the United States of America
- A.3 Mayor's Greetings

B. Recognized Guests

- B.1 First Service Recognition-Amanda Hayes
- B.2 Andrew Schneider-Fairness WV
- B.3 Upshur County Homeless & Housing Coalition
- B.4 Rob Hinton- Upshur County Development Authority

C. Department & Board Reports

- C.1 Information Coordinator/Grant Researcher- Callie Cronin Sams
- C.2 Public Works Director- Jerry Arnold
- C.3 Finance Director- Amberle Jenkins
- C.4 Police Chief-Matthew Gregory
- C.5 City Attorney- Tom O'Neill

D. Correspondence & Information

- D.1 Notice of Public Hearing of Proposed Adoption of an Amendment to the City's Home Rule Plan-1% Sales & Use Tax
- D.2 Municipal Home Rule Pilot Program Amendent Application
- D.3 FOIA Request-Golder Associates-RE: Property Outside of City Limits
- D.4 FOIA Request-SmartProcure-RE: PO/Vendor Information
- D.5 FOIA Request-Froehling & Robertson, Inc-RE: Environmental Related Issues-Buckhannon Crossroads
- D.6 BU Chamber of Commerce Letter of Support-B&O Tax Reduction
- D.7 PR:-School Systems Receive Federal Safety & Security Grant
- D.8 WVABCA Zoning Form-Fat Tire Cycle & Adventure Supply
- D.9 Buckhannon Volunteer Center Newsletter-September 2018
- D.10 COB Hosting WV Municipal League Oct 25th & 26th
- D.11 Halloween Events-SYCC's Haunting Oct. 26th; BPD's Trunk or Treat Oct. 30th; Trick or Treat Oct. 31st 6pm-7:30pm
- D.12 COB Notice of Building/Zoning Code Tutorial Session Nov. 7th at 6pm at City Hall

E. Consent Agenda

- E.1 Approval of Minutes-Regular meeting 10/04/18
- E.2 Approval of Building and Wiring Permits
- E.3 Approval of Payment of the Bills
- E.4 Event Request-BAES Wilderness Night
- E.5 Event Request-Shakesperience Buckhannon

F. Strategic Issues for Discussion and/or Vote

- F.1 Approval Corrected GF Budget Revision Resolution 2018-23C
- F.2 Approval to Establish Service Recognition
- F.3 Approval to Submit People for Bikes Program
- F.4 Approval 2019 Chamber of Commerce Membership
- F.5 Ordinance 428 Drug House Ordinance 1st Reading
- F.6 Ordinance 430 Residential Parking around WVWC 1st Reading
- F.7 Ordinance 431 Authorization to Submit Proposed Amendment to Home Rule Board
- F.8 Resolution 2018-19 Acceptance Deed of Dedication John & Debra Moss Trader's Alley Property
- F.9 Resolution 2018-20 Acceptance Deed of Dedication Health Facilities Main Street Mural Property
- F.10 Resolution 2018-21 Acceptance Deed of Dedication Health Facilities Trader's Alley Property

G. Comments and Announcements

- G.1 Mary Albaugh
- G.2 Pamela Cuppari
- G.3 C J Rylands
- G.4 Robbie Skinner
- G.5 David Thomas
- G.6 Colin Reger

H. Mayor's Comments and Announcements

I. Adjournment

Next City Council Meeting Date Thursday, November 1, 2018 POSTED 10/15/18

STATE OF WEST VIRGINIA, COUNTY OF UPSHUR, CITY OF BUCKHANNON, TO WIT:

A regular meeting of the Buckhannon City Council was held on Thursday, October 18, 2018 at 7:00pm in City Hall. The following were in attendance:

Mayor	David McCauley	Present
Recorder	Colin Reger	Present
Council Member	Mary Albaugh	Absent
Council Member	Pam Cuppari	Absent
Council Member	CJ Rylands	Present
Council Member	Robbie Skinner	Present
Council Member	David Thomas	Absent
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present
Police Chief	Matthew Gregory	Present
Director of Public Works	Jerry Arnold	Present
Grants & Information Coordinator	Callie Cronin Sams	Present
Record Delta Newspaper		Present
Channel 3		Present

Also in attendance: Tammy Reger-Chamber of Commerce, Arnold Hinzman, Dr. Reese, Jack Reger, Kathy McMurray-Mountain Cap, Jody Light, Andi Cartier, Shannon Lewis, Alicia Rapping, Jerry Henderson, Evelyn Syski, Brad & Pam Humphreys, Matt Kerner, Sarah Sienkiewicz, Crystal Replogle, and Ginny Dixon.

Meeting Agenda Posted 10/15/18

***City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, October 18, 2018***

- A. Call to Order**
 - A.1 Moment of Silence
 - A.2 Pledge to the Flag of the United States of America
 - A.3 Mayor's Greetings
- B. Recognized Guests**
 - B.1 First Service Recognition-Amanda Hayes
 - B.2 Andrew Schneider-Fairness WV
 - B.3 Upshur County Homeless & Housing Coalition
 - B.4 Rob Hinton- Upshur County Development Authority
- C. Department & Board Reports**
 - C.1 Information Coordinator/Grant Researcher- Callie Cronin Sams
 - C.2 Public Works Director- Jerry Arnold
 - C.3 Finance Director- Amberle Jenkins
 - C.4 Police Chief-Matthew Gregory
 - C.5 City Attorney- Tom O'Neill
- D. Correspondence & Information**
 - D.1 Notice of Public Hearing of Proposed Adoption of an Amendment to the City's Home Rule Plan-1% Sales & Use Tax
 - D.2 Municipal Home Rule Pilot Program Amendent Application
 - D.3 FOIA Request-Golder Associates-RE: Property Outside of City Limits
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 - D.5 FOIA Request-Froehling & Robertson, Inc-RE: Environmental Related Issues-Buckhannon Crossroads
 - D.6 BU Chamber of Commerce Letter of Support-B&O Tax Reduction
 - D.7 PR:-School Systems Receive Federal Safety & Security Grant
 - D.8 WVABCA Zoning Form-Fat Tire Cycle & Adventure Supply
 - D.9 Buckhannon Volunteer Center Newsletter-September 2018
 - D.10 COB Hosting WV Municipal League Oct 25th & 26th
 - D.11 Halloween Events-SYCC's Haunting Oct. 26th; BPD's Trunk or Treat Oct. 30th; Trick or Treat Oct. 31st 6pm 7.30pm
 - D.12 COB Notice of Building/Zoning Code Tutorial Session Nov. 7th at 6pm at City Hall
- E. Consent Agenda**
 - E.1 Approval of Minutes-Regular meeting 10/04/18
 - E.2 Approval of Building and Wiring Permits
 - E.3 Approval of Payment of the Bills
 - E.4 Event Request-BAES Wilderness Night
 - E.5 Event Request-Shakesperience Buckhannon
- F. Strategic Issues for Discussion and/or Vote**
 - F.1 Approval Corrected GF Budget Revision Resolution 2018-23C
 - F.2 Approval to Establish Service Recognition
 - F.3 Approval to Submit People for Bikes Program
 - F.4 Approval 2019 Chamber of Commerce Membership
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- F.8 Resolution 2018-19 Acceptance Deed of Dedication John & Debra Moss Trader's Alley Property
- F.9 Resolution 2018-20 Acceptance Deed of Dedication Health Facilities Main Street Mural Property
- F.10 Resolution 2018-21 Acceptance Deed of Dedication Health Facilities Trader's Alley Property

G. Comments and Announcements

- G.1 Mary Albaugh
- G.2 Pamela Cuppari
- G.3 C J Rylands
- G.4 Robbie Skinner
- G.5 David Thomas
- G.6 Colin Reger

H. Mayor's Comments and Announcements

I. Adjournment

Next City Council Meeting Date Thursday, November 1, 2018

Call to Order: The meeting was called to order by Mayor McCauley followed by a moment of silence and pledge to the US flag.

Recognized Guests:

B.1 First Service Recognition-Amanda Hayes- The Mayor and the Council recognized Amanda Hayes for her service in the press for the past several years, as well as her various service projects: Relay for Life, Alcohol Reduction, Festival Friday's, Service to the School System and Church. There will be a bench with plaques installed for this award located in Jawbone Park, and Amanda's name will be the first on the bench.

MAYOR'S PROCLAMATION

WHEREAS, the Council of the City of Buckhannon resolved during its regular meeting of October 18, 2018, to honor from time to time, residents of our Buckhannon-Upshur community who perform extraordinary service while embracing the kind & giving spirit of volunteerism; and,

WHEREAS, Buckhannon has long championed community service & has recognized persons who have given selflessly for the benefit of our City's Fire Department, Stockert Youth & Community Center, & Police Department, but has not formally recognized others who generally perform many other acts of service & kindness; and,

WHEREAS, with the 2018 establishment of our Buckhannon Volunteer Center, it is very reasonable & appropriate to henceforth recognize our community's most giving volunteers.

NOW, THEREFORE, I, DAVID W. McCAULEY, as MAYOR OF THE CITY OF BUCKHANNON, pursuant to the power & authority duly vested in me, do hereby proclaim as our City's inaugural recipient of our Buckhannon Exemplary Service Testimonial (**BEST**) to be **AMANDA HAYES**. **MS. HAYES** has regularly & energetically participated for many years in countless service related projects for our community including Relay For Life, the Upshur Community Alcohol Reduction Effort (UCARE), Create Buckhannon & Festival Fridays, service to our school system, her church, & her list of service & volunteering goes on & on. I further direct the establishment of our City's new **BEST** bench & the installation of a permanent placard in Jawbone Park to forever honor & recognize **AMANDA HAYES** along with all future honorees of our City's **BEST** award.

I further urge all residents to join our City's most honored guest, **AMANDA HAYES**, her many friends & admirers, & me, along with all members our City government family during our public ceremony to be conducted at 7:00 p.m. on Thursday, October 18, 2018 as we bestow our City's very first **BEST** award. We all wish **AMANDA** all of the best as she prepares to commence the next chapter of her professional life. May every resident be mindful of the importance of community service & giving of one's self & be inspired to give selflessly for the benefit of others as we pay tribute to & appreciate the many substantial contributions of our exceptional volunteers, including our first **BEST** honoree, **AMANDA HAYES**.

Given under my hand and official seal of The City of Buckhannon
upon this 18th day of October, 2018
David W. McCauley, Mayor

B.2 Andrew Schneider- Executive Director of Fairness WV -Mr. Schneider addressed the City Council concerning the conversion of the Non-Discrimination Resolution into an Ordinance. Mayor McCauley asked Mr. Schneider to collaborate with the City Attorney to propose some sample ordinances.

B.3 Upshur County Homeless & Housing Coalition - Kathy McMurray , Alicia Rapking, and Matt Kerner presented on the issue of homelessness within Upshur County and in West Virginia. Their next meeting is Wednesday, November 14 at 2:00 PM.

B.4 Rob Hinton- Upshur County Development Authority- Mr. Hinton provided some updates on the UCDA construction on Main Street. Completion is anticipated for Mid-May, 2019.

-Shannon Lewis-Buckhannon Academy Elementary School- Wilderness Night-Council moved E.4 up from Consent Agenda-Presented concerning Wilderness Night, which is a family night event

for students. Asking for a street closing from Victoria Street to Board Office parking lot for a hayride on Wednesday, October 24, 2018 from 5-7 PM.

City of Buckhannon
Event Request Form

All requests to hold events should be submitted at least 30 to 50 days in advance of event date prior to the next Consolidated Public Works Board meeting in order to be considered for approval. CPWB meets the fourth Thursday of each month at 4:00 pm at City Hall.

Name of Event: Wilderness Night Person in Charge of Event: Sharon Lewis
 Type of Event: Family Night
 Date of Event: 10-24-18 Start Time: 5:00 End Time: 7:00
 Name of Sponsoring Organization: Buckhannon Academy
 Address: 110 College Avenue City: WV State: WV Zip: 26201
 Signature of Person in Charge of Event: [Signature] Phone No: 304-472-3310 ext 2002
 Location of Event: Buckhannon Academy If event is a 5K include City approved route number _____

- (If yes attach list) Circle
- Will any streets be closed? We only want part of Yes/No Yes
 - Will there be vendors? Victoria St and Yes/No Yes
 - Will there be a first-aid station/ medical sta't? east of Smithfield Yes/No Yes
 - Is there a parking plan? street - behind the Yes/No Yes
 - Will there be security? school Yes/No Yes
- Please list contact information for any additional key staff members: 304 to B 5015 personal cell

****UNLESS AUTHORIZED BY CITY COUNCIL, MARKING EVENTS COURSES MUST BE MADE WITH REMOVABLE TAPE. IT MUST NOT INTERFERE OR CONFLICT WITH ANY TRAFFIC OR UTILITY SIGNS OR SIGNALS. MARKINGS MUST IMMEDIATELY BE REMOVED AS THE EVENT IS CONCLUDING. PAINT & CHALK ARE PROHIBITED. EVENT SIGNS MUST BE DISTINGUISHABLE FROM TRAFFIC SIGNS AND REQUIRE THE NAME OF THE EVENT SPONSOR ON THE SIGN. MARKINGS & SIGNS THAT ARE NOT PROMPTLY REMOVED AFTER THE EVENT, WILL BE REMOVED BY CITY PERSONNEL AND PERSON(S) MAKING APPLICATION FOR THE EVENT WILL BE BILLED FOR ANY LABOR & MATERIALS.****

Date Received: 9/27/18 Office Use: To take for CPWB
 Date Presented to Board/Council: 10/18/18
 Approved by: _____ Denied: _____ (attach reason for denial)

if closing Main Street a WVDOH Permit must be obtained.
 WVDOH Permit Approved: Yes No WVDOH Permit No: _____
 Will pre-event meeting be required? Yes/No _____
 (circle attendees)
 Police Dept. Fire Dept. Street Dept. Water Dept. Sewer Dept. Waste Dept. Engineering
 Administrator Mayor DEM Director Other: _____ REV 11-30-17



Approved see below under Consent Agenda.

Department & Board Reports:

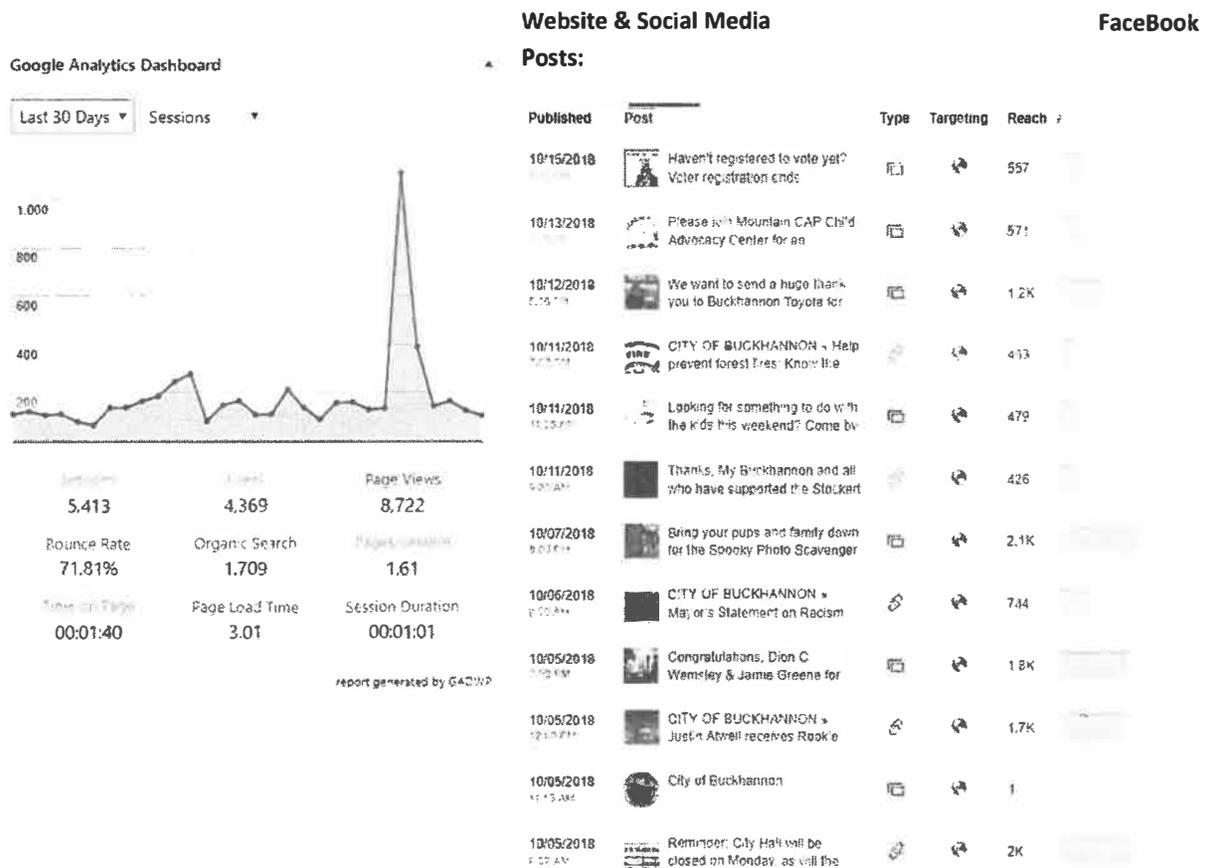
C.1 Information Coordinator/Grant Researcher- Callie Cronin Sams- Council moved F.3 up from Strategic Issues. Approved see below under Strategic Issues.

PeopleForBikes Grant Program 2017 Full Application:

- Mission and History:** Summarize your organization's mission and history. Pay particular attention to why and how you are invested in improving the environment for bicycling in your community.
- Project Description:** Please use this section to expand on the information provided in the Letter of Interest, if needed. In particular, please include the context for this project, information on related projects or efforts, and project partners, if relevant.
- Community Benefits:** Outline the benefits you expect this project to bring to the community, such as increase ridership, improved safety, changes in air quality, health, or congestion, and economic impact. Please include the basis for determining your expectations.
- Miles Built/Connected:** State the miles of path or trail or other bicycle facilities you will be building and the miles of facilities connected by your project, if applicable.
- Evaluation**
 - Measurable Outcomes:** Describe what will change as a result of this project.
 - Measurement:** Describe your plans for measuring the success of your project. What will you measure (i.e. ridership, economic impact) and how.
- Required Attachments**
 - Support Letters** - Elected official (required) - mayor, city council member, alderman, state representative, governor, or federal elected official - Federal legislator (recommended) - Congressional Representative or Senator - Bicycle industry representative (required) - owner or manager of a bike-related business - Business representative (required) - owner, manager, or principal employee of a business/corporation not related to bicycling - Business association representative (recommended) - leader from a Business Improvement District, Business Development office, Chamber or Commerce, or similar organization
 - List of Board Members** including their affiliations, (for applying non-profit organizations only)
 - IRS determination letter** for applying non-profit organizations only
 - Map/Plan of the project and area**, if applicable
 - Photos (2-3)** of existing bicycle facilities, related event, or

“before” shot of location where infrastructure will be installed f) **Project Budget** including pending or committed sources of funding and indicating how PeopleForBikes funding will be used g) **Organizational Budget** for the current year; you may alternately provide a link to your annual budget.

Information Coordinator & Grant Researcher Report – Callie Cronin Sams – Oct. 18, 2018 – City Council Meeting



- over 1K views on the Buckhannon Toyota donation & elimination dinner post
- some minor confusion over City website vs. new MyBuckhannon website, which is a privately-owned business, not affiliated with the City



Grants:

Buckhannon Volunteer Center (Casey Gilbert, Coordinator):
 CommUnity & Kindness Day on the 27th
 Buckhannon Recycles Campaign starting November 1st
 Free Grant Workshop on the 2nd from 9 AM - 12 PM at the Public Safety Complex (RSVP on BVC by 31st)
 Looking to fill some volunteer opportunities on the BVC

- Disaster Action Team Member with the Red Cross
- Stream Monitor with MLPA
- Pipeline Monitor with MLPA
- Web (Re)Designer with MLPA (can be done from home!)
- Grant Seeker with MLPA (can be done from home!)
- Mentor Champions with Appalachian Impact
- Decorating Committee with the City
- Tax Volunteers with VITA

- Mower/Weedeater with Dog Park (probably won't be needed soon)
- VIPS
- Weed Puller/Toy Picker Upper with Dog Park
- Weed Puller with Nature Park and Learning Trail
- Tree and Invasive Shrub Extractor with Nature Park and Learning Trail
- Board Member with Nature Park and Learning Trail
- Good Neighbor with the City

Please sign up on the website! We need 86 more users and 4 more agencies (organizations) by the end of February to meet our goal (125 users and 20 agencies within first 6 months of website launch). Sign up for the monthly newsletter to stay updated!

Other Grants (Callie):

Met with Chief Gregory & Lt. Loudin to discuss Police grants for 2019

People for Bikes, submit 10/19

Attended ARC 2019 workshop in Flatwoods

Researching: JP Morgan Chase, Advancing Cities; America Walks; WV Humanities Council; David Rockefeller

Pollinator Initiative; Police: active shooter training gear & body/car cams

Upcoming Events:

- 10/25 – 10/26 WV Municipal League Visits Buckhannon
- 10/25 -28 War of the Worlds at Colonial Theatre
- 10/27 Community Unity & Kindness Day
- 10/30/18 Trunk or Treat
- 10/31/18 Trick or Treat
- 11/1-11/15 #BuckhannonRecycles campaign
- 11/2/18 Grant writing workshop at Public Safety Complex (BVC)
- 11/11-12 Veterans Day & Observance



C.2 Public Works Director- Jerry Arnold- Mr. Arnold was not present at the meeting. Mayor McCauley presented the information in the packet to the Council. There was no substantial discussion.

**Buckhannon City Council
Public Works Director Report
October 18, 2018
Jerry Arnold**

Director:

- I will be working with Amby and the Mayor for the solicitation of applicants for the engineer position at the sewer plant.
- I will be getting evaluation forms and information out to the supervisor so we can possibly meet our first of the year goal.
- I hope to move my office into the old lieutenant's office downstairs to allow more office space upstairs for Amby to utilize.

Water Department:

- Continue to Inspect on the WSI project on Brushy Fork
- Replaced a cooling fan on the variable frequency drive on the only raw water pump that is currently in service.
- The pump shop contracted to rebuild the raw water pump continues to work to identify the cause of vibration in the pump assembly.
- Work continues on lighting upgrades in the plant.
- Will be testing large meters as schedule permits.

Sewer Department:

- Contractor has been working on the road bores for the Brushy Fork extension.
- Crew 1- has completed about 60 to 70% of the Wood St. Project #2.
- Crew-2 have installed 200' of pipe and one drop inlet on Henry Street and anticipate project completion by the end of the week.
- Employee Dan Baker will be attending class October 30th-31st to obtain his class A certification.
- The maintenance crew have been replacing the wood decking on the equipment trailer, gathered materials to install the roof on the blower building, changing out pumps in the pump stations,

Waste Department:

- The board approved the financing for Community Bank at 4.01% for a 5-year term with an annual renewal for the purchase of new road tractor.
- The board also approved the transfer of Alice Teets to the office position vacated by the resignation of April Tenney on October 12th.

Street Department:

- Continue to work on Traders Alley.

- We are installing insulation and performing some additional demolition during rainy days.
- We will be install/replace about 200' of guardrail along Upper Dr.

Engineering:

- Water Department Early Warning Monitoring System Phase 1 – The Water Department will begin construction of the equipment storage building for EWMS #1 as soon as the Water System Improvement Project on Liggett Addition Road and Brushy Fork Road is completed. ACP Water System Improvements Project – Waterline installation activities continue for both Contracts No. 1 and No. 2. Overall, the WSI Project is 37.4% complete. Contract No. 2 (Brushy Fork Road) is approximately 54.8% complete. Contract No. 1 (Liggett Addition Road) is approximately 34.0% complete at this time. Approval from the FHWA for the directional drilling under Corridor H was approved last month. Anticipate between a 6-week to 16-week lead time for the waterline and steel casing pipe required for the directional drilling.
- Gateway West Engineering and Surveying –Continuing to work on design & comments from DOH District 7 at this time. Anticipate submitting the revisions by the end of the month.
- WVDOH Brushy Fork Waterline Replacement Project –The Project Bid Opening (Letting) is scheduled for November 13, 2018.
- Adrian PSD Water System Improvement – Completed preliminary Engineer’s Estimate of Probable Project Costs to upgrade the existing 5,300 LF of 8”Ø waterline to a 10”Ø waterline and the Water System Improvement Project totals \$410,633.19. The information was sent to the Adrian PSD.
- FEMA Flood Mitigation Assistance / Pre-Disaster Mitigation Grant for Storm Sewer Projects –Awaiting answers from the WV Division of Homeland Security and Emergency Management as to the maximum amount of monies that can be applied for and the total number of projects that can be applied for before continuing with the information gathering.
- City-Owned Property List and Map – Completed comprehensive list of City-owned property both inside & outside of the City Corporation Limits. Working with the Mapping Department to complete a map showing all City-owned properties within the City Corporation Limits.
- City Rate and Boundary File Project – Completed the creation of, and continuing with the review of, a comprehensive list of all addresses within the City Corporation Limits for the purpose of creating a Municipal Rate and Boundary listing that will be submitted to the WV State Tax Department. The Municipal Rate and Boundary listing will be used to accurately determine who will be paying the 1% Municipal Sales and Use Tax. Began working on the Boundary Map, which shows the Corporate Limits associated with the proposed 1% Municipal Sales and Use Tax, which is also required to be submitted to the WV State Tax Department.
- North Buckhannon Riverfront Park Phase II – Continuing to work on the development and cost estimate for the Phase II improvements to the North Buckhannon Riverfront Park. The amount of grant money remaining for use on the Phase II portion of the Project total \$63,485.64, of which the City would be responsible for \$31,742.82. The proposed improvements include perimeter fencing around the grass recreation fields, security cameras, ADA-compliant concrete crosswalk, resurfacing of the outdoor basketball court and installation of two collapsible bollards at walking path locations (to prevent access by vehicles).

C.3 Finance Director- Amberle Jenkins- Ms. Jenkins presented the information from the packet to the Council.

Amby 10-18-18

One of the big highlights was the elimination dinner fund raiser for SYCC.

Elimination dinner tickets and games for the evening collected \$12,300. The material expenses were \$2400 and the grand prize payout was \$599. Jeff St Clair told us to keep \$401 of the \$1,000. We netted \$9300 in profits from the dinner.

We received a large donation from Buckhannon Toyota \$20,000

The Moose donated \$1,300 and we received several donations from various groups and people.

Memory of Tommy Albaugh donations to SYCC \$250.00

Thanks Tommy and Mary

The SYCC Capital Campaign fund is now at \$227,596.

Our enterprise fund balances for September were:

Water	\$324,198 and \$956,248 in CD's and \$1,081,000 remaining in ACP funds
Sanitary	\$416,072 and \$113,379 in CD's
Waste	\$610,099 and \$57067 in CD's
Consolidated	\$93,535 and Cemetery CD \$227,621

Upshur County Clerk – Carol Smith notified us that the new voting machine is setup at the Courthouse if anyone would like to see how it works prior to the election.

I've been asked by the City of Weston to attend a meeting regarding annexation. The City of Weston is asking Lewis County commission to annex the area of development going southeast toward their Walmart and wanted me to speak on Buckhannon's experience

Last evening Police Civil Service Commission conducted promotional testing for Officers Wilson and O'Connor who passed the Corporal test and will receive a 25 cent per hour increase.

Budget Revision Correction:

This was the revision to expend remaining funds in the grant for security equipment, sidewalk, resurface basketball court and bollard in the North Buckhannon Park. My previous revision did not have the extra allocated funds of \$6465 from Council contingency and as I explained it is a 50/50 match the total to expend would be \$42,853, and we would receive \$21,426 from grant funds.

Council move F.1 up from Strategic Issues. Motion Skinner/Thomas to Approve Corrected GF Budget Revision Resolution 2018-23- Carried Unanimously.

RESOLUTION 2018-23

At a regular session of the municipal council, held October 18, 2018 the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) of the City of Buckhannon. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices the municipal council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number General Fund #1, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Alvin Skinner, and duly seconded by David Thomas the vote thereon was as follows:

Mary Albaugh	absent	Yes or No
Robbie Skinner	<u>Robbie Skinner</u>	<input checked="" type="checkbox"/> Yes or No
Clifford J Rylands	Clifford J Rylands	<input checked="" type="checkbox"/> Yes or No
Pamela Cuppari	absent	Yes or No
David Thomas	<u>David Thomas</u>	<input checked="" type="checkbox"/> Yes or No
Colin Reger	<u>Colin Reger</u>	<input checked="" type="checkbox"/> Yes or No
David McCauley	<u>David McCauley</u>	Yes or No

WHEREUPON, Colin Reger Recorder, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the Recorder is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

LGS07BR (Ver 2017)

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

Person To Contact Regarding Request:
Name: Amberle Jenkins
Phone: 304-472-1651
Fax: 304-472-0934

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. (§ 11-8-28a)

CITY OF BUCKHANNON
GOVERNMENT ENTITY
70 E MAIN ST
STREET OR PO BOX
BUCKHANNON CITY
26201
IP CODE

CONTROL NUMBER
Fiscal Year Ending: 06/30/2019
Fund: 1
Request Number: 2
Pages: 1 of 4
RECEIVED
OCT 23 2018
Municipality
Government Type
WV STATE AUDITOR

REVENUES: (net eachacct)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
365	Federal Government Grants		29,348		29,348
	#NA				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 29,348

Explanation for Account # 378, Municipal Specifics:
Explanation for Account # 368, 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
750	Streets and Highways	1,284,125	35,813		1,319,938
699	Contingencies	37,595	8,465	6,465	31,130
	#NA				

NET INCREASE/(DECREASE) Expenditures 29,348

APPROVED BY THE STATE AUDITOR
By: Ora Ash 10-22-2018
Deputy State Auditor, Local Government Services Division Date

Colin Reger
AUTHORIZED SIGNATURE OF ENTITY
10/18/18
APPROVAL DATE

C.4 Police Chief-Matthew Gregory-



Buckhannon Police Department

24 S Florida St * Buckhannon, WV 26201
 Phone 304-472-5723 * Fax 304-473-7911



City Council Report

10/18/18

1. Just today, Steve Wykoff, who has been our VIPS coordinator since VIPS was founded in 2014, was awarded with a Jefferson Award for Public Service at the WDTV station. The Jefferson Awards Foundation is a non-profit organization that "recognizes, inspires and activates volunteerism and public service in communities, workplaces and schools across America." The Institute was founded in 1972 by Jacqueline Kennedy Onassis, U.S. Senator Robert Taft, Jr. and Sam Beard.
2. The Buckhannon Police Department will hold its annual Trunk or Treat event at the Public Safety Complex parking lot on Tuesday, October 30 from 6 – 8 p.m.
3. The Police Department will also be conducting its annual Halloween Safety Program the week of Halloween for the school children in our community. Annually, we visit approximately 500 kids for this event.

MONTH: September

YEAR: 2018

MONTHLY ACTIVITY REPORT
 September 2018

ACTIVITIES:

Parking Tickets Issued:

By Parking Enforcement Officer:

By Officers:

TOTAL ISSUED:

Citations Issued:

Misdemeanor Arrests:

Felony Arrests:

Calls Answered:

Complaint Reports:

Accidents Investigated:

Community Policing Hours:

Patrol Mileage:

	301	302	303	304	305	306	307	308	309	310	311	312	TOTAL
Calls Answered	10	48	113	66		47	50	49	82			48	513
Community Policing	3	6	8	160			10					8	185
Road Patrol		37	87			88	63	59	61			40	435
Traffic Hours	4	6	56		3	15	8	17	9			43	161
Criminal Inv.	17	42	22	10	85	48	41	29	30				304
Court Hours	1	6			12	6	4						29
Report Writing	18	48	15	17	26	17	19	22	25				207
Other Hours	119	10		2	2	2	40	26	37	160	160		558
Miles	385	902	1,175	185	579	986	1,054	964	810	996		102	8,138
Accidents - Prop.	1	1	2			3	6	1					14
Injury			2			1			1				4
Fatality													
Parking Tickets								64					64
Criminal Reports		8	18			6	9	6	4			2	52
Reports Cleared		6	13			3	8	3	1			2	36
Clearance Rate		75%	72%			50%	88%	50%	25%			100%	65%

Incident Citation Reports
September 01, 2018 ~ September 30, 2018
BUCKHANNON POLICE DEPARTMENT

Officers List

OFFICER NAME	DATE	TIME	LOCATION	OFFENSE
CELLAR, GABRIEL				
9/5/2018	Wednesday	17:53	CARDON AVE	SEATBELT VIOLATION ADULT
9/5/2018	Wednesday	19:30	NORTH FLORIDA ST	VECSA AMPHETAMINE POSSESSION STATE
9/9/2018	Wednesday	19:38	NORTH FLORIDA ST	SEATBELT VIOLATION ADULT
9/9/2018	Wednesday	19:58	NORTH FLORIDA	VECSA AMPHETAMINE POSSESSION STATE
CLUBBERRY, WESLEY				
9/11/2018	Thursday	21:49	SOUTH KANAWHA ST	INSURANCE FAILURE TO PRODUCE
DEKOR, MARSHALL				
9/12/2018	Wednesday	22:20	SOUTH LOCUST ST	INSURANCE FAILURE TO PRODUCE
9/12/2018	Wednesday	23:42	NORTH LOCUST ST	INSURANCE FAILURE TO PRODUCE
9/18/2018	Tuesday	20:21	NORTH LOCUST	INSURANCE FAILURE TO PRODUCE
9/18/2018	Tuesday	20:33	NORTH LOCUST	MV EXPIRED 30 DAYS OR LESS
9/19/2018	Wednesday	21:55	WEST MAIN ST	SEATBELT VIOLATION ADULT
9/24/2018	Monday	20:14	NORTH LOCUST ST	INSURANCE FAILURE TO PRODUCE
9/24/2018	Monday	23:31	CROSSROADS	INSURANCE FAILURE TO PRODUCE
9/24/2018	Monday	22:03	SOUTH KANAWHA	DRIVING ON SUSPENDED 1ST
9/24/2018	Monday	22:03	SOUTH KANAWHA	INSURANCE FAILURE TO PRODUCE
9/28/2018	Friday	20:49	ROUTE 33 EAST	SPEEDING - 12MPH OVER
9/28/2018	Friday	21:14	ROUTE 33 EAST	SPEEDING - 15MPH OVER
DEKOR, MARSHALL				
9/10/2018	Friday	18:08	DELLAR GENERAL	SHOPLIFTING - 1ST OFFENSE <= \$500
9/11/2018	Friday	14:33	WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/27/2018	Thursday	10:54	WEST MAIN ST	SPEEDING - 13MPH OVER
9/27/2018	Thursday	51:45	WEST MAIN ST	SPEEDING - 14MPH OVER
9/27/2018	Thursday	16:53	EAST MAIN ST	SPEEDING - 14MPH OVER
9/28/2018	Friday	21:01	SOUTH KANAWHA	MV EXPIRED 31 TO 90 DAYS
DEKOR, MARSHALL				
9/1/2018	Saturday	14:45	SAYA LOT	SHOPLIFTING - 1ST OFFENSE <= \$500
9/2/2018	Sunday	13:08	100 CROSSROADS WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/2/2018	Sunday	17:23	100 CROSSROADS WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/5/2018	Wednesday	16:32	100 CROSSROADS WALMART PARKING LOT	ANIMAL CRUELTY TO
9/11/2018	Thursday	17:34	NORTH LOCUST	DRIVING ON SUSPENDED 1ST

Incident Citation Reports
September 01, 2018 ~ September 30, 2018
BUCKHANNON POLICE DEPARTMENT

9/19/2018	Wednesday	13:31	100 CROSSROADS WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/23/2018	Sunday	20:05	WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/24/2018	Monday	20:06	WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/25/2018	Tuesday	20:05	WALMART	SHOPLIFTING - 1ST OFFENSE <= \$500
9/28/2018	Friday	21:02	NORTH LOCUST	INSURANCE FAILURE TO PRODUCE
9/28/2018	Friday	21:23	NORTH LOCUST	VECSA AMPHETAMINE POSSESSION STATE
9/28/2018	Friday	21:26	NORTH LOCUST	VECSA AMPHETAMINE POSSESSION STATE
9/29/2018	Saturday	20:27	WEST MAIN ST	INSURANCE FAILURE TO PRODUCE
9/29/2018	Saturday	20:39	WEST MAIN ST	STOP SIGN
WILSON, JOSHUA				
9/21/2018	Friday	21:16	SOUTH LOCUST ST	CELLPHONE USE WHILE DRIVING
9/21/2018	Friday	21:55	SOUTH LOCUST ST	CELLPHONE USE WHILE DRIVING
9/21/2018	Friday	22:54	SOUTH LOCUST	CELLPHONE USE WHILE DRIVING
9/21/2018	Friday	23:42	FAYETTE ST	LIQUOR/BEEF/UNDERAGE CONSUMPTION
9/22/2018	Saturday	21:07	NORTH LOCUST ST	SEATBELT VIOLATION ADULT
9/22/2018	Saturday	21:07	NORTH LOCUST ST	INSURANCE FAILURE TO PRODUCE
9/22/2018	Saturday	21:51	SOUTH KANAWHA ST	DRIVING ON SUSPENDED 1ST
9/22/2018	Saturday	21:51	SOUTH KANAWHA ST	INSURANCE FAILURE TO PRODUCE
9/28/2018	Friday	20:49	ROUTE 33 WEST	SPEEDING - 10MPH & UNDER
9/28/2018	Friday	21:18	ROUTE 33 WEST	SPEEDING - 14MPH OVER
9/28/2018	Friday	21:38	ROUTE 33 WEST	DRIVING ON SUSPENDED 1ST
9/28/2018	Friday	22:07	ROUTE 33 WEST	SPEEDING - 15MPH OVER
9/28/2018	Friday	22:31	MORTON AVE	STOP SIGN
9/28/2018	Friday	23:08	FIFTH ST	SPEEDING - 10MPH & UNDER
9/28/2018	Friday	23:30	ROUTE 33 WEST	SPEEDING - 10MPH & UNDER
9/29/2018	Saturday	21:04	SOUTH FLORIDA ST	MV EXPIRED 30 DAYS OR LESS
9/29/2018	Saturday	23:31	NORTH LOCUST	INSURANCE FAILURE TO PRODUCE

September 2018 Accidents

Report #	Date Of Crash	Time Of Day	Day Of Week	Street	Intersecting Street	Other Location	Manner Of Collision	Officer Name
1	9/1/2018 0:00	# 2359	Saturday	RT. 33 EAST	WBUC ROAD		Single Vehicle Crash	PFC J. WILSON
2	9/6/2018 0:00	# 1757	Thursday	ROUTE 20/N. KANAWHA STREET	BUCKHANNON CROSSROADS		Right Angle	PFC O'CONNOR
3	9/7/2018 0:00	1853	Friday	WEST LINCOLN	N/A		Angle - Direction Not Specified	CPL DK HISSAM
4	9/10/2018 0:00	2001	Monday	N LOCUST	CROS ROADS		Angle (Front to Side) Opposite Direction	THOMAS POSEY
5	9/11/2018 0:00	1713	Tuesday	N LOCUST	SENIOR DRIVE	SOUTH OF INTERSECTION	Rear End	THOMAS POSEY
6	9/12/2018 0:00	1800	Wednesday	E MAIN ST	FRIENDLY WAY	WEST OF INTERSECTION BY STOCKERT VOLUNT	Right Angle	THOMAS POSEY
7	9/14/2018 0:00	1625	Friday	EAST MAIN	N/A		Rear End	CPL DK HISSAM
8	9/15/2018 0:00	1735	Saturday	NORTH LOCUST	CROOKED LANE		Sideswipe, Same Direction	CPL DK HISSAM
9	9/16/2018 0:00	1420	Sunday	WEST MAIN STREET	CAPPS STREET		Rear End	PFC O'CONNOR
10	9/15/2018 0:00	2106	Saturday	Rt. 33			Right Angle	CPL DK HISSAM
11	9/18/2018 0:00	1105	Tuesday	SOUTH FLORIDA STREET	FAYETTE STREET		Right Angle	LT. DOUG LOUDN
12	9/19/2018 0:00	1345	Wednesday	S. KANAWHA ST.	W. VICTORIA ST.		Angle (Front to Side) Same Direction	M. GREGORY
13	9/20/2018 0:00	1147	Thursday	NORTH LOCUST ST.	SENIOR DRIVE		Rear End	PFC O'CONNOR
14	9/22/2018 0:00	1227	Saturday	ROUTE 20	FRANKLIN STREET		Rear End	PFC O'CONNOR
15	9/23/2018 0:00	1218	Sunday	ROUTE 20	ROUTE 33 EAST/ROUTE 20 OFF RAMP		Angle (Front to Side) Same Direction	PFC O'CONNOR
16	9/23/2018 0:00	1253	Sunday	SMITHFIELD ST.	THIRD AVENUE		Angle, (Front to Side) Same Direction	PFC O'CONNOR
17	9/17/2018 0:00	2200	Monday			ALLEY OFF S. KANAWHA ST	Right Angle	THOMAS POSEY
18	9/30/2018 0:00	1559	Sunday	WEST MAIN STREET	NORTH LOCUST	TACO BELL	Angle (Front to Side) Opposite Direction	CRISS

Mr. Rylands asked questions concerning speeding tickets for speeding tickets beneath 10 miles per hour

- Chief Gregory - Marshall O'Conner and Josh Wilson passed the Corporal Exam. They both began in 2013, and were eligible for exam upon their fifth anniversary with the department.
- Steve Wycoff received the Jefferson Award for his service to the VIPs program.
- 3rd annual Trunk-or-Treat - Tuesday, October 30 from 6-8 PM at Public Safety Complex Parking Lot.
- Chief Gregory talked about Officer Stewart's work with the Upshur County School Systems.

Logged In user: Stewart, Timothy M

PRO - Monthly Reporting Form

Name (First Middle Last, Suffix)

* School

* School Year

* County

* Grant Funded

* Resource Officer

* Reporting Month

Youth Services

Total Classes Taught

Total Youth Taught In Class

Total One-on-One Contacts

Total Youth Served

School Incidents

Number of Gun Violations

Number of Physical Altercations

Number of Suspensions

Number of Assaults on Staff

Juvenile Petitions Filed

Number of Adult Arrests

Drug Related Incidents

Alcohol Related Incidents

Tobacco Related Incidents

Vandalism/Theft Related Incidents

Social Media/Phone Related Incidents

Trespassing Related Incidents

PRO Use of Force

PRO Court Appearances

Advisory Contacts with Parents

PRO Extra Curricular Activities

PRO School Meetings Attended

Number of Bomb Threats

Crisis Interventions (Suicide, CPS)

Assistance Calls of Service

Number of Lockdowns

Number of Lockdown Drills

Number of Evacuations

Number of Evacuation Drills

Crisis Plan Activated

Media Contacts

Regional Liaison Visits

Contact with Liaison

Date / Class / Number of Students

Monthly Narrative

Please describe progress, achievements, and activities for the month as well as any difficulties encountered. If you are grant funded, summarize your goals and objectives in your grant application.

Activity Report

Please describe a situation that occurred during the month in which you as the PRO went "over and above" the call of duty. This could include sponsoring a club, getting counseling for a troubled child, investigating a school burglary, etc. You do these types of things every month and they often go unreported.

Above and Beyond

C.5 City Attorney- Tom O'Neill- Will defer until Strategic Issues.

Correspondence & Information:

D.1 Notice of Public Hearing of Proposed Adoption of an Amendment to the City's Home Rule Plan-1% Sales & Use Tax

September 12, 2018

The Record Delta
Attention: Legal Advertisement Department
2B Clarksburg Road PO Box 550
Buckhannon, WV 26201

RE: Class II Legal Advertisement - City of Buckhannon

Dear Ladies and Gentlemen:

Please find attached herewith a "NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON AND OF PROPOSED ADOPTION OF AMENDMENT TO THE CITY OF BUCKHANNON'S HOME RULE PLAN," which I request your newspaper publish twice as a legal advertisement in your editions of September 17 and September 24, 2018, respectively.

Following the second publication of the attached legal advertisement on Monday, September 24, 2018 please forward your Publisher's Certificate and Affidavit along with your Publisher's statement to City Recorder Colin Reger at City Hall.

Should you have any questions or comments whatsoever concerning the publication of this legal advertisement, please contact me at City Hall at 304-472-1651, immediately. Thank you for your assistance in this matter. This letter and attached legal advertisement are being transmitted to you by e-mail attachment and further will be sent by U.S. Postal Service to you at your Clarksburg Road Office.

Very truly yours,

Amberle Jenkins, Assistant City Recorder

Attachment - Legal advertisement - notice of public meeting re: Home Rule Plan Amendment

cc: Members of City Council
David McCauley, Mayor
Thomas J. O'Neill, City Attorney

NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON AND OF PROPOSED ADOPTION OF AN AMENDMENT TO THE CITY'S HOME RULE PLAN

TO: All residents of the City of Buckhannon

Notice is hereby given to all residents of the City of Buckhannon of the City Council's proposed adoption of an Amendment to the Municipal Home Rule Plan of the City of Buckhannon to permit the City's adoption of a one-percent municipal sales and use tax.

The Council of the City of Buckhannon will hold a public hearing on the topic of the adoption of said Amendment, to be held on Thursday, November 1, 2018, at 7:00 p.m. o'clock, at Buckhannon's City Hall located at 70 East Main Street in Buckhannon, Upshur County, West Virginia. A reasonable number of copies of the proposed Amendment to the City's Municipal Home Rule Plan will be on file at City Hall at least thirty days prior to said hearing, and may be inspected by any member of the public during the regular business hours of City Hall.

All interested persons may appear at the November 1, 2018 meeting at 7:00 p.m. and be heard with respect to the City Council's proposed adoption of said Amendment.

Thomas J O'Neill, City Attorney

D.2 Municipal Home Rule Pilot Program Amendent Application

CITY OF BUCKHANNON

MUNICIPAL HOME RULE PILOT PROGRAM AMENDMENT APPLICATION



**SUBMITTED TO THE WEST VIRGINIA
MUNICIPAL HOME RULE BOARD**

Municipal Home Rule Pilot Program APPLICATION FOR AMENDED PLAN

SECTION I: APPLICANT INFORMATION	
A. General Information	
Name of Municipality: City of Buckhannon	
Certifying Official: David W. McCauley	Title: Mayor
Contact Person: Amberle Jenkins	Title: Director of Finance
Address: 70 E. Main Street	
City, State, Zip: Buckhannon, West Virginia 26201	
Telephone Number: 304-472-1651	Fax Number: 304-472-4620
E-Mail Address: Mayor@buckhannonwv.org	
2010 Census Population: 5,639	
B. Municipal Classification	
<input type="checkbox"/> Class 1 <input type="checkbox"/> Class II <input checked="" type="checkbox"/> Class III <input type="checkbox"/> Class IV	
C. Category of Issues to be Addressed (please attach descriptions for applicable categories)	
<input checked="" type="checkbox"/> Tax <input type="checkbox"/> Organization <input type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other	

SECTION II: NARRATIVE (written plan, including the following) See Attachments
1) Please see Page 3

SECTION III: AFFIDAVITS See Attachments
Hearing Mandate Verification Publication Mandate Verification Ordinance Authorizing Submission of Plan Fiscal Impact Worksheets/Formulas Feasibility Study (if taxes are proposed) Attorney Opinion (application complies with statutory requirements) State of West Virginia Fees Statement (none outstanding) Agreement to Requirements Statement (firearms, ammunition and firearm accessories)

<i>Requirements Concerning Firearms, Ammunition and Firearm Accessories</i>

Definitions: As used in this subsection:

- (A) Ammunition means fixed cartridge ammunition, shotgun shells, the individual components of fixed cartridge ammunition and shotgun shells, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.
- (B) Firearm accessory means a device specifically designed or adapted to enable the wearing or carrying about one's person, or the storage or mounting in or a conveyance, of a firearm, or an attachment or device specifically designed or adapted to be inserted into a affixed onto a firearm to enable, alter or improve the functioning or capabilities of the firearm.
- (C) Firearm has the same meaning as in W. Va. § 61-7-2.

General Rule:

- (A) Municipalities participating in the Municipal Home Rule Pilot Program may not restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any revolver, pistol, rifle, or shotgun, or indirectly prohibit the ownership of the ammunition, or, to restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any other firearm accessory or accouterment, under any order, ordinance or rule promulgated or enforced by the municipality. This rule may not be construed to prevent any law enforcement official with appropriate authority from enforcing any statute enacted by the state.
- (B) The authority of a municipality to regulate firearms, ammunition, or firearm accessories may not be inferred from its proprietary authority, home rule status or any other inherent or general power.
- (C) Any existing or future orders, ordinances, or rules promulgated or enforced in violation of this subsection are null and void.
- (D) A municipality may regulate the carrying of a firearm in municipal buildings dedicated to government operations, other than parking buildings or garages.

Applicability and Effective Dates:

Ninety days after a new municipality has been selected by the Board to participate in the pilot program, or a previously participating municipality has chosen to continue to participate in the pilot program, any municipal gun ordinances previously authorized by the provisions of section five-a, article twelve, chapter eight of this code shall no longer be of any force or effect for any municipality participating in this program, to the extent they are in conflict with the provisions of this subsection: Provided, that no provision in this subsection may be construed to limit the authority of a municipality to restrict the commercial use of real estate in designated areas through planning or zoning ordinance.

Certifying Official Signature (Mayor or designee): David W. McCauley, Mayor

City of Buckhannon Home Rule Amendment Application

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II. Municipal Classification	4
III. Proposal: To implement up to a 1% municipal sales and use tax within the municipal boundaries of the City of Buckhannon	5

Background

Nestled in the heart of north central West Virginia, Buckhannon is located just miles from Interstate 79 and along U.S. Routes 119, 48 (Corridor H) and 33. Our community offers the simplicity of small town life with the benefit of specialty and antique shops, restaurants, motels, bed and breakfast establishments, Civil War heritage and cultural experiences, and an outstanding liberal arts college – West Virginia Wesleyan College, a 4-year residential college which draws many hundreds of students from other states and countries with the ancillary economic benefits to the community and the state of their faculty, staff, visitors and alumni. Buckhannon’s Main Street is a registered Historic District and hosts numerous community events year-round including the renowned West Virginia Strawberry Festival, and Festival Fridays – a new community tradition which draws crowds of hundreds into our downtown’s crown jewel park – Jawbone Park – on Friday afternoons from the late spring through early autumn to enjoy locally-sourced food and drink, live music, and camaraderie.

Buckhannon's arts district includes a retail outlet for local artists, a micro-theatre and a performing arts center on the campus of West Virginia Wesleyan College that hosts numerous productions including Mountain Stage performances, Jazz performances and theatre productions. Every September, the Main Street Arts Festival celebrates Buckhannon's local art organizations and talented artists. The City recently purchased the almost century-old Colonial Theatre, the restoration of which is well underway. Outdoor recreation can be found within Buckhannon's city limits. The Buckhannon River is known as one of the best musky fishing locations in the nation and has multiple entries for small boats and kayaks. Our scenic parks are great spots for picnics, walking, biking, and more.

Though the City of Buckhannon promotes its distinctiveness and individual history, it is not too dissimilar from other cities in West Virginia. As with all cities in the state, the City of Buckhannon and its elected representatives are committed to providing every appropriate opportunity for economic growth and diversification for its residents and the businesses located within the City, as well as the municipality's ability to fund essential public services. The City's participation in the Municipal Home Rule Pilot Program has resulted in increased flexibility and responsiveness in meeting the City's challenges, and city leadership is grateful for Buckhannon's participation in the Municipal Home Rule Pilot Program.

The City of Buckhannon maintains a business and occupation tax structure unique in West Virginia. The retail component, which represents the majority of receipts, contains a three-tier structure, but more importantly includes a \$1 Million initial exemption for all retail, wholesaler, and manufacturing taxpayers; the City adopted this exemption in order to protect the smallest and most economically vulnerable enterprises from the potentially negative impacts of the tax on their operations. In addition, the existing B&O only covers certain business sectors, such as contractors, financial services, retail & wholesale sales, and manufacturing. There is no general B&O tax applicable to all licensed businesses. Indeed, Buckhannon's B&O tax structure may be the most generous in the state by virtue of those threshold exemptions and limitations to certain business sectors.

Municipal Classification

The City of Buckhannon has a population of 5,639 (2010 U.S. Census) and is classified under West Virginia Code § 8-1-3 (3) as a Class III city.

Proposal: To implement up to a 1% municipal sales and use tax within the municipal boundaries of the City of Buckhannon

Problem: The Council of the City of Buckhannon would like to consider the implementation of a sales and use tax for any purchases made within municipal limits. West Virginia Code §8-13C-1, *et seq.* prohibits the imposition of a municipal sales and use tax without elimination of the municipality's business and occupation tax. This restriction has hampered the ability of the City of Buckhannon to maintain and enhance vital public services and threatens the ability of the City's revenues to keep up with the pace of inflation. As the municipal B&O funds approximately 25% of the City's General Fund budget, elimination of this key revenue source is not feasible.

The City certainly has alternative avenues with which to raise revenue. It may increase fire and police service fees, implement a stormwater service fee within certain watersheds, and collect a fire fee from its "first due" service area, including areas outside of the municipality. For several reasons, particularly the deeply negative impact of a first due fire fee on the remaining volunteer fire departments located throughout the rest of Upshur County, the City believes that implementation of a municipal sales and use tax is the most prudent and responsible option. Importantly, it shares the cost of certain city services – most or all of which are enjoyed by city residents and nonresidents alike – among the broader population benefitting from those services. In addition, a sales tax is a tax of choice – a person can avoid paying the tax by making a strategic decision regarding the location of their purchases¹.

¹ It is worth noting, however, that economic studies have demonstrated that sales tax rates have little to no impact on a consumer's choice of business patronage.

While City outlays have risen over the past years as a consequence of the cost of goods and services the City uses in carrying out its mandates, Buckhannon has maintained a balanced budget by making certain changes to its operations, including adopting fleet management services in lieu of vehicle purchases, reducing payroll through attrition, and working with vendors to minimize increases in insurance costs. The City's ability to manage stagnant revenue and steadily increasing costs has reached a point where undesirable and potentially harmful cuts to city services, including public safety and infrastructure, may be required to equalize revenues and expenditures under future budgets.

Solution: If this Amendment is approved by the Municipal Home Rule Board, the City of Buckhannon will consider the enactment of an ordinance implementing a municipal retail sales and use tax at a rate up to 1%, while increasing its existing retail, wholesale, and manufacturing B&O exemptions from the first \$1 Million in sales to the first \$1.5 Million. The municipal sales and use tax would exempt any transaction exempted by West Virginia Code. With a concurrent increase of the City's current B&O exemptions on the first \$1 Million in retail, wholesale, and manufacturing sales to \$1.5 Million, resulting in a projected decrease of revenue of \$50,000 per year, the City would expect this proposal to initially generate at least an additional \$950,000.00 annually.

Any tax imposed would be administered by the West Virginia State Tax Department, as provided in West Virginia Code §11-15A-1, *et seq.*

The City of Buckhannon anticipates using the increased revenues to fully fund its municipal stabilization fund, invest in public safety services, ensuring that the City's Police and Fire Departments are properly staffed, equipped, and trained, implementing the City's stormwater management plan, enhancing the City's paving and public works programs, and enhancing offerings at and making safety and capital improvements to its Stockert Youth and Community Center. The City may also consider placing a portion of sales tax revenues into a special revenue fund with which to finance long-term capital infrastructure improvements.

To the extent required by law, this Amendment shall terminate on or prior to the first day of July, 2019; however, all ordinances enacted under the provisions of this Amendment shall continue in full force and effect until repealed. Further, the City of Buckhannon will cooperate fully with any performance review conducted by the Joint Committee on Government and Finance and provide progress reports to the Municipal Home Rule Board as required.

D.3 FOIA Request-Golder Associates-RE: Property Outside of City Limits



Amberie Jenkins <amby.jenkins@buckhannonwv.org>

FOIA Request

2 messages

Goodwin, Tommy <Tommy_Goodwin@golder.com>

Mon, Oct 8, 2018 at 4:10 PM

To: "foia@buckhannonwv.org" <foia@buckhannonwv.org>

To whom it may concern,

I am requesting FOIA information as an employee of Golder Associates. This search is for information on the following property east of 1122 Brushy Fork Rd. Buckhannon, WV. The Subject Property does not have an address, but we have the current owner and the parcel number. The current owner is Joni K Howard, and the Parcel Number for the Subject Property is 02 4F007200050000. The property is an approximately 4.15 acre lot between 1122 Brushy Fork Road and Airport Road. Below is a list of our requests along with the likely department that would contain the items:

Building Department: any files or records regarding building inspections, plans, permits, complaints, issues, tanks or other records.

Fire Department: any files or records regarding fire department inspections, complaints, chemical inventories, fires, tanks, chemical spills, health issues, mold, asbestos and other environmental issues.

Health Department: any files or records regarding health department inspections, complaints, chemical inventories, tanks, chemical spills, health issues, mold, asbestos and other environmental issues.

Public Works Department: any files or records containing dates for sewer service hook-up, septic system records, or storm water permits.

The site may have never been developed, but please let me know whether there are any records or not. If there are any questions please email at tgoodwin@golder.com or call me at 417-241-9189.

Thank you,

Tommy Goodwin

Tommy J Goodwin, MSc, EIT
Environmental Engineer



Golder Associates Inc.
13515 Barrett Parkway Drive, Suite 260, Ballwin, Missouri, USA 63021
T: +1 314 984-8800 | D: +1 (314) 394-6175 | C: +1 (417) 241-9189 | golder.com
LinkedIn | Facebook | Twitter

Amberle Jenkins <amby.jenkins@buckhannonwv.org>
Draft To: "Goodwin, Tommy" <Tommy_Goodwin@golder.com>

Wed, Oct 10, 2018 at 2:35 PM

Building Dept: The parcel is out of city limits You should check with Upshur County Courthouse for questions pertaining to permits.

Fire Department: The parcel you identified does not appear to have a structure on it

Health Department: We do not house the files for the local health department. They are a separate department from us located at 15 N Locust St, Buckhannon WV 26201 phone 304-472-2810

Public Works Department: The Buckhannon Sewer Department does not have sewer service to this parcel. The Buckhannon Water Department has water service in the area which I would recommend that you contact the Superintendent to determine costs to service the parcel. Contact Kelly Arnold 304-472-2530. The Waste Collection Department operates garbage service in this area.

[Quoted text hidden]

Amberle Jenkins
Assistant Recorder, Office Manager, Director of Finance and Administration
City of Buckhannon
304-472-1851 ext 1018

D.4 FOIA Request-SmartProcure-RE: PO/Vendor Information



Amberle Jenkins <amby.jenkins@buckhannonwv.org>

SmartProcure FOIA City of Buckhannon For PO/Vendor Information

1 message

aadamson@govspend.com <aadamson@govspend.com>
To: amby.jenkins@buckhannonwv.org

Fri, Oct 5, 2018 at 4:23 AM

Dear Amberle or Custodian of Public Records,

SmartProcure is submitting a FOIA request to the City of Buckhannon for any and all purchasing records from 2018-06-29 (yyyy-mm-dd) to current. The request is limited to readily available records without physically copying, scanning or printing paper documents. Any editable electronic document is acceptable.

The specific information requested from your record keeping system is:

1. Purchase order number. If purchase orders are not used a comparable substitute is acceptable, i.e., invoice, encumbrance, or check number
2. Purchase date
3. Line item details (Detailed description of the purchase)
4. Line item quantity
5. Line item price
6. Vendor ID number, name, address, contact person and their email address

If you would like to let me know what type of financial software you use, I may have report samples that help to determine how, or if, you are able to respond.

Please email the information or use the following web link. There is no file size limitation:
<http://upload.smartprocure.com/?st=WV&org=CityOfBuckhannon>

If this request was misrouted, please forward to the correct contact person and reply to this communication with the appropriate contact information.

If you have any questions, please feel free to respond to this email or I can be reached at the phone number below in my signature.

Regards,

Asha Adamson
Data Acquisition
Phone: 854-420-9900 ext: 592
Email: aadamson@smartprocure.com

D.5 FOIA Request-Froehling & Robertson, Inc-RE: Environmental Related Issues-Buckhannon Crossroads



FROEHLING & ROBERTSON, INC.
Engineering Stability Since 1881

1734 Seibel Drive, NE
Roanoke, Virginia 24012-5624
T 540.344.7939 | F 540.344.3657

Record No.: 62W-0273

October 3, 2018

FOIA Representative (fr_a@buckhannonwv.org)
70 East Main Street
Buckhannon, WV 26201

Subject: Environmental Information Request
115 Buckhannon Crossroads
120 Buckhannon Crossroads
Buckhannon, West Virginia 26201

FOIA Representative:

Our office is conducting a Phase I Environmental Site Assessment of the above-referenced site. Therefore, under the Freedom of Information Act, we are requesting any available information regarding *underground storage tanks, fires, HAZMAT associated responses, groundwater use limitations, or other environmental related issues* at the above-referenced site and adjacent properties. The intent of the request is to identify environmental issues which may present a risk to the subject site..

Please reference the above site location on your response. Please contact me if you require additional information. We appreciate your assistance in this matter.

Respectfully submitted,
FROEHLING & ROBERTSON, INC.

October 3, 2018

Eric Kessler
Froelching & Robertson, Inc
1734 Seibel Drive, NE
Roanoke, Va 24012-5624

Mr. Kessler

Both subject properties (115 and 120 Buckhannon Crossroads) are located in a FEMA designated Special Flood Hazard Area (Zone AE).

I have attached a PDF map of each subject property and its location within the Zone AE SFHA.

Also attached is a copy of the City of Buckhannon Flood Plain Ordinance. Any construction or excavation work within the city limits will comply with these regulations and proper permits must be obtained before work begins.

For the other items regarding, underground storage tanks, Fires, HAZMAT Response, other environmental related issues, we have no records in response to your request.

Please feel free to contact our office should you have any questions.

Respectfully,

Amberle Jenkins
Assistant Recorder
City of Buckhannon

October 4, 2018

Mrs. Amberle Jenkins, FOIA Representative
City of Buckhannon
70 East Main Street
Buckhannon, WV 26201

Re: Environmental Information Request
115 Buckhannon Crossroads
120 Buckhannon Crossroads
in Buckhannon, WV

Dear Mrs. Jenkins:

Per your request, please find the results of my research in regards to the properties in question located at 115 Buckhannon Crossroads and 120 Buckhannon Crossroads in Buckhannon, West Virginia or they pertain to the Phase I Environmental Site Assessment being conducted by Froelching & Robertson, Inc.:

- **Underground Storage Tanks:** I could find no information pertaining to the existence of any Underground Storage Tanks on either of the two subject properties.
- **Fires:** I could find no information pertaining to any fires occurring on either of the two subject properties.
- **HAZMAT Associated Responses:** I could find no information pertaining to any HAZMAT associated responses occurring on either of the two subject properties.
- **Groundwater Use Limitations:** I could find no information pertaining to any Groundwater Use Limitations on either of the two subject properties other than the fact that both subject properties are located in a FEMA-designated Special Flood Hazard Area (Zone AE). I have attached a PDF of each subject property and its location within the Zone AE SFHA.
- **Other Environmental-Related Issues:** I could find no information pertaining to any Other Environmental-Related Issues on either of the two subject properties.

If you have any questions or comments regarding the information contained in this letter, please contact me at your convenience via (304) 472-1651, extension 1006 or via email at info@roller@buckhannonwv.org.

Sincerely,

James S. Hallen, III, PE
City Engineer

D.6 BU Chamber of Commerce Letter of Support-B&O Tax Reduction



October 4, 2018

The Buckhannon-Upshur Chamber of Commerce is fully supportive of the efforts of the City of Buckhannon to remove or reduce portions of the Business & Occupation Tax.

The mission of the Buckhannon-Upshur Chamber of Commerce is to promote and advocate for businesses and the Buckhannon & Upshur County Community. Buckhannon & Upshur County is in every sense a rich community. It is a community with a long history and a community that is attractive to a growing and vibrant business sector. A reduction in the B&O Tax will only enhance and make this growing business community more attractive.

The Buckhannon-Upshur Chamber of Commerce would like to ask City Council to consider a reduction to the B&O Tax of 10 cents across the board. Going beyond the minimum, to 10 cents, sends a clear signal that the city of Buckhannon values its business community and is interested in immediately reinvesting the gains that will come from the 1% sales tax.



Tammy Reger
Executive Director
Buckhannon-Upshur
Chamber of Commerce

D.7 PR:-School Systems Receive Federal Safety & Security Grant

BUCKHANNON- It was announced at the Upshur County Commission meeting on Thursday Oct. 11 that a grant was awarded to both Upshur and Lewis County Schools. The grant, which is provided by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), will provide \$309,150 under the 2018 COPS Stop School Violence: School Violence Prevention Program (SVPP) to Lewis and Upshur Counties' \$412,200 total project.

A joint initiative of the Upshur County Commission, Lewis County Commission, Lewis County Schools, and Upshur County Schools received the federal safety and security grant to upgrade and equip all board-owned education facilities in Lewis and Upshur Counties with state of the art surveillance systems.

"This grant provides funding to ensure the installation of a district-wide camera surveillance solution in all our schools, replacing antiquated systems" said Technology Director for Upshur County Schools, Glenna Clutter.

According to a press release, this new system will provide security and emergency preparedness at the schools, as well as help in assisting in investigations of disciplinary infractions such as bullying, assault, and substance abuse.

Jeff Tidd, Technology Supervisor of Lewis County Schools, said "This grant will allow us to harmonize our security across the school system. We plan to upgrade our security infrastructure by installing security cameras, network video recording systems, and periphery devices that will enable us to view the safety and security of our buildings

from any device. In addition, it will allow the necessary law enforcement agencies easy access to our digital security system ensuring the utmost safety in times of crisis.”

Sergeant Cayton of the Lewis County Sheriff’s Departments also commented at the commission meeting on Thursday saying the police department and 911 center is hoping to have an app that goes along with this program so they will be able to see the security system. Although the 911 center will not monitor the system constantly, it will be helpful to them to be able to view the schools in real time so if there is ever an instance of an active shooter they will be able to direct law enforcement to the correct location.

“The funding is crucial to our security efforts. It will allow us to fast-track a high-priority project, and complete it all at one time” said Superintendent of Upshur County Schools, Dr. Sara Lewis-Stankus.

The Upshur County Commission served as the applicant for the joint effort. Commission President Sam Nolte stated “the benefits of a top-notch education for our children are well known, however, a safe environment must first exist before learning can occur. We were happy to serve as the applicant for this project as it will aid our PRO Officers, other local law enforcement agencies and the Board of Education personnel to ensure this safe environment is available. We share this commitment with the Lewis County Commission and were eager to partner with them to make this project a reality.”

The SVPP grant is a national, competitive grant program. Lewis and Upshur Counties partnered on this project to increase its attractiveness in the eyes of federal reviewers.

Dr. Robin J. Lewis, Superintendent of Lewis County Schools, said “Lewis and Upshur Counties already share the Fred Eberle Technical Center, so we started there. Our counties also share a local emergency planning committee; our emergency responders have reciprocal agreements to assist one another. The unifying connections between the two counties just went on and on. The partnership for this grant is a natural fit.”

Local officials expect the project to be finished in two years.

D.8 WVABCA Zoning Form-Fat Tire Cycle & Adventure Supply

Zoning Form
(Original copy must be submitted to the WVABCA Licensing Division)

Note: If an establishment's location is not situated within a municipality, this office will need a letter from the County Commission stating that the establishment location is zoned properly. All applicants must complete the front portion of the form.

To: Municipal Clerk or Recorder

Under the requirements set forth in W.Va. State Code § 11-15-8(a)(5), a person intending to apply for a license to operate an WVABCA licensed Class B establishment at any location within a municipality must file a notice of such intention with the Clerk or Recorder of such municipality at least ten (10) days prior to filing an application for such license with the WVABCA. Pursuant to this requirement, notice is herein given that the following intends to apply to the WVABCA for a license to operate a Class B licensed establishment issued pursuant to the provisions of § Chapter 11, Article 16 of the W.Va. State Code.

Entity Name: Fat Tire Cycle and Adventure Supply

DBA (Doing Business As): _____

Address of Establishment: 33E Main St Buckhannon WV 26201
(Street/Route) (City) (State) (Zip Code)

Applicant's Name(s): Benneth Matthew Ryan
(Last) (First) (Middle)

(Last) (First) (Middle)

General Description of Premises: Bicycle Sales, Repair Shop

1. Is the proposed location for the Class B "Carry-Out" described consistent with the zoning ordinances of your Municipality as either a permitted use or a conditional use of such premises?
Yes No _____
2. If the answer to the first question was "No" does your Municipality provide within its zoning requirements suitable alternative locations for Class B "Carry-Outs"?
Yes _____ No _____
3. Additional comments to the Alcohol Beverage Control Administration:

4. Is the proposed location situated in a "Dry County" or in a Town/Municipality designated as a "Dry" area.
Yes _____ No Unsure _____

Michael Smith
Approved By: Authorized Official Signature and Title

Buckhannon
City/Town

Date: 10-4-18

This Notice has been filed with the Clerk or Recorder of the City/Town of Buckhannon on this 4th day of Oct, 2018.

Applicant's Signature(s): [Signature] Date: 10/3/18

Return Original To: WVABCA
Licensing Division
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

D.9 Buckhannon Volunteer Center Newsletter-September 2018

SEPTEMBER 2018 NEWSLETTER

CommUnity & Kindness Day of Service

Coming Soon!

Join us at Jawbone Park on October 13th to spread some kindness throughout our community! Participants will register from 8:00 AM-1:00 PM, and the first service shift starts at 9:00 AM. Help us touch up the paint jobs on Main Street, clean up our parks and trails, or volunteer your time at a local organization. At noon, everyone will head back to Jawbone Park for free pizza, music, and the Community Service Fair. At 1:00 PM, we will head to another service site to finish out our Day of Service! If possible, please preregister by October 11th on the [Buckhannon Volunteer Center website](#), by sending us an email, or calling (304) 472-1651 ext. 1052. We hope to see you there!

Have a volunteer need? Let us help!

We're here to help organizations and volunteers get connected. We're most effective when we clearly communicate our needs--our website makes that easier. Get started today by clicking "Join the BVC" below!

Another Successful HAHA

Participants of the 2nd annual Hope and Help Assembly, hosted by Matt Kerner and the Opportunity House, gathered at Jawbone Park on September 23rd. This event aims to bring awareness to the drug addiction epidemic and celebrate those in recovery. One out of every 13 people in the country are in recovery. The City of Buckhannon launched the HOPE Project last year, with an emphasis on health, opportunity, place, and employment, as a way to battle the stigma of addiction and get more of our neighbors into recovery.

Day to Serve

There's still time to get involved! Day to Serve is a unique annual initiative that unites people of all faiths, races, cultures, and background with the shared goal of helping those in need and improving the communities where we live. Together, we can build friendships, serve others, and improve communities. We are asking community members to choose just one day to serve from September 11 - October 12. More information about Day to Serve is available at daytoserve.org.

Buckhannon Spreads the Love

Thank you to our amazing community! Our local businesses collectively donated 141 jars of peanut butter to the Upshur Parish House. Other contributors include West Virginia Wesleyan College (WVWC) with 320 jars, Buckhannon-Academy Elementary School with 196 jars, and Union Elementary school, still to be determined. The current total: **657 jars and counting!**

Champions of the Month

Do you know a superstar volunteer? Someone who shows up with a smile on their face, ready to go above and beyond the call of duty. Nominate them for the Volunteer Champion of the Month award! Share why you believe they are a champion on this [form](#).

Do you have a favorite organization? A group of do-gooders with innovative ideas to improve our community. An organization that lives their mission every day. Nominate

D.10 COB Hosting WV Municipal League Oct 25th & 26th

D.11 Halloween Events-SYCC's Haunting Oct. 26th; BPD's Trunk or Treat Oct. 30th; Trick or Treat Oct. 31st 6pm-7:30pm

D.12 COB Notice of Building/Zoning Code Tutorial Session Nov. 7th at 6pm at City Hall - Rescheduled date November 19, 2018

Consent Agenda:

E.1 Approval of Minutes-Regular meeting 10/04/18

E.2 Approval of Building and Wiring Permits

Permit Number	Submitted By and Location	Contractor	Description of Work to be Performed	Building Value	Electrical Code	Total Electrical Fees Paid	Total Building Fees Paid	Zoning	Asbestos	Flood Zone	Elev. Certificate	Non Conversion Use	Historic District
74245	Chester Chewning 201 S Florida St	Self	Vinyl Siding	\$200.00			\$15.00						X
74246	Thomas Gillespie 101 Camden Ave	Self	12'x16' Storage Building	\$500.00			\$10.00	X					
74247	Bill Hamilton 207 S Kanawha St	Lights Masonry	Replacement Steps	\$16,520.00			\$140.42						X
74248	Wanda Bennett 30 Upper Dr	Self	Re-Roof Shingles	\$2,000.00			\$22.00	X					
74249	John Johnson 115 1/2 Ritchie St	Gary Harman	Electrical Upgrade	\$400.00	A	\$100.00							
74250	Ken Luby 120 E Main St	Self	Electrical Upgrade, Interior Remodel	\$5,000.00	B2	\$100.00	\$55.00						X
74251	WVWC 18 Baxter St	Self	Electrical Upgrade	\$400.00	A	\$100.00							X
74252	Roger Spencer 17 Park St	Ohio Bath Solutions Bath Fitters	Shower Replacement	\$9,041.00			\$99.45						
74253	Daniel Green 155 Camden Ave	Woody Home Improvement	Re-Roof Shingles	\$10,245.00			\$112.70	X					
74254	DanCar Inc 131-132 Railroad Ave	Self	Fence 6' Hgth	\$500.00			\$15.00	X	X				
74255	DanCar Inc 124-125 Railroad Ave	Self	Fence 6' Hgth	\$700.00			\$15.00	X	X				
74256	URSA 33 W Main St	Self	Repairs Concrete Pad	\$400.00			\$15.00						X
74257	Tonya Kennedy 231 Randolph St	Self	Re-Roof Metal over Shingles	\$1,500.00			\$16.50						
74258	Shawna Jones 13 Myrna St	Squires Construction	Kitchen Remodel	\$2,500.00			\$27.50						
74259	Klie Law 85 W Main St	Let There Be Light Crites	Replacing Service & Main Breaker	\$1,500.00	A	\$100.00							X
74260	Go Mart 217 S Kanawha St	Construction	Replacement Posts for wall support	\$6,000.00			\$57.00						X
TOTAL				\$57,406.00		\$400.00	\$600.57						

E.3 Approval of Payment of the Bills

FUND: GENERAL FUND	DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	MAYOR'S OFFICE	RECORD-DELTA NEWSPAPER	409-220-00	MAYOR'S LEGAL PUBLIC PLANNING COMM MEETING NOTI		24.94
			409-220-00	MAYOR'S LEGAL PUBLIC HEARING NOTICE BOARD		65.89
			409-220-00	MAYOR'S LEGAL PUBLIC HEARING NOTICE BOARD		1,137.65
		REXOX CORPORATION	409-341-00	MAYOR'S SUPPLIES & M METER USAGE 0-21 TO 9-21-1		110.76
		GATED SUPPLY	409-341-00	MAYOR'S SUPPLIES & M CTAN CARTRIDGE DAP PRINT		29.52
		BRICK STREET MUTUAL	409-226-00	MAYOR'S INSURANCE & WCB1005474 9-4 TO 10-1-18		139.48
		LOWES BUSINESS ACCOUNTS	409-341-00	EVENT/FIREWORK EXPEN Building supplies Fall Fe		79.72
		CREATE BUCHMANNON	409-341-00	EVENT/FIREWORK EXPEN Building supplies		50.00
		COLLECTION ACCOUNT	409-341-00	MAYOR'S SUPPLIES & M BELMORSE RAFFLE LICENSE		75.00
			409-341-00	MAYOR'S SUPPLIES & M JULY 2018 ANNUAL CO FEES		117.28
			409-341-00	MAYOR'S SUPPLIES & M CO FEES SEPT 2018		30.00
		RICH COY LLC	409-341-00	EVENT/FIREWORK EXPEN Sandwich board		100.00
		BADECK PRINTING SERVICE, INC	409-341-00	MAYOR'S SUPPLIES & M UTILITY BILLS		533.67
		MARK TWAH TOYS	409-341-00	MAYOR'S SUPPLIES & M ORNAMENTS LEAGUE MEETING		270.00
		JERRY HEARD ASSOC.	409-341-00	MAYOR'S SUPPLIES & M COPIER PAPER		674.90
		BOH TELECOM INC	409-211-00	MAYOR'S TELEPHONE 472-8149 & 1651		12.55
		INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A. FICA WITHHELD AND MATCHED		98.31
			409-104-00	MAYOR'S F.I.C.A. MEDICARE WITHHELD & MATCHED		29.63
		AT&T MOBILITY	409-211-00	MAYOR'S TELEPHONE 304-704-8355		22.70
		FRONTIER	409-211-00	MAYOR'S TELEPHONE 304-412-1653-161515-4		66.65
			409-211-00	MAYOR'S TELEPHONE 304-043-2273-08080-1		21.00
		**PAYROLL EXPENSES		10/05/2018 - 10/17/2018		807.60
				TOTAL:		5,076.53
	COUNCIL	RON FOWER	410-450-01	THEATRE BULLRING 110122154542 48 E. MAIN ST		29.34
		BRICK STREET MUTUAL	410-226-00	COUNCIL INSURANCE (P WCB1005474 9-4 TO 10-1-18		27.51
				TOTAL:		57.85
	RECORDER	BRICK STREET MUTUAL	411-226-00	INSURANCE/COMPENSATI WCB1005474 9-4 TO 10-1-18		5.00
				TOTAL:		5.00
	TREASURER	BRICK STREET MUTUAL	413-226-00	TREASURER'S INSURANCE WCB1005474 9-4 TO 10-1-18		7.96
		INTERNAL REVENUE SERVICE	413-104-00	TREASURER'S F.I.C.A. FICA WITHHELD AND MATCHED		13.56
			413-104-00	TREASURER'S F.I.C.A. MEDICARE WITHHELD & MATCHED		3.17
				TOTAL:		4.69
	COURT	BRICK STREET MUTUAL	410-226-00	POLICE JUDGE INS WCB1005474 9-4 TO 10-1-18		0.73
				TOTAL:		0.73
	CITY ATTORNEY	BRICK STREET MUTUAL	417-226-00	CITY ATTORNEY INS WCB1005474 9-4 TO 10-1-18		0.16
				TOTAL:		0.16
	CITY ENGINEER	BRICK STREET MUTUAL	420-226-00	CITY ENGINEER INS & WCB1005474 9-4 TO 10-1-18		0.09
				TOTAL:		0.09

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
ZONING	BRICK STREET MUTUAL	437-226-00	ZONING INSURANCE & B	WCB1005474 9-4 TO 10-1-18	89.47
	VINCENT SMITH	437-341-00	ZONING SUPPLIES	CODE ENF MILEAGE SEPT 2018	121.54
	INTERNAL REVENUE SERVICE	437-104-00	ZONING F.I.C.A.	FICA WITHHELD AND MATCHED	83.46
		437-104-00	ZONING F.I.C.A.	MEDICARE WITHHELD & MATCHE	19.52
				TOTAL:	312.99
DATA PROCESSING	RAVEN ROCK NETWORKS INC	439-230-00	DATA PROCESSING	OCT 2018 SERVICE CONTRACT	212.50
	TULSA TECHNOLOGIES INC	439-230-00	DATA PROCESSING	MAINT BUS LIC. BAR CODE SC	475.17
		439-230-00	DATA PROCESSING	INSITE TRANSACTION FEES UT	1,005.00
		439-230-00	DATA PROCESSING	UTILITY BILLING NOTIFICATI	55.57
	SUDDENLINK	439-230-00	DATA PROCESSING	OCT 2018 INTERNET	31.73
				TOTAL:	1,779.97
CITY HALL	MON POWER	440-213-00	CITY HALL UTILITIES	11008782062 70 E MAIN ST	1,422.47
	BRICK STREET MUTUAL	440-226-00	CITY HALL INSURANCE	WCB1035474 9-4 TO 10-1-18	56.22
	MOUNTAINEER GAS COMPANY	440-213-00	CITY HALL UTILITIES	269245-314199 1 S-FLORIDA	102.48
	TRIE COMMUNICATIONS	440-216-00	CITY HALL MAINTENANC	RFR PHONE @ CITY HALL	37.10
	DOBSON BROS EXTERMINATION CO	440-216-00	CITY HALL MAINTENANC	CITY HALL OCT PEST INSPECT	29.00
	DOLLAR GENERAL CORPORATION	440-341-00	CITY HALL SUPPLIES	OFFICE SUPPLIES	42.44
	CRUISES ELECTRICAL SUPPLY INC	440-216-00	CITY HALL MAINTENANC	BALLASTS CH LIGHTS	19.17
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	21.03
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	16.61
				TOTAL:	1,796.55
POLICE	LYKINS OIL COMPANY	700-343-00	POLICE DEPT. AUTO SU	POLICE DEPT SEPT 18 FUEL B	1,840.51
	DARIN HISSAM	700-221-00	POLICE DEPT. TRAININ	REIMS MEALS & FUEL @ NARCO	97.98
	BRICK STREET MUTUAL	700-226-00	POLICE DEPT. INSURAN	WCB1005474 9-4 TO 10-1-18	978.93
	DIVISION OF JUSTICE AND COMM	700-221-00	POLICE DEPT. TRAININ	POLICE ACADEMY TUITION	3,000.00
	SUPER FLASH LLC	700-343-00	POLICE DEPT. AUTO SU	CAR WASHES	40.00
	JEMITHS FORD INC	700-343-00	POLICE DEPT. AUTO SU	COOLANT LEAK REPAIR	152.25
	TOSHIBA FINANCIAL SERVICES	700-341-00	POLICE DEPT. MAT & S	TOCHIRA FINANCIAL SERVICES	141.00
	ENTERPRISE FM TRUST	700-459-00	POLICE DEPT. NEW EQU	22H25X 2017 INTERCEPTOR	610.19
		700-459-00	POLICE DEPT. NEW EQU	22H253 2017 INTERCEPTOR	565.08
	WASTE COLLECTION BOARD	700-343-00	POLICE DEPT. AUTO SU	INSTALL NEW PLUG WIRES	101.31
	CHIEF SUPPLY CORPORATION	700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	134.56
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	47.99
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	55.20
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	342.98
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	178.78
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	24.00
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	125.00
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	290.00
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	13.99
		700-345-00	POLICE DEPT. UNIFORM	MACE SPRAY POUCH; DOUBLE	26.99
		700-341-00	POLICE DEPT. MAT & S	SHACKLES HANDCUFF KEY	137.45
	SPRINT	700-211-00	POLICE DEPT. TELEPHO	SEPT 2018 GEO PARS	295.90
	CRITES ELECTRICAL SUPPLY INC	700-341-00	POLICE DEPT. MAT & S	100 W LIGHTS/SNAPIN	72.93
		700-341-00	POLICE DEPT. MAT & S	100 W LIGHTS/SNAPIN	14.75
	SPERCYCLE INC	700-341-00	POLICE DEPT. MAT & S	100 W LIGHTS/SNAPIN	67.47
BCN TELECOM INC	700-211-00	POLICE DEPT. TELEPHO	472-5723	6.28	
ST JOSEPH HOSPITAL OF BUCKHA	700-341-00	POLICE DEPT. MAT & S	LAB TEST WILLIAM COURNEY	50.00	
INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,331.85	
	700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	311.47	
WILLIAM COURTNEY	700-221-00	POLICE DEPT. TRAININ	REIMS MEALS @ NARCOTICS CL	66.76	

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
FIRE	ITG SOLUTIONS, INC	700-453-00	POLICE DEPT. NEW EQU	SOFTWARE MAINTENANCE	7,640.00
	STAPLES ADVANTAGE	700-341-00	POLICE DEPT. MAT & S	CCPY PAPER/1011ST PAPER	141.86
	FRONTIER	700-211-00	POLICE DEPT. TELEPHO	304-473-7911-07/01/14-4 POL	137.58
	**PAYROLL EXPENSES	700-211-00	POLICE DEPT. TELEPHO	304-473-7911-07/01/14-4 POL	10.50
				TOTAL:	7,930.95
STREET	MON POWER	750-213-00	STREET DEPT. UTILITI	110084762126 GARAGE	27.70
		750-213-00	STREET DEPT. UTILITI	110084761785 17 1/2 FACTO	49.20
	LYKINS OIL COMPANY	750-343-00	STREET DEPT. AUTO SU	10123905108 2L N LOCUST S	9.23
	FISHER AUTO PARTS INC	750-458-00	STREET DEPT. PROJECTS	Handclamps	1,241.67
	WV PAGENO	750-211-00	STREET DEPT. UTILITI	STREET DEPT PALQUIN	26.01
	BRICK STREET MUTUAL	750-226-00	STREET DEPT. INSURAN	WCB1005474 9-4 TO 10-1-18	1,438.92
	ATKINS DRUG LLC	750-341-00	STREET DEPT. MAT & S	REBELLED TRANKS	38.00
	MOUNTAINEER GAS COMPANY	750-213-00	STREET DEPT. UTILITI	344419-404825 17 1/2 FACTO	35.44
	J F ADLER CO	750-213-00	STREET DEPT. UTILITI	269245-314209 4 FACTORY ST	162.87
	LOWES BUSINESS ACCOUNTS	750-343-00	STREET DEPT. AUTO SU	BACKTOP FOR Batching	237.26
	750-458-00	STREET DEPT. PROJECTS	Tool Box for S-2	10.55	
JOHN BOONES dba VEG ASSOCIA	750-341-00	STREET DEPT. PROJECTS	Number 4 Supplies Traders A	173.48	
SGN OUY LLC	750-213-00	STREET DEPT. MAT & S	Gloves	706.68	
BCN TELECOM INC	750-211-00	STREET DEPT. MAT & S	Foundstone- Ellis 11	54.77	
ST JOSEPH HOSPITAL OF BUCKHA	750-341-00	STREET DEPT. MAT & S	LAB TEST BAILEY CHEWING	50.00	
INTERNAL REVENUE SERVICE	750-104-00	STREET DEPT. FICA TA	FICA WITHHELD AND MATCHED	92.54	
	750-104-00	STREET DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	216.58	
FRONTIER	750-211-00	STREET DEPT. TELEPHO	304-473-7911-07/01/14-4 POL	77.34	
**PAYROLL EXPENSES	750-211-00	STREET DEPT. TELEPHO	304-473-7911-07/01/14-4 POL	4,872.17	
			TOTAL:	11,202.27	
STREET LIGHTS	MON POWER	751-213-00	STREET LIGHTS	110 087 018 008 MAIN ST	5,572.28
		751-213-00	STREET LIGHTS	110 088 784 484 N. MAIN ST	81.52
			TOTAL:	5,653.80	
TRAFFIC SIGNALS & SIGN	MON POWER	752-213-00	TRAFFIC SIGNALS POWE	110 088 905 459 RT. 119	46.45

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
TRAFFIC SIGNALS & SIGN		752-213-00	TRAFFIC SIGNALS POWE	110088985624 RT. 20 SWW C	63.03
		752-213-00	TRAFFIC SIGNALS POWE	1100816012069 W. MAIN ST	0.23
		752-213-00	TRAFFIC SIGNALS POWE	110087174485 S. KANAWHA ST	16.87
		752-213-00	TRAFFIC SIGNALS POWE	110088823243 MAIN ST	39.30
		752-213-00	TRAFFIC SIGNALS POWE	110088887149 107 E MAIN ST	126.19
			TOTAL:	265.42	
PUBLIC TRANSIT	COUNTRY ROADS TRANSIT	759-568-00	PUBLIC TRANSIT	BY 2018-19 BUDGET	10,000.00
			TOTAL:	10,000.00	
PARK 40% TO CFWB	CONSOLIDATED PUBLIC WORKS BD	900-341-00	PARK-30% HOT/HOT PD	SEPT 2018 HOTEL-MOTEL TAX	9,781.00
			TOTAL:	9,781.00	
CVB 60% TO CVB	UPSHUR COUNTY CVB	901-255-00	HOTEL/HOTEL 70% PAID	SEPT 2018 HOTEL-MOTEL TAX	21,871.10
			TOTAL:	21,871.10	
STOCKERT YOUTH CENTER	MON POWER	907-213-00	UTILITIES	110084592110 SYC	1,309.86
		907-213-00	UTILITIES	110084767208 79 E MAIN ST	7.96
	LYKINS OIL COMPANY	907-226-00	MAINTENANCE	SYC SEPT 2018 FUEL BILL	191.72
	AMBERLE JENNINS	907-366-00	FUND RAISER	REIMS TABLE CLOTHS/SHIRAT	71.76
	LEAF	907-341-01	OPERATING EXPENSES	COPIER LEASE	254.77
	BRICK STREET MUTUAL	907-226-00	INSURANCE & BONDS	WCB1005474 9-4 TO 10-1-18	377.71
	CARTER LARRY	907-363-00	KNASHE CLASS INSTRUC	KARATE INSTRUCTOR	270.00
	SHERAY BEAN	907-366-02	YOGA FITNESS CLASSES	YOGA INSTRUCTOR	92.00
	WALMART STORES INC -BUCKHAM	907-458-01	SYC CHILDRENS FESTIV	BRUSHES - CHILDREN'S FEST	30.99
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUP/SNACKS	113.28
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUP/SNACKS	27.49
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHL SUPPLIES/SNACK	59.58
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHL SUPPLIES/SNACK	17.45
	INTERNAL REVENUE SERVICE	907-104-00	FICA TAX	FICA WITHHELD AND MATCHE	282.16
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	69.99
CITY OF BUCKHANNON SYC	907-366-00	FUND RAISER	CHANGE FOR EVENT ELIMININE	1,000.00	
STMCO, KEVIN	907-363-00	KARATE CLASS INSTRUC	KARATE INSTRUCTOR	90.00	
FRONTIER	907-211-00	TELEPHONES	304-473-7911-042701-4	199.10	
**PAYROLL EXPENSES	907-211-00	TELEPHONES	304-473-7911-042701-4	59.81	
			TOTAL:	4,602.65	
CONVENTION CENTER	USDA, RURAL DEVELOPMENT	910-457-00	CONFERENCE CENTER RA	CONF CENTER OCT 2018	3,351.00
			TOTAL:	3,351.00	
SAFETY COMPLEX POLICE	MON POWER	976-213-00	SAFETY COMPLEX UTILI	110089783078 23 S FLORIDA	1,492.30
	DOBSON BROS EXTERMINATING CO	976-216-00	SAFETY COMPLEX MAINT	POLICE DEPT OCT PEST INSP	45.00
	CRITES ELECTRICAL SUPPLY INC	976-461-00	SAFETY COMPLEX POLIC	ELEC SUPPLIES	1,767.20
			TOTAL:	3,304.50	

E.4 Event Request-BAES Wilderns Night-already addressed above

E.5 Event Request-Shakesperience Buckhannon

Shakesperience Buckhannon – encouraging arts and culture while promoting patronage of downtown Buckhannon, W.Va.

By Elizabeth Spencer,
Upshur Arts Alliance Vice President & Publicity Director

Thursday, September 27, 2018

Definites:

"Shakesperience Buckhannon", sponsored by the Upshur Arts Alliance, will feature a performance of Shakespeare's "Hamlet" by The Rustic Mechanicals at the newly renovated Buckhannon Opera House at 7:30 p.m., Friday, October 19th, 2018. Doors will open at 7 p.m. and 7:30 p.m. show runs 90-100 minutes with no intermission.

The Opera House is located near the CVB, directly beside C.J. Maggie's, and across the street from Stonetower Brews in Buckhannon, W.Va.

The visual concept is a caricature of Shakespeare with a fork in a frame. We are encouraging the "dinner and a show" theme, and keeping the cost down with a \$12 ticket, to increase patronage and presence downtown.

The show tickets will act like a one-day Buccaneer card for show-goers, allowing them discounts and freebies from participating downtown restaurants and the like prior to the show.

We will be offering drinks and cookies from C.J. Maggie's at the show, and will allow people to meet the actors after the show for approximately 20 minutes before heading across the street to enjoy an informal after party at Stonetower Brews.

The Buckhannon CVB is eager to help us in any way possible, and will be sending out an email blast to local businesses, encouraging them to participate, to stay open later that evening, and to adopt the eclectic Shakespearean theme in support. The CVB will be playing event inspired Music on the Main Street speakers on the evening of the event.

In Progress:

DOH application pending, we hope to have a large event banner across Main Street prior to the event, hanging from October 8th- 22nd, to encourage participation and advance ticket sales, and UAA signage will be hanging near and at the event location.

We are hoping to get approval to place some individual sideshow-type entertainers on the sidewalk near the entrance to The Buckhannon Opera House prior to the show in order to create more ambiance and interest downtown. This may include dulcimer players, a costumed hula hooper, blacksmith, etc. These micro acts have not yet been invited or confirmed. If we find an overage of willing participants, we could, perhaps, place some of the acts in other locations downtown, if desirable. These

locations could include the space in front of courthouse and or jawbone park, however, our primary focus and goal would be to simply place some in front of the event venue.

We are working to finish up restaurant & financial sponsorships before the end of the week so that we can launch promotions. Over the coming weekend, the event will be posted to Facebook and local calendars, and we will send out a press release to media outlets, and update our website. We hope to have posters and tickets printed Monday.

Motion Skinner/Rylands to approve Consent Agenda- Carried Unanimously.

Strategic Issues for Discussion and/or Vote:

F.1 Approval Corrected GF Budget Revision Resolution 2018-23C. Motion Skinner/Thomas to approve Corrected Budget Revision- Carried Unanimously with Roll Call Vote. *Already Approved above under Financial Report.*

F.2 Approval to Establish Service Recognition- The City will honor contributors who volunteer their time and contribute their service. Motion Reger/Rylands to Establish Award - Carried unanimously. *See Above- Amanda Hayes.*

F.3 Approval to Submit People for Bikes Program -The City of Buckhannon received approval to submit an application for \$10,000 grant for bike related programs and developments. Motion Skinner/Thomas Approval to Submit the People for Bikes Program application- Carried Unanimously.

F.4 Approval 2019 Chamber of Commerce Membership- Motion Reger/Thomas to Approve 2019 Chamber of Commerce Membership -Carried Unanimously.

F.5 Ordinance 428 -Properties Declared a Public Nuisance 1st Reading:

ORDINANCE NO. 428 OF THE CITY OF BUCKHANNON, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF PREMISES DEEMED PUBLIC NUISANCES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF BUCKHANNON

WHEREAS, the scourge of drug abuse which has ravaged our country and our state, and has not left the City of Buckhannon untouched; and,

WHEREAS, other criminal behavior, often but not always connected with the use of illegal narcotics and other illegal psychoactive substances, presents clear and present dangers to the citizens of the City of Buckhannon and the City's first responders within the Police Department and Fire Department; and,

WHEREAS, West Virginia Code § 8-12-5(13) empowers the City of Buckhannon to "prevent injury or annoyance to the public or individuals from anything dangerous, offensive or unwholesome"; and

WHEREAS, West Virginia Code § 8-12-5(23) further empowers the City of Buckhannon to enact ordinances to "provide for the elimination of hazards to public health and public safety and to abate or cause to be abated anything which . . . is a public nuisance"; and,

WHEREAS, West Virginia Code § 8-12-5(44) further empowers the City of Buckhannon to "protect and promote the public morals, safety, health, welfare and good order" of the City; and,

WHEREAS, West Virginia Code § 8-12-5(58) further empowers the City of Buckhannon to provide penalties for offenses and violations of laws duly enacted by the governing body of the City; and,

WHEREAS, when citizens reside in close proximity to each other, as within the bounds of a municipality such as the City of Buckhannon, the increased population density relative to areas of a more rural, forested, or agricultural character of necessity alters the social compact underpinning the foundation of our polity with respect to private property rights, especially when certain private real property is regularly used in, or is the frequent scene of, criminal drug or illicit activity; and,

WHEREAS, the City of Buckhannon wishes in all respects to enhance the quality of life for all citizens, protect the general public from criminal activity and its effects, abate public nuisances, regulate land use in a manner to protect property values of neighboring properties, protect the reciprocal property rights of neighboring property owners, and reduce or eliminate the hazards to the public welfare that arise from properties used for criminal activity.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

Article I – CERTAIN PROPERTIES DECLARED A PUBLIC NUISANCE:

(a) Any premises used for the illegal felony possession, storage, or delivery of or trafficking in controlled substances is hereby declared to be a public nuisance; *Provided*, that a public nuisance or violation of this Ordinance shall be deemed to exist when 1) any of the following offenses defined in West Virginia Code are committed, in whole or in part, on the premises: manufacture of a controlled substance, possession of a controlled substance with intent to deliver, delivery of a controlled substance, any felony offense established in West Virginia Code §61-2-10b committed while under the influence of a controlled substance, any felony offense established under West Virginia Code Chapter 60A while in possession of a firearm, or any felonious assault or battery – whether with or without a deadly weapon – committed while under the influence of an illegal substance, and 2) the premises is used for two or more such offenses or incidents within a twenty-four consecutive month period. The provisions of this Ordinance shall not be deemed to be applicable to any hospital, clinic, or residential drug treatment facility that is either licensed, certified, or otherwise subject to supervision or inspection by the State of West Virginia.

(b) Any person who owns, manages or controls any premises and who fails to implement reasonable and warranted abatement measures identified in the notice issued pursuant to Article II of this Ordinance within the 30 - day period following the notice, or within any other agreed upon period, shall be guilty of a misdemeanor as provided in Article II of this Ordinance and subject to a fine according to the schedule set forth in Article III of this Ordinance.

(c) Upon the commission of any act specified in subsection (a) of this Article, the City will notify the owner of the premises upon which the act or acts were committed, in writing, that an act triggering potential designation of the premises as a public nuisance occurred on the premises.

Article II – ORDER OF ABATEMENT

(a) The Chief of Police, City Engineer, Zoning Enforcement Officer, or representative of the City as authorized by the City's Housing Enforcement Board, may bring an action to abate a public nuisance described by this section in the City's Municipal Court by filing a complaint therein. Such complaint shall identify with specificity the premises alleged to be a public nuisance, the activity occurring thereupon which constitutes a violation under Article I of this Ordinance, and the frequency with which said activity has occurred upon the premises. Upon the filing of a complaint, the Municipal Court shall serve written notice of process upon each owner of the premises, their tenants or any residents of the premises if known, and shall post a conspicuous notice on the front door of any dwelling located upon the premises that a complaint has been filed pursuant to this Ordinance, and identifying the date and time of any hearing on the complaint scheduled by the Municipal Court. For purposes of service of process, compliance with the requirements of this section shall establish sufficient notice for the Municipal Court to hear the complaint and render an order of liability under this Ordinance. The Municipal Court shall deem the premises a Public Nuisance if the complaining officer establishes by a preponderance of the evidence that the premises was used in the commission of those activities set forth in Article I of this Ordinance.

(b) Upon a finding by the Municipal Court that the premises is a Public Nuisance under this Ordinance, the Municipal Court shall issue an Order of Abatement requiring the defendants to take measures reasonably calculated to prevent the recurrence of the illegal activity.

(c) The Municipal Court may issue a search warrant to the Chief of Police, City Engineer, Zoning Enforcement Officer, or representative of the City as authorized by the City's Housing Enforcement Board to ensure compliance with the Order of Abatement or any other order of the Municipal Court issued pursuant to this Ordinance.

(d) If any person in control of any premises deemed a Public Nuisance under this Ordinance, to whom an Order of Abatement is issued under this Ordinance, fails to implement the directives of the Order of Abatement within thirty (30) days of its issuance, that person is guilty of a misdemeanor, and is subject to the penalty established in Article III of this Ordinance.

(e) Any person in control of any premises whereupon any person engages in manufacture of a controlled substance, possession of a controlled substance with intent to deliver, delivery of a controlled substance, any felony offense established in West Virginia Code §61-2-10b committed while under the influence of a controlled substance, or any felony offense established under West Virginia Code Chapter 60A while in possession of a firearm is guilty of a misdemeanor if he or she knew or was willfully ignorant of such offenses being committed on the premises and took no action to prevent or abate such activity, or participated in such activity, and is subject to the penalty established in Article III of this Ordinance.

Article III – PENALTY

(a) Each day that a violation of this Ordinance continues shall be considered a separate and distinct offense.

i. No person shall be found in violation this Ordinance under section (e) of Article II hereof unless the abatement measures ordered under Article II of this Ordinance were reasonable and warranted, and that the defendant knowingly failed to implement them.

ii. A person may be found in violation of this Ordinance under section (f) of Article II hereof regardless of whether an Order of Abatement is issued under this Ordinance.

(b) Upon a finding of liability under this ordinance, the defendant shall be fined not less than \$100.00 and not more than \$1,000.00 per offense.

(c) Any fine imposed under this Ordinance shall be considered a lien upon the premises determined to be a Public Nuisance under this Ordinance, and the City shall cause to be recorded in the office of the Clerk of the County Commission of Upshur County, West Virginia a Notice of Lien if any fine imposed under this Ordinance is not paid under such terms established by the City's Municipal Court.

Article IV – SEVERABILITY:

In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof which are not specifically determined to be unconstitutional or invalid.

ARTICLE V - EFFECTIVE DATE:

This Ordinance shall be deemed effective January 1, 2019.

FIRST READING: October 18, 2018

SECOND READING, PASSAGE AND ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 428 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder

Motion Rylands/Skinner to amend that first events require notification of the owner of the property of said event, and an amendment including any felonious battery – Motion Rylands/Skinner to approve:

Discussion concerning adding “anything that could constitute a felonious assault”

Gerry Henderson wanted to know if Hotel/Motels and B&B’s are included in this ordinance.

Mr. Reger reiterated his disapproval of the ordinance.

Opposed to Motion – Thomas, Reger

In Favor of Motion -Rylands, Skinner, McCauley- Motion passed.

F.6 Ordinance 430 Residential Parking around WVWC 1st Reading

Motion Reger/Skinner to approve first reading of Ordinance 430- Carried Unanimously.

ORDINANCE NO. 430 OF THE CITY OF BUCKHANNON, PROVIDING FOR RESIDENT-ONLY PARKING ON CERTAIN STREETS IN THE CITY OF BUCKHANNON IN THE VICINITY OF WEST VIRGINIA WESLEYAN COLLEGE, PROVIDING FOR SIGNAGE DESIGNATING “RESIDENTIAL PARKING ONLY”, ESTABLISHING PENALTIES, AND PROVIDING FOR ENFORCEMENT

WHEREAS, pursuant to Chapter 8, Article 12, Section 5 of the West Virginia Code, as amended, municipalities are granted plenary power and authority to regulate streets, avenues, roads, ways, sidewalks, crosswalks and public spaces belonging to the municipality and to regulate the conditions under which they may be made within the corporate limits; and,

WHEREAS, West Virginia Wesleyan College (hereafter, the “College”) is an integral part of the great Buckhannon community’s vibrancy, economic wellbeing, and quality of life; and,

WHEREAS, the College is located within that zone known as "R-2" General Residential District A; and,
WHEREAS, many homes located on streets in the vicinity of the College have limited parking options, which include some necessary on-street parking; and,

WHEREAS, it has become apparent that students or other visitors to the campus of the College have, over time, come to utilize residential streets in certain areas near the College for parking; and,

WHEREAS, many municipal residents who live in proximity to the campus of the College have felt displaced by students and other visitors to campus in that finding regular, long-term parking near their own homes has become difficult; and,

WHEREAS, the Council of the City of Buckhannon has deemed it to be reasonable and appropriate to enact and ordinance regulating parking on residential streets in the vicinity of the College for the benefit of the residents of the municipality;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – DEFINITIONS:

(1) "Resident" shall mean the owner or owners of any tract of real property, whether owner-occupied or not owner-occupied, fronting on any of the streets designated as "Residential-Only Parking Zones", or a tenant thereof. For purposes of this Ordinance only, a tenant of an owner of any tract of real property within a Residential-Only Parking Zone required to provide off-street parking to its inhabitants under Ordinance No. 244, Article V, Section 502(D) is not deemed to be a Resident.

(2) "Dwelling" shall mean a single-family detached residence, a discrete unit of a multi-family residence, or an apartment within a structure subdivided for occupancy by multiple individuals or families; *Provided*, that any structure required to provide off-street parking to its inhabitants under Ordinance No. 244, Article V, Section 502(D) shall be deemed to be one Dwelling for purposes of this Ordinance.

(3) "Residential-Only Parking Zone" shall mean the following portions of the following city streets:

- a) College Avenue, between South Florida Street and Meade Street
- b) Barbour Street, between South Florida Street and Meade Street
- c) Fayette Street, between South Florida Street and Meade Street
- d) Pocahontas Street, between South Florida Street and Meade Street

(4) "Residential Parking Permit" or "Permit" shall mean a placard, card, sticker, or such other device as may be issued by the City of Buckhannon, which shall identify the bearer as a Resident or a guest of a Resident for purposes of this Ordinance. A Residential Parking Permit must be openly displayed on a vehicle as provided in this Ordinance when parked within the Residential-Only Parking Zone.

(5) "Motor vehicle" shall mean any means of conveyance recognized as a motor vehicle under the laws of the State of West Virginia.

ARTICLE II – DESIGNATION

Section 1. The parking of a motor vehicle for any period of time exceeding two consecutive hours, between the hours of 8:00 a.m. and 4:00 p.m., Mondays through Fridays, is prohibited in a Residential-Only Parking Zone, except by a Resident or their guest openly displaying a Residential Parking Permit on the dashboard of the motor vehicle.

Section 2. The Street Department of the City of Buckhannon will erect signage within the Residential-Only Parking Zone identifying the parking restrictions created by this Ordinance.

Section 3. Each Dwelling within the Residential-Only Parking Zone may be issued two Residential Parking Permits for on-street parking. The Permits will be issued at no cost to a Resident of the Dwelling and shall be valid for one year from the date of issue. Permits will be numbered and registered with the City of Buckhannon for tracking purposes. Applicants for Residential Parking Permits must provide proof of their residency within the Residential-Only Parking Zone prior to receiving a Residential Parking Permit. Residents may apply for renewals of their Permit within thirty days of the expiration of any current Permit, and must return any unexpired Permit upon receipt of a new Permit.

Section 4. In the event of loss or theft of a Permit, the City will issue a replacement Permit to a Resident and the lost or stolen Permit will be cancelled and invalid for purposes of this Ordinance, and the City will notate its lost or stolen status on any registry created to track permits under section three of this article. Any person using a Permit registered as lost or stolen will be guilty of a violation of this Ordinance and subject to the penalties established herein.

Section 5. The provisions of Section 1 of this Article shall not be in effect on any state or federal holiday, or on any day the City Council, by motion, may designate.

ARTICLE III – VIOLATIONS and NOTICE OF VIOLATIONS

Section 1. Any person parking a motor vehicle within the Residential-Only Parking Zone for a period of time longer than two consecutive hours without displaying a Residential Parking Permit on the motor vehicle is in violation of this Ordinance.

Section 2. Any violations of this Ordinance, or any Ordinance modified hereby, may be served upon violators by United States Mail, first class postage prepaid. A Certificate of Service executed by the Parking Enforcement Officer and included within the citation file shall be sufficient evidence of service upon the violator.

Section 3. Violation of this Ordinance shall be punishable by a fine of twenty-five dollars (\$25.00). No violation of this Ordinance shall be punishable by any term of imprisonment or incarceration.

ARTICLE IV – SEVERABILITY: In the event that any section(s) or provision(s) of this Ordinance is determined to be in violation of state or federal statute or court ruling, unconstitutional, invalid or otherwise unenforceable by a Court of competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the sections and provisions thereof which are not specifically held to be in violation of state or federal statute or court ruling, unconstitutional, invalid or otherwise unenforceable.

ARTICLE V – EFFECTIVE DATE: This Ordinance shall be deemed effective January 1, 2019.

FIRST READING: October 18, 2018
SECOND READING, PASSAGE AND ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 430 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder

F.7 Ordinance 431 Authorization to Submit Proposed Amendment to Home Rule Board

Motion Thomas/Skinner to approve first reading of Ordinance 431 – Carried Unanimously.

**ORDINANCE NO. 431 OF THE CITY OF BUCKHANNON,
AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN
AMENDMENT TO THE CITY'S HOME RULE PLAN TO
THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD**

WHEREAS, the West Virginia Municipal Home Rule Board accepted the City of Buckhannon into Phase II of the West Virginia Municipal Home Rule Pilot Program on October 6, 2014, and approved the written plan submitted therewith; and,

WHEREAS, Chapter 8, Article 1, Section 5a, paragraph (k) of the West Virginia Code of 1931, as amended, permits municipalities participating in the Municipal Home Rule Pilot Program to amend their written plans; and,

WHEREAS, the City of Buckhannon is considering the submission of an amendment to the city's home rule plan, which would permit establishment of a municipal sales and use tax at a rate not to exceed one percent, while providing for the reduction of the city's business and occupation tax receipts; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – AUTHORIZATION TO SUBMIT AMENDED PLAN: The Mayor is hereby authorized to submit, pursuant to the rules and procedures established by the West Virginia Municipal Home Rule Board, an application for approval of an amendment to the written plan of the City of Buckhannon to permit establishment of a municipal sales

and use tax at a rate not to exceed one percent while providing for the reduction of the city's business and occupation tax receipts, and to take all acts necessary and proper to carry out the submission of said application.

ARTICLE II - EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., December 1, 2018.

FIRST READING: October 18, 2018

PUBLIC HEARING, SECOND READING,
PASSAGE & ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 431 was lawfully ordained and enacted by the Council of the City of Buckhannon during a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder

F.8 Resolution 2018-19 Acceptance Deed of Dedication John & Debra Moss Trader's Alley Property- No update

F.9 Resolution 2018-20 Acceptance Deed of Dedication Health Facilities Main Street Mural Property- No update

F.10 Resolution 2018-21 Acceptance Deed of Dedication Health Facilities Trader's Alley Property-No Update

Comments and Announcements:

- **Mary Albaugh**-Absent
- **Pamela Cuppari** -Absent
- **C J Rylands** -No Comments
- **Robbie Skinner**- No Comments
- **David Thomas**- No Comments
- **Colin Reger** -No Comments

Mayor's Comments and Announcements

- Reminded the Council that the WV Municipal League will be here next Thursday. Mayor McCauley also expressed his gratitude toward those who have contributed to the Stockert Youth & Community Center development.
- Mayor's Statement on Suicide

CITY OF BUCKHANNON – MAYOR'S STATEMENT ON SUICIDE - October 18, 2018

We grieve with our Wesleyan community this evening following last Friday's loss of one of their own, 21 year-old Garret Seech. The details of this tragedy are insignificant. What is important is to recognize the reality that we are experiencing an epidemic of suicide in our American society. We are on pace to lose about 50,000 Americans to suicide in 2018. Since 1999 alone, suicide rates in the U.S. have skyrocketed by 30%. Rurally located Americans are far more vulnerable to suicide. West Virginia is one of the states that has seen the greatest increase in suicide during the past 20 years. Fifty-four % of people who take their own lives didn't have a previously known mental health issue. Males are four times more likely to take their own lives than females. Suicide for whites are higher & have been climbing faster than those for other racial & ethnic groups. Suicide is the second leading cause of death for people between ages 10 to 24. Gay youths are 300% more likely to attempt suicide. As reported by the Trevor Project citing the Center for Disease Control, one in six high school students seriously considered suicide during the past year.

The CDC cites several different approaches to reduce suicide rates, such as working to stabilize housing, employment, & teaching coping & problem-solving skills early in life. "Research shows that the decision to attempt suicide is often made quickly, in

an impulsive way, says Robert Gebbia, the head of the American Foundation for Suicide Prevention.” Mr. Gebbia observes that our “nation currently has no federally funded suicide prevention program for adults. ‘There are some for youth, but they’re very, very tiny.’ We can’t expect a major health problem like this to be addressed unless we see the investment.”

According to the BBC that recently studied & reported about suicide in the U.S., citing Professor Julie Cerel, president of the American Association of Suicidology, a major problem with suicide prevention stems from our mental health systems: “Our mental health systems are just really struggling across the country.... In terms of training mental health professionals, we’re not doing a great job.” Dr. Jerry Reed with the National Action Alliance for Suicide Prevention states, “There is definitely a relationship between serious mental illness and suicidal behavior” however, it is not just a mental health challenge. “Economic conditions or livelihood opportunities in decline could lead people to positions where they’re at risk. We need to intervene in both mental & public health cases,” according to Dr. Reed. Encouraging people to go to therapy & using mental health professionals to help change dysfunctional thinking is the ultimate goal. For some people “feeling connected & feeling like they belong are really important things,” according to the CDC.

Many people who contemplate, attempt, or carry out suicide, feel hopeless, they’re in a state of despair- whether it’s finances, relationships, or health. The June 15, 2018 issue of The Economist refers to many of today’s suicide victims as being “the new hopeless.” Somehow, some way- our society needs to create hope. If you, or someone you know- is having suicidal thoughts- there is help. Naturally, if there’s an emergency, call 911. But- other resources to help people deal with depression, anxiety, a sense of hopelessness include the U.S. National Suicide Prevention Lifeline at 1-800-273-8255 or the Crisis Text Line by texting HOME to 741741. Youth in need of help can call Kids Help Line at 1-800-668-6868. Signs that a person may be suicidal include a change in behavior or the presence of entirely new behaviors often borne out of a painful event, loss, or change. Most people who take their lives exhibit one or more warning signs through what they say or do. Be alert to new impulsive conduct.

Every day, every single day- in towns across America, towns often just like our Buckhannon, 140 people will commit suicide. Suicide occurs all around us. Suicide occurs here. Please recognize the signs. Help anyone who talks about killing them self, who express hopelessness, who say they have no reason to live, who say they are a burden to others, who feel trapped, or are suffering unbearable pain, depression, or anxiety. Err on the side of intervening. Dare to care.

<https://www.npr.org/sections/health-shots/2018/06/07/617897261/cdc-u-s-suicide-rates-have-climbed-dramatically>

<https://www.economist.com/democracy-in-america/2018/06/15/americas-rising-suicide-rate>

<https://www.bbc.com/news/world-us-canada-44416727>

<https://www.psychologytoday.com/us/blog/reading-between-the-headlines/201305/white-middle-age-suicide-in-america-skyrockets>

<https://foreignpolicy.com/2016/04/28/americas-suicide-epidemic-is-a-national-security-crisis/>

<https://www.nytimes.com/2018/06/08/health/suicide-spade-bordain-cdc.html>

<https://www.nytimes.com/2018/06/07/health/suicide-rates-kate-spade.html>

<https://suicidepreventionlifeline.org/>

https://tylerclementi.org/co-founder-of-tyler-clementi-foundation-on-suicide-prevention-week/?qclid=EAlaIqobChMI_rrq4YiO3qIVmbrACh0F5QjLEAAYAAEgI3N_D_BwE

https://afsp.org/about-suicide/risk-factors-and-warning-signs/?qclid=EAlaIqobChMI_rrq4YiO3qIVmbrACh0F5QjLEAAYASABEgJkU_D_BwE

Motion Reger/Rylands to adjourn into executive session to discuss property and personnel per WV Code 6-9a-4 – Carried Unanimously.

Council reconvened from executive session- There being no further business to be conducted, meeting adjourned at 9:51 pm.

Mayor David McCauley

Recorder Colin Reger

CITY OF BUCKHANNON

**MUNICIPAL HOME RULE
PILOT PROGRAM
AMENDMENT APPLICATION**



**SUBMITTED TO THE WEST VIRGINIA
MUNICIPAL HOME RULE BOARD**

Municipal Home Rule Pilot Program APPLICATION FOR AMENDED PLAN

SECTION I: APPLICANT INFORMATION	
A. General Information	
Name of Municipality: City of Buckhannon	
Certifying Official: David W. McCauley	Title: Mayor
Contact Person: Amberle Jenkins	Title: Director of Finance
Address: 70 E. Main Street	
City, State, Zip: Buckhannon, West Virginia 26201	
Telephone Number: 304-472-1651	Fax Number: 304-472-4620
E-Mail Address: Mayor@buckhannonwv.org	
2010 Census Population: 5,639	
B. Municipal Classification	
<input type="checkbox"/> Class 1 <input type="checkbox"/> Class II <input checked="" type="checkbox"/> Class III <input type="checkbox"/> Class IV	
C. Category of Issues to be Addressed (please attach descriptions for applicable categories)	
<input checked="" type="checkbox"/> Tax <input type="checkbox"/> Organization <input type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other	

SECTION II: NARRATIVE (written plan, including the following) See Attachments
1) Please see Page 3

SECTION III: AFFIDAVITS See Attachments
Hearing Mandate Verification Publication Mandate Verification Ordinance Authorizing Submission of Plan Fiscal Impact Worksheets/Formulas Feasibility Study (if taxes are proposed) Attorney Opinion (application complies with statutory requirements) State of West Virginia Fees Statement (none outstanding) Agreement to Requirements Statement (firearms, ammunition and firearm accessories)

Requirements Concerning Firearms, Ammunition and Firearm Accessories

Definitions: As used in this subsection:

- (A) Ammunition means fixed cartridge ammunition, shotgun shells, the individual components of fixed cartridge ammunition and shotgun shells, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.
- (B) Firearm accessory means a device specifically designed or adapted to enable the wearing or carrying about one's person, or the storage or mounting in or a conveyance, of a firearm, or an attachment or device specifically designed or adapted to be inserted into a affixed onto a firearm to enable, alter or improve the functioning or capabilities of the firearm.

(C) Firearm has the same meaning as in W. Va. § 61-7-2.

General Rule:

- (A) Municipalities participating in the Municipal Home Rule Pilot Program may not restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any revolver, pistol, rifle, or shotgun, or indirectly prohibit the ownership of the ammunition, or, to restrict in any manner the right of any person to purchase, possess, transfer, own, carry, transport, sell or store any other firearm accessory or accouterment, under any order, ordinance or rule promulgated or enforced by the municipality. This rule may not be construed to prevent any law enforcement official with appropriate authority from enforcing any statute enacted by the state.
- (B) The authority of a municipality to regulate firearms, ammunition, or firearm accessories may not be inferred from its proprietary authority, home rule status or any other inherent or general power.
- (C) Any existing or future orders, ordinances, or rules promulgated or enforced in violation of this subsection are null and void.
- (D) A municipality may regulate the carrying of a firearm in municipal buildings dedicated to government operations, other than parking buildings or garages.

Applicability and Effective Dates:

Ninety days after a new municipality has been selected by the Board to participate in the pilot program, or a previously participating municipality has chosen to continue to participate in the pilot program, any municipal gun ordinances previously authorized by the provisions of section five-a, article twelve, chapter eight of this code shall no longer be of any force or effect for any municipality participating in this program, to the extent they are in conflict with the provisions of this subsection: Provided, that no provision in this subsection may be construed to limit the authority of a municipality to restrict the commercial use of real estate in designated areas through planning or zoning ordinance.


Certifying Official Signature (Mayor or designee): **David W. McCauley, Mayor**

City of Buckhannon Home Rule Amendment Application

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Background

Nestled in the heart of north central West Virginia, Buckhannon is located just miles from Interstate 79 and along U.S. Routes 119, 48 (Corridor H) and 33. Our community offers the simplicity of small town life with the benefit of specialty and antique shops, restaurants, motels, bed and breakfast establishments, Civil War heritage and cultural experiences, and an outstanding liberal arts college – West Virginia Wesleyan College, a 4-year residential college which draws many hundreds of students from other states and countries with the ancillary economic benefits to the community and the state of their faculty, staff, visitors and alumni. Buckhannon’s Main Street is a registered Historic District and hosts numerous community events year-round including the renowned West Virginia Strawberry Festival, and Festival Fridays – a new community tradition which draws crowds of hundreds into our downtown’s crown jewel park – Jawbone Park – on Friday afternoons from the late spring through early autumn to enjoy locally-sourced food and drink, live music, and camaraderie.

Buckhannon’s arts district includes a retail outlet for local artists, a micro-theatre and a performing arts center on the campus of West Virginia Wesleyan College that hosts numerous productions including Mountain Stage performances, Jazz performances and theatre productions. Every September, the Main Street Arts Festival celebrates Buckhannon’s local art organizations and talented artists. The City recently purchased the almost century-old Colonial Theatre, the restoration of which is well underway. Outdoor recreation can be found within Buckhannon’s city limits. The Buckhannon River is known as one of the best musky fishing locations in the nation and has multiple entries for small boats and kayaks. Our scenic parks are great spots for picnics, walking, biking, and more.

Though the City of Buckhannon promotes its distinctiveness and individual history, it is not too dissimilar from other cities in West Virginia. As with all cities in the state, the City of Buckhannon and its elected representatives are committed to providing every appropriate opportunity for economic growth and diversification for its residents and the businesses located within the City, as well as the municipality’s ability to fund essential public services. The City’s participation in the Municipal Home Rule Pilot Program has resulted in increased flexibility and responsiveness in meeting the City’s challenges, and city leadership is grateful for Buckhannon’s participation in the Municipal Home Rule Pilot Program.

The City of Buckhannon maintains a business and occupation tax structure unique in West Virginia. The retail component, which represents the majority of receipts, contains a three-tier structure, but more importantly includes a \$1 Million initial exemption for all retail, wholesaler, and manufacturing taxpayers; the City adopted this exemption in order to protect the smallest and most economically vulnerable enterprises from the potentially negative impacts of the tax on their operations. In addition, the existing B&O only covers certain business sectors, such as contractors, financial services, retail & wholesale sales, and manufacturing. There is no general B&O tax applicable to all licensed businesses. Indeed, Buckhannon’s B&O tax structure may be the most generous in the state by virtue of those threshold exemptions and limitations to certain business sectors.

Municipal Classification

The City of Buckhannon has a population of 5,639 (2010 U.S. Census) and is classified under West Virginia Code § 8-1-3 (3) as a Class III city.

Proposal: To implement up to a 1% municipal sales and use tax within the municipal boundaries of the City of Buckhannon

Problem: The Council of the City of Buckhannon would like to consider the implementation of a sales and use tax for any purchases made within municipal limits. West Virginia Code §8-13C-1, *et seq.* prohibits the imposition of a municipal sales and use tax without elimination of the municipality's business and occupation tax. This restriction has hampered the ability of the City of Buckhannon to maintain and enhance vital public services and threatens the ability of the City's revenues to keep up with the pace of inflation. As the municipal B&O funds approximately 25% of the City's General Fund budget, elimination of this key revenue source is not feasible.

The City certainly has alternative avenues with which to raise revenue. It may increase fire and police service fees, implement a stormwater service fee within certain watersheds, and collect a fire fee from its "first due" service area, including areas outside of the municipality. For several reasons, particularly the deeply negative impact of a first due fire fee on the remaining volunteer fire departments located throughout the rest of Upshur County, the City believes that implementation of a municipal sales and use tax is the most prudent and responsible option. Importantly, it shares the cost of certain city services – most or all of which are enjoyed by city residents and nonresidents alike – among the broader population benefitting from those services. In addition, a sales tax is a tax of choice – a person can avoid paying the tax by making a strategic decision regarding the location of their purchases¹.

While City outlays have risen over the past years as a consequence of the cost of goods and services the City uses in carrying out its mandates, Buckhannon has maintained a balanced budget by making certain changes to its operations, including adopting fleet management services in lieu of vehicle purchases, reducing payroll through attrition, and working with vendors to minimize increases in insurance costs. The City's ability to manage stagnant revenue and steadily increasing costs has reached a point where undesirable and potentially harmful cuts to city services, including public safety and infrastructure, may be required to equalize revenues and expenditures under future budgets.

Solution: If this Amendment is approved by the Municipal Home Rule Board, the City of Buckhannon will consider the enactment of an ordinance implementing a municipal retail sales and use tax at a rate up to 1%, while reducing its existing retail B&O tax rate by \$.05 per \$100.00. The municipal sales and use tax would exempt any transaction exempted by West Virginia Code. With the concurrent decrease of the City's B&O tax rate, after its existing exemptions on the first \$1 Million in retail sales, we expect a projected decrease of B&O revenue of \$50,000 per year; the City would therefore expect this proposal to initially net at least an additional \$950,000.00 annually.

Any tax imposed would be administered by the West Virginia State Tax Department, as provided in West Virginia Code §11-15A-1, *et seq.*

The City of Buckhannon anticipates using the increased revenues to fully fund its municipal stabilization fund, invest in public safety services, ensuring that the City's Police and

¹ It is worth noting, however, that economic studies have demonstrated that sales tax rates have little to no impact on a consumer's choice of business patronage.

Fire Departments are properly staffed, equipped, and trained, implementing the City's stormwater management plan, enhancing the City's paving and public works programs, and enhancing offerings at and making safety and capital improvements to its Stockert Youth and Community Center. The City may also consider placing a portion of sales tax revenues into a special revenue fund with which to finance long-term capital infrastructure improvements.

To the extent required by law, this Amendment shall terminate on or prior to the first day of July, 2019; however, all ordinances enacted under the provisions of this Amendment shall continue in full force and effect until repealed. Further, the City of Buckhannon will cooperate fully with any performance review conducted by the Joint Committee on Government and Finance and provide progress reports to the Municipal Home Rule Board as required.

- ORDINANCE NO. 433 OF THE CITY OF BUCKHANNON, AN ORDINANCE:
- 1) ESTABLISHING A MUNICIPAL SALES AND SERVICE TAX AND USE TAX;
 - 2) ESTABLISHING A SPECIAL REVENUE FUND INTO WHICH MUNICIPAL SALES AND SERVICES TAXES AND USE TAX WILL BE DEPOSITED;
 - 3) AMENDING THE CITY OF BUCKHANNON’S RETAIL B&O TAX TO REDUCE THE RATE OF TAX COLLECTED; and
 - 4) SETTING EFFECTIVE DATES OF THIS ORDINANCE AND THE ARTICLES THEREOF
-

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – MUNICIPAL SALES AND SERVICE TAX AND USE TAX; SPECIAL REVENUE FUND

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§ 1. City Council Findings.

(a) The West Virginia Municipal Home Rule Board, on _____ [anticipated January 16, 2019], approved an amendment to the home rule plan submitted by the City of Buckhannon, West Virginia, thereby allowing the City to adopt a municipal sales and service tax and a municipal use tax pursuant to W. Va. Code § 8-1-5a without the limiting restrictions in W. Va. Code § 8-13C-1 *et seq.* In accordance with its home rule plan, the City Council hereby finds and declares that the adoption by this City for its municipal sales and service tax and its municipal use tax provisions of the Code of West Virginia, 1931, as amended, relating to imposition, administration, collection and enforcement of the State consumers sales and service tax codified in W. Va. Code § 11-15-1 *et seq.*, the State use tax codified in W. Va. Code § 11-15A-1 *et seq.*, and the Streamlined Sales

and Use Tax Act codified in W. Va. Code § 11-15B-1 *et seq.* will (1) simplify collection of the City's sales and use taxes, (2) simplify preparation of municipal sales and use tax returns by taxpayers, and (3) improve enforcement of the City's sales and use taxes.

(b) The City Council does, therefore, declare that this article be construed so as to accomplish the foregoing purposes.

§ 2. Definitions.

(a) Terms used in this article or in the administration, collection and enforcement of the taxes imposed by this article and not otherwise defined in this article shall have the meanings ascribed to them in articles nine, ten, fifteen, fifteen-a and fifteen b, chapter eleven of the Code of West Virginia, 1931, as amended.

(b) As used in this article:

(1) "Business" includes all activities engaged in or caused to be engaged in by any person with the object of gain or economic benefit, direct or indirect, and all activities of the state and its political subdivisions, which involve sales of tangible personal property or the rendering of services when those service activities compete with or may compete with the activities of other persons.

(2) "City" or "this City" means the City of Buckhannon, West Virginia.

(3) "Code of West Virginia" or "W. Va. Code" means the Code of West Virginia, 1931, as amended from time to time by the West Virginia Legislature.

(4) "Person" means any individual, partnership, association, corporation, limited liability company, limited liability partnership or any other legal entity, including this state or its political subdivisions or an agency of either, or the guardian, trustee, committee, executor or administrator of any person.

(5) "Purchase" means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, for a consideration;

(6) "Purchase price" means the measure subject to the taxes imposed by this article and has the same meaning as sales price;

(7) "Purchaser" means a person who purchases tangible personal property, custom software or a service taxed by this article.

(8) "Sale," "sales" or "selling" have the meaning ascribed to those terms in article fifteen-b, chapter eleven of the Code of West Virginia.

(9) "Sales and use taxes" means the taxes imposed by sections [3] and [4] of this article.

(10) “Sales price” has the meaning ascribed to that term in article fifteen-b, chapter eleven of the Code of West Virginia.

(11) “Sales tax” means the tax levied by section [3] of this article.

(12) “Service” or “selected service” have the meaning ascribed to those terms in article fifteen-b, chapter eleven of the Code of West Virginia.

(13) “State sales tax” means the tax levied by article fifteen, chapter eleven of the Code of West Virginia, as amended.

(14) “State use tax” means the tax levied by article fifteen-a, chapter eleven of the Code of West Virginia, as amended.

(15) “Tax” means the taxes imposed by this article and includes additions to tax, interest and penalties levied under article ten, chapter eleven of the Code of West Virginia, 1931, as amended.

(16) “Tax Commissioner” means the Chief Executive Office of the Tax Division of the Department of Revenue of this State, as provided in W. Va. Code § 11-1-1.

(17) “This state” means the State of West Virginia.

(18) “Ultimate consumer” or “consumer” means a person who uses or consumes services, tangible personal property or custom software.

(19) “Use” for purposes of the tax imposed by section [4] of this article means and includes:

a. The exercise by any person of any right or power over tangible personal property or custom software incident to the ownership, possession or enjoyment of the property, or by any transaction in which possession of or the exercise of any right or power over tangible personal property, custom software or the result of a taxable service is acquired for a consideration, including any lease, rental or conditional sale of tangible personal property or custom software; or

b. The use or enjoyment in this state of the result of a taxable service. As used in this definition, “enjoyment” includes a purchaser's right to direct the disposition of the property or the use of the taxable service, whether or not the purchaser has possession of the property.

The term “use” does not include the keeping, retaining or exercising any right or power over tangible personal property, custom software or the result of a taxable service for the purpose of subsequently transporting it outside the City for use thereafter solely outside this City.

(20) “Use tax” means the tax imposed by section [4] of this article.

(21) “Vendor” means any person engaged in this City in furnishing services taxed by this article or making sales of tangible personal property or custom software. “Vendor” and “seller” are used interchangeably in this article.

§ 3. Imposition of Municipal Sales and Service Tax.

For the privilege of selling tangible personal property or customer software and for the privilege of furnishing certain selected service, a vendor doing business in this City shall collect from the purchaser the taxes imposed by this section and pay the amount of taxes collected to the tax commissioner at the same time and in the same manner as the consumers sales and service tax imposed by article fifteen, chapter eleven of the Code of West Virginia, 1931, as amended, are paid to the tax commissioner. The rate of tax shall be one percent of the sales price, as defined in section two of this article of the tangible personal property, custom software or taxable service purchased or leased.

§ 4. Imposition of Municipal Use Tax.

An excise tax is hereby levied and imposed on the use in this city of tangible personal property, custom software and the results of taxable services, to be collected and paid to the tax commissioner as agent for the City in the same manner that state use tax is collected under article fifteen-a and article fifteen-b, chapter eleven of the Code of West Virginia, 1931, as amended, and remitted to the tax commissioner. The rate of tax shall be one percent of the purchase price, as defined in section two of this article, of the tangible personal property, custom software or taxable service used within the City.

§ 5. Calculation of Tax on Fractional Parts of Dollar.

The tax computation under section [3] and section [4] of this article shall be carried to the third decimal place and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period but the method used shall be the same as that used for purposes of computing the state sales or use tax.

§ 6. State and Local Tax Bases.

The taxable base of the taxes imposed by sections [3] and [4] of this article shall be identical to the sales and use tax base of this State except as provided in section [7] of this article, unless otherwise prohibited by federal law, as required by W. Va. Code § 11-15B-34.

§ 7. Exceptions.

The taxes imposed by this article do not apply to:

- (1) The sale or use of motor fuel, as defined in article fourteen-c, chapter eleven of the Code of West Virginia, 1931, as amended.
- (2) The sale or use of motor vehicles upon which the tax imposed by section three-c, article fifteen, chapter eleven of the Code of West Virginia, 1931, as amended, is paid.

(3) The purchase or use of any tangible personal property, custom software or service that the City is prohibited from taxing under the laws of this state or of the United States.

(4) The sales tax imposed by section [3] of this article does not apply to any transaction that is exempt from the tax imposed by article fifteen, chapter eleven of the Code of West Virginia. (5) The use tax imposed by section [4] of this article does not apply to any purchase upon which the sales tax imposed by section [3] has been paid.

§ 8. Credit Against Municipal Use Tax.

(a) A person is entitled to a credit against the use tax imposed by section [4] of this article on the use of a particular item of tangible personal property, custom software or results of a taxable service equal to the amount, if any, of sales tax lawfully paid to another municipality for the acquisition of that property, custom software or service: *Provided*, that the amount of credit allowed may not exceed the amount of use tax imposed by section [4] of this article on the use of the tangible personal property, custom software or results of the taxable service in this City.

(b) For purposes of this section:

(1) "Sales tax" includes a sales tax or compensating use tax imposed on the sale or use of tangible personal property, custom software or the results of a taxable service by the municipality in which the sale occurred; and

(2) "Municipality" includes municipalities of this state or of any other state of the United States.

(c) No credit is allowed under this section for payment of any sales or use taxes imposed by this State or any other state. For purposes of this paragraph, "state" includes the 50 states of the United States and the District of Columbia but does not include any of the several territories organized by Congress.

§ 9. Tax cumulative.

The taxes imposed by this article are in addition to other taxes imposed on the sale or use of tangible personal property, custom software or taxable services including, but not limited to, the State consumers sales and service tax imposed by article 15, chapter 11 of the W. Va. Code; the State use tax imposed by article 15A, chapter 11 of the W. Va. Code; the public utility tax imposed by this City pursuant to section 5a, article 8 of the W. Va. Code; the amusement tax imposed by this City pursuant to section 6, article 13, chapter 8 of the W.Va. Code; the tax on sales of alcoholic liquors and wine imposed by this City pursuant to section 6, article 13, chapter 8 of the W. Va. Code; the hotel occupancy tax imposed by this City pursuant to article 18, chapter 7 of the W. Va. Code; and the special district excise taxes imposed by a county pursuant to W. Va. Code § 7-22-1 *et seq.* or a municipality pursuant to W. Va. Code § 8-38-1 *et seq.*

§ 10. Local Rate and Boundary Data Base; Changes.

(a) The tax commissioner is required by W. Va. Code § 11-15B-35 to maintain a database for all jurisdictions levying a sales or use tax in this State. The City Recorder shall furnish the tax commissioner with information the tax commissioner requires for that database that will allow the tax commissioner to maintain a database that assigns each five-digit and nine-digit zip code within the City to the proper rate of tax. If any nine-digit zip code area includes area outside this City, the single state and local rate assigned to that area in the tax commissioner's database will be the lowest rate applicable to that area: *Provided*, that, when sales occur at and are sourced to a physical location of the seller located in the City in that nine-digit zip code area, the seller shall collect the tax imposed by section [3] of this article.

(b) Whenever boundaries of the City change, whether by annexation or de-annexation, the City Recorder shall promptly notify the tax commissioner in writing of the change in boundaries; provide the tax commissioner with the nine-digit zip code or codes for the area annexed or de-annexed; and any other information the tax commissioner may require to maintain the database. An ordinance annexing property into the City, or an ordinance removing property from the corporate limits of the City may not take effect any sooner than the first day of a calendar quarter that begins 60 days after the City provides written notice to the tax commission of a change in the municipal boundaries.

(c) The nine-digit database shall be maintained by the City until such time as the tax commissioner allows use of a different system to determine whether a location is within or outside the corporate limits of the City.

§ 11. State level administration.

(a) The tax commissioner is responsible for administering, collecting, and enforcing the taxes imposed by this article as provided in W. Va. Code § 8-13C-6 and § 11-15B-33. The city may enter into a written agreement with the tax commissioner that will allow employees of the City auditing a vendor whose primary business location is in the City for compliance with the City's business and occupation tax to also audit that business location for compliance with the sales and use tax laws of this State and this City and obligate the City to share that information with the tax commissioner.

(b) The tax commissioner may retain from collections of the taxes imposed by this article the fee allowed by W. Va. Code § 11-10-1 lc or by any other state law or legislative rule.

(c) The tax commissioner shall deposit all the proceeds from collection of the taxes imposed by this article, minus any fee for collecting, enforcing and administering taxes retained under this section, in the subaccount for this City established in "municipal sales and services tax and use tax fund," an interest bearing account created in the State treasury pursuant to W. Va. Code § 8-13C-7. All moneys collected and deposited in the subaccount for the City shall be remitted at least quarterly by the State Treasurer to the City Treasurer as provided W. Va. Code § 8-13C-7.

§ 12. Administrative procedures.

Each and every provision of the West Virginia Tax Procedure and Administration Act set forth in article ten, chapter eleven of the Code of West Virginia applies to the administration, collection and enforcement of the sales and use taxes imposed pursuant to this article, except as otherwise expressly provided in article thirteen-c, chapter eight of the Code of West Virginia, with like effect as if that act were applicable only to the taxes imposed by this article and were set forth *in extenso* in this article, as provided in W. Va. Code § 8-13C-6.

§ 13. Criminal Penalties.

Each and every provision of the West Virginia Tax Crimes and Penalties Act set forth in article nine, chapter eleven of the Code of West Virginia applies to the administration, collection and enforcement of the municipal sales and use taxes imposed pursuant to this article with like effect as if that act were applicable only to the taxes imposed pursuant to this article and were set forth *in extenso* in this article, as provided in W. Va. Code § 8-13C-6: *Provided*, that the criminal penalties imposed upon conviction for a criminal violation of this article may not exceed the maximum penalties allowed by law for a similar violation of the ordinances of this City.

§ 14. Automatic Updating.

Any amendments to articles nine, ten, fifteen, fifteen-a and fifteen-b, chapter eleven of the Code of West Virginia shall automatically apply to the municipal sales and use tax imposed pursuant to this article, to the extent they are applicable to the taxes imposed by this article.

§ 15. Deposit of Taxes Collected in Special Revenue Fund.

(a) There is hereby established a special revenue fund in the City Treasury which shall be designated and known as the City Sales and Use Tax Fund. The City Sales and Use Tax Fund shall consist of:

- (1) All revenues received from collection of the City's sales and use taxes, including any interest, additions to tax and penalties deposited with the City Treasurer;
- (2) All appropriations to the fund;
- (3) All interest earned from investment of the fund; and,
- (4) Any gifts, grants or contributions received and placed by the City into the City Sales and Use Tax Fund.

(b) Revenues in the City Sales and Use Tax Fund shall not be treated by any person to be a general revenue of the City. Revenues in the City Sales and Use Tax Fund shall be disbursed in the manner and consistent with the priorities set forth for in subsection (c) of this section.

(c) Revenues in the City Sales and Use Tax Fund shall be used:

(1) First, to satisfy the debt service requirements each fiscal year on any bonds issued by, or other obligations incurred by, the City, from time to time, allocated or tied to such dedicated revenue account including any refunding bonds, to finance City civic improvement projects, city-wide infrastructure and economic development projects, or for any economic development, recreational, or public safety projects, including the funding of any reserve funds relating to any such bonds or other obligations, or to make lease payments which secure bonds issued to finance improvements to such projects;

(2) Second, to pay for City civic improvement projects, city-wide infrastructure and economic development projects, or any economic development, recreational, or public safety projects on a pay-as-you-go basis; and

(3) Third, after providing for payment of first priority items, any unencumbered revenue in the City Sales and Use Tax Fund may periodically be transferred as necessary or convenient to the City's General Revenue Fund or Account.

§ 16. Issuance of Revenue Bonds.

The City shall have the power and authority to issue its revenue bonds or other obligations or refunding revenue bonds or other obligations, as appropriate, under and pursuant to Chapter 8, Article 16 or other appropriate provisions of the West Virginia Code as may be applicable from time to time (the "Bond Act") for the purposes of financing or refinancing costs of infrastructure improvements, economic development activities, and other lawful projects within the City. The City may pledge or otherwise utilize the collections of the municipal sales and use taxes imposed by this article and the funds on deposit from time to time in the City Sales and Use Tax Fund to satisfy the debt service requirements and any prior debt service requirements deficit each fiscal year on, and to fund or replenish any required reserves in accordance with the bond documents for, any bonds or other obligations issued by the City from time to time, including any refunding bonds, to finance or refinance infrastructure improvements or economic development activities and projects within the City, including the funding or replenishing of any reserve funds relating to any such bonds or other obligations, and/or to make lease payments which repay the debt service or otherwise secure bonds or other obligations issued to finance or refinance infrastructure improvements or economic development activities and projects within the City. The City may utilize the procedures established pursuant to the Bond Act in connection with the issuance of such bonds or other obligations and in connection therewith it is hereby clarified and directed that the municipal sales and use taxes imposed by this article shall not be considered to be taxation solely for the purposes of and as contemplated by Chapter 8, Article 16 of the West Virginia Code.

§ 17. Severability and Savings Clause.

If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable. The City Council declares that it would have adopted this article irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the article be enforced.

§ 18. Effective Date.

(a) This Article shall become effective thirty days following adoption of this Ordinance; however, the City Council hereby suspends imposition and collection of the municipal sales and use taxes imposed by this Article until July 1, 2019, or such later day as required by the legislative rule codified in W. Va. Code St. R. § 110-28-1 *et seq.*

§ 19. Notification of Tax Commissioner.

Upon adoption of this ordinance by City Council, the City Finance Director shall forthwith send to the tax commissioner a certified copy of this ordinance, the rate and the boundary database required by section [10] of this article, along with a description of the boundaries of the City, and such other information as the Tax Commissioner may need to administer, collect and enforce the taxes imposed by this Article.

ARTICLE II – MUNICIPAL RETAIL BUSINESS & OCCUPATION TAX

(a) The tax imposed by Article II of Ordinance No. 309 of the City of Buckhannon is hereby amended and reenacted as follows:

(A) With the effective date of this Ordinance, there is hereby levied upon and shall be collected, an annual privilege tax from every person, firm or corporation engaging in or continuing the business of the retail sale of goods within the corporate limits of the City of Buckhannon

(B) Every person, firm or corporation engaging in or continuing the business of the retail sale of good within the corporate limits of the City of Buckhannon shall be assessed with, and shall pay unto the City of Buckhannon, a business and occupation tax as follows:

(1) upon the first One Million Dollars (\$1,000,000.00) of annual adjusted gross income resulting from retail sales, no tax shall be paid, as the first One Million Dollars (\$1,000,000.00) of adjusted gross income from retail sales shall be exempt from the retail business and occupation tax established by this Ordinance; and,

(2) upon the annual adjusted gross income resulting from retail sales exceeding One Million Dollars (\$1,000,000.00), but not exceeding Ten Million Dollars (\$10,000,000.00), a tax amount of one-fifth (1/5) of one percent (0.0020), or twenty cents (\$0.20) per one hundred dollars of retail sales exceeding One Million Dollars (\$1,000,000.00) but not exceeding Ten Million Dollars (\$10,000,000.00); and,

(3) upon the annual adjusted gross income resulting from retail sales exceeding Ten Million Dollars (\$10,000,000.00), a tax amount of forty-five hundredths (45/100) of one percent (0.0045), or forty-five cents (\$0.45) per one hundred dollars of retail sales exceeding Ten Million Dollars (\$10,000,000.00).

(C) In any event when any person, firm or corporation engages in a combination of retail and wholesale business whose annual adjusted gross income from combined retail and wholesale

sales exceeds One Million Dollars (\$1,000,000.00), then such amount exceeding One Million Dollars shall be subject to the tax established by this ordinance, even in the event that the total retail adjusted gross income amount or total wholesale adjusted gross income amount is less than One Million Dollars (\$1,000,000.00). The amount of the tax to be paid shall be computed by prorating the retail and wholesale adjusted gross income amounts. By way of illustration, in the event that a person generates an adjusted gross income in retail sales of \$900,000, and further an adjusted gross income in wholesale sales of \$600,000, for a total adjusted gross income of \$1,500,000.00, the taxpayer would pay a business and occupation tax on the amount of \$500,000, with forty percent (40%) of the tax requiring the application of the wholesale factor of .10 percent or .0010, and 60% of the tax requiring the application of the retail factor of .20 percent or .0020. For businesses engaging in a combination of retail and wholesale business whose annual adjusted gross income exceeds Ten Million Dollars (\$10,000,000.00), the same proration method shall be applied in computing the business and occupation tax owed.

(b) No other provisions of the aforesaid Ordinance No. 309 are amended, repealed, or otherwise changed whatsoever by this Ordinance.

(c) This Article shall be effective on and after July 1, 2019, or such later day as the tax imposed under Article I of this Ordinance shall become enforceable.

ARTICLE III - EFFECTIVE DATE:

This Ordinance shall be deemed effective, subject to the individual effective dates of the Articles hereof, thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., January 30, 2019, and is further subject to approval, by the West Virginia Municipal Home Rule Board, of the Home Rule Plan Amendment under which this ordinance is adopted.

FIRST READING: December 20, 2018
SECOND READING, PASSAGE AND ADOPTION: December 27, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 433 was lawfully ordained and enacted by the Council of the City of Buckhannon at a special session of the said Council assembled on December 27, 2018.

Colin Reger, City Recorder