

MUNICIPAL HOME RULE
PROGRAM

City of South Charleston

2019
PROGRESS
REPORT

West Virginia
Municipal Home Rule Board
P. O. Box 11360
Charleston, WV 25339-1360
MunicipalHomeRule@wv.gov
304.558.3356

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

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

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

Annual Progress Reports must be submitted electronically as an individual file in PDF format no later than the close of business on the first business day of December, by emailing to WV Municipal Home Rule Board at MunicipalHomeRule@wv.gov.

A. General Information		
Name of Municipality: City of South Charleston		
Certifying Official: Frank A. Mullens, Jr.	Title: Mayor	
Contact Person: Frank A. Mullens, Jr. and W. Michael Moore	Title: Mayor Title: City Attorney	
Address: City Hall; 401-D Street; P.O. Box 8597 (Mayor) 317 Fifth Avenue (City Attorney)		
City, State, Zip: South Charleston, WV 25303		
Telephone Number: (304) 744-5300 (Mayor) (304) 414-2300 (City Attorney)	Fax Number: (304) 744-6587 (Mayor) (304) 414-4506 (City Attorney)	
E-Mail Address: scmayor@cityofsouthcharleston.com (Mayor) mmoore@moorebiserlaw.com (City Attorney)		
2010 Census Population: 13,450		
B. Municipal Classification		
<input type="checkbox"/> Class I <input checked="" type="checkbox"/> Class II <input type="checkbox"/> Class III <input type="checkbox"/> Class IV		
C. Attest		
I hereby confirm that I am the authorized official for this municipality and certify that the information submitted herein and attached hereto is true and accurate and that this report addresses each and every initiative included in the original Home Rule Pilot Program Plan Application for this municipality and any subsequent amendments, if applicable.		
Frank A. Mullens, Jr.		11/26/19
Type Name of Certifying Official	Signature of Certifying Official	Date

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

Initiative: Municipal Sales and Use Taxes (Issue 1. & 5.)
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input checked="" type="checkbox"/> ? The original 2014 plan called for up to a half percent sales and use tax. The first plan amendment in 2015 removes the half percent restriction.
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? Ordinance No. 2223 was approved on December 17, 2015.
If no, please describe challenges faced in enacting the related ordinance(s). None.
REVENUES – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance. Ordinance No. 2223 became effective on July 1, 2016. The ordinance had the effect of reducing the four percent B&O tax rate on water companies to three percent; reducing the three percent B&O tax rate on natural gas companies to two percent; reducing the four percent B&O tax rate on electric light companies to three percent; reducing the four percent B&O tax rate on power companies to three percent; eliminating the one half percent B&O tax rate on places of amusement; and establishing a one percent municipal sales and use tax. The City Treasurer tracks the City’s revenues. The municipal sales and use tax realized approximately \$4,474,148.89 in revenue from October 2017 through September 2018. As compared to the 2015 B&O rates for such period of time, revenues from B&O taxes for were reduced by approximately \$437,215.51. As such, the City realized a net revenue gain of approximately \$4,036,933.38 from October 2017 through September 2018. The City realized a net revenue gain of approximately \$4,281,025.51 from October 2018 through September 2019.
SUCSESSES – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. Ordinance No. 2223 became effective on July 1, 2016, and the City received its first municipal sales and use tax revenues in mid-October 2016 for July and August of 2016. Since that time, the City has received quarterly tax revenue disbursements. Such revenues have benefitted the employee health insurance trust fund and the pension funds for South Charleston’s fire fighters and police, permitted additional street paving and infrastructure improvements, debt service for a new fire station, and payoff of bond debt for the City’s ice arena four years early, and funded various economic development efforts, including the purchase of distressed properties within the City and paying interest on economic development bonds issued as bridge financing for the South Charleston TIF District.
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities. South Charleston worked closely with the WV State Tax Department to ensure that the City’s proposed tax ordinance and documentation required by the State met all requirements prior to their submission to the State. Other municipalities could likewise benefit from such close consultation with the WV State Tax Department.

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

Initiative: Immediate citations (Issue 2.)

Was this non-tax initiative a part of your original plan application or a plan amendment ?

Has the ordinance(s) needed to implement this initiative been enacted? Yes No

If yes, when was the ordinance enacted?

Ordinance No. 2212 was approved on March 19, 2015.

If no, please describe challenges faced in enacting the related ordinance(s).

None.

SUCSESSES – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance.

This initiative provides an important tool for the City to achieve City Code compliance from habitual violators of nuisance ordinances. In addition, the resulting ordinance encourages cooperation to resolve nuisances without the need to resort to enforcement actions, and it has resulted in improved compliance by the residents of the City.

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

None.

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Initiative: Property Transfers (Issue 3.)
Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? Ordinance No. 2211 was approved on March 19, 2015.
If no, please describe challenges faced in enacting the related ordinance(s). None.
SUCSESSES – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance. This initiative permits the transfer of City property without the need for public auction under certain circumstances. This initiative is a valuable tool for the City to further its economic development goals. It has permitted the transfer of property after public notice to ensure its most efficient use for the benefit of the City and its residents.
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this initiative that would benefit other municipalities. None.

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Initiative: Variances and special permits (Issue 4.)
Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, when was the ordinance enacted? N/A
If no, please describe challenges faced in enacting the related ordinance(s). The City is working on a long-term project to update its City Code on zoning and planning, which will affect variances and special permits as well. State law provides certain limitations as to ordinances that are enacted pursuant to the Municipal Home Rule Pilot Program, and modifications of a municipality's zoning and planning code are subject to various statutory requirements. Because the City has yet to adopt a comprehensive City Code update on planning and zoning, it cannot yet determine how best to integrate its home rule ordinance related to variances and special permits into City Code. Once the City's zoning and planning code is updated, the City plans to make use of this Home Rule initiative.
SUCSESSES – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance. N/A
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this initiative that would benefit other municipalities. N/A

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Initiative: Sunday Brunch (Issue 6.)
Category of Issues Addressed (check all that apply) Was this non-tax initiative a part of your original plan application <input type="checkbox"/> or a plan amendment <input checked="" type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? Ordinance No. 2231 was approved on August 4, 2016.
If no, please describe challenges faced in enacting the related ordinance(s). None.
SUCSESSES – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance. South Charleston restaurants that serve beer and wine have embraced the opportunity to serve such beverages beginning at 10:00 a.m. or when they open for business on Sundays, whichever is later.
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities. None.