MUNICIPAL HOME RULE PILOT PROGRAM

City of Elkins

2017 **PROGRESS REPORT**

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

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

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

Annual Progress Reports must be submitted electronically as an individual file in PDF format no later than the close of business on December 1, 2017, by emailing Courtney Shamblin at courtney.d.shamblin@wv.gov, West Virginia Department of Revenue, West Virginia Home Rule Pilot Program, State Capitol Complex, Building 1, Room W-300, Charleston, West Virginia 25305, 304-558-3356.

A. General Information			
Name of Municipality: Elkins			
Certifying Official: Jessica Sutton	Title: City Clerk		
Contact Person: Jessica Sutton	Title: City Clerk		
Address: 401 Davis Avenue			
City, State, Zip: Elkins, WV 26241			
Telephone Number: 304-636-1414 ext. 1211 Fax Number: 304-635-7973			
E-Mail Address: jsutton@cityofelkinswv.com			
2010 Census Population: 7,094			
B. Municipal Classification			
☐ Class I ☐ Class II X Class III	☐ Class IV		
C. Pilot Program Entry Phase	* **: u(\$) es nes		
☐ Phase I (2007 Legislation) ☐ Phase II (202	14 Legislation) X Phase III (2015 Legislation)		
D. 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.			
Jessica Sutton	a R Suta Nov. 30, 2017		
Type Name of Certifying Official Signature	of Certifying Official Date		

Initiative: "On the spot" citations		
Category of Issues Addressed (check all that apply)		
☐ Organization		
Was this non-tax initiative a part of your original plan application ${\bf X}$ or a plan amendment \square ?		
Has the ordinance(s) needed to implement this initiative been enacted?		
If yes, when was the ordinance enacted? July 21, 2016		
If no, please describe challenges faced in enacting the related ordinance(s)		
SUCCESSES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.		
through the implementation of this initiative and any metrics used to track performance. The authority provided to our Code Enforcement Officer by this initiative has provided a three-fold benefit to the City. First, the officer has the ability to directly confront unsanitary, unsightly and potentially dangerous issues with immediate effect. Second, the citizens of Elkins have renewed confidence that the City is interested in and addressing problems that they see often and feel are important. Third and final is the relief that is provided to our police department through the transference of responsibility to code enforcement, in appropriate instances, for what they may consider low priority calls. Within the first four months of implementation our Code Enforcement Officer issued sixteen citations. Twelve of these were abated and four were issued and paid fines. In the twelve months since our last report, the number of citations has dropped significantly. What may be imbibed from these statistics is that the ability of the Code Enforcement Officer to quickly address what are typically very public issues, has prompted immediate redress in most cases an ultimately improving the quality of neighborhoods and neighbors throughout the city. In response to our lessons learned (see below), the Public Safety Committee identified a need for more internal and external education regarding the responsibility of addressing common nuisance code violations. The Clerk prepared a document for distribution detailing the most commonly occurring violations and who (police, fire or code enforcement) is responsible for responding, in order to address any confusion.		
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.		
More public education would have been helpful during and immediately after implementation so that citizens could have a better understanding of the process, the authority granted and more importantly, the limitations on what the code enforcement officer is able to do. In many cases, high visibility issues include a combination of code enforcement and public safety issues, which take coordination and time to resolve.		

Initiative: Registration and Maintenance of Foreclosed Properties
Category of Issues Addressed (check all that apply)
☐ Organization
Was this non-tax initiative a part of your original plan application X or a plan amendment□?
Has the ordinance(s) needed to implement this initiative been enacted? X Yes □ No
If yes, when was the ordinance enacted? July 16, 2016
If no, please describe challenges faced in enacting the related ordinance(s)
SUCCESSES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.
The successful expansion of the City's Vacant Structures Registration Program to include lenders and trustees who are in the process of foreclosing is a significant tool in the struggle to abate the blight of dilapidated properties around town. The process of foreclosure can be lengthy and imposes no requirements for property maintenance throughout, allowing what are typically already neglected properties to continue to negatively affect communities for significant amounts of time. Within the last twelve months, the Building Inspector/Code Enforcement Officer has registered significantly more properties held by a lender or trustee than the year prior. This has proven to be a valuable tool for the City.
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.
The problem still exists that even though the City has the authority to require a lender or trustee who is in the process of foreclosing on a property to register as the owner, identifying who the foreclosing entity is can be difficult. Once ownership is identified, contact and compliance improve in a majority of cases.

Initiative: Public Nuisance Liens
Category of Issues Addressed (check all that apply)
☐ Organization
Was this non-tax initiative a part of your original plan application X or a plan amendment□?
Has the ordinance(s) needed to implement this initiative been enacted? ☐ Yes X No
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s)
The City of Elkins is still pursuing the best way to implement this authority.
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.
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.

Initiative: Satisfaction of Demolition Liens			
Category of Issues Addressed (check all that apply)			
☐ Organization			
Was this non-tax initiative a part of your original plan application X or a plan amendment□?			
Has the ordinance(s) needed to implement this initiative been enacted?			
If yes, when was the ordinance enacted?			
If no, please describe challenges faced in enacting the related ordinance(s)			
The City of Elkins is still pursuing the best way to implement this authority. The City is also aware that legislation may be introduced during the 2018 session to address this particular concern and is interested to see what may come of this prior to imposing a municipal law.			
SUCCESSES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.			
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.			

Initiative: Transfer or Lease of City Property to Private and Non-profit Entities			
Category of Issues Addressed (check all that apply)			
☐ Organization			
Was this non-tax initiative a part of your original plan application X or a plan amendment□?			
Has the ordinance(s) needed to implement this initiative been enacted? X Yes No			
If yes, when was the ordinance enacted? March 2, 2017			
If no, please describe challenges faced in enacting the related ordinance(s)			
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized			
through the implementation of this initiative and any metrics used to track performance.			
The City has not yet had the opportunity to exercise this authority.			
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.			
We suffered no negative effects from the adoption of this initiative and as stated above, have not yet had the opportunity to test the process.			

Initiative: Part-time Police Officers		
Category of Issues Addressed (check all that apply)		
□Organization □ Administration X Personnel □ Other		
Was this non-tax initiative a part of your original plan application X or a plan amendment□?		
Has the ordinance(s) needed to implement this initiative been enacted? X Yes ☐ No		
If yes, when was the ordinance enacted? April 7, 2016		
If no, please describe challenges faced in enacting the related ordinance(s)		
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.		
Since the adoption of our Ordinance allowing the hiring of part-time police officers for longer than three months, the City has utilized this ability twice. In the first instance, an officer who has been hired on and off since 2010, but previously limited in the time he can serve, can stay on as needed with the department, while maintaining other employment in the area. His familiarity with department procedures and personnel allows for a smooth transition on and off the schedule as needed. The ability to hire this officer for longer than three months, grants the department flexibility in his use and time to make other long term adjustments without sacrificing the integrity of the police force. The second example is of an officer who began his part time employment on October 31, 2016. Effective January 20, 2017 a full-time officer retired and allowed the part-time officer to be considered for and eventually hired into the full-time position. Without the ability to keep the part-time officer employed beyond three months, the police department would have suffered the loss of two officers at once and likely have remained under staffed for several months. The City currently employees three officers who are active military. Outside of weekend and sometimes		
week long duty requirements, they may be called up for deployment at any time. The ability to keep or hire part-time officers, helps significantly during these times of loss.		
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.		
We suffered no negative effects from the adoption of this initiative. The public and the police department were both in favor of and have responded positively to the City's adoption of this policy.		

Initiative: Raising Ma	ximum Age for Joining Civil Servi	ce Police Departmen	ts
Category of Issues Add	dressed (check all that apply)		
☐ Organization	□ Administration	X Personnel	☐ Other
Was this non-tax initia	ative a part of your original plan a	pplication X or	a plan amendment□?
Has the ordinance(s)	needed to implement this initiativ	ve been enacted?	X Yes □ No
If yes, when was the o	ordinance enacted? January 7, 20	16	
If no, please describe	challenges faced in enacting the r	related ordinance(s)	
	space below, please provide a ntation of this initiative and any n	_	
(40), the City still sees for two reasons. First, Commission and the cone. Secondly, the Cit in the hiring of new of for applicants, has addithe last year. For both is why the City still be	is initiative. While no applicants, value in the authority to hire other in June 2017, Elkins City Council, Chief of Police, raised the minimy remains in direct competition of ficers. The Sheriff's Department, ministered civil service testing at least reasons, the pool of pote lieves that the increased maximus	erwise qualified office with the endorsemen um age of applicants with the Randolph Co who also observes a least the same numbe ential applicants is red m age limit is benefic	ers up to age forty-five (45 of the Police Civil Service from eighteen to twenty unty Sheriff's Departmen maximum age of forty-five or of times as the City ove duced even further. Which ial.
	n the space below, please provion of this revenue initiative that w		
_	ative effects from the adoption h in favor of and have responded		

Initiative: Party Membership Requirements for Election Boards and Civil Service Commissions			
Category of Issues Addressed (check all that apply)			
X Organization ☐ Administration ☐ Personnel ☐ Other			
Was this non-tax initiative a part of your original plan application X or a plan amendment□?			
Has the ordinance(s) needed to implement this initiative been enacted? X Yes □ No			
If yes, when was the ordinance enacted? March 2, 2017			
If no, please describe challenges faced in enacting the related ordinance(s)			
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.			
The City simultaneously passed four separate ordinances to exercise the authority granted by the Board. These included, exemption from party affiliation for 1) police civil service commission members; 2) fire civil service commission members; 3) building commission members; and 4) ballot commissioners and poll workers.			
As the city election was held on March 7, 2017, it was too late for this new rule to be applied to the ballot commissioners or poll workers. However, the City has had the opportunity to appoint three members to the Elkins Building Commission and one member to the Elkins Police Civil Service Commission without the burden of having to consider the volunteers party affiliation.			
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.			
We suffered no negative effects from the adoption of this initiative. The City, as well as other nominating organizations, appreciate being able to focus on the overall suitability of a candidate instead of the persons political party affiliation, particularly given the low interest in serving in any of these roles.			

Initiative: Business License Categories and Fees		
Category of Issues Addressed (check all that apply)		
☐ Organization		
Was this non-tax initiative a part of your original plan application X or a plan amendment□?		
Has the ordinance(s) needed to implement this initiative been enacted? X Yes □ No		
If yes, when was the ordinance enacted? June 16, 2016		
If no, please describe challenges faced in enacting the related ordinance(s)		
SUCCESSES – In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.		
The consolidation of categories of business license fees was not a significant change as all categories were previously charged the same amount, regardless of being identified separately. However, what the initiative did provide is consistency and efficiency for both business owners and the Treasurer's department. In addition, the City was able to both raise the fee and institute a penalty for late payment universally. The ability to affect changes across the board has provided an ease to doing business that did not exist before.		
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.		
The Ordinance to implement this changed was not approved on final reading until June 16, 2016, only a few weeks prior to the start of the fiscal year. This created a delay in the ability of the treasurer's department to issue license renewal forms and inform business owners of the change in the fee and the new penalty structure.		

Initiative: Distance between WVABCA License Holders and Churches			
Category of Issues Addressed (check all that apply)			
☐ Organization		☐ Other	
Was this non-tax initiative a part of your original plan application X or	a plan	$amendment \square$?	
Has the ordinance(s) needed to implement this initiative been enacted?	☐ Yes	X No	
If yes, when was the ordinance enacted?			
If no, please describe challenges faced in enacting the related ordinance(s)			
The City of Elkins is still pursuing the best way to implement this authority.			
SUCCESSES — In the space below, please provide a brief narrative highly through the implementation of this initiative and any metrics used to track	-		
LESSONS LEARNED – In the space below, please provide a brief narrative h during implementation of this revenue initiative that would benefit other m	-	-	
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Initiative: "Brunch Bill"		1		
Category of Issues Addressed (check all	hat apply)			
☐ Organization X Adminis	tration	☐ Personnel	☐ Other	
Was this non-tax initiative a part of your	original plan applica	ation 🗆 or	a plan amendment X?	
Has the ordinance(s) needed to impleme	ent this initiative bee	en enacted?	X Yes □ No	
If yes, when was the ordinance enacted	September 7, 2017			
If no, please describe challenges faced in	enacting the relate	d ordinance(s)		
SUCCESSES — In the space below, pleathrough the implementation of this initial				
through the implementation of this initiative and any metrics used to track performance. It is difficult to measure the success of this initiative given that the impact is more directly felt by private businesses. However, I conducted a cursory telephone survey of known businesses holding a "Class A" license and that are open on Sundays. Owners and managers reported that so far there has been only a slight increase in their alcohol sales and in their overall business on Sundays since the passage of the "Brunch Bill". However, several businesses also reported that they have not used the new law as a marketing tool and therefore consumers may be unaware. In addition, while the City does collect both retail business and occupational taxes and a liquor tax, not enough time has passed since implementation to observe any measurable difference in collections that may be related to increased alcohol sales.				
LESSONS LEARNED — In the space below during implementation of this revenue i				
We suffered no negative effects from the offering on-site alcohol consumption we adoption of this policy.	-			

Initiative: Allocation of Funds for City Marketing and Tourism
Category of Issues Addressed (check all that apply)
X Organization ☐ Administration ☐ Personnel ☐ Other
Was this non-tax initiative a part of your original plan application □ or a plan amendment X ?
Has the ordinance(s) needed to implement this initiative been enacted?
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s)
The City was granted this authority just four months ago and has not yet had time to consider its implementation.
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.
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.
during implementation of this revenue initiative that would benefit other municipalities.

Initiative: Intergovernmental Agreements
Category of Issues Addressed (check all that apply)
X Organization ☐ Administration ☐ Personnel ☐ Other
Was this non-tax initiative a part of your original plan application □ or a plan amendment X?
Has the ordinance(s) needed to implement this initiative been enacted?
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s)
The City was granted this authority just four months ago and has not yet had time to consider its implementation.
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.
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.

Initiative: Municipal Court Technology and Maintenance Fee
Category of Issues Addressed (check all that apply)
X Organization ☐ Administration ☐ Personnel ☐ Other
Was this non-tax initiative a part of your original plan application □ or a plan amendment X ?
Has the ordinance(s) needed to implement this initiative been enacted? X Yes □ No
If yes, when was the ordinance enacted? September 21, 2017
If no, please describe challenges faced in enacting the related ordinance(s)
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance. Given the short amount of time since the fee was implemented and considering the time allowed and taken by most for payment of municipal court fines, the receipts to date have only been sixteen dollars. However, simultaneous with the final reading and adoption of the ordinance implementing the new fee, City Council also approved the purchase of new municipal court software at a cost of twenty-five
thousand dollars. While the fee will likely never generate enough revenue to cover this expense entirely, any amount will be helpful in offsetting the burden to the general fund.
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.
We suffered no negative effects from the adoption of this initiative.

Initiative: Community E	nhancement Districts		
Category of Issues Addre	ssed (check all that apply)		
☐ Organization	X Administration	☐ Personnel	□ Other
Was this non-tax initiativ	e a part of your original plan a	pplication or	a plan amendment X?
Has the ordinance(s) nee	ded to implement this initiativ	e been enacted?	Yes X No
If yes, when was the ordi	nance enacted?		
If no, please describe cha	llenges faced in enacting the r	elated ordinance(s)	
The City was granted th implementation.	is authority just four months	ago and has not yet h	nad time to consider its
la contraction of the contractio	ice below, please provide a lition of this initiative and any m		-
	he space below, please provid f this revenue initiative that w		

Initiative: Reducing the Number of Eligibles from Certified List of Police Civil Service Commission
Category of Issues Addressed (check all that apply)
X Organization ☐ Administration ☐ Personnel ☐ Other
Was this non-tax initiative a part of your original plan application □ or a plan amendment X ?
Has the ordinance(s) needed to implement this initiative been enacted?
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s)
The City was granted this authority just four months ago and has not yet had time to consider its implementation.
SUCCESSES — In the space below, please provide a brief narrative highlighting successes realized through the implementation of this initiative and any metrics used to track performance.
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.

Initiative: Municipal Sales Tax		
Was this tax initiative a part of your original plan application □ or a plan amendment X ?		
Has the ordinance(s) needed to implement this initiative been enacted?		
If yes, when was the ordinance enacted?		
If no, please describe challenges faced in enacting the related ordinance(s)		
The City has passed by majority the proposed ordinance on two of the required three readings to date. The third reading is scheduled for December 7, 2017. If approved, the City intends to implement the tax effective July 1, 2018.		
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.		
SUCCESSES – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.		
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.		