MUNICIPAL HOME RULE PILOT PROGRAM

City of Elkins

2018 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 3, 2018, 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: City of Elkins	
Certifying Official: Jessica Sutton	Title: City Clerk
Contact Person: Jessica Sutton	Title: City Clerk
Address: 401 Davis Ave.	
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	
☐ Phase I (2007 Legislation) ☐ Phase II (20	14 Legislation) X Phase III (2015 Legislation)
D. Attest	
submitted herein and attached hereto is true and	or this municipality and certify that the information accurate and that this report addresses each and Pilot Program Plan Application for this municipality
	Nov. 29, 2018
Type Name of Certifying Official Signature	of Certifying Official Date

Initiative: "On the spot" citations	
Category of Issues Addressed (check all that apply)	
☐ Organization	er
Was this non-tax initiative a part of your original plan application X or a plan amend	ment□?
Has the ordinance(s) needed to implement this initiative been enacted? X Yes	ס
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 successe through the implementation of this initiative and any metrics used to track performance.	s realized
The authority provided to our Code Enforcement Officer by this initiative has provided a benefit to the City. First, the officer has the ability to directly confront unsanitary, unsipotentially dangerous issues with immediate effect. Second, the citizens of Elkins have confidence that the City is interested in and addressing problems that they see often an important. Third and final is the relief that is provided to our police department the transference of responsibility to code enforcement, in appropriate instances, for what consider low priority calls. Within the first four months of implementation our Code Enforcement Officer issued sixteen Twelve of these were abated and four were issued and paid fines. In 2017 the number of dropped significantly and in 2018 only six citations have been issued. What may be imbibed for statistics is that the ability of the Code Enforcement Officer to quickly address what are typically public issues, has prompted immediate redress in most cases an ultimately improving the neighborhoods and neighbors throughout the city. In response to our lessons learned (see below), actions have been taken over the last eighted to better educate the public, including a document for distribution detailing the most occurring violations and who (police, fire or code enforcement) is responsible for responding to address any confusion, as well as multiple articles published in print and electronically.	ightly and renewed d feel are rough the they may citations. f citations rom these ically very quality of en months commonly
LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessor during implementation of this revenue initiative that would benefit other municipalities.	is learned
More public education would have been helpful during and immediately after implementation citizens could have a better understanding of the process, the authority granted and more im the limitations on what the code enforcement officer is able to do. In many cases, high visible include a combination of code enforcement and public safety issues, which take coordination to resolve.	portantly, ility issues

Initiative: Registration a	nd Maintenance of Forec	losed Properties	
Category of Issues Addres	ssed (check all that apply)	F	
☐ Organization	X Administration	☐ Personnel	☐ Other
Was this non-tax initiative	e a part of your original pl	an application X or	a plan amendment□?
Has the ordinance(s) need	ded to implement this init	tiative been enacted?	X Yes □ No
If yes, when was the ordi	nance enacted? July 16, 2	016	li li
If no, please describe cha	llenges faced in enacting f	the related ordinance(s)	
through the implementat			ghting successes realized erformance.
trustees who are in the production dilapidated properties as requirements for properties to continue to implementation of this asseveral properties held be This has proven to be a variable.	round town. The process ty maintenance througho o negatively affect comm authority the Building In y a lender or trustee and	s of foreclosure can be out, allowing what are ty nunities for significant am spector/Code Enforceme	lengthy and imposes no pically already neglected nounts of time. Since the not Officer has registered
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		s .	
LESSONS LEARNED – In th during implementation of			
	this revenue initiative the at even though the City hosing on a property to reg	at would benefit other mu has the authority to requir gister as the owner, identi	unicipalities. e a lender or trustee who fying who the foreclosing
during implementation of The problem still exists th is in the process of foreck entity is can be difficult. O	this revenue initiative the at even though the City hosing on a property to reg	at would benefit other mu has the authority to requir gister as the owner, identi	unicipalities. e a lender or trustee who fying who the foreclosing

Initiative: Public Nuisand	ce Liens			
Category of Issues Addres	ssed (check all that apply)			
☐ Organization	X Administration	☐ Personnel		☐ Other
Was this non-tax initiative	e a part of your original plan a	application X or	a plan	amendment□?
Has the ordinance(s) nee	ded to implement this initiati	ve been enacted?	☐ Yes	X No
If yes, when was the ordi	nance enacted?			
If no, please describe cha	llenges faced in enacting the	related ordinance(s)	2.	
The City of Elkins is still poby the Rules and Ordinan	ursuing the best way to imple ces Committee.	ment this authority.	It is curre	ntly under review
	ce below, please provide a ion of this initiative and any r	_	-	
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	ne space below, please provion f this revenue initiative that w			

Initiative: Satisfaction of I				
Category of Issues Address	ed (check all that apply)			
□ Organization	X Administration	☐ Personnel		☐ Other
Was this non-tax initiative	a part of your original plar	application X or	a plan	amendment□?
Has the ordinance(s) need	ed to implement this initia	tive been enacted?	☐ Yes	X No
If yes, when was the ordina	ance enacted?			
If no, please describe chall	enges faced in enacting the	e related ordinance(s)		
The City of Elkins is still pur by the Rules and Ordinance		lement this authority.	It is currer	ntly under review
SUCCESSES — In the space through the implementation				
	c			
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LESSONS LEARNED – In the during implementation of t				

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 \mathbf{X} or a plan amendment \square ?
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.
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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)
☐ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □
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
If yes, when was the ordinance enacted? April 7, 2016
If no, please describe challenges faced in enacting the related ordinance(s)
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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 to serving only three months consecutively, can now 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. 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. In addition to weekend and 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 Maximum Age for Joining Civil Service Police Departments
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? January 7, 2016
If no, please describe challenges faced in enacting the related ordinance(s)
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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 administered civil service testing for probationary police officers three times since the implementation of this initiative. While no applicants, on either occasion, were over the age of forty (40), the City still sees value in the authority to hire otherwise qualified officers up to age forty-five (45) for two reasons. First, in June 2017, Elkins City Council, with the endorsement of the Police Civil Service Commission and the Chief of Police, raised the minimum age of applicants from eighteen to twenty-one. Secondly, the City remains in direct competition with the WV State Police, the Randolph County Sheriff's Department and neighboring municipalities in the hiring of new officers. The Sheriff's Department, who also observes a maximum age of forty-five for applicants, has administered civil service testing as many times, or more, as the City over the last year. For both of these reasons, the pool of potential applicants is reduced even further. Which is why the City still believes that the increased maximum age limit is beneficial.
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: 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
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.
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 having to consider party affiliation. In addition, the municipal election on March 5, 2019 requires the appointment of twenty-five to thirty individuals, which will be significantly less burdensome with the removal of the party requirements.
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 a persons political party affiliation, particularly given the low interest in serving.

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 already 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.
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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
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 Planning Commission is nearly finished drafting a new city-wide zoning ordinance for recommendation to City Council. The consideration of implementing this authority will be postponed until after adoption in order to best determine need and application.
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: "Brunch Bill"
Category of Issues Addressed (check all that apply)
☐ Organization
Was this non-tax initiative a part of your original plan application \Box or a plan amendment X ?
Has the ordinance(s) needed to implement this initiative been enacted? X Yes \Boxed No
If yes, when was the ordinance enacted? September 7, 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.
It is difficult to measure the success of this initiative given that the impact is more directly felt by private businesses. However, I am aware that some businesses holding a "Class A" license that were either normally open on Sundays have adapted their operating hours and businesses now intentionally open on Sundays for specific events (sporting events or private parties). In addition, individuals and organizations within the City frequently host special events during which alcohol is served and now have the flexibility of time on the weekend to do so.
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 business owners offering on-site alcohol consumption were both in favor of and have responded positively to the City's adoption of this policy.
It is difficult to measure the success of this initiative given that the impact is more directly felt by private businesses. However, I am aware that some businesses holding a "Class A" license that were either normally open on Sundays have adapted their operating hours and businesses now intentionally open on Sundays for specific events (sporting events or private parties). In addition, individuals and organizations within the City frequently host special events during which alcohol is served and now have the flexibility of time on the weekend to do so. 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 business owners offering on-site alcohol consumption were both in favor of and have responded positively to the City's

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 \Box or a plan amendment X ?
Has the ordinance(s) needed to implement this initiative been enacted? \Box Yes $f X$ No
If yes, when was the ordinance enacted?
If no, please describe challenges faced in enacting the related ordinance(s)
The City is currently reviewing a draft ordinance for recommendation to council.
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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.
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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: 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? X Yes
If yes, when was the ordinance enacted? February 1, 2018
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 utilized this ability once since implementation earlier this year. The ease and speed of issuing agreements is of great benefit to the City, while still meeting the level of necessary approval and transparency.
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: 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 \square 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.
The receipts to date have been less than two hundred and fifty dollar. 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 Enhancement Districts
Category of Issues Addressed (check all that apply)
☐ Organization
Was this non-tax initiative a part of your original plan application \square 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 had multiple discussions on possible projects which may benefit from the use of this tool. However, to date, none have reached the point of implementation. Given that Class III cities are now eligible to authorize TIF's without county commission approval may also impact the necessity of this tool as well.
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.
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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: 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? X Yes No
If yes, when was the ordinance enacted? February 1, 2018
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 conducted civil service testing for probationary police officers once since the adoption of this authority. We were lucky to have five candidates appear on the final list of eligibles. To date, two of these candidates have been hired and one has been removed. This leaves two remaining eligible candidates. Should a position open in the police department within the next thirty-three months, the City may hire one of these candidates immediately and avoid the delay and cost of having to administer a new civil service test.
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: Municipal Sales Tax
Was this tax initiative a part of your original plan application \square or a plan amendment \mathbf{X} ?
Has the ordinance(s) needed to implement this initiative been enacted? \mathbf{X} Yes \square No
If yes, when was the ordinance enacted? July 1, 2018
If no, please describe challenges faced in enacting the related ordinance(s)
REVENUES — In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.
The city has received one disbursement since the implementation of the municipal sales and use tax in the amount of \$184,833.12. In exchange for the implementation of this new tax, the City eliminated the manufacturing category of the B&O Tax, which was projected to yield \$64,208.45 in FY19. The current net gain to the City therefore is \$120,624.67.
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.
On September 6, 2018 Elkins City Council adopted a five year strategic plan setting the vision and priorities for the City. The plan will be used to direct the spending of the additional revenues. The initial disbursement was not designated for a specific project, but will contribute to several current and ongoing projects including renovations to City Hall; the implementation of a new Classification and Compensation plan for all City employees; and the addition of new staff positions.
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.
Although underfunded areas of the City budget were identified and multiple public forums were provided to collect input, the City received negative press regarding the lack of specific assignment of the anticipated revenues. The lesson learned is to both engage the press sooner in a positive way and possibly to specify more exactly where the additional revenues will be spent.