

MUNICIPAL HOME RULE
PROGRAM

City/Town of Smithers

2022
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 Smithers		
Certifying Official: D. Anne Cavalier, Ed.D.	Title: Mayor	
Contact Person: Teresa Dorsey	Title: City Clerk	
Address: 2 Greyhound Lane, P.O. Box 489		
City, State, Zip: Smithers, West Virginia 25186		
Telephone Number: (304) 442-5282	Fax Number:	
E-Mail Address: tdorsey@smitherswv.gov		
2010 Census Population:		
B. Municipal Classification		
<input type="checkbox"/> Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input checked="" 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.		
		<u>12/7/2022</u>
Type Name of Certifying Official	Signature of Certifying Official	Date

Please use this page to report progress on each **non-tax related initiative** included in your Home Rule Application and Amendment(s). Each non-tax related initiative must be listed on a separate page.

<p>Initiative: After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10th (first reading: July 13, 2020) to allow identifying eyesores and dilapidated buildings.</p>
<p>Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/>?</p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 8/10/2022</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p>SUCCESES – 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.</p> <p>The City of Smithers now maintains and updates monthly an inventory of dilapidated buildings; vacant dilapidated buildings; and properties that are not in compliance with relevant city ordinances. The Smithers Building Commission, the City Attorney, and city employees who enforce related ordinances meet monthly with the Mayor to discuss and determine legal and effective ways forward to address problem properties. This year the City worked with a private property owner to vacate and demolish a dilapidated and dangerous apartment building that was attracting rodents and vagrants. The City worked with the State of WV and its REAP Pilot program to identify, secure \$224,000 grant funding, and is in the process of securing asbestos testing and demolition contractors to legally and safely remove additional dilapidated structures. The City has successfully secured grant and earmark funding to build a community river front park on land previously covered by dilapidated 1920 school and gymnasium destroyed by the 2016 heavy rains/floods. In addition, the City secured grant funding and local match to purchase and rehabilitate a long-vacant and dilapidated storefront with plans to attract a new business.</p>
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>The City now has two properties its is renovating for the purpose of attracting new businesses. These rehabilitations would be further along, but disastrous flooding occurred on 8/15/2022 (FEMA DR-4679WV) and recovery has been adversely impacted City progress. These properties have been vacant, dangerous eyesores for the last 15 years. Because of the City’s authority to work with the private sector in a meaningful way, the City of Smithers has been able to engage the private sector such that two additional long-term vacant properties were donated to the City and are included in the REAP Pilot program. The private sector is beginning to realize the advantages of renovating/repurposing these long-vacant, dilapidated structures. These actions and opportunities would not have occurred without this Home Rule authority.</p>

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<p>Initiative: After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10th (first reading: July 13, 2020) to disposal of property without auction</p>
<p>Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/>?</p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 8/10/2022</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p>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.</p> <p>The City has not yet been in a position to dispose of property without auction, however, there are plans in the near future where the ability and authority to do this will work in favor of the residents, businesses, and the City.</p>
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>When the city consistently works toward a cleaner, safer, and more attractive city and enforces ordinances uniformly, when it works to allocate funds to implement programs (such as identifying and removing dilapidated structures or disposing of property without auction), and when the residents and property owners begin seeing real progress, then they help by cleaning and repairing their properties, thus adding to the overall improvement of the city.</p>

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<p>Initiative: After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10th (first reading: July 13, 2020) to intergovernmental agreements</p>
<p>Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/>?</p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 8/10/2022</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p>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.</p> <p>The cities of Smithers and Montgomery are working closely together, by benefit of initiating this initiative, to share services and/or the costs of services, to provide more and/or better services at better managed costs. Such examples include sanitary services where previously both cities had a full-time Sanitary technician. Through Intergovernmental agreement, both cities together now have one, fulltime sanitary technician and utilize savings to provide other services to residents.</p>
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>Intergovernmental services have allowed the City of Smithers to provide better and additional services through cooperation. This has shown the leadership of both cities that we can continue to look for ways to better utilize resources by working together.</p>

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

<p>Initiative: After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10, 2020 (first Reading July 13, 2020) to allow 1% Sales Tax.</p>	
<p>Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/></p>	
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>If yes, when was the ordinance enacted?</p>	
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>	
<p>REVENUES – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.</p> <p>The City of Smithers reduced Manufacturing and Retail Business and Occupational taxes in exchange for the 1% Sales tax. At this time the city has only received one disbursement from the 1% Sales Tax. Comparing the gain of the 1% Sales and reducing the Business and Occupational tax, the city continues to experience a loss. The City suspects this is due to underreporting of the 1% collected by businesses or that it is not being collected. The City requested from the WV Tax Department, Tax Accounting Administration Division in 2021 a list of the businesses which have submitted the 1% Sales Tax. The City is once again asking the State for this information so the City can get an accurate accounting of the 1% Sales Tax impact.</p>	
<p>SUCCESSSES – 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.</p> <p>The City is in the process of completing sidewalk and ADA compliant curb cuts and is planning to improve streets, signage, safety, business environment, and residential services. There has been tremendous and positive response from businesses, residents, and visitors to both removal of dilapidated, vacant structures, and improvement to city streets, signage, and lighting.</p>	
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>It would be helpful if the city knew which businesses were implementing the 1% Sales Tax. As of this date, however, the city has no documentation supporting which businesses and which businesses have not. Please see Revenues Section above.</p>	

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<p>Initiative: After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10, 2020 (first Reading July 13, 2020) to allow reduction of the Business and Occupation Tax.</p>	
<p>Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/></p>	
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>If yes, when was the ordinance enacted?</p>	
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>	
<p>REVENUES – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.</p> <p>The City of Smithers reduced Manufacturing and Retail Business and Occupational tax in exchange to receive the 1% Sales tax. It is still early in this category to determine an accurate effect the change has made.</p>	
<p>SUCCESSSES – 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.</p> <p>The 1% did not go into effect until July 1, 2021, therefore it is still early to determine any success at this time.</p>	
<p>LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>The 1% did not go into effect until July 1, 2021, therefore it is still early to determine any success at this time. The City suspects there are additional revenues that might be collected if the City could receive information on which businesses are actually collecting and submitting the 1%.</p>	