

WEST VIRGINIA MUNICIPAL HOME RULE BOARD

MEETING MINUTES

FRIDAY, MAY 24, 2013

A meeting of the West Virginia Municipal Home Rule Board was held at 10:00 a.m. on Friday, May 24, 2013, at the City Hall in Clarksburg, West Virginia.

The following members were present:

Joshua Jarrell (designee for Development Office Executive Director Keith Burdette)
Brian Jones, Member
Floyd (Kin) McKinley Sayre III, Member
Patsy Trecost II (designee for the Honorable Earl Ray Tomblin)

The following members were absent:

Chris Fletcher, Member
Jim Morgan, Member
Herb Snyder, Member

Others present:

Toni Cekada, Exponent Telegram
Lisa Dooley, West Virginia Municipal League
Susan Economou, City of Charleston (teleconference)
Paul Ellis, City of Charleston (teleconference)
Robert Herron, City of Wheeling
Ian Hicks, Wheeling Intelligencer
Martin G. Howe, City of Clarksburg
Erin MacPherson, WDTV
Andrew McKenzie, City of Wheeling
Carrie McKenzie, City of Wheeling
Lindsey Watson, WDTV
Steve Williams, City of Huntington

The meeting was called to order by Chair Trecost. It was reported that notice of the meeting was lawfully given, a quorum was present, and the meeting was convened.

A motion was made by Kin Sayre to approve the minutes of the Friday, April 19, 2013, meeting. The motion was seconded by Brian Jones and unanimously approved.

Chair's Report

It was reported by the chairman that the City of Charleston will eliminate the business and occupation tax on manufacturing within city limits effective January 1. He noted also that the Charleston City Council approved a 0.5 percent tax on retail sales in the city – merchants will start charging the tax on October 1.

Old Business

No old business was discussed.

New Business

City of Huntington Mayor Steve Williams presented an amendment to their original home rule plan striking the occupation tax, which was repealed by the Huntington City Council, and proposing on spot citation capability for exterior sanitation and common nuisances related to property located within the city such as drainage, sides walks in disrepair, high weeds/grass, graffiti, exterior garbage, junk storage, structural integrity, etc. Mayor Williams affirmed that the court may waive the citation, if the nuisance is resolved within ten days of the received date. If not resolved, the court may impose a fine of \$100 for the first citation, \$200 for the second citation, \$300 for the third citation, and \$500 for each citation thereafter. The intention is to “clean-up the neighborhoods.”

Member Kin Sayre advised the City of Huntington that official notification is required from the city's legal counsel certifying the proposed amendment is not contrary to the constitutions of the United States or West Virginia and meets requirements of the Home Rule Pilot Program. Mayor Williams arranged for the certification to be furnished to the members by end of day.

Therefore, a motion was made by Kin Sayre approving the amendment proposed by the City of Huntington contingent upon receipt of legal counsel's certification that amendments comply with the requirements under the home rule legislative statute. The motion was seconded by Brian Jones and unanimously carried.

Next, City of Wheeling officials (Mayor Andy McKenzie and City Manager Robert Herron) briefly reviewed their home rule amendment permitting the ability to impose a consumer sales tax in the amount of 0.5 percent. They confirmed that the bonded net gains would be used mostly for the rehabilitation of the Wesbanco Arena and development of nearby city owned properties, as well as bridge repair/replacement, street resurfacing, sidewalks, playground equipment, retaining walls, etc. on a “pay-as-you-go project plan.” Like the

City of Charleston, the B&O reductions would likely start January 1, 2014, as revenue from the sales tax begins after July 1, 2013.

A motion was made by Kin Sayre to accept the City of Wheeling's proposed amendment. The motion was seconded by Joshua Jarrell and unanimously carried.

Lisa Dooley delivered updated procedural rules, application guidelines and checklist. Members agreed to provide their comments concerning the documents to Ms. Dooley by August 1. The goal is to furnish this information to the municipalities no later than January 1, 2014. Members deferred other programmatic decisions till their next meeting.

Adjournment

Members agreed that the next regularly scheduled meeting would be held mid-August via teleconference. With no further business, a motion was made by Brian Jones to adjourn the meeting. The motion was seconded and the meeting was adjourned at 11:45 a.m.