

MUNICIPAL HOME RULE
PILOT PROGRAM

City of Nitro, WV

2015
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, 2015 by emailing Debbie Browning at debbie.a.browning@wv.gov, West Virginia Development Office, West Virginia Home Rule Pilot Program, State Capitol Complex, Building 6, Room 553, Charleston, West Virginia 25305-0311, 304-558-2234.

A. General Information		
Name of Municipality: Nitro, West Virginia		
Certifying Official: Dave Casebolt	Title: Mayor	
Contact Person: John Montgomery	Title: Member, City Council	
Address: 214 Brookhaven Drive		
City, State, Zip: Nitro, WV 25143		
Telephone Number: 304-776-6458	Fax Number: N/A	
E-Mail Address: montysmob@frontier.com		
2010 Census Population: 7,178		
B. Municipal Classification		
<input type="checkbox"/> Class I	<input type="checkbox"/> Class II	<input checked="" type="checkbox"/> Class III
<input type="checkbox"/> Class IV		
C. Pilot Program Entry Phase		
<input type="checkbox"/> Phase I (2007 Legislation)	<input checked="" type="checkbox"/> Phase II (2014 Legislation)	<input type="checkbox"/> 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.		
Dave Casebolt		11/30/2015
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. Each non-tax related initiative must have a separate page.

<p>Initiative: The City obtained authority to enact an ordinance that:</p> <p>(1) creates an automatic lien that attaches to all real property immediately upon the imposition of all Nitro municipal fees respecting such property;</p> <p>(2) authorizes Nitro to foreclose on said property, under applicable West Virginia law respecting foreclosure procedures, without the requirement of going to circuit court;</p> <p>(3) requires closing agents, attorneys and others, to contact the City of Nitro prior to closing any real estate transaction involving real property within the City and that all such delinquent fees imposed on said property be paid in full from/at closing; and</p> <p>(4) requires the transferee of real property located within the City to record the deed to the property with the clerk of the County in which the property is located, and that the deed be recorded within 12 months of the date the transfer occurs.</p>
<p>Category of Issues Addressed (check all that apply)</p> <p><input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other</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? June 16, 2015</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 highlighting successes realized through the implementation of this initiative and any metrics used to track performance.</p> <p>Municipal Service Fee collections have increased. However, the City attorney is in the process of drafting the notice to be sent to all closing agents, attorneys, and others who will be involved in closing transactions.</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 is not able to move forward as rapidly as it would like, but it nevertheless is moving forward.</p>

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<p>Initiative: The City obtained authority to adopt a city administrative procedures act pursuant to which it would be able to promulgate administrative regulations covering all aspects of the collection of its B & O tax, municipal service fee, business license tax and other taxes, fees and programs administered by the City.</p>			
<p>Category of Issues Addressed (check all that apply)</p> <p><input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other</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 type="checkbox"/> Yes <input checked="" 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>The City is in the process of drafting the ordinance. The problems are substantial in that the ordinance will need to include appropriate procedural references to other ordinances and Department policies, hearing procedures applicable to all revenue-raising activities, hearing procedures relevant to property maintenance activities, and hearing procedures relevant to planning and zoning actions. This is time-consuming but will be accomplished.</p>			
<p>SUCSESSES – 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.</p> <p>There is no success to report on this issue because success will not be measureable until the ordinance is completed.</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>As noted above, the City cannot measure success until the ordinance is completed. The lesson learned to this point is that it takes time to complete preparation for moving forward.</p>			

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: The City obtained authority to enact an ordinance providing for municipal oversight of the expenditure of public funds by all public, quasi-public and non-profit organizations affiliated with and located within the City.
Category of Issues Addressed (check all that apply) <input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other
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?
If no, please describe challenges faced in enacting the related ordinance(s) The necessary ordinance has not yet been drafted. The proposed ordinance is being planned but the planning has not moved beyond that stage.
SUCSESSES – 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. There can be no success until the necessary ordinance is completed.
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. Additional time is necessary before lessons may be learned.

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: The City obtained authority to reduce speed limits on State highways going through the City, upon the basis of an engineering and traffic investigation, and to have such reductions become effective upon the effective date of an appropriate ordinance			
Category of Issues Addressed (check all that apply)			
<input type="checkbox"/> Organization	<input checked="" type="checkbox"/> Administration	<input type="checkbox"/> Personnel	<input type="checkbox"/> Other
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? June 16, 2015			
If no, please describe challenges faced in enacting the related ordinance(s)			
<p>SUCSESSES – 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.</p> <p>While the City Council has enacted an ordinance authorizing reduction of the speed limits in certain areas, the actual speed limits have not yet been reduced. The City has received considerable negative public comments relating to change of the proposed speed limits. However, a positive aspect is apparent in that it does appear that more attention to the legal speed limits is being paid by vehicle operators.</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 lesson to be learned is to not get too far ahead of the public when trying to accomplish certain actions.</p>			

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: The City obtained authority to enact an ordinance to establish the procedure for selling City owned property valued at less than \$10,000 without going through the auction process.
Category of Issues Addressed (check all that apply) <input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other
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? June 16, 2015
If no, please describe challenges faced in enacting the related ordinance(s)
SUCSESSES – 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 is currently going through the first sale activity. No actual problems are foreseen.
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. No problems are foreseen; however, the City administration remains watchful.

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.

<p>Initiative: The City obtained authority to enact an ordinance that imposes a 1% municipal consumers sales and service tax and a 1% municipal use tax that would be administered, collected and enforced by the State Tax Commissioner.</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? January 6, 2015</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>In October, 2015, the City received the first check for municipal sales tax revenues for the months of July and August, 2015 in the amount of \$242,000. If this amount is an indication of the amount to be received on an annual basis (\$1,452,000), it will then be evident the City under estimated the sales tax revenue to be received.</p> <p>The City reduced by 50% the municipal B&O tax rate on the following classifications: Banking, Amusements, Manufacturing and Wholesale Sales. The City calculated that this will result in an annual reduction of \$50,956 in the municipal B&O tax revenues.</p> <p>If the foregoing calculations are correct, it appears the City will have a net revenue gain approximating \$1,401,000.</p>
<p>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.</p> <p>The City Council has authorized the expenditure of sales tax revenues on the following activities: payment into fire and police pension funds; approved additional asphalt paving; approved additional concrete road repairs; acquired equipment to assist the City in street maintenance; purchase new windows for City Hall; commenced street storm water drain repairs; made vehicle payments; and saved funds to be used for demolishing dilapidated structures. This is the start of a 10-15 year City improvement program.</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 lesson learned during implementation of this initiative is that patience is necessary because not all activities may be immediately accomplished.</p>