

MUNICIPAL HOME RULE PROGRAM

City of Martinsburg

2024
PROGRESS
REPORT

WV Municipal Home Rule Board
1900 Kanawha Blvd. E
Bldg. 1, Ste. W-300
Charleston, WV 25305
MunicipalHomeRule@wv.gov
304.558.3356

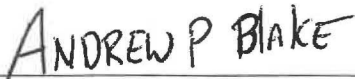


Rev. 08.01.24

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 Martinsburg		
Certifying Official: Andrew P. Blake	Title: City Manager	
Contact Person: Andrew P. Blake	Title: City Manager	
Address: 232 N. Queen Street		
City, State, Zip: Martinsburg, WV 25401		
Telephone Number: 304-264-2131 ext. 277	Fax Number: 304-264-2137	
E-Mail Address: ablake@cityofmartinsburg.org		
2020 Census Population: 18,781		
B. Municipal Classification		
<input type="checkbox"/> Class I <input checked="" type="checkbox"/> Class II <input type="checkbox"/> Class III <input 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.		
		
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.

#1. Initiative: Authority to immediately issue citations for external sanitation violations and common nuisances. **ORDINANCE NO. 2014-20**

Was this non-tax initiative a part of your original plan application ☒ or a plan amendment ☐?

Has the ordinance(s) needed to implement this initiative been enacted? ☒ Yes ☐ No

If yes, when was the ordinance enacted? **December 18, 2014**

If no, please describe challenges faced in enacting the related ordinance(s).

N/A

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.

See attached information.

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.

See attached information.

#1. INITIATIVE: Grant of Authority to Martinsburg City Code Enforcement Officials to immediately issue Citations for External Sanitation Violations and Common Nuisances

Since the enactment of Ordinance 2014-20 effective December 18, 2014, the City of Martinsburg took actions to inform the public about the City's authority to issue citations for exterior sanitation violations and common nuisances. Flyers were provided to the public, identifying common violations. News articles appeared in the local newspaper, specifically addressing the City's ability for citations. After legal training of code enforcement personnel and internal coordination with the City departments and Municipal Court staff was satisfactorily completed the citation program began July 1, 2015.

CODE ENFORCEMENT CITATION PROGRAM – 11/30/23- 11/20/24

<u>CODE ENFORCEMENT TYPE</u>		
<u>TOTAL CASES</u>		
	1155	
Citations Issued	1154	98.3%
Notice of Violation	1	3.71%
<u>COMPLIANCE</u>		
Compliance after Citation	1091	71.7%
Compliance after Notice of Violation	1	31.7%
<u>APPEALS</u>		
Appeals Heard	0	
Dismissed Citations	3	
Court Cases	63	
<u>CITATIONS PAID</u>		
Citations Paid (#)	38	13.3%
Citations Paid (\$)	\$5,500	
This does not count what was paid through Municipal Court		

SUCSESSES

Martinsburg is now able to utilize citations as another means of code enforcement to abate exterior sanitation violations and common nuisances and enables the City to legally go onto properties to abate violations. Warnings and citations were able to address violations in a shorter period of time than standard Notices of Violation (NOV). The citation process has withstood legal challenges presented in Municipal Court.

LESSONS LEARNED

Fewer total cases per month.

More citations have become compliant before fee was due. This demonstrates the public has started to address violations before citations are due.

Percentage of people paying fines has drastically improved.

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.

#2. Initiative: Authority to file liens on real property for costs incurred in abating exterior sanitation and common nuisance violations. ORDINANCE NO. 2014-21

Was this non-tax initiative a part of your original plan application ☒ or a plan amendment ☐?

Has the ordinance(s) needed to implement this initiative been enacted? ☒ Yes ☐ No

If yes, when was the ordinance enacted? **December 18, 2014**

If no, please describe challenges faced in enacting the related ordinance(s).

N/A

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.

See attached information.

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.

See attached information.

#2. INITIATIVE: Authority to file liens on real property for costs incurred in abating exterior Sanitation and common nuisance violations.

Since the enactment of Ordinance 2014-21 effective December 18, 2014, the City of Martinsburg took actions as authorized to abate exterior sanitation and common nuisance violations.

LIENS FILED – 11/30/22 – 11/20/23

LIENS

Liens Prepared	0
Liens Recorded	1

COSTS & REIMBURSEMENTS

Total Value of Liens	\$ 0
Number of Liens Paid Off	0
Value of Liens Paid Off	\$ 0

SUCCESES

Martinsburg is now able to directly file liens when a property owner fails to timely reimburse the City for abating exterior sanitation violations and common nuisances that were not corrected by the property owner. This process is easier to follow and complete during periods of high code enforcement activity and can largely be done by current City staff with minimal assistance from legal counsel.

LESSONS LEARNED

The City of Martinsburg will be able to abate eligible violations and bill the property owner for costs incurred. As a result of this, there are more liens to record and monitor. This should result in an increase in the number of liens paid off, which will reduce the City's unpaid burden for correcting eligible violations.

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.

#3. Initiative: Disposition of City property without auction.	ORDINANCE NO. 2014-22
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? December 18, 2014	
If no, please describe challenges faced in enacting the related ordinance(s). N/A	
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. The City has not utilized this Initiative, to date. This initiative will be utilized when economic development opportunities are presented to the City or initiated by the City for the betterment of our community.	
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. N/A	

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.

#4. Initiative: Entry into contracts with other jurisdictions by resolution. ORDINANCE NO. 2014-23

Was this non-tax initiative a part of your original plan application ☒ or a plan amendment ☐?

Has the ordinance(s) needed to implement this initiative been enacted? ☒ Yes ☐ No

If yes, when was the ordinance enacted? **December 18, 2014**

If no, please describe challenges faced in enacting the related ordinance(s).

N/A

SUCCESESSES – 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.

The City presently has contracts / agreements with other state and local jurisdictions by ordinance.

In 2024 the City approved the following Resolutions to enter into contracts with other Governmental Agencies:

Resolution 2024-04 authorizing an intragovernmental agreement between the City of Martinsburg and Berkeley County Commission to govern the distribution of Salary Enhancement and Crisis Response Grant funds

Resolution 2024-05 authorizing the Memorandum of Understanding by and between the City of Martinsburg, the Federal Bureau of Investigation, the Drug Enforcement Administration, the West Virginia State Police, the Martinsburg City Police, the Ranson City Police, the Charles Town City Police, the Berkeley County Sheriff's Department, and the Jefferson County Sheriff's Department for the creation of a multi-jurisdictional authority to be known as the Eastern Panhandle Drug and Violent Crimes Task Force, through June 30, 2026

Resolution 2024-19 approving intergovernmental agreement between the City of Martinsburg, Berkeley County Commission and EastRidge Mental Health Systems to open and operate a sobering facility (\$200,000 Morrow Fund) within Martinsburg

Resolution 2024-22 providing for the adoption, approval, and implementation of an intergovernmental memorandum of understanding between the City of Martinsburg and the Berkeley County Board of Education, Burke Street Elementary School

Resolution 2024-25 authorizing agreement by and between the City of Martinsburg and the Berkeley County Board of Education regarding the provision of a school-based law enforcement officer for Martinsburg High School--\$60,000

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.

N/A

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.

#5. Initiative: Issuance of liens for delinquent City fees.	ORDINANCE NO. 2014-24
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? December 18, 2014	
If no, please describe challenges faced in enacting the related ordinance(s). N/A	
SUCCESSSES – 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. The City of Martinsburg has implemented new procedures for issuing liens for delinquent City fees. These new procedures have proven to be more cost effective and have reduced the timeline for obtaining liens.	
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. N/A	

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.

#6. Initiative: Implement a Municipal Sales Tax	ORDINANCE NO. 2014-25																				
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"/>																					
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? December 18, 2014																					
If no, please describe challenges faced in enacting the related ordinance(s). N/A																					
<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> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Sales Tax (July, 2023 – June, 2024)</td> <td style="width: 50%; text-align: right;">\$7,096,235</td> </tr> <tr> <td style="padding-left: 20px;">Less B&O Tax Reduction</td> <td style="text-align: right;"><u>- (455,600)</u></td> </tr> <tr> <td>NET REVENUE GAIN</td> <td style="text-align: right;">\$6,640,635</td> </tr> </table> <p>EXPENDITURES: (July, 2023 – June, 2024)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Public Works Facility Project Funding</td> <td style="width: 50%; text-align: right;">\$1,208,136</td> </tr> <tr> <td>City Hall Renovation Project Funding</td> <td style="text-align: right;">\$3,941,355</td> </tr> <tr> <td>General Fund O&M – Budgeted</td> <td style="text-align: right;">\$4,000,000</td> </tr> <tr> <td colspan="2">(Lost B&O Taxes, Staffing needs, Economic Development Department, Stormwater Department, Human Resource Department, New Police/Municipal Court Facility O & M, etc.)</td> </tr> <tr> <td>Health Insurance Trust (OPEB) Funding</td> <td style="text-align: right;">\$ 200,000</td> </tr> <tr> <td>Retirement Funding (Police/Fire Pension)</td> <td style="text-align: right;"><u>\$ 500,000</u></td> </tr> <tr> <td>TOTAL EXPENDITURES</td> <td style="text-align: right;">\$9,849,491</td> </tr> </table>		Sales Tax (July, 2023 – June, 2024)	\$7,096,235	Less B&O Tax Reduction	<u>- (455,600)</u>	NET REVENUE GAIN	\$6,640,635	Public Works Facility Project Funding	\$1,208,136	City Hall Renovation Project Funding	\$3,941,355	General Fund O&M – Budgeted	\$4,000,000	(Lost B&O Taxes, Staffing needs, Economic Development Department, Stormwater Department, Human Resource Department, New Police/Municipal Court Facility O & M, etc.)		Health Insurance Trust (OPEB) Funding	\$ 200,000	Retirement Funding (Police/Fire Pension)	<u>\$ 500,000</u>	TOTAL EXPENDITURES	\$9,849,491
Sales Tax (July, 2023 – June, 2024)	\$7,096,235																				
Less B&O Tax Reduction	<u>- (455,600)</u>																				
NET REVENUE GAIN	\$6,640,635																				
Public Works Facility Project Funding	\$1,208,136																				
City Hall Renovation Project Funding	\$3,941,355																				
General Fund O&M – Budgeted	\$4,000,000																				
(Lost B&O Taxes, Staffing needs, Economic Development Department, Stormwater Department, Human Resource Department, New Police/Municipal Court Facility O & M, etc.)																					
Health Insurance Trust (OPEB) Funding	\$ 200,000																				
Retirement Funding (Police/Fire Pension)	<u>\$ 500,000</u>																				
TOTAL EXPENDITURES	\$9,849,491																				
<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>Presently, Sales Tax Revenue is being placed in a Special Revenue Fund (Sales Tax Fund). Use of these funds have been programmed by City Council for capital improvements, operating budget, City services, debt reduction, etc.</p> <p>Police/Municipal Court Facility Project Funding – Total Project Cost - \$13.5M (Completed)</p> <p>Police/Municipal Court Facility Parking Lot Project Funding – Total Project Cost - \$500,000 (Completed)</p> <p>City Hall Renovation Project Funding – Total Project Cost - \$10.0M (Estimated Completion – Oct. 2024)</p> <p>Public Works Facility Project Funding – Total Project Cost - \$5.0M (Estimated Completion – Dec. 2024)</p> <p>The City was able to reduce B&O Tax (Retail 10%; Wholesale – 10% and eliminate Amusement Tax).</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>N/A</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.

#7. Initiative: Reduce B&O Taxes	ORDINANCE NO. 2014-26						
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"/>							
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? December 18, 2014							
If no, please describe challenges faced in enacting the related ordinance(s). N/A							
<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>B&O Tax Reductions (July, 2023 – June, 2024)</p> <table> <tr> <td>Retail</td> <td>\$407,880</td> </tr> <tr> <td>Wholesale</td> <td>\$ 30,720</td> </tr> <tr> <td>Amusement</td> <td><u>\$ 17,000</u> (Estimate)</td> </tr> </table> <p>TOTAL REDUCTION \$455,600</p>		Retail	\$407,880	Wholesale	\$ 30,720	Amusement	<u>\$ 17,000</u> (Estimate)
Retail	\$407,880						
Wholesale	\$ 30,720						
Amusement	<u>\$ 17,000</u> (Estimate)						
<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>Presently, Sales Tax Revenue is being placed in a Special Revenue Fund (Sales Tax Fund. Use of these funds have been programmed by City Council for capital improvements, operating budget, City services, debt reduction, etc.</p> <p>Police/Municipal Court Facility Project Funding – Total Project Cost - \$13.5M (Completed)</p> <p>Police/Municipal Court Facility Parking Lot Project Funding – Total Project Cost - \$500,000 (Completed)</p> <p>City Hall Renovation Project Funding – Total Project Cost - \$10.0M (Estimated Completion – October 2024)</p> <p>Public Works Facility Project Funding – Total Project Cost - \$5.0M (Estimated Completion – December 2024)</p> <p>The City was able to reduce B&O Tax (Retail 10%; Wholesale – 10% and eliminate Amusement Tax).</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>N/A</p>							