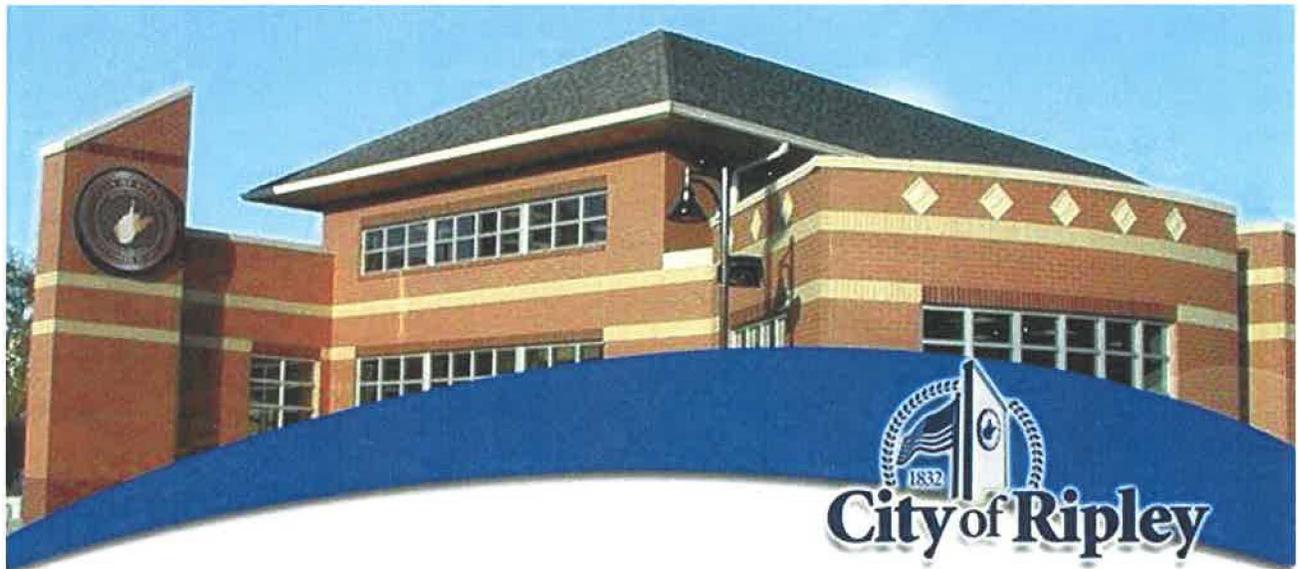


# City of Ripley Municipal Home Rule Application



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**Made Available to the Public: May 1, 2019**

**Public Hearing: June 4, 2019**

**First Reading Ordinance: June 4, 2019**

**Second Reading and Public Hearing: June 18, 2019**

**Submitted to the WV Municipal Home Rule Board: June 19, 2019**

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**Municipal Home Rule Pilot Program  
APPLICATION CHECKLIST**

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<b>Pg. 4</b>	Municipal Classification
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<b>Pg. 6-13</b>	Specific state laws, policies, acts, resolutions, rules or regulations that are preventing the municipality to carry out duties in the most cost effective, efficient, and timely manner.
<b>Pg. 6-13</b>	Specific problem(s) created by the laws, policies, acts, resolutions, rules or regulations.
<b>Pg. 6-13</b>	Proposed solution(s) to the perceived problem(s), including all proposed changes to law, policies, acts, resolutions, rules or regulations. Categorize and include: 1) Proposed solution(s) in one of the five areas (tax/administrative/organization/personnel/other) 2) If revenue related, estimate(s) for proposed solution(s) and how the fiscal impact was determined. Example: Estimated reduction of administrative time and costs = X. Please attach the worksheet or formula used to determine "X" amount.

<b>SECTION III: AFFIDAVITS-See Attachments</b>	
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## Municipal Home Rule APPLICATION

<b>SECTION I: APPLICANT INFORMATION</b>	
<b>A. General Information</b>	
Name of Municipality: City of Ripley	
Certifying Official: Carolyn Rader	Title: Mayor
Contact Person: Carolyn Rader	Title: Mayor
Address: 203 S. Church Street	
City, State, Zip: Ripley, WV 25271	
Telephone Number: 304-372-3482	Fax Number: 304-372-6693
E-Mail Address: mayorrader@cityofripley.org	
2010 Census Population: 3,252	
<b>B. Municipal Classification</b>	
<input type="checkbox"/> Class 1 <input type="checkbox"/> Class II <input checked="" type="checkbox"/> Class III <input type="checkbox"/> Class IV	
<b>C. Category of Issues to be Addressed (please attach descriptions for applicable categories)</b>	
<input checked="" type="checkbox"/> Tax <input type="checkbox"/> Organization <input checked="" type="checkbox"/> Administration <input type="checkbox"/> Personnel <input type="checkbox"/> Other	

<b>SECTION II: NARRATIVE (written plan, including the following)</b>
<p>Specific state laws, policies, acts, resolutions, rules or regulations that are preventing the municipality to carry out duties in the most cost effective, efficient, and timely manner.</p> <p>Specific problem(s) created by the laws, policies, acts, resolutions, rules or regulations.</p> <p>Proposed solution(s) to the perceived problem(s), including all proposed changes to law, policies, acts, resolutions, rules or regulations. Categorize and include:</p> <ol style="list-style-type: none"> <li>1) Proposed solution(s) in one of the five areas (tax/administrative/organization/personnel/other)</li> <li>2) If revenue related, estimate(s) for proposed solution(s) and how the fiscal impact was determined. Example: Estimated reduction of administrative time and costs = X. Please attach the worksheet or formula used to determine "X" amount.</li> </ol>

<b>SECTION III: AFFIDAVITS</b>
Hearing Mandate Verification Publication Mandate Verification Ordinance Authorizing Submission of Plan Fiscal Impact Worksheets/Formulas (if revenue related) Feasibility Study (if taxes are proposed) Attorney Opinion (application complies with statutory requirements) State of West Virginia Fees Statement (none outstanding)

## **EXECUTIVE SUMMARY**

Ripley is a progressive city, located in the beautiful foothills of the Ohio River valley. Ripley enjoys the linkage to the junction of the two major road systems, Interstate 77 N/S and US Route 33 E/W. Ripley serves as the county seat for Jackson County and has always been the regional heart of activity and is home to America's largest small town Fourth of July celebration.

The City of Ripley is facing many of the problems other cities across West Virginia are battling. Declining and stagnant revenues associated with the loss of manufacturing jobs, the need for capital investment and infrastructure improvements, and a continued decrease in business retention. These issues are pervasive and require a multi-faceted strategy. This plan advocates such a plan of action.

In many cases, the City of Ripley is restricted by State laws that prevent the City from making changes that can deal effectively with the impact from these challenges. The City of Ripley believes that the solutions identified in this proposed Home Rule Plan would allow the City to improve services and the quality of life for residents and visitors, maintain public property at a proactive level, and address issues specific to Ripley.

Ripley is proposing the imposition of a municipal sales tax of up to 1% with B&O tax reductions and the elimination of three different City fees: This power would enable Ripley to place a tax of up to 1% of sales within city boundaries, with groceries and gas being exempted. Ripley would reduce manufacturing and amusement B&O taxes to 0% and would eliminate the collection of street, police and fire fees, saving residents a total of \$7 off their monthly bill. Ripley's current B&O retail tax rate is .3%, well below the State maximum of .5%. This plan will provide relief to most Ripley residents who are retirees on fixed incomes and offset the loss of revenue with municipal sales tax collections.

This plan centers on:

1. Nuisance Properties and Abatement Solutions
2. Economic and Community Development and Tax Incentives

The City of Ripley is committed to providing the best service possible for residents. New home rule powers would enable the City to create more and fair revenue streams that support the growth of business, provide enhanced City services, promote cleaner neighborhoods, and allow for greater recreational opportunities.

We have outlined the following four ordinance proposals with our plan:

- Proposal #1 - Property Nuisance - "On the Spot" citations
- Proposal #2 - Property Nuisance - Property Registration on Foreclosure Properties
- Proposal #3 - Property Nuisance - Shorten Time on Uninhabitable Properties
- Proposal #4 - Impose a 1% Sales and Use Tax and Reduction of B&O Tax

**Specific Problems and Solutions to be addressed by The City of Ripley’s Home Rule Plan:**

**1. Grant of authority to City of Ripley Code Enforcement Officials to immediately issue citations for external sanitation violations and common nuisances (“on-the-spot”) citations. (Administrative)**

**Specific Legal Barrier**

§8-12-16, Ordinances regulating the repair, closing, demolition, etc., of dwellings or buildings unfit for human habitation; procedures.

(i) All orders issued by the enforcement agency shall be served in accordance with the law of this state concerning the service of process in civil actions, and, be posted in a conspicuous place on the premises affected by the complaint or order: Provided, that no ordinance may be adopted without providing for the right to apply to the circuit court for a temporary injunction restraining the enforcement agency pending final disposition of the cause.

**Specific Problem Caused by Barrier**

Building and zoning inspectors are enforcement agents, and thus must go through the onerous process under Code Section 8-12-16 of posting public notice 10 days prior (warnings) and then applying for and receiving approval from the municipal courts before a citation is issued. This process is inefficient, costly, and leads to an extended delay between the identification of a public nuisance (sanitation issues, garbage buildup, graffiti, un-maintained lawns, unsafe or broken sidewalks) and compliance from the property owner.

Presently, City code enforcement officials are unable to issue citations "on the spot" for external sanitation violations and common nuisances, but rather are required to send preliminary notices and provide an opportunity to respond. This requires additional manpower and the lack of immediate citation power results in decreased compliance by property owners.

**Authority**

W.Va. Code §8-12-16 allows municipalities to adopt ordinances regulating the repair, closing, demolition, etc. of dwellings or buildings unfit for human habitation. Additionally, municipalities may adopt ordinances requiring the owner of any such dwelling or building to pay for the costs of repairs, alterations, improvements, demolition, etc. The municipality then may file a lien against the real property for the costs incurred by the municipality, and file a civil action for such costs and reasonable attorneys' fees. Additionally, W.Va. Code §8-12-5(23) vests municipalities with the authority to, by ordinance or resolution, provide for the elimination of hazards to public health and safety and abate or cause to be abated anything which a majority of the governing body finds to be a public nuisance, but does not provide authority for granting citation powers to code enforcement officials.

**Proposed Solution**

The City will enact an ordinance providing its code enforcement officers the authority to issue "on the spot" citations for certain violations. This citation power will extend to sanitation, drainage, sidewalks in disrepair, high weeds, grass, or both, graffiti, exterior garbage accumulation, open storage in residential districts, and vehicles without proper registration. These citations may be issued to the owner, lessee, sublessee, tenant, occupant, or agent or

manager thereof, presently having control over the property in question, and an opportunity to respond will be afforded to the cited party by contesting the citation in municipal court.

Numerous cities have been approved through the West Virginia Home Rule Program to allow "on-the-spot" citations to its code enforcement officers and reports faster compliance with external sanitation violations and common nuisances. Approval of this application proposal is of utmost importance to the city to enhance our ability to clean up Ripley.

**2. Authority under the property registration procedures of Section 8-12-16a to allow the City of Ripley to require lenders/trustees to register foreclosed properties at the beginning of the foreclosure process, to retain a property maintenance company, to maintain the property, and to provide contact information for the maintenance company to the municipality at registration (Administrative).**

**Specific legal Barrier**

§8-12-16a

**Registration of uninhabitable property.**

(a) The governing body of a municipality may, by ordinance, establish a property registration for any real property improved by a structure that is uninhabitable and violates the applicable building code adopted by the municipality. An owner of real property subject to the registration shall be assessed a fee as provided by the ordinance.

**Specific Problem Caused by Barrier**

Although state law (SB 600 passed in 2014 as cited above) clarifies that banks/lenders/trustees can be considered "owners" who are required to register vacant properties, and be subject to vacant property enforcement after code violations emerge, there are continuing problems in cities like Ripley with some irresponsible parties that foreclose on properties but fail to maintain them. Some lenders/trustees fail to enter their ownership on the title of a foreclosed property until just prior to resale, fail to maintain the properties during the period of foreclosure and vacancy, and seek to avoid the payment of fees for action taken by the municipality to correct code violations. In these situations, foreclosed and vacant houses deteriorate and cause damage to the neighborhood, yet code enforcement officials can have a difficult time contacting the mortgage trustee, let alone get them to maintain these foreclosed properties. The impact is that the lender/trustee can ignore property maintenance for long periods of time, and also can extinguish City maintenance fees when they eventually enter ownership on the property title just prior to resale.

**Proposed Solution**

Used in states with high foreclosure rates and blighted property challenges, this proposed home rule authority would empower Ripley to pass an ordinance under code Section 8-12-16a to require lenders/trustees that are in the process of foreclosing on a residence to register as an owner of the property at the time that the foreclosure is initiated (such as the time that the lender sends a foreclosure letter to the homeowner, or at the time that the lender registers as an alternate trustee on the property), for the purpose of code and property maintenance. At the time the lender/trustee registers as an owner, it must retain a party to conduct property

maintenance, provide the contact information for that maintenance company to the City, and be responsible for ensuring that this property maintenance company keeps the property up to code and maintained.

### **3. A shortened time period under Section 8-12-16a for forfeiture of structures when owners refuse to address code violations at uninhabitable properties, to a period of 12 months. (Administrative)**

#### **Specific Legal Barrier**

§8-12-16a (n), Registration of uninhabitable property

(n) If a registration fee remains delinquent for two years from the date it was placed on record in the clerk of the county commission in which the property is located and assessed, the municipality may take action to receive the subject property by means of forfeiture. Should the municipality take the steps necessary to receive the subject property, the municipality then becomes the owner of record and takes the property subject to all liens and real and personal property taxes.

#### **Specific Problem Caused by Barrier**

Code Section §8-12-16a provide cities like Ripley a tool for addressing "uninhabitable" structures that violate building codes and are a serious threat and problem for neighborhoods. This process allows a City to investigate and inspect uninhabitable properties with code violations, notify an owner with detailed information that the property will be registered as noncompliant by both posting on the property and sending certified mail, and provide the owner 45 days to fix the code violations or make a plan for fixing them in a reasonable time.

The owner has the right to appeal for 90 days after the receipt of notice about the code violations. Only after this intensive process takes place, may the municipality register the fee for code noncompliance with the county clerk. That fee assessment can be appealed within 30 days by the property owner, before it becomes finalized as a lien on the property. If that fee for the uninhabitable property violations remains unpaid, the city can take the structure in forfeiture- but only after 2 years of waiting. With is, a city does not have authority under West Virginia law to deal with an uninhabitable property with code violations where the owner completely refuses to fix the violations or work with the city, for a period of at least 28 months. Such a period is simply too long to leave the worst-of-the-worst properties uninhabitable in the midst of neighborhoods.

#### **Proposed Solution**

Without changing any of the protections for owners of uninhabitable properties to fix the code problems, work with municipal code officers, appeal the determination of code officials, appeal the placement of fees for un-addressed code violations, or other property owner protections - the City of Ripley seeks a shortened period between the time that the owner completely refuses to address the problem, and the time that the municipality can take the structure by forfeiture and finally start to remedy the problems with the city's own resources. Currently, the property owner enjoys a period of 120 days to address code problems at uninhabitable properties (90 days to appeal notice of violations, and 30 days to appeal assessment of fee). After that time has passed with no action by the property owner, the current law starts a slow clock of two years before anything else can be done. This home rule request seeks to shorten that period of waiting after noncompliance from two years to twelve (12) months. Together

with the initial 120 days of property owner protections, this home rule change will allow Ripley to address the worst-of-the-worst properties in a total of 16 months (120 days plus the twelve month waiting period), rather than the current span of 28 months (120 days plus two years waiting).

#### **4. Authority to impose a sales tax of up to 1%, when coupled with reductions in B&O sales taxes for Manufacturing and Amusement to 0%. (Tax)**

##### **Specific legal Barrier**

§8-13C-4, Municipal sales and service taxes.

(b) Alternative municipal sales tax. -- On and after the first day of July, two thousand five, notwithstanding subsection (a) of this section, and in addition thereto in the case of a qualifying municipality, any municipality that does not impose, or ceases to impose, the business and occupation or privilege tax authorized by section five, article thirteen of this chapter has the plenary power and authority to impose, by ordinance, an alternative municipal sales and service tax at a rate not to exceed one percent, subject to the provisions of this article: Provided, That:

(1) The tax does not apply to any purchase of tangible personal property, custom software or the results of taxable services in a transaction completed within the corporate limits of the municipality before the first day of July, two thousand eight, or before such later date specified in the ordinance of the municipality imposing the tax; and (2) the effective date of the tax, or of a change in the rate of the tax, shall be no earlier than the first day of a calendar quarter that at a minimum begins one hundred eighty days after notice of the tax, or of a change in the rate of tax, is provided to the Tax Commissioner as provided in section six of this article.

##### **Specific Problem Caused by Barrier**

Ripley faces fiscal challenges resulting from the continued loss of manufacturing jobs in Jackson County which was once home to the world's largest aluminum mill, (over 4,000 jobs lost since 1980) pressing capital investment and infrastructure needs, and other challenges that could only become more daunting if revenues continue to remain stagnant while increases in expenses continue. These revenue issues are exacerbated by Ripley's inability to utilize a sales tax unless the City eliminates its Business and Occupancy taxes. Ripley cannot totally eliminate its B&O taxes in order to impose sales taxes, because the city would lose substantial revenue from B&O taxes on certain entities that would not pay a sales tax, including construction, utility operations, professional services, motor vehicle sales, groceries, gas and other items exempt from sale taxes according to West Virginia State Code. Also, Ripley's retail B&O tax rate is currently .3%, already well below the State maximum rate of .5%.

##### **Proposed Solution**

This authority would allow for Ripley to generate the needed revenue by utilizing a municipal sales and use tax of up to 1% while still maintaining some of its irreplaceable B&O tax revenue. Further, the City will use the services of the West Virginia State Tax Department to administer, enforce, and collect such tax in the same manner as the state consumer sales and service tax and use tax under the provisions of applicable state law. Ripley would couple a 1% municipal sale and use tax with a reduction of B&O tax rates on all manufacturing to zero percent, together with a B&O tax reduction to zero percent for those sales falling under the category of

amusement. It is hoped that the reduction in manufacturing could help serve as an economic incentive for new manufacturing businesses wanting to locate in Ripley. Additionally, the City of Ripley will be removing monthly assessments for streets, police, and fire from customer bills. This totals a \$7.00 per month reduction which is very important for those on fixed incomes.

Any additional sales/use tax introduced would be administered, collected, and enforced by the State Tax Commission pursuant to West Virginia Code Sections 18-13C-6, 8-13C-7, 11-158-33, 11-158-34. The City of Ripley will be responsible for coordinating the provision of needed information to the State Tax Commission for its administration of the additional sales/use tax. It is understood that the State Tax Commission may include an administration fee to process the sales/use tax.

For the sake of the City remaining at all times fiscally sound and legally and actually capable of meeting all of its present and ongoing financial responsibilities, the timing and effect of these planned reductions of its B&O taxation must of course be coordinated with the timing and effect of the receipt by the city of the revenues collected by the state under the new sales tax.

**Fiscal and Economic Benefit of Proposed Solutions:**

The City of Ripley expects a net fiscal benefit of \$1,053,357.38 annually from this important home rule authority of a 1% sales tax. Beyond the fiscal benefit, Ripley projects that the B&O tax reductions and incentives in our plan will attract and grow small businesses and help to make Ripley the location for new future enterprises. The reduction to 0% in manufacturing and amusements will serve as a very strong incentive for those looking to start those businesses in Ripley. Our City would greatly benefit from the addition of manufacturing firms. The roll back of the street, fire, and police fees would save Ripley customers \$84 per year, thus helping the local economy. The reduction of these B&O rates and municipal fees will result in a revenue reduction of \$136,000 to the City's General Fund Budget. The net gain, with the imposition of the 1% sales tax, reduction of B&O rates, and elimination of municipal fees is expected to be \$1,053,357.38. This revenue would be a much needed boost to the City's finances and allow for the construction and repair of sidewalks, storm drains, and many needed recreation improvements.

## Fiscal Analysis

### Illustration I

#### 3 Year B&O Tax Analysis (Year Ending)

	Rate	2018	2017	2016
Manufacturers	0.18%	\$110.05	\$217.41	\$203.60
Retailers	0.30%	\$434,682.25	\$508,298.95	\$521,205.20
Wholesalers	0.15%	\$33,165.89	\$28,168.67	\$32,610.99
Utilities	1.20%	\$0.00	\$0.00	\$0.00
Electric	2.40%	\$108,296.88	\$110,204.42	\$100,417.52
Contracting	1.20%	\$115,599.24	\$107,881.30	\$114,936.88
Amusements	0.30%	\$36.55	\$41.66	\$27.83
Service Business	0.60%	\$322,601.38	\$328,144.93	\$291,258.00

### Illustration II

#### B&O Tax Rates

	Maximum Rate	Ripley Current Rate	Ripley Proposed Rate
Manufacturers	0.30%	0.18%	0%
Retailers	0.50%	0.30%	0.30%
Wholesalers	0.15%	0.15%	0.15%
Utilities	3%	1.20%	1.20%
Electric	4%	2.40%	2.40%
Contracting	2%	1.20%	1.20%
Amusements	0.50%	0.30%	0%
Service Business	1%	0.60%	0.60%
Rents & Royalties	1%	0.60%	0.60%
Banks	1%	0.72%	0.72%
Natural Gas Company	3%	1.80%	1.80%
Natural Gas Production	6%	3.60%	3.60%

Note: The Maximum rates allowed by State law are the primary State business and occupation tax rates in effect on January 1, 1959. W.Va. Code 8-13-5

## **Collection Procedures**

The municipal sales and use taxes would be administered, collected, and enforced by the Tax Commissioner, at the same time and in the same manner as the state consumer sales and service tax and use taxes are administered.

- 1) Large vendors remit tax monthly to the Tax Commission by the 20th day of the month in which the tax is collected, except for taxes collected in December each year that are due at the end of January of the next calendar year.
- 2) Very small vendors remit tax annually to the Tax Commissioner by the end of January following the calendar year in which tax was collected.
- 3) All other vendors remit tax to the Tax Commissioner on a quarterly basis, by the 20th day of the month following the close of the calendar quarter, except for the fourth quarter which is due at the end of January.
- 4) Purchase use taxes are remitted at the same time as sales taxes are remitted to the Tax Commissioner.

Quarterly, the State Treasurer will remit to the municipality the amount of tax in the municipality's subaccount established in the State Treasury pursuant to WV Code §8-13C-7. The City of Ripley is aware of the payment of annual fees to the State of West Virginia for collecting these taxes.

## **Database**

A municipality imposing a sales tax will need to provide the Tax Commissioner with a rate and boundary database. To build the database, the municipality will need to know (1) the location of its boundaries, (2) the five-digit zip codes located in whole or in part in the municipality, and (3) the nine-digit zip codes located in whole or in part in the municipality imposing the sales tax. The City of Ripley recognizes that imposing a sales tax requires need providing the Tax Commissioner with a rate and boundary database. In creating this database, the City of Ripley has utilized the five-digit zip code located in whole within the municipality, and the nine-digit zip codes located in whole within the municipality for the imposition of sales tax. The City of Ripley will maintain this database and the Tax Commissioner will be advised when the zip code boundaries are changed. The City of Ripley has used CSSI to develop the software system used for our utility billing and other applications. CSSI has used the nine-digit zip code in developing the zip code database for the City of Ripley. This database is available to the State Tax Department at any time. The City of Ripley has one five-digit zip code located in whole or in part within the City - 25271.

## Vendor Compliance learning Curve

State and municipal sales and use taxes are collected employing what are known as destination sourcing rules, which are set forth in W.Va Code §11-158-14,11-158-14a and 11-158-15.

In general, if the customer takes delivery of the tangible personal property, custom software or results of the taxable service at the business location of the vendor, e.g., the storefront, the State and local sales/use taxes applicable to that location apply.

When delivery does not occur at the vendor's business location, the State and local sales taxes applicable to the transactions are generally those applicable to the location where the purchaser or the purchaser's takes delivery of the goods or results of the taxable service.

Applying the destination sourcing rules will likely be a new experience for many vendors currently selling goods and furnishing services within the City of Ripley. Our revenue projections take this learning curve into consideration.

## Conclusion

The City of Ripley proposes to eliminate B&O Tax on manufacturing and amusements and reduce a total of \$7 per month in City fees. This represents a projected decrease in revenue of approximately \$136,000.00 per year. The imposition of a 1% sales and use tax is expected to generate a revenue increase of \$1,189,457.38 per year. This net additional revenue of \$1,053,357.38 will be used primarily for demolition of condemned structures, sidewalk replacements, storm water improvements, park and recreation improvements, and assistance for cultural events as listed in Attachment I.

**Authority:** W.Va. Code § 8-13C-1 et seq contemplates the imposition of a sales tax by municipalities either for pension relief or as an "alternative municipal sales tax" at a rate not to exceed one percent. However, a municipality may only impose such a sales tax if it completely eliminates its B&O tax. W.Va. Code §8-13C-4(b). Under W.Va. Code § 8-1-5a(k)(6), municipalities participating in the Municipal Home Rule Program do not have the authority to pass an ordinance under Home Rule pertaining to taxation, except that a participating municipality may enact a municipal sales tax up to one percent if it reduces or eliminates its municipal B&O tax.

**ATTACHMENTS TO APPLICATION**

Attachment I- Projects To Be Accomplished With 1% Municipal Sales Tax.....15

Attachment II - Nuisance Property Photos..... 16

Attachment III - Deteriorated Sidewalk Photos.....19

Attachment IV - Storm Drain Problem Photos.....23

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# ATTACHMENT I

## Home Rule Projects To Be Accomplished By Use Of A 1% Municipal Sales Tax

### **1. Storm Drain Construction and Repairs.**

Ripley has immediate needs for the construction of several new storm drains as well as the repair of many others. The need extends into the millions of dollars. Municipal sales tax revenues would provide a dedicated funding source to permit the City to budget for this problem and make progress each year. A long-range plan could be formed to address and overcome this very serious problem.

### **2. Replacement of sidewalks throughout Ripley.**

A large number of the public sidewalks throughout the City are made of brick and were constructed during the 1920's. These sidewalks desperately need replaced. Due to their hazardous condition, they are difficult for patrons to use. Most are not handicap assessable and many of the streets have been paved and the streets are higher than the sidewalks which create a storm/rain water control problem as the curbs no longer exist. This also would give a dedicated funding source to permit the city to dedicate a certain level of funding each year for the replacement of sidewalks.

### **3. Expansion of Whiting Park.**

Ripley's youth soccer and baseball programs have over 1,200 participants each year. Our two City Parks are filled to capacity. The need for an additional recreational space is great. Proceeds from the imposition of a 1% sales tax would help with the expansion of Whiting Park on Ripley's west-side. Seventeen acres will become available for recreational use following the construction of a new wastewater treatment plant in 2021. This land adjoins Whiting Park and would permit the construction of new soccer fields and much needed parking.

### **4. Beautification and Signage.**

This funding would provide the opportunity to make substantial beautification improvements needed to create a more welcome community to its visitors and would possibly encourage many businesses to make beautification improvements. The City of Ripley has a very hard working Beautification Committee but funding for this group is hard to find some years. The City is working to achieve a more positive physical appearance and an improved public perception of the City of Ripley. These funds will help achieve that goal.

### **5. Dedicated funding for festivals throughout the year.**

The Ripley Fourth of July Celebration has been known for decades as "America's Largest Small Town Independence Day Celebration." President George W. Bush took part in the celebration in 2002. In 1965 the Today Show broadcast 17 minutes of the event to a nationwide audience. Ripley and the Fourth of July are synonymous. This tremendous national reputation has mainly been achieved through donations from local businesses and private citizens. Committee members are all volunteer. A steady source of income would help this famous event soar to new heights and greatly add to the local economy. Also, Ripley's Veterans Day Parade is one of the largest in West Virginia and in 2016 was host to the Budweiser Clydesdales as nearly 20,000 were on hand to honor our Nation's veterans. Funding for this event has mainly been through private citizen donations with all volunteer support.

## ATTACHMENT II

### Some Nuisance Property Photos In Ripley City Limits







# ATTACHMENT III

## Deteriorated Sidewalks Needing Replaced In Ripley









# ATTACHMENT IV

## Storm Drain Problem Photos





## ATTACHMENT V

### CITY OF RIPLEY SALES TAX AND B&O TAX AND FEE REDUCTION FEASIBILITY STUDY

(Based on 2018 fiscal year data)

TOTAL ANNUAL GROSS RETAIL SALES	\$144,894,083.33	
SUBTRACTIONS FROM GROSS:		
CAR DEALERSHIPS (100%)	9,538,203.33	9,538,203.33
GAS STATIONS (100%)	11,548,343.34	11,548,343.34
GAS STATION (60%)	5,082,690.00	3,049,614.00
GROCERY (90%)	1,465,970.00	1,319,373.00
RETAIL&GROCERY (75% FOOD + PRESCRIPTION GAS)	30,926,033.33	23,194,525.00
RETAIL&GROCERY (50% FOOD + PRESCRIPTION GAS)	82,862,713.11	41,431,356.56
LESS TOTAL EXEMPTIONS FROM GROSS SALES		\$90,081,415.22
RETAIL SALES SUBJECT TO SALES TAX		\$54,812,668.11
X 1% SALES TAX (\$144,894,083.33-\$90,081,415.22)		
PROJECTED AMOUNT TO BE GENERATED BY 1% SALES TAX		\$548,126.68
ALL OTHER B&O REVENUE NOT EXEMPT FROM SALES TAX X 1% SALES TAX		\$64,133,070.00
NET PROJECTED ANNUAL AMOUNT TO BE GENERATED BY SALES TAX		\$641,330.70
PROJECTED ANNUAL TOTAL REVENUE GENERATED BY IMPOSITION OF 1% SALES TAX		\$1,189,457.38
LESS B&O AND MUNICIPAL FEE REDUCTIONS		\$136,100.00
PROJECTED ANNUAL NET INCREASE		\$1,053,357.38

**NOTICE  
CITY OF RIPLEY,  
WEST VIRGINIA  
HOME RULE PROGRAM**

Notice is hereby given by the City of Ripley, West Virginia, that it will hold a public hearing on June 4, 2019, in the Council Chambers at Ripley City Hall, 203 South Church Street, Ripley, West Virginia.

The purpose of this public hearing is to discuss the City of Ripley's proposed Home Rule written plan application. Information from this hearing will be utilized by the City of Ripley in its application to the West Virginia Home Rule Program. The City of Ripley's proposed Home Rule plan application is available for public inspection in the Business Office, as well as the Mayor's Office, Ripley City Hall, Ripley, West Virginia, beginning on Wednesday, May 1, 2019, Monday through Friday, between the hours of 8:00 a.m. and 4:00 p.m.

All interested citizens are invited to attend the public hearing scheduled on Tuesday, June 4, 2019, at 6:30 p.m., and to present oral or written comments concerning Ripley's proposed Home Rule plan and application. Written comments may be addressed to Mayor Carolyn Rader, City of Ripley, 203 South Church Street, Ripley, West Virginia.

Ripley City Council will consider all public comments in preparing the final draft of the plan application and in deciding to proceed with an ordinance authorizing the City to submit the plan to the West Virginia Home Rule Board for its consideration and approval.

The first reading of an ordinance approving submission of the City of Ripley's Home Rule plan application may take place June 4, 2019, during the Ripley City Council meeting beginning at 7:00 p.m., in the Council Chambers at Ripley City Hall, 203 S. Church Street, Ripley, West Virginia.

AFFP  
PUBLIC HEARING HOME RULE

**Affidavit of Publication**

STATE OF WEST VIRGINIA SS  
}  
COUNTY OF JACKSON }

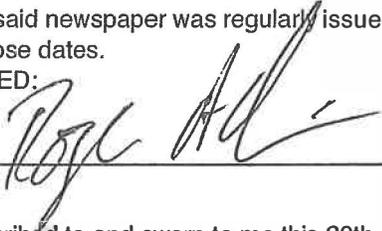
Roger Adkins, being duly sworn, says:

That he is Editor of the The Jackson Herald, a weekly newspaper of general circulation, printed and published in Ripley, Jackson County, West Virginia ; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

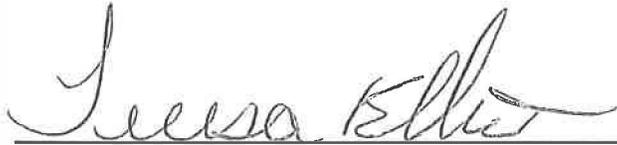
April 23, 2019, April 30, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 30th day of April 2019.



Teresa Elkins, Notary Public , Jackson County, West

My commission expires: August 29, 2022

00043350 00114501

CITY OF RIPLEY  
203 SOUTH CHURCH ST  
RIPLEY, WV 25271



**PUBLIC HEARING  
NOTICE  
CITY OF RIPLEY,  
WEST VIRGINIA  
HOME RULE PROGRAM**

Notice is hereby given by the City of Ripley, West Virginia, that it will hold a public hearing on June 4, 2019, in the Council Chambers at Ripley City Hall, 203 South Church Street, Ripley, West Virginia.

The purpose of this public hearing is to discuss the City of Ripley's proposed Home Rule written plan application. Information from this hearing will be utilized by the City of Ripley in its application to the West Virginia Home Rule Program. The City of Ripley's proposed Home Rule plan application is available for public inspection in the Business Office, as well as the Mayor's Office, Ripley City Hall, Ripley, West Virginia, beginning on Wednesday, May 1, 2019, Monday through Friday, between the hours of 8:00 a.m. and 4:00 p.m.

All interested citizens are invited to attend the public hearing scheduled on Tuesday, June 4, 2019, at 6:30 p.m., and to present oral or written comments concerning Ripley's proposed Home Rule plan and application. Written comments may be addressed to Mayor Carolyn Rader, City of Ripley, 203 South Church Street, Ripley, West Virginia.

Ripley City Council will consider all public comments in preparing the final draft of the plan application and in deciding to proceed with an ordinance authorizing the City to submit the plan to the West Virginia Home Rule Board for its consideration and approval.

The first reading of an ordinance approving submission of the City of Ripley's Home Rule plan application may take place June 4, 2019, during the Ripley City Council meeting beginning at 7:00 p.m., in the Council Chambers at Ripley City Hall, 203 S. Church Street, Ripley, West Virginia.

4/23,4/30

AFFP  
PUBLIC HEARING HOME RULE

**PUBLIC HEARING  
NOTICE  
CITY OF RIPLEY,  
WEST VIRGINIA  
HOME RULE PROGRAM**

**Affidavit of Publication**

STATE OF WEST VIRGINIA SS  
}  
COUNTY OF JACKSON }

Roger Adkins, being duly sworn, says:

That he is Editor of the The Jackson Star News , a weekly newspaper of general circulation, printed and published in Ripley, Jackson County, West Virginia ; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 03, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

  
\_\_\_\_\_

Subscribed to and sworn to me this 3rd day of May 2019.

  
\_\_\_\_\_  
Teresa Elkins, Notary Public , Jackson County, West

My commission expires: August 29, 2022

00043350 00115040

CITY OF RIPLEY  
203 SOUTH CHURCH ST  
RIPLEY, WV 25271

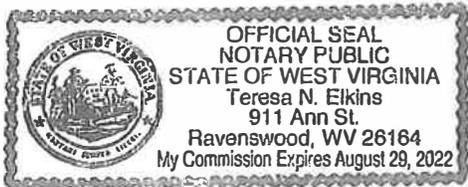
Notice is hereby given by the City of Ripley, West Virginia, that it will hold a public hearing on June 4, 2019, in the Council Chambers at Ripley City Hall, 203 South Church Street, Ripley, West Virginia.

The purpose of this public hearing is to discuss the City of Ripley's proposed Home Rule written plan application. Information from this hearing will be utilized by the City of Ripley in its application to the West Virginia Home Rule Program. The City of Ripley's proposed Home Rule plan application is available for public inspection in the Business Office, as well as the Mayor's Office, Ripley City Hall, Ripley, West Virginia, beginning on Wednesday, May 1, 2019, Monday through Friday, between the hours of 8:00 a.m. and 4:00 p.m.

All interested citizens are invited to attend the public hearing scheduled on Tuesday, June 4, 2019, at 6:30 p.m., and to present oral or written comments concerning Ripley's proposed Home Rule plan and application. Written comments may be addressed to Mayor Carolyn Rader, City of Ripley, 203 South Church Street, Ripley, West Virginia.

Ripley City Council will consider all public comments in preparing the final draft of the plan application and in deciding to proceed with an ordinance authorizing the City to submit the plan to the West Virginia Home Rule Board for its consideration and approval.

The first reading of an ordinance approving submission of the City of Ripley's Home Rule plan application may take place June 4, 2019, during the Ripley City Council meeting beginning at 7:00 p.m., in the Council Chambers at Ripley City Hall, 203 S. Church Street, Ripley, West Virginia.



**CITY OF RIPLEY**  
**PUBLIC HEARING**

**June 4, 2019**

**6:30 p.m.**

**AGENDA**

**WELCOME**

Call to Order

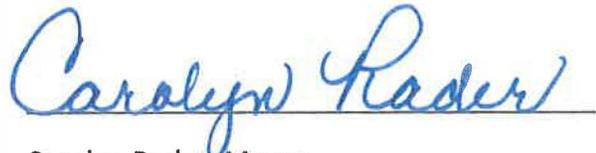
**PUBLIC FORUM**

Public Hearing for comments relating to the submission of a written Home Rule Plan for the City of Ripley.

Adjournment

**CERTIFICATE**

I, the undersigned authority, do hereby certify that this agenda was posted on the outdoor windows of the Municipal Building located at 203 Church Street, South, Ripley, WV, at 4:00pm May 30, 2019



Carolyn Rader, Mayor



# City of Ripley

203 South Church Street  
Ripley, WV 25271  
(304) 372-3482  
Fax: (304) 372-6693  
Website: www.cityofripley.org

Mayor

*Carolyn Ruder*

Recorder

*David J. Gault*

Council

*John McKinley*

*Danny Martin*

*Bryan Thompson*

*Ray Anderson*

*Carolyn Waybright*

## HEARING MANDATE VERIFICATION

I, the undersigned Clerk of the City of Ripley, West Virginia, do hereby certify that on June 4, 2019, at 6:30 p.m., a Public Hearing was held prior to the Regular Council Meeting of the City of Ripley, the subject of said hearing being An Ordinance Authorizing the mayor of the City of Ripley to submit a Written Home Rule Plan Proposal to the West Virginia Municipal Home Rule Board in accordance with the West Virginia Code 8-1-5a. A quorum of the Ripley City Council was present for this hearing and the hearing was in compliance with West Virginia Code 8-1-5a.

The attached are true, correct, and complete copies of the Regular Session of the Ripley City Council Agenda, June 4, 2019, evidencing the Public Hearing. No written comments pertaining to the City of Ripley's proposed Home Rule plan and application were submitted to the City Clerk between the advertised dates of April 23, 2019 through June 4, 2019. The public hearing was opened for public comments; no citizens appeared to speak either in favor of, or against, an ordinance authorizing the Mayor of the City of Ripley to submit a Home Rule Proposal to the West Virginia Municipal Home Rule Board in accordance with West Virginia Code 8-1-5a.

Witness the signature of the undersigned City Clerk of the City of Ripley, West Virginia, and the seal of the City of Ripley, this 5<sup>th</sup> day of June, 2019.



Thomas E. Armstead  
City Clerk/Treasurer

CITY OF RIPLEY COMMON COUNCIL  
HOME RULE ORDINANCE PUBLIC HEARING  
TUESDAY, JUNE 04, 2019  
IN COUNCIL CHAMBERS

**PRESENT:** Carolyn Rader, Mayor  
David Casto, Recorder  
Carolyn Waybright, Council  
John McGinley, Council  
Bryan Thompson, Council  
Tom Aimstead, City Clerk  
Kevin Harris, City Attorney  
Matt Anderson  
Doug Skeen

**CALL TO ORDER:**

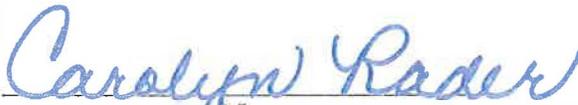
Meeting was called to order at 6:30 p.m. by Mayor Rader.

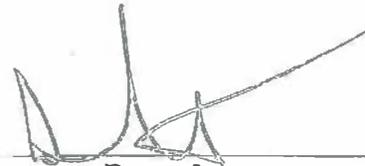
**NEW BUSINESS:**

No one appeared to the public hearing.

**ADJOURNMENT:**

Motion by Ms. Waybright, second by Mr. McGinley to adjourn at 6:55 p.m. Motion approved.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Recorder

## Ordinance Authorizing Submission of Plan

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF RIPLEY ADOPTED PURSUANT TO THE PROVISIONS OF WEST VIRGINIA CODE 8-1-5A AUTHORIZING THE CITY OF RIPLEY TO SUBMIT A WRITTEN HOME RULE PLAN TO THE MUNICIPAL HOME RULE BOARD IN ORDER TO PERMIT THE CITY OF RIPLEY'S PARTICIPATION IN THE MUNICIPAL HOME RULE PROGRAM.**

**WHEREAS**, in 2019, the West Virginia Legislature has made the Municipal Home Rule Pilot Program a Permanent Program created pursuant to the provisions of West Virginia Code 8-1-5a to allow participation by all municipalities; and

**WHEREAS**, the City of Ripley desires to participate in said program and has prepared a written home rule plan, which plan complies with the provisions of the aforementioned code section; and

**WHEREAS**, a public hearing on the said plan was scheduled for June 4, 2019 at 6:30 p.m., or as soon thereafter as the matter could be heard at 203 Church St. South, Ripley, West Virginia and a notice of said public hearing was published as a Class II legal advertisement in the Jackson Herald, a newspaper in general circulation in Ripley and Jackson County, West Virginia on April 23, 2019, and April 30, 2019, all as required by the aforementioned code section; and

**WHEREAS**, all other general notice requirements relating to said public hearing were satisfied; and

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RIPLEY, WEST VIRGINIA**, that the Mayor is hereby authorized and directed to submit a home rule proposal to the Municipal Home Rule Board in accordance with West Virginia Code 8-1-5a in order for the City of Ripley to be included in this program. A copy of said proposal and application is attached hereto.

**EFFECTIVE DATE:** This Ordinance shall take effect immediately after adoption.

  
CAROLYN RADEK  
MAYOR

ATTEST:



THOMAS E. ARMSTEAD  
CITY CLERK/TREASURER

First Reading:	June 4, 2019
Second Reading:	June 18, 2019
Public Hearing:	June 4, 2019
Adopted:	June 18, 2019
Publication:	April 23, 2019
	April 30, 2019



# City of Ripley

203 South Church Street  
Ripley, WV 25271  
(304) 372-3482  
Fax: (304) 372-6693  
Website: [www.cityofripley.org](http://www.cityofripley.org)

Mayor

*Carolyn Rader*

Recorder

*David J. Gaste*

Council

*John McGinty*

*Dannon Martin*

*Bryan Thompson*

*Ray Anderson*

*Carolyn Wainwright*

## City Clerk Verification on Ordinance Authorizing Submission of Plan

### ORDINANCE AUTHORIZING SUBMISSION OF PLAN

I, the undersigned Clerk of the City of Ripley, West Virginia, do hereby certify that the foregoing is a true, correct, and complete copy of An Ordinance Authorizing the Mayor of the City of Ripley to Submit a Home Rule Proposal to the West Virginia Municipal Home Rule Board in Accordance with West Virginia Code 8-1-5a, enacted on the second and final reading by the Council of the City of Ripley on June 18, 2019.

Witness the signature of the undersigned City Clerk of the City of Ripley, West Virginia, and the seal of the City of Ripley, this 18<sup>th</sup> day of June, 2019.

Thomas E. Armstead  
City Clerk/Treasurer

**CITY OF RIPLEY**  
**Regular Common Council Meeting**

**June 4, 2019**

**7:00 pm**

**AGENDA**

**WELCOME**

Blessing	Councilman Thompson
Call to Order	Mayor Rader
Pledge of Allegiance	Mayor Rader
Declaration of Quorum	Mayor Rader

**READING AND APPROVAL OF MINUTES:**

*Reading of Minutes of Previous Meeting dated May21, 2019*

Recorder David Casto

(motion required for acceptance)

***PUBLIC FORUM***

*Persons speaking during this time may address City Council on any matter within the City Council's jurisdiction. Please sign in at the door in order to do so. State law generally prohibits the City Council from taking action on any issue not included on the agenda.*

**Financial Information**

Consideration of invoices, financial reports and budget revisions.

Approval of bills

(Motion required)

**PRO RESOLUTION AND BOARD OF EDUCATION CONTRACTS**

**REPORTS**

Chief of Police

City Attorney

Department Heads:

Jim Mitchem

Doug Skeen

Matt Anderson

Chief Anderson

Kevin Harris, Esq

Chief Water Operator

NEW BUSINESS

Consideration on first reading of ordinance authorizing the issuance of water system bond and grant anticipation notes, series 201

OLD BUSINESS

Park Opening Report

UNFINISHED BUSINESS

Home Rule Authorization Ordinance

Doug Skeen

Adjournment of regular session.

Order for Executive session for litigation and personnel.

GOOD OF THE ORDER

State law generally prohibits any action to be taken on any comments made by any member of the City Council during this section of the agenda. Any items/concerns may be added to the next agenda or referred to the Mayor and Department Head.

CORRESPONDENCES

Adjournment

Next meeting date is: Tuesday, June 18, 2019, 7:00 pm. IN THE RIPLEY MUNICIPAL BUILDING LOCATED AT 203 Church Street South, Ripley, WV

. CERTIFICATE

I, the undersigned authority, do hereby certify that this agenda was posted on the outdoor windows of the Municipal Building located at 203 Church Street, South, Ripley, WV, at 4:00pm (May 31, 2019)

Copies of this agenda have been provided to Council Members prior to the said meeting date for their consideration.

  
Carolyn Rader, Mayor

**REGULAR MEETING OF THE COMMON COUNCIL OF RIPLEY HELD  
TUESDAY, JUNE 04, 2019 IN COUNCIL CHAMBERS**

**PRESENT:** Carolyn Rader, Mayor  
Dave Casto, Council  
Danny Martin, Council  
John McGinley, Council  
Bryan Thompson, Council  
Carolyn Waybright, Council  
Ray Anderson, Council  
Kevin Harris, City Attorney  
Tom Armstead, City Clerk  
Matt Anderson  
Doug Skeen  
Jim Mitchem

**OTHERS:** Gary Epling  
Bernita Epling

**ABSENT:** Brad Anderson, Police Chief

**INVOCATION:**

Invocation was given by Bryan Thompson.

**CALL TO ORDER:**

Meeting was called to order at 7:00 p.m.

**PLEDGE of ALLEGIANCE:**

Pledge was led by Mayor Rader.

**DECLARATION OF QUORUM:**

Quorum was declared by Mayor Rader.

**READING AND APPROVAL/CHANGES OF MINUTES:**

Motion by Mr. McGinley, second by Ms. Waybright, to approve the Common Council Meeting Minutes of May 21, 2019 upon changing BAD buildings to Brownsfield, Abandoned, & Dilapidated. Motion approved.

**PUBLIC FORUM:**

Gary Epling requested that the City of Ripley and everyone else to remember and celebrate D-Day.

**Resolution:** Motion by Mr. Anderson, second by Mr. Martin, to authorize Mayor Rader to enter into a contractual agreement with the Division of Justice & Community Services to administer grant funds pursuant to provision of the Juvenile Justice & Delinquency Prevention Program. Motion approved.

**FINANCE REPORTS:**

**Explanation of Expenses/Approval of Bills:** Motion by Mr. McGinley, second by Mr. Martin, to approve payment of expenses for both open invoices and credit card payments as presented. Motion approved.

**Budget Revision:** Motion by Mr. Anderson, second by Ms. Waybright, to approve the budget revision in the amount of \$167,151.00. Motion approved.

**REPORTS OF ADMINISTRATIVE STAFF:**

**Chief Anderson:** Absent.

**Attorney Harris:** Attorney Harris presented information on ways that could possibly prevent further problems with Medication-Assisted Treatment Facilities with the possibility of adding it to Ordinance section 1305.07. Council will research and discuss at the next council meeting.

**Jim Mitchem:** Jim Mitchem reported that the dam is still holding pretty well. Mr. Mitchem also reported that one of the raw water pumps is out of service for maintenance.

**Matt Anderson:** No report.

**Doug Skeen:** No report.

**NEW BUSINESS:**

**FIRST READING:** Motion by Mr. Thompson, second by Mr. Anderson, to approve the first reading of the ordinance authorizing the issuance of the water system bond and grant application notes, series 201. Motion approved.

**OLD BUSINESS:**

**Park Opening Report:** Mayor Rader reported that everything went very well at the park opening.

**UNFINISHED BUSINESS:**

**Home Rule Authorization Ordinance: Doug Skeen:** Motion by Mr. Casto, second by Mr. Martin to approve the Home Rule Authorization Ordinance as presented. Motion approved.

**EXECUTIVE SESSION: LITIGATION AND PERSONNEL:**

Motion by Ms. Waybright, second by Mr. Martin, to go out of Regular Session and into Executive Session at 7:58 p.m. Motion approved. Present in the session were Mayor Rader, Mr. Martin, Mr. Thompson, Recorder Casto, Ms. Waybright, Mr. McGinley, Mr. Anderson, and Attorney Harris.

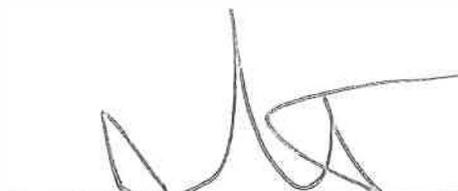
**REGULAR SESSION:**

Motion by Mr. McGinley, second by Mr. Thompson, to adjourn Executive Session and return to Regular Session at 8:45 p.m. No action was taken during the Executive Session.

**ADJOURNMENT:**

Motion by Mr. McGinley, second by Mr. Martin to adjourn at 8:45 p.m. Motion approved.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Recorder

*CITY OF RIPLEY*  
Regular Common Council Meeting

June 18, 2019

7:00 pm

**AGENDA**

**WELCOME**

Blessing	Councilman Thompson
Call to Order	Mayor Rader
Pledge of Allegiance	Mayor Rader
Declaration of Quorum	Mayor Rader

**READING AND APPROVAL OF MINUTES:**

*Reading of Minutes of Previous Meeting dated June 4, 2019*

Recorder David Casto

(motion required for acceptance)

**PUBLIC FORUM**

*Persons speaking during this time may address City Council on any matter within the City Council's jurisdiction. Please sign in at the door in order to do so. State law generally prohibits the City Council from taking action on any issue not included on the agenda.*

**Financial Information**

Consideration of invoices, financial reports and budget revisions.

Approval of bills

(Motion required)

**REPORTS**

Chief of Police	Chief Anderson
City Attorney	Kevin Harris, Esq
Department Heads:	
Jim Mitchem	Chief Water Operator
Doug Skeen	
Matt Anderson	

NEW BUSINESS

Consideration on second reading of ordinance authorizing the issuance of water system bond and grant anticipation notes, series 201, in an amount not to exceed \$1,5000,000.

Second Reading of the Home Rule Ordinance

Request from Calvary Methodist Church

OLD BUSINESS

Agreement between City of Ripley and J.Co. Board of Education (motion required)

Request from Shaun Scott for 2020.

UNFINISHED BUSINESS

Invitation to MOVMA Boat Ride July 10, 2019

Report of America's Largest Small Town Independence Day Celebration

GOOD OF THE ORDER

State law generally prohibits any action to be taken on any comments many by any member of the City Council during this section of the agenda. Any items/concerns may be added to the next agenda or referred to the Mayor and Department Head.

CORRESPONDENCES

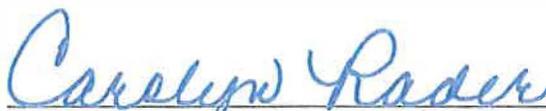
Adjournment

Next meeting date is: Tuesday, July 2, 2019, 7:00 pm. IN THE RIPLEY MUNICIPAL BUILDING LOCATED AT 203 Church Street South, Ripley, WV

CERTIFICATE

I, the undersigned authority, do hereby certify that this agenda was posted on the outdoor windows of the Municipal Building located at 203 Church Street, South, Ripley, WV, at 4:00pm June 13, 2019)

Copies of this agenda have been provided to Council Members prior to the said meeting date for their consideration.



Carolyn Rader, Mayor

**REGULAR MEETING OF THE COMMON COUNCIL OF RIPLEY HELD  
TUESDAY, JUNE 18, 2019 IN COUNCIL CHAMBERS**

**PRESENT:** Carolyn Rader, Mayor  
Dave Casto, Council  
Danny Martin, Council  
John McGinley, Council  
Bryan Thompson, Council  
Carolyn Waybright, Council  
Ray Anderson, Council  
Kevin Harris, City Attorney  
Tom Armstead, City Clerk  
Brad Anderson, Police Chief  
Matt Anderson  
Doug Skeen  
Jim Mitchem

**OTHERS:** Mike Wilt  
Sheree Knotts  
Stacy Cales  
Bobby Cales  
Shaun Scott

**INVOCATION:**

Invocation was given by Bryan Thompson.

**CALL TO ORDER:**

Meeting was called to order at 7:00 p.m.

**PLEDGE of ALLEGIANCE:**

Pledge was led by Mayor Rader.

**DECLARATION OF QUORUM:**

Quorum was declared by Mayor Rader.

**READING AND APPROVAL/CHANGES OF MINUTES:**

Motion by Ms. Waybright, second by Mr. Anderson, to approve the Public Hearing Meeting Minutes and the Common Council Meeting Minutes of June 04, 2019. Motion approved.

**PUBLIC FORUM:**

Sheree Knotts spoke about the vacant house on N. Church Street.

Stacy and Bobby Cales from Road to Recovery, explained how they operate the clinic and what they expect from their patients.

**FINANCE REPORTS:**

**Explanation of Expenses/Approval of Bills:** Motion by Mr. Thompson, second by Mr. McGinley, to approve payment of expenses for both open invoices and credit card payments as presented. Motion approved.

**REPORTS OF ADMINISTRATIVE STAFF:**

**Chief Anderson:** Reviewed the written monthly report.

**Attorney Harris:** No report.

**Jim Mitchem:** Jim Mitchem reported that the dam is still holding up well.

**Matt Anderson:** Reported that the bid opening on the dam repair has been completed and FAMCO was the winning bidder.

**Doug Skeen:** Reported on the Flood Plain Management conference that he attended. Mr. Skeen reported that he is working on some mapping with ESRI. Mr. Skeen also reported that he is working on the problems with the cameras at the City Park.

**NEW BUSINESS:**

**SECOND READING:** Motion by Mr. Martin, second by Ms. Waybright, to approve the second reading of the ordinance authorizing the issuance of the water system bond and grant application notes, series 201, in an amount not to exceed \$1,500,000.00. Motion approved.

**SECOND READING: Home Rule Authorization Ordinance: Doug Skeen:** Motion by Mr. McGinley, second by Mr. Martin to approve the Home Rule Authorization Ordinance as presented. Motion approved.

**Request from Calvary Methodist Church:** Mike Wilt from the Calvary Methodist Church, wants to create a no parking/loading zone by the side doors of the church. Mayor Rader is going to meet with church officials on Thursday to verify space.

**OLD BUSINESS:**

**Agreement between City of Ripley and J.Co. Board of Education:** Motion by Ms. Waybright, second by Mr. Martin, to approve the agreement between the City of Ripley and the Jackson County Board of Education for the PRO officer at Ripley Middle School. Motion approved.

**Request from Shaun Scott for 2020:** Mr. Scott requested the use of the municipal parking lot on 6/6/2020 for the Marine Corps League car show. Mr. Scott also wants suggestions for a parade to go along with the event. Motion by Mr. Martin, second by Mr. Anderson to approve Mr. Scott's request for the use of the municipal lot on 6/6/2020 for the Marine Corps League car show.

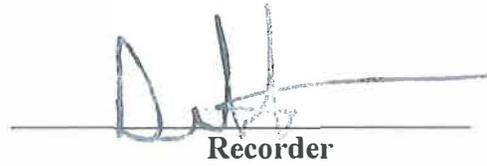
**UNFINISHED BUSINESS:**

**Report of America's Largest Small-Town Independence Day Celebration:** Mayor Rader reported on preparations for the 4<sup>th</sup> of July celebration.

**ADJOURNMENT:**

Motion by Mr. McGinley, second by Mr. Martin to adjourn at 8:59 p.m. Motion approved.

  
Mayor

  
Recorder

# LAW OFFICES OF HARRIS & HOLMES, PLLC

Kevin C. Harris

Eric J. Holmes

115 North Church Street  
Ripley, WV 25271  
Phone: (304) 372-7004  
Facsimile: (304) 372-7042  
kevinharris2@suddenlinkmail.com  
ericholmes@suddenlinkmail.com  
www.wvcarcrash.com

June 18, 2019

Honorable Carolyn Rader  
Mayor, City of Ripley

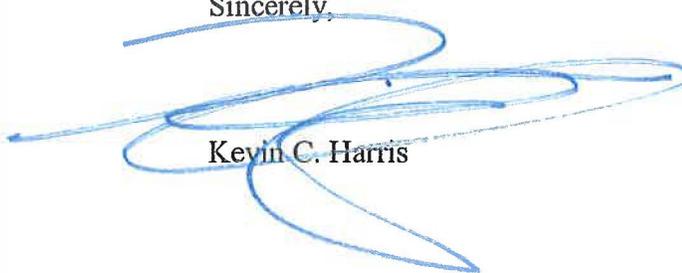
## ***Re: Compliance Home Rule Application***

Dear Mayor Rader:

Please allow this correspondence to respond to the City's request that I review the application for Home Rule pursuant to W.Va. Code § 8-1-5(a) et seq., and to provide a legal opinion of the application's compliance with the applicable provisions of West Virginia law.

Based upon my review of the application provided to me, it is my legal opinion that the application complies with the statutory requirements set forth in W.Va. Code § 8-1-5 governing the request for Municipal Home Rule Pilot Program.

Sincerely,



Kevin C. Harris

KCH/bjs

# LAW OFFICES OF HARRIS & HOLMES, PLLC

Kevin C. Harris

Eric J. Holmes

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Ripley, WV 25271  
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June 18, 2019

West Virginia Home Rule Board  
Charleston, West Virginia

## ***Re: Application of City of Ripley for Home Rule Authority***

To Whom It May Concern:

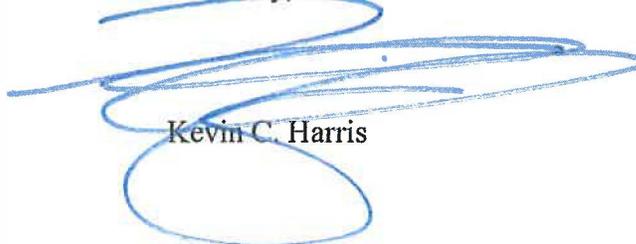
As a County Official who has a close working relationship with all the City Officials in all the City Departments, I firmly believe it would be in the best interest of the City of Ripley to be allowed to have Home Rule Authority.

Our Local Government in the City of Ripley is one of the best in terms of working with local citizens and working with County Government.

I believe this Home Rule Authority would allow our local government to become stronger and offer more services to the citizens of this Community.

It is without reservation that I request that you grant the City of Ripley Home Rule Authority.

Sincerely,



Kevin C. Harris

KCH/bjs



# City of Ripley

Mayor  
*Carolyn Rader*

203 South Church Street  
Ripley, WV 25271  
(304) 372-3482  
Fax: (304) 372-6693  
Website: [www.cityofripley.org](http://www.cityofripley.org)

**Recorder**

*David J. Castle*

**Council**

*John McGinty*  
*Larry Martin*  
*Bryan Thompson*  
*Ray Anderson*  
*Carolyn Wainwright*

June 19, 2019

To the Members of the Home Rule Board:

This letter certifies that the City of Ripley owes no outstanding fees to the State of West Virginia.

Best regards,

Mayor Carolyn Rader

Treasurer  
Tom Armstead



# City of Ripley

203 South Church Street  
Ripley, WV 25271  
(304) 372-3482  
Fax: (304) 372-6693  
Website: [www.cityofripley.org](http://www.cityofripley.org)

Mayor

*Carolyn Rader*

Recorder

*David J. Gault*

Council

*John McKinley*

*Danny Martin*

*Bryan Thompson*

*Ray Anderson*

*Carolyn Wainwright*

June 19, 2019

**Municipal Home Rule Board  
Building 1 Room W-314  
State Capitol Complex  
Charleston, WV 25305**

To: Members of the Home Rule Board:

Note that the requirements of West Virginia Code Section 8-11-4(2) concerning ordinances that pertain to the raising of revenue for the municipality are not applicable to the Home Rule process at this point.

If the City of Ripley is accepted into the Home Rule Program, we fully intend to follow all rules and regulations including Code 8-11-4(2).

Sincerely,

*Carolyn Rader*

Carolyn Rader  
Mayor