# CITY OF CHARLES TOWN

**CITY COUNCIL**
**AGENDA • MARCH 6, 2023**

**Regular Session** **COUNCIL CHAMBERS** **7:00 PM**
**101 E Washington Street, Charles Town, WV 25414**

**CALL TO ORDER**

**1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

: **2023-254:** City Council Workshop Meeting Minutes - February 21, 2023
February 21 workshop.docx

: **2023-255:** City Council Meeting Minutes - February 21, 2023
February 21st minutes.docx

**3. PUBLIC COMMENT**

**4. WARD REPORTS**

**5. MAYOR'S REPORT**

**6. COMMITTEE REPORTS**

: **2023-234:** Finance Committee
FinanceCommitteeReport_28Feb2023.pdf

: **2023-235:** Personnel Committee

: **2023-236:** Vacant Properties Board

**7. CITY MANAGER REPORT**

**8. POLICE CHIEF REPORT**

**9. UNFINISHED BUSINESS**

**10. NEW BUSINESS**

: **2023-240:** Jefferson County Parks & Recreation Fireworks Partnership Request
Fireworks packet.pdf

: **2023-241:** Congressionally Directed Spending FY24 Request Priorities
Charles Town FY24 Earmark List_FInal.docx
Webb Blessing Briefing Sheet.pdf

: **2023-242:** Appointment of Ballot Commissioners for FY23 Municipal Election
Ballot Commissioners 23.docx

: **2023-244:** Appointment - Charles Town Parks & Recreation Commission – 6-year term serving 01/01/23 – 12/31/28
Boards-and-Commissions-Application-Hartman.pdf

: **2023-237:** Fiscal Year 2024 Budgets - Operating & Coal Severance
FY24 BUDGET WORKSHEET - OPERATING BUDGET 03-06-2023 (v5.0).pdf
FY2024 levy rate 10.90.pdf
FY2024 levy rate 11.85.pdf
FY2024 levy rate 11.83.pdf
FY24 BUDGET WORKSHEET - COAL BUDGET 03-06-2023 (v1.0).pdf

: **2023-243:** Authorization for Public Notice of Public Hearing in Consideration of the FY24 Levy Rate
Notice of Proposed Tax Hearing.pdf

: **2023-247:** Personnel Committee Update (Possible Executive Session)
CM Profile and Position Description (Council Approved).pdf

## 11. REFERRALS TO COMMITTEES/COMMISSIONS

## 12. APPROVAL OF BILLS

: **2023-256**: Payment of Bills - March 6, 2023
CAPITAL RESERVE COUNCIL REPORT 2023 3 06.pdf
GENERAL FUND COUNCIL REPORT 2023 3 06.pdf
PARKS & REC COUNCIL REPORT 2023 03 06.pdf

## 13. ADJOURNMENT

**INFORMATION ONLY - NEXT MEETING March 20, 2023 7:00 PM**

: **2023-226:** Charles Town Utility Board Minutes - February 8, 2023
2023.02.08 UB MINUTES.pdf

: **2023-245:** WV Fest - Mayor's Invitation to the Governor or West Virginia - Signed
Letter to Governor Justice - 2-22-23.pdf

: **2023-246:** Eastern Panhandle Transit Authority (EPTA)/ Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Letter of Support Request - Copy of Letter Sent
Letter to Pete Buttigieg.pdf

: **2023-249:** Letter to Jefferson County Commission, February 2023, Ref: Charles Town Utility Board Vacancy
Ltr to JCC Ref CTUB Vacancy Feb 22.pdf

: **2023-248:** Mayors Select Committee for Consideration of Renewal of the Lease for CW Hall, First Floor - Letter
Mayor's Select Committee Letter & Lease.pdf

: **2023-250:** Ordinance Authorizing and Directing the Mayor to Execute an Agreement Rescinding, Canceling, and Nullifying, as Between the Parties to such Agreement, those certain Conditions of Annexation Dated the 30th Day of January 2007, Entered by and Between Rolfe G. Hayes and Ahmad H. Abdul-Baki, as Owners of the Subject Real Property, and the City of Charles Town, and Releasing the Parties to such Agreement from any

Executory Obligations, Covenants, or Duties Under the Conditions of Annexation - Finalized Documents
An Ordinance Authorizing and Directing the Mayor to Execute an Agreement Rescinidng, Canceling, and Nullifying, Coniditons of An.pdf
Nullification Agreement - Hayes Property.pdf

**NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at:**

**https://www.charlestownwv.us/government/agendas-and-minutes/**

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-254: City Council Workshop Meeting Minutes - February 21, 2023

**ATTACHMENTS:**

- February 21 workshop.docx

# CITY OF CHARLES TOWN

**CITY COUNCIL**

**MINUTES • February 21, 2023**

**Regular Meeting** **Council Chambers** **7:00 PM**

**101 East Washington Street, Charles Town, WV 25414**

## CALL TO ORDER

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Bob Trainor | Mayor | Present | |
| James Kratovil | Councilmember | Present | |
| Elizabeth Ricketts | Councilmember | Present | |
| Kevin Tester | Councilmember | Present | |
| Jeff Hynes | Councilmember | Present | |
| Jean Petti | Councilmember | Present | |
| Julie Philabaum | Councilmember | Present | |
| Micheal George | Councilmember | Present | |
| Rikki Twyford | Councilmember | Present | |

Mr. John Barkley, City Manager and Mr. Todd Wilt, Operations Manager were also in attendance.

## WORKSHOP TOPIC

2023-161: American Rescue Plan Act (ARPA) - Community Request Allocation, Phase 2 - Application Review (Possible Executive Session)

Ms. Amanda Stroud, a member of the Ranson American Rescue Plan Act (ARPA) Committee, requested that the City of Charles Town re-open their funding application window or have a third round for request applications.

Mr. Tester moved that the Council enter into Executive Session. Mr. Hynes seconded the motion and there were no objections.

Mayor Trainor declared the Council in Executive Session.

Mayor Trainor declared the Council out of Executive Session.

## ADJOURNMENT

Mayor Trainor asked if there was any other business to come before the workshop. Hearing none he adjourned the workshop.

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-255: City Council Meeting Minutes - February 21, 2023

**ATTACHMENTS:**

- February 21st minutes.docx

# CITY OF CHARLES TOWN

**CITY COUNCIL**

**MINUTES • February 21, 2023**

**Regular Meeting** **Council Chambers** **7:00 PM**

**101 East Washington Street, Charles Town, WV 25414**

## CALL TO ORDER

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Bob Trainor | Mayor | Present | |
| James Kratovil | Councilmember | Present | |
| Elizabeth Ricketts | Councilmember | Present | |
| Kevin Tester | Councilmember | Present | |
| Jeff Hynes | Councilmember | Present | |
| Jean Petti | Councilmember | Present | |
| Julie Philabaum | Councilmember | Present | |
| Micheal George | Councilmember | Present | |
| Rikki Twyford | Councilmember | Present | |

Mr. John Barkley, City Manager; Mr. Todd Wilt, City Operations Director; Ms. Liz Cook, Business Development and Downtown Coordinator; and Chief Chris Kutcher, Charles Town Police Department were also in attendance.

## 1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

## 2. APPROVAL OF MINUTES

2023-204: City Council Workshop Minutes - February 6, 2023

There being no corrections, changes, or objections to the meeting minutes, Mayor Trainor declared the minutes approved.

2023-203: City Council Meeting Minutes - February 6, 2023

There being no corrections, changes or objections to the meeting minutes, Mayor Trainor declared the minutes approved.

## 3. PUBLIC COMMENT

Three people signed up for the public comment.

All three persons commented on Article 531 - Possession of Marijuana and their views as to why simple possession of marijuana should be decriminalized within the Charles Town City limits.

## 4. WARD REPORTS

Ward #1

Mr. Kratovil reported that he attended the committee meetings of which he is a member and is looking forward to the next Vacant Properties Board meeting.

Ms. Ricketts reported the following:

- That she has been contacted by several residents, who complained about the property and utility damage occurring in many areas of the City resulting from underground fiber optic infrastructure work being conducted on behalf of Frontier Communications.

- That the County Planning Commission is working on the Jefferson County Comprehensive Plan and is seeking input from residents and organizations.

- That the recent railroad derailment in Ohio has her concerned and questioned whether or not the City has a plan in place to handle a similar incident if it were to occur in Charles Town.

- That she attended the pancake breakfast fundraiser at Citizens Firehouse this morning.

Ward #2

Mr. Tester reported that he attended the three recent ribbon cutting events and the Personnel Committee meeting. He has also heard complaints from residents concerning infrastructure work being conducted in Huntfield on behalf of Frontier Communications. He questioned whether the proper notifications have been made and whether City permits for the work have been issued.

Mr. Hynes reported that he attended the Finance Committee meeting and was upset that the agenda item that he requested concerning the Charles Town Utility Board of Directors vacancy was not included on the meeting agenda.

Ward #3

Ms. Petti reported that she is still receiving complaints regarding the City's building permitting process, but that she has also received positive feedback on the City's code enforcement efforts. Ms. Petti also offered her condolences to the family of Ann Ditto.

Ms. Philabaum reported that she attended the three ribbon cutting events, as well as the Personnel Committee, and the Infrastructure Committee meetings. She also reported that the Jefferson County Development Authority has begun their Jumpstart Business Pitch Competition.

Ward #4

Mr. George welcomed Cheryl Peterson, the City's new permit technician. He also reported that he has been contacted by many residents concerning community development and bringing more businesses to Charles Town.

Ms. Twyford reported the following:

- That she attended (via Zoom) the National League of Cities Presentation on Cities Innovating to Accelerate Small Business

- That she welcomes Jolee's Consignment, Grappling Arts 360, and River Song Boutique to Charles Town. She reported that proceeds of certain River Song Boutique sales will be donated to Indigenous People.

- She congratulated Citizens Fire Company on their Pancake Day.

- That there will be Community Development Department Town Hall - 2:00 to 4:00PM at City Hall, Blossoms and Blooms and the Farmer's Market Grand Opening is scheduled for April 15, 2023, and she will be sponsoring the Pepperoni Roll Bake-Off for WV Fest this year.

## 5. MAYOR'S REPORT

Mayor Trainor reported that he attended the Finance Committee, Charles Town Utility Board, and Charles Town Civil Service Committee meetings as well as the three ribbon cutting ceremonies on February 18th.

2023-197: Local High School Key Club Recognition

Mayor Trainor presented Outstanding Achievement Awards to Washington and Jefferson High School students - Key Clubbers - for raising $5,800.00 to benefit the Boys and Girls Club of Jefferson County.

2023-191: WV Fest - Mayor's Invitation to the Governor or West Virginia

Mayor Trainor asked if there was any objection to the Council inviting West Virginia Governor Jim Justice to the Charles Town "West Virginia Fest" on June 17, 2023. Hearing no objections, Mayor Trainor committed to signing the invitation letter as submitted, with minor corrections, for further staff action.

## 6. COMMITTEE REPORTS

2023-184: Finance Committee

Mayor Trainor reported the Finance Committee discussed the FY2024 budget. The FY2023 "But for Organizations" donations will be discussed later in the meeting. He also reported that a Mayor Select Committee will be formed this week to review and update the G.A.P. Coalition Inc. - Charles Washington Hall lease.

2023-185: Infrastructure Committee

Ms. Philabaum reported the following:

- That this Thursday, February 23, 2023 at 10:00AM, a site visit meeting will be held by the West Virginia Department of Highway at the Augustine Avenue trail head near Evitts Run Pond to discuss the trail project as well as the Sheetz Gas Station site to discuss anticipated traffic pattern challenges.

- That the Liberty Street Storm Water Congressional Grant funding has an expiration date.

- That the Infrastructure Committee will begin inventorying all the City's wayfinding signs to ensure that they're accurate and up to date.

- That it was determined that the solar battery that powers the Augustine Avenue Radar Speed Sign will likely require manual charging when there are multiple subsequent cloudy days.

- Ms. Ricketts presented an update on her Smart Growth American Champions Institute project idea. Members from Smart Growth may travel to Charles Town to lend technical assistance to the project.

2023-198: Ordinance Committee

Ms. Twyford reported that the first reading of Article 531- Simple Possession of Marijuana (Agenda Item 2023-194) is scheduled for later in the meeting. She will also update the Ordinance Committee Report to reflect that Mr. Tester attended remotely and Mayor Trainor was present at the meeting.

2023-186: Personnel Committee

Mr. George reported that the Personnel Committee went into Executive Session and it was decided that there will be a special meeting on February 27, 2023 at 5:00 PM to complete a mid-year review of Mr. Barkley, the City Manager. He also requested to discuss further in an executive session to coincide with the session scheduled for later in the meeting.

## 7. CITY MANAGER REPORT

Concerning the Charles Town Utility Board of Directors vacant position, Mr. Barkley proposed that since the position has been vacant since August 2022 and that no candidates have been thus far submitted by the County Commission, that the City assume the responsibility of soliciting candidates for the position. Mayor Trainor asked if there were any objections to Mr. Barkley's proposal and there were none.

Mr. Barkley also reported that infrastructure work being performed on behalf of Frontier Communications will cease within the city limits of Charles Town until all permitting and paperwork is completed.

## 8. POLICE CHIEF REPORT

Chief Kutcher reviewed the Charles Town Police January Statistics report with the Council. He reported that the next scheduled police officer candidate testing date is April 1, 2023.

## 9. UNFINISHED BUSINESS

2023-170: Charles Town Building Commission Appointment, Candidate Interviews - New 5-year term serving 01/01/23 - 12/31/27

The Council interviewed two candidates for the Building Commission Appointment: Ms. Sarah Edgar and Mr. Nate Hartman.

The following are the voting results:

For Ms. Edgar - Ricketts, Philabaum, George, Twyford, Trainor

For Mr. Hartman - Kratovil, Hynes, Tester, Petti

Ms. Edgar was declared the appointee to the Building Commission and will be sworn in at a later date.

2022-106: Consideration of an Ordinance Providing for a Special Election to Consider if the Charles Town City Charter Shall be Revised as a Whole by Representatives of the People and to Elect Seven Members to the Charter Board, Staff Update

Ms. Philabaum moved to go into Executive Session. Ms. Twyford seconded the motion and it passed 5 to 4. The Mayor declared the Council in Executive Session.

The Mayor declared the Council out of Executive Session.

Mr. George moved to revise the Charter by amendments only and not as a revision as a whole. Mr. Tester seconded the motion, and it passed by a 7-1 vote.

A workshop was scheduled for Saturday, April 22, 2023, 10:00AM to consider Charter revisions.

Only the final vote is reflected in the box below.

| | |
|---|---|
| **RESULT:** | **APPROVED [7-1]** |
| **MOVER:** | Micheal George |
| **SECONDER:** | Kevin Tester |
| **AYES:** | Kratovil, Ricketts, Tester, Petti, Philabaum, George, Twyford |
| **NAYS:** | Hynes |

2023-159: American Rescue Plan Act (ARPA) -Community Request Allocation, Phase 2

Ms. Philabaum moved to direct city staff to inform the following organizations that their requests will not be funded; Jefferson County Community Ministries, Friends of Happy Retreat, Melissa Glasscock of Needful Things LLC, and To the Rescue, Inc. Ms. Petti seconded the motion.

Mr. George moved to amend the motion by removing Friends of Happy Retreat because they did not request funding in their letter of application. Mr. Tester seconded the motion, and it passed unanimously.

Ms. Philabaum moved to revise the motion to include in the letter to Melissa Glascock Needful Things LLC, encouragement for her to apply for the City's Façade Improvement and Revise Grant; there were no objections.

Only the final vote if reflected in the box below.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Julie Philabaum |
| **SECONDER:** | Jean Petti |
| **AYES:** | Kratovil, Ricketts, Tester, Hynes, Petti, Philabaum, George, Twyford |

## 10. NEW BUSINESS

2023-187: Charles Town Tree Board - 2023-2024 Master Plan

Ms. Katie Coon of the Charles Town Tree Board reviewed the Tree Master Plan with the Council.

Mr. Hynes moved to approve the Charles Town Tree Board Master Plan as presented. Mr. Tester seconded the motion, and it passed unanimously.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Jeff Hynes |
| **SECONDER:** | Kevin Tester |
| **AYES:** | Kratovil, Ricketts, Tester, Hynes, Petti, Philabaum, George, Twyford |

2023-192: FY23 Community Donations - But For Organizations

Ms. Ricketts moved to table this agenda item until the April 3, 2023 meeting. Mr. Hynes seconded the motion, and it passed unanimously.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Elizabeth Ricketts |
| **SECONDER:** | Jeff Hynes |
| **AYES:** | Kratovil, Ricketts, Tester, Hynes, Petti, Philabaum, George, Twyford |

2023-193: FY24 Community Donations - But For Organizations, FY24 Application Process

Ms. Philabaum moved to table this agenda item until the March 20, 2023, meeting. Ms. Twyford seconded the motion, and it passed unanimously.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Julie Philabaum |
| **SECONDER:** | Rikki Twyford |
| **AYES:** | Kratovil, Ricketts, Tester, Hynes, Petti, Philabaum, George, Twyford |

2023-199: Eastern Panhandle Transit Authority (EPTA)/ Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Letter of Support Request

Mr. Kratovil moved to authorize the Mayor to provide a letter of support for the Eastern Panhandle Transit Authority (EPTA)/Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEMPO) RAISE grant funding application for the proposed Eastern Panhandle Rural Multimodal Transit Center project. Mr. Hynes seconded the motion, and it passed unanimously.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | James Kratovil |
| **SECONDER:** | Jeff Hynes |
| **AYES:** | Kratovil, Ricketts, Tester, Hynes, Petti, Philabaum, George, Twyford |

2023-194: First Reading and Consideration of Amendments to the Codified Ordinances of the City of Charles Town, West Virginia with Regard to Part 5 General Offenses Code, Article 531 - Simple Possession of Marijuana

Ms. Philabaum recommended the following changes to the submitted Article: In the Title, add the word "simple" to read "Simple Possession of Marijuana" ; in Section 531.02 UNLAWFUL ACTIVITY add "of a quantity less than 15 grams" to read "...within the City of Charles Town, marijuana of a quantity less than 15 grams, unless the marijuana was obtained legally under the West Virginia Medical Cannabis Act."

Ms. Petti moved to approve Article 531 as amended. Ms. Twyford seconded the motion.

Ms. Ricketts moved to amend Section 531.99 PENALTY from: "...not more than one thousand dollars ($1,000)" to "...not more than ten dollars ($10)". Mr. Hynes seconded the motion, and it failed by a 2-7 vote.

Ayes: Ricketts, Hynes

Nays: Kratovil, Tester, Philabaum, Petti, George, Twyford, Trainor

Ms. Petti moved to amend her motion, Section 531.99 PENALTY from: "...not more than one thousand dollars ($1000)" to "...not more than one hundred dollars ($100)". Mr. George moved to second the motion.

Mr. Kratovil moved to table Article 531 until Article 171 Municipal Court goes through the Ordinance Committee. Ms. Ricketts seconded the motion, and it failed by a 4-4 vote.

Ayes: Kratovil, Ricketts, Tester, George

Nays: Hynes, Philabaum, Petti, Twyford

Ms. Petti's motion failed by a 4-4 vote.

Ayes: Hynes, Petti, George, Twyford

Nays: Kratovil, Ricketts, Tester, Philabaum

Mr. Kratovil moved to amend the Article to include at the end of 531.02 UNLAWFUL ACTIVITY, "First time offenders can take advantage of W.Va. Code Section 60A-4-407". Mr. Tester seconded the motion, and it passed unanimously.

Only the final vote is reflected in the box below.

| | |
|---|---|
| **RESULT:** | **FAILED [3-5]** |
| **MOVER:** | Jean Petti |
| **SECONDER:** | Rikki Twyford |
| **AYES:** | Tester, Petti, Twyford |
| **NAYS:** | Kratovil, Ricketts, Hynes, Philabaum, George |

2023-208: Charles Town Utility Board Member Vacancy - 1 new 4-year term, serving 01/01/23 - 12/31/26 (Jefferson County Commission Recommendation Appointment) - Appointment Status and Recommendations

This agenda item was addressed in the City Manager's Report.

## 11. REFERRALS TO COMMITTEES/COMMISSIONS

2023-195: Referral to Ordinance Committee - Article 171 - Municipal Court

Mr. Tester moved to refer Article 171 - Municipal Court to the Ordinance Committee. Ms. Petti seconded the motion, and it passed unanimously.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Kevin Tester |
| **SECONDER:** | Jean Petti |
| **AYES:** | Kratovil, Ricketts, Tester, Hynes, Petti, Philabaum, George, Twyford |

2023-196: Resolution - City of Charles Town to Become Carbon Neutral by 2030

Ms. Ricketts moved to refer to the Infrastructure Committee tasking to research the possibility of Charles Town becoming carbon neutral. Ms. Petti seconded the motion. The motion passed by a 6-2 vote.

| | |
|---|---|
| **RESULT:** | **APPROVED [6-2]** |
| **MOVER:** | Elizabeth Ricketts |
| **SECONDER:** | Jean Petti |
| **AYES:** | Kratovil, Ricketts, Tester, Petti, George, Twyford |
| **AYES:** | Hynes, Philabaum, |

## 12. APPROVAL OF BILLS

2023-207: Payment of Bills - February 21, 2023

Mayor Trainor asked if there were any objections to approving the bills. Hearing none he declared the bills approved.

## 13. ADJOURNMENT

Mayor Trainor asked if there was any objection to adjourning the meeting. Hearing none he declared the meeting adjourned.

**INFORMATION ONLY - NEXT MEETING March 6, 2023**

2023-188: Charles Town Utility Board - Minutes, January 2023

2023-189: Pharmaceutical Industry Opioid Lawsuit, Executed Settlement Agreement Authorization

2023-166: Administration of Oath - Ann Paonessa, Charles Town Planning Commission; Term Expiring December 31, 2025 - Signed Oath

2023-162: Administration of Oath - Parking Enforcement Officer, Lisa Smith - Signed Oath

2023-167: NPDES Permit Authorization Resolution

**NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at:**

**https://www.charlestownwv.us/government/agendas-and-minutes/**

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Report
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-234: Finance Committee

Committee members offer the included report from the February 28 meeting.

**ATTACHMENTS:**

- FinanceCommitteeReport_28Feb2023.pdf

City of Charles Town Finance Committee Report
28 February 2023 Meeting

Drafted by: Bob Trainor - Chairman

## Call to Order ooa 12:04PM

1. **Persons present:** Finance Committee Members Ms. Jean Pettit (Remote – departed the meeting at approximately 1:00PM), Mr. Jeff Hynes, and Mr. Bob Trainor; City Manager, Mr. John Barkley; Finance Director, Ms. Breanna Andrews; Operations Director, Mr. Todd Wilt; and Community Development Director, Ms. Alissa Meeks. Council members Rickets (Remote), Tester (Remote) and Kratovil were also present.

## 2. Unfinished Business

**2.1: Update Banking Signature Cards** – Staff is still awaiting updated signature cards from the financial institutions.

**2.2: FY2024 Budget Update - Preliminary Reviews Continued**

Staff presented the Committee with the revised proposal for the FY2024 Operating, Coal Severance, and Capital budgets. This revision of the proposed Operating budget included a contingency for an 8.4% Cost of Living Allowance (COLA) increase for City staff, three percent - 457 retirement plan – City contribution, two additional City staff, the integration of the Charles Town Police Department's (CTPD) Community Resource Officer (funded via a Community Orientated Policing Services (COPS)) grant into the existing personnel allowance, and shifting of Information Technology (IT) expenses from the Capital budget – approximately $164K.

The Committee and staff also discussed the FY2024 Levy Rate, which is calculated at 10.9% ($1,391,203 in revenue) without requiring a public hearing and the maximum allowed for Charles Town for FY2024 – 11.85% ($1,512,454 in revenue) requiring a public hearing. Staff will prepare the notice of public hearing for Council approval.

Staff presented a draft of the proposed FY2024 Capital Budget. The Committee provided recommendations for staff consideration and action.

***Recommendations to the City Council:***

(1) Review the proposed FY2024 Operating and Coal Severance Budgets and provide feedback to staff; and
(2) Direct staff to publish Notice of Public Hearing for the FY2024 Levy Rate.

## 3. New Business

**3.1 CTPD CIP – Replacement of Weapons**

The Committee reviewed the CTPD's proposal to purchase replacement side arms using their seizure funding accounts; the estimated expenditure is $14, 689.

Note: Ms. Petti had departed the meeting and was not involved in the discussion of this agenda item.

***Recommendations to the City Council:*** None at this time, information only.

### 3.2 2023 Investment Policy Statement for Residual Fund Fidelity Investments

Staff presented the Committee with the updated Policy Statement for Committee signature.

Note: Ms. Petti had departed the meeting and was not involved in the discussion of this agenda item.

***Recommendations to the City Council:*** None at this time, information only.

## 4. Information Items

The next Finance Committee meeting is scheduled for 4 April 2023 at 12:00PM

## 5. Tabled Items

There are no information items.

## 6. Pending Items

There are no pending items.

## 7. The meeting was adjourned ooa 1:55PM

## 2023-235: Personnel Committee

Committee members will offer a report from the February 27 meeting.

**ATTACHMENTS:**

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Report
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-236: Vacant Properties Board

The Vacant Properties Board will offer a table drop report from the March 2 meeting.

**ATTACHMENTS:**

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-240: Jefferson County Parks & Recreation Fireworks Partnership Request

Representatives of Jefferson County Parks and Recreation Commission will be present to discuss planning for a 2023 Fireworks show and will ask the City Council for consideration of a contribution toward the event.

**ATTACHMENTS:**

- Fireworks packet.pdf



# Fireworks

July 1, 2023

Funding Discussion


The fun STAYS in Jefferson County.
The community has been vocal about bringing Fireworks back.
Local, free events means equitable community celebration.
Professional pyrotechnics.
Visitors come other counties and states for this event.





Shepherdstown
WEST VIRGINIA

Jefferson County Parks & Recreation

RANSON
West Virginia

THE CITY OF
CHARLES TOWN
WEST VIRGINIA

# Estimated Expense Budget 2023

| EXPENSES | | |
|---|---|---|
| Parking | | $ 750.00 |
| Trash Removal | | $ - |
| Parking Lot Lighting (6) | | $ 1,000.00 |
| Auger/Lift | | $ 800.00 |
| *Porta-Pots/Hand Washing Station (30) | | $ 4,170.00 |
| Sheriff Reserves | | $ 500.00 |
| Sheriff Dept (4@$50) 5 hours | | $ 1,000.00 |
| Fire/Rescue/EMS | | $ 750.00 |
| Staff | | $ 500.00 |
| Fireworks | | $ 22,500.00 |
| Band/Sound | | $ 5,000.00 |
| Mass Gathering Permit | | $ - |
| Total | | $ 36,970.00 |



# Estimated Income/Sponsors

| Income | | |
|---|---|---|
| Jefferson County Parks & Recreation | | $5,000.00 |
| Jefferson County Commission | | $10,000.00 |
| Levitt Foundation (Music on Stage) | | $5,000.00 |
| City of Ranson | | - |
| City of Charles Town | | - |
| Town of Bolivar | | - |
| Town of Harpers Ferry | | - |
| Town of Shepherdstown | | - |
| | | |
| | | |
| | | |
| Total | | $20,000 |



Fireworks was a beloved community event.




It is unsustainable without community support.

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-241: Congressionally Directed Spending FY24 Request Priorities

Staff along with the City's grant writing consultant offer the included memo in consideration of Congressionally Directed Spending Request opportunities for FY24. The City Council is asked to provide input regarding the noted opportunities. Staff along with the consultant will be present for a discussion.

**Proposed Motion:**
Move to direct staff to pursue FY24 Congressionally Directed Spending Requests as _____. *(Discussed, Presented, Follows)*

**ATTACHMENTS:**
- Charles Town FY24 Earmark List_FInal.docx
- Webb Blessing Briefing Sheet.pdf

## CITY OF CHARLES TOWN / CTUB PROJECTS

| # | Charles Town Project | Funding Accounts | Funding Amount / Match |
|---|---|---|---|
| 1 | **Jefferson Memorial Park Pool Upgrade** – Built in the 1960s and in serious risk of obsolescence despite being the only outdoor public pool in all Jefferson County, this pool needs replaced with a working and improved facility. This project would be conducted together with restoration of the obsolete Poolhouse to be conducted with separate LWCF and local funds. | HUD "Community Development Fund" / Economic Development Initiative | $1,500,000 (no match required) |
| 2 | **Jefferson County Wastewater Collection System Upgrade** – The Charles Town Utility Board is working with the City of Charles Town, the City of Ranson, and Jefferson County to construct a shovel-ready, $4.861 million upgrade to three wastewater collection trunk lines and four pump stations that are aging, deteriorating, under-capacity, and impacted by contamination. | EPA STAG Clean Water | $3,888,800 with $972,000 (20%) match, already secured from WV Infrastructure & Jobs Development Council |
| 3 | **South Charles Town Connector** – Charles Town seeks to construct sidewalk connections between downtown and the community's Police Station, Municipal Court System, and other key government offices located on S. George Street, and to design new sidewalk connections between George Street and the Happy Retreat Community Center & Park, the Jefferson County Board of Education, and historic Fisherman's Hall in the city's most distressed and minority neighborhood. | DOT FHWA "Highway Infrastructure Grant" | $612,000 grant matched with $153,000 local contribution |
| 4 | **Community-School Safety Study & Plan on State Route 340/18** – The outmoded intersection of the Route 340 highway with Old Route 340/SR 18, Huyett Road, and the entrance to Washington High School, is an already unsafe intersection that will become much more prone to accidents and loss when a new commercial facility is built at this intersection. Charles Town seeks support for a safety study and plan for upgrading this dangerous intersection. | DOT Transportation, Planning, Research & Development | $100,000, with $25k (20%) match |

# SUPPORT FOR OTHER COMMUNITY PROJECTS

| Community Project & Applicant | Funding Accounts | Funding Amount / Match |
|---|---|---|
| **Webb-Blessing Housing Restoration & Reuse Action Plan** – Charles Town supports the Old Charles Town Library & Jefferson County Museum project to restore and reactivate the historic Webb-Blessing House and 1750 enslaved person cabin. The Library/Museum seek to retain expert consultants to work with the community to create a reuse study, market study, and action plan for restoring the house for youth programming, non-profit, and heritage tourism uses. | HUD Economic Development Initiative | $100,000 |
| **JCCM Community Services Center Project** – Jefferson County Community Ministries will establish the first emergency shelter for the homeless and vulnerable in Jefferson County, including the first family emergency shelter in the Eastern Panhandle, WVU Medicine health and dental clinics, food and clothing distribution centers, and case management/life skills offices and conference facilities. These congressional requests seek HUD funding to cover the costs of site upgrades for the future facility (access roadway, utilities, stormwater), and HHS funding to cover the construction and equipment for the WVU Medicine health and medical components of the future center. | HHS, Health Resources & Services Administration (HRSA) for WVU Medicine clinics (no match)<br><br>HUD EDI for site design & construction costs | $300,000 HRSA (no match)<br><br>$1,000,000 HUD EDI (no match) |

# RENEWING THE WEBB-BLESSING HOUSE

***A call for partnership from the Charles Town Library & Jefferson County Museum for restoring and activating these historic structures***



The non-profit Old Charles Town Library, Inc., encompassing the Jefferson County Museum and the Charles Town Library, seeks to work with local, state and national partners to restore the historic Webb-Blessing House, and to reactivate it as a downtown center for education, youth activities, Black History celebration, storage and display of historic materials, heritage tourism, and community events.

**The project now seeks $100,000 in grants and other funding to conduct a restoration & reuse action plan, and to complete emergency restorations.**

The Webb-Blessing House is located at 303 North Street in the planned "Depot District" revitalization area just off downtown, at about 375 paces from the Jefferson County Museum and Charles Town Library.







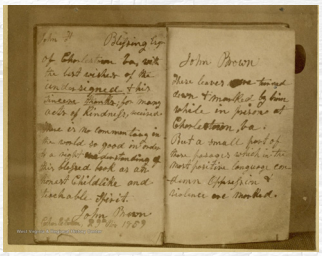


Built c.1829 and on the National Register of Historic Places as a contributing structure to the Old Charles Town Historic District, the Webb-Blessing House has a long and layered past, with important stories to tell about Jefferson County's Black History.

## There are four key points of interpretation for the property:

**1.** The Webb House is a masonry structure built in 1829 by and for the free Black Webb family in the Antebellum era. It was constructed by James Henry Webb, and the first resident, Patty Webb, owned the property and lived there until she was 80 years old.

**\2.** The attached wood frame structure was built by John Frederick Blessing, German immigrant, confectioner, and Commissary Sergeant in the Confederate Army. Before the Civil War, Blessing cared for the jailed John Brown and provided his meals. In return for his kindness, the abolitionist presented him with his Bible before going to the scaffold for his execution for treason.



**3.** Blessing's granddaughter, Ollie Blessing, lived in the home until the late 20th century. She was a well-known local educator who gave books to Black children in the neighborhood (known as Dogtown) at a time when they could not borrow books themselves in a segregated Charles Town. Miss Ollie also ran a kindergarten here for youth in the Charles Town/Ranson community.



**4.** In the backyard is an historic c.1750 enslaved quarters, a sturdy log cabin transplanted in the early 2000s from a property on North Street to save it from destruction.



**As c.1750 and c.1830s structures,** much of the original fabric of the houses is deteriorating, and it is urgent that we preserve and rehabilitate these buildings. The Jefferson County Museum and Charles Town Library have launched a project to:

- ***Preserve and restore the Webb-Blessing House and enslaved quarters for future generations.***
- ***Explore the site's potential and open it to the public as an interpretive, educational, and community resource.***






To make this happen, the Jefferson County Museum and Charles Town Library seek to convene a Webb-Blessing Task Force with key partners to include the **City of Charles Town, the Friends of Webb-Blessing House, the NAACP Jefferson County Branch, the African American Community Association, the Jefferson County Black History Preservation Society, Jefferson County Schools, Charles Town Now, the WV State Historic Preservation Office, the Jefferson County Historical Society,** and other partners. We plan to then hire expert consultants to conduct a community-based reuse study about viable and desirable reuses of these downtown structures, and an action plan for restoration.

**Once restored,** there are many possibilities for the site in addition to its potential as a historic house museum:



- Establish a STEAM learning center & maker space
- Establish space for regular and ongoing library storytimes, youth activities, arts education, and other dynamic uses.
- Utilize upper floor rooms for nonprofit offices, archival storage, and research projects.
- Host small exhibits for historical interpretation, and arts and cultural displays.
- Draw tourists and scholars to Charles Town for special tours and heritage interpretation.
- Maintain a memory and contemplation garden in the back yard, and utilize the enslaved quarters for outdoor activities.
- Use spaces for overflow activities and materials from the Library & Museum.



This study will build upon a completed Historic Structures Report, a recently-completed structural upgrade review, and substantial rehabilitation work already conducted, to identify a phased approach to full and complete rehabilitation and reuse, with cost estimation.

With its rich history, the Webb-Blessing House will be a key component of Jefferson County's future. It is centrally located in an area that Charles Town intends to revitalize as a walkable and vibrant park, entertainment, restaurant, and community gathering space called the "Depot District." All of this lies along the rail line bisecting the town, including a large vacant green space directly across from Webb-Blessing which can become part of the community attraction. When our vision is realized, the Webb-Blessing House will be a focal point of history, culture, and memory for this destination.

**Contact Jefferson County Museum Director Lori Wysong at** director@jeffersonCountyMuseumWV.org **or 304.725.8628, or Matt Ward at** Matt.Ward@StrategiesDC.com **or 202.422.2411**

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Appointment
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-242: Appointment of Ballot Commissioners for FY23 Municipal Election

The City Clerk asks the City Council to consider the included memo requesting appointment ballot commissioners for the upcoming municipal election.

**Proposed Motion:**
Motion to appoint **Mr. Gary Dungan** and **Mr. Randy Hilton** to serve as ballot commissioners for the City of Charles Town with terms beginning March 6, 2023 and ending December 31, 2023.

**ATTACHMENTS:**
- Ballot Commissioners 23.docx

# City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

FROM: John C. Barkley, City Manager/Clerk

SUBJECT: 2023 Municipal Election – Ballot Commissioners

DATE: March 6, 2023

In preparation for the City of Charles Town's 2023 municipal elections, I recommend the appointment of Mr. Randy Hilton and Mr. Gary Dungan to serve as ballot commissioners for a term beginning March 6, 2023 and ending December 31, 2023.

Along with the City Clerk, they will form the Board of Ballot Commissioners and as such, are responsible for certifying and ordering ballots and for ensuring the voting area has proper instructions and notices.

Mr. Hilton and Mr. Dungan were previously recommended by their respective political executive committees and will help to ensure the city conducts and fair and open municipal election. The process for identifying ballot commissioners is spelled out in state law and was conducted based on feedback I had previously received from the city's legal counsel.

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Appointment
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-244: Appointment - Charles Town Parks & Recreation Commission – 6-year term serving 01/01/23 – 12/31/28

City Council is asked to consider an appointment to a new term on the Charles Town Parks and Recreation Commission. This is a 6-year term expiring December 31, 2028. This term has been advertised on the City's website for at least the past 30 days and was previously advertised in the Spirit of Jefferson prior to the turn of the calendar year. Staff has received the single included application regarding the vacancy and Mayor Trainor has made contact with he applicant to confirm his interest in the position.

**Proposed Motion:**
Move to appoint **Nathanial Hartman** to a 6-year term on the Charles Town Parks & Recreation Commission serving 01/01/23 – 12/31/28.

**ATTACHMENTS:**
- Boards-and-Commissions-Application-Hartman.pdf

# CHARLES TOWN BOARDS AND COMMISSIONS

Applications for consideration will be kept for two (2) years.

**Board or Commission Applying for:** **Date of Application:** 2/2/2023

- [x] Board of Park and Recreation
- [x] Board of Zoning Appeals
- [x] Building Commission
- [ ] Historic Landmarks Commission
- [ ] Planning Commission
- [ ] Tree Board
- [ ] Utility Board
- [ ] Vacant Properties
- [ ] Other: _____

Name: Nate Hartman

Address: 515 S Samuel St Charles Town WV 25414

Email: nathanael@flooret.com

Phone: 202-500-8447

Length of time lived in the City of Charles Town: 1.5 Years

Have you ever been a member of a local government board or commission? Yes

If yes, when, where, and in what capacity? Charles Town Building Commission.

List present memberships in any relevant community, service, or civic associations.

MBR: Thurston County Chamber of Commerce, WA
MBR: DeKalb County Chamber of Commerce, TN
MBR: Thurston County CEOs Roundtable, WA

Explain your interest in the board/commission and how it would benefit from your participation.

Interested is supporting Charles Town and surrounding areas and the effort to improve the area, attract residents, & businesses and modernize some of the approaches that are currently contributing to Charles Town losing out on growth opportunities to other proximate municipalities.

My experience in Commercial Real Estate, owning & operating a large multi-state business a plus.

Along with this application form, applicants may also submit a resume, letters of recommendation, and/or any other materials that support their application for appointment to the board/commission.

If you have any questions regarding the application process, please contact the city manager by phone at 304-725-2311 or by email at citymanager@charlestownwv.us.

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-237: Fiscal Year 2024 Budgets - Operating & Coal Severance

Pursuant to WV Code 11-8-14, each municipality is required to meet prior to March 28 and provide to the WV State Auditor a Levy Estimate - Budget document outlining the city's anticipated revenues, expenditures, and tax rates for the coming fiscal year.

Attached are the proposed operating and coal severance budgets for FY24. The estimated property tax collections for FY2024, as well as the levy rate options are incorporated in the budget documents. City staff will review the proposed budgets with Council at this meeting and solicit feedback from the Council in preparation for final approval at the March 20 Council meeting. The operating and coal severance budgets will be submitted to the WV State Auditor's Office (WVSAO) after the March 20 meeting for review prior to the final laying of the levy (scheduled for April 18, 2023).

The capital budget is the city's plan for investing in long-term capital needs and is not submitted to the WVSAO; once the operating and coal budgets are finalized for state submission, City staff will resume modifying the capital budget for review and approval by Finance Committee as well as City Council.

**ATTACHMENTS:**

- FY24 BUDGET WORKSHEET - OPERATING BUDGET 03-06-2023 (v5.0).pdf
- FY2024 levy rate 10.90.pdf
- FY2024 levy rate 11.85.pdf
- FY2024 levy rate 11.83.pdf
- FY24 BUDGET WORKSHEET - COAL BUDGET 03-06-2023 (v1.0).pdf

the city of Charles Town, WV

FY2024 Proposed General Fund Operating Budget
City Council - March 6, 2023 Draft (V5.0)

| | | | | | | 3-3-2023 v5.0 | | | |
|---|---|---|---|---|---|---|---|---|---|
| | ***REVENUES*** | **FY21 Actual** | **FY22 Actual** | **FY23 Approved 1-17-2023** | **FY23 Thru Dec. 2022** | **FY24 Proposed** | **$ Change FY23 to FY24** | **% Change FY23 to FY24** | |
| 1 | Carryover | $ 511,291 | $ 419,851 | $ 2,226,685 | $ 2,226,685 | 2,842,544 | 615,859 | 28% | The ARPA balance as of 12/31/2022 $2,342,544 plus $500K / Could by $2,905,544 if no But-Fors are funded in FY23 and unspent $ rolls over into carryover |
| 2 | Taxes Ad Valorem | $ 1,190,161 | $ 1,246,119 | $ 1,305,380 | $ 790,474 | 1,391,203 | 85,823 | 7% | *Valuation Data rcvd 2/28/2023; maximum rate without public hearing is 10.9, maximum rate with public hearing is 11.85. FY23 rate is 11.83. Maximum rate increase would result in additional revenue of $121.3K ($1,512,454) |
| 3 | Supplemental Taxes | $ 25,751 | $ 26,060 | $ 25,000 | $ 17,466 | 25,000 | - | 0% | |
| 4 | Tax Loss Restoration | $ - | $ 890 | $ - | $ 297 | - | - | 0% | |
| 5 | Interest as Penalty - Ad Valorem | $ 8,274 | $ 8,708 | $ 9,500 | $ 5,317 | 10,000 | 500 | 5% | |
| 6 | Gas & Oil Severance Tax | $ 12,055 | $ 37,998 | $ 12,000 | $ - | 12,000 | - | 0% | |
| 7 | Utility Tax | $ 253,637 | $ 246,464 | $ 250,000 | $ 107,990 | 225,000 | (25,000) | -10% | |
| 8 | B&O Tax | $ 743,099 | $ 1,384,233 | $ 1,100,000 | $ 726,791 | 1,100,000 | - | 0% | Balance Through 2/11/2023 |
| 9 | Liquor Tax | $ 19,986 | $ 23,477 | $ 10,000 | $ 5,743 | 20,000 | 10,000 | 100% | Each distribution quarter amount ranges from $5.5K - $7K, and has been steadily rising each year. |
| 10 | Animal Control Tax | $ 1,625 | $ 1,617 | $ 1,800 | $ 1,517 | 1,600 | (200) | -11% | |
| 11 | Hotel/Motel Tax | $ 127,208 | $ 183,960 | $ 125,000 | $ 83,909 | 150,000 | 25,000 | 20% | 4 traditional hotels (Turf Motel, Days Inn, TravelLodge, Carriage Inn) and 5 independent rental companies (Homeaway.com, Expedia, AirBnB, Hotel Tonight, Evolve Vacation Rental Network) |
| 12 | Court Cost Fees | $ 245,790 | $ 244,667 | $ 250,000 | $ 117,963 | 250,000 | - | 0% | |
| 13 | Parking Violations | $ 35,570 | $ 37,590 | $ 30,000 | $ 14,620 | 29,000 | (1,000) | -3% | Revised based on new program details and current year performance. |
| 14 | Business Licenses | $ 22,018 | $ 21,387 | $ 20,000 | $ 20,120 | 22,000 | 2,000 | 10% | |
| 15 | Building Permits | $ 159,301 | $ 248,671 | $ 150,000 | $ 119,307 | 150,000 | - | 0% | Building activity increasing/expected to remain strong through FY2024 with new development projects on the horizon and increases in the permit fee structure. |
| 16 | Franchise Tax | $ 81,769 | $ 79,800 | $ 80,000 | $ 18,726 | 80,000 | - | 0% | Two Cable Franchisees; working with Shentel/GloFiber on franchisee compliance |
| 17 | Interstate/International Registration Plan | $ 69,516 | $ 69,604 | $ 60,000 | $ 29,754 | 60,000 | - | 0% | |
| 18 | Emergency Service Fees | $ 1,655 | $ 1,672 | $ 1,600 | $ 854 | 1,700 | 100 | 6% | Revenue from utility bills for EMS (5 cents) |
| 19 | Parks & Rec Fees | $ 1,655 | $ 1,672 | $ 1,600 | $ 854 | 1,700 | 100 | 6% | Revenue from utility bills for parks and recreation (5 cents) |
| 20 | Parking Meters | $ 48,990 | $ 43,227 | $ 50,000 | $ 29,052 | 50,000 | - | 0% | Based on new program details - including permits |
| 21 | Rent and Concession Revenue | $ 51,658 | $ 49,111 | $ 60,000 | $ 22,906 | 50,000 | (10,000) | -17% | CTUB rental of 661 space ($30k total); CW Hall Revenue is recorded as Due to Building Commission/CWH Landlord, so revising down to reflect true flow of revenues |
| 22 | Zoning Fees | $ 2,495 | $ 26,410 | $ 7,500 | $ 3,240 | 7,500 | - | 0% | |
| 23 | Street Fees | $ 129,103 | $ 130,434 | $ 125,000 | $ 65,629 | 130,000 | 5,000 | 4% | Revenue from utility bills for street improvements ($4 per month); pending fee decision from Council |
| 24 | State Gov't Grants | $ 11,880 | $ 5,940 | $ 6,000 | $ 2,970 | 6,000 | - | 0% | Could be substantially higher with aggressive strategy for ARPA funds |
| 26 | Federal Grants | $ 37,924 | $ - | $ 15,000 | $ - | 56,666 | 41,666 | 278% | Could be substantially higher with aggressive strategy for ARPA funds |
| 27 | Contributions from Other Funds (Sales Tax) | $ 991,768 | $ 1,557,615 | $ 1,000,000 | $ 700,000 | 1,600,000 | 600,000 | 60% | Ordinance requires payment of debt first (payments to BC are rent payments in PD and CH budgets); FY23 approved number was $626.3K lower than actual collections due to surplus from other funding sources; FY2024 proposes using full Sales Tax Collection estimates to supplement operational revenues |
| 28 | Contribution from Other Funds (ARPA Revenue Loss Allowance) | $ - | $ 1,332,522 | $ 1,332,523 | $ 1,332,523 | - | (1,332,523) | 0% | |
| 29 | Transfers to the Rainy Day Fund | $ - | $ - | | | - | - | 0% | |
| 30 | Gaming Income | $ 180,251 | $ 260,183 | $ 225,000 | $ 105,803 | 250,000 | 25,000 | 11% | Revised up slightly to reflect current collections and recent trends - advise on status of road/bridge closures that may impact Casino traffic |
| 31 | Interest Income - Operating Acct | $ 11,662 | $ 10,768 | $ 10,000 | $ 11,750 | 15,000 | 5,000 | 50% | |
| 32 | Misc. Reimbursements | $ 120,284 | $ 111,872 | $ 100,000 | $ 56,018 | 110,000 | 10,000 | 10% | SRO reimbursement of $60k; crossing guards; misc. police reimbursements; Fuel Refunds; Pcard Rebate; etc. |
| 33 | Insurance Claims | $ 6,509 | $ 3,248 | $ - | $ 23,290 | - | - | 0% | 2019 Ford CTPD Insurance Claim |
| 34 | Refunds and Rebates | $ 15,881 | $ 3,844 | | $ 100 | - | - | 0% | |
| 35 | Filing Fees | $ 650 | $ - | $ - | $ - | - | - | 0% | $300 Collected January 2023 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 36 | Video Lottery | $ 617,964 | $ 782,893 | $ 625,000 | $ 303,019 | 675,000 | 50,000 | 8% | Revised up slightly to reflect current collections and recent trends - advise on status of road/bridge closures that may impact Casino traffic |
| 37 | Miscellaneous Rev | $ 8,778 | $ 10,930 | $ 35,000 | $ 22,195 | 10,000 | (25,000) | -71% | Special permit fees; miscellaneous revenue; sale of assets, etc. - CW Hall Revenue is recorded as Due to Building Commission/CWH Landlord, so revising down to reflect true flow of revenues |
| 38 | Special Events | $ 3,600 | $ 30,614 | $ - | $ 18,126 | 18,000 | 18,000 | 1% | |
| 39 | **Total Revenues** | **$ 5,746,159** | **$ 8,613,438** | **$ 9,249,588** | **$ 6,985,007** | **9,349,913** | 100,325 | 8.6% | |
| 40 | | | | | | | | | |
| 41 | **DEPARTMENT LINE ITEMS** | **FY 21 Actual** | **FY 22** | **FY 23** | **FY23 Thru Dec.** | **FY24 Proposed** | **FY 23-24** | **FY 23-24** | **NOTES AND EXPLANATIONS** |
| 42 | **Economic Development - 402** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 43 | Salaries | $ - | $ - | $ - | $ - | 62,500 | 62,500 | - | Recording DownTown Coordinator in Economic Development instead of lumped in with P&Z |
| 44 | FICA | $ - | $ - | $ - | $ - | 4,800 | 4,800 | - | |
| 45 | Group Insurance | $ - | $ - | $ - | $ - | 8,000 | 8,000 | - | |
| 46 | Retirement | $ - | $ - | $ - | $ - | 5,600 | 5,600 | - | |
| 47 | OPEB | $ - | $ - | $ - | $ - | 2,000 | 2,000 | - | |
| 48 | Telephone | $ - | $ - | $ - | $ - | 750 | 750 | - | |
| 49 | Travel | $ - | $ - | $ - | $ - | 2,500 | 2,500 | - | Mainstreet Conference, Economic Devlopment Conference Travel |
| 50 | Advertising/Legal Publications | $ - | $ - | $ - | $ - | 500 | 500 | - | |
| 51 | Training | $ - | $ - | $ - | $ - | 2,500 | 2,500 | - | Mainstreet Conference, Economic Devlopment Conference |
| 52 | Dues & Subscriptions | $ - | $ - | $ - | $ - | 2,000 | 2,000 | - | Adobe Cloud, Survey Subscription, Apple Music, WVEDC, LightTheCity |
| 53 | Professional Services | $ - | $ - | $ - | $ - | 2,000 | 2,000 | - | |
| 54 | Insurance and Bonds | $ - | $ - | $ - | $ - | 4,500 | 4,500 | - | |
| 55 | Departmental Supplies | $ - | $ - | $ - | $ - | 1,000 | 1,000 | - | |
| 56 | Auto Supplies | $ - | $ - | $ - | $ - | 500 | 500 | - | |
| 57 | **Total Economic Development** | **$ -** | **$ -** | **$ -** | **$ -** | **$ 99,150** | **$ 99,150** | **-** | |
| 58 | | | | | | | | | |
| 59 | **Federal Grants - 403** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 60 | Professional Services | $ - | $ - | | $ - | - | - | - | Expenses included in city hall budget for grant writing services. |
| 61 | Departmental Supplies | $ - | $ - | | $ - | - | - | - | |
| 62 | **Total Federal Grants** | **$ -** | **$ -** | | **$ -** | **-** | **-** | **-** | |
| 63 | | | | | | | | | |
| 64 | **Mayor's Office - 409** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | |
| 65 | Salary | $ 4,800 | $ 12,500 | $ 12,500 | $ 6,250 | 12,500 | - | 0.0% | |
| 66 | FICA | $ 367 | $ 956 | $ 1,000 | $ 478 | 1,000 | - | 0.0% | |
| 67 | Telephone | $ - | $ - | $ - | $ - | - | - | - | |
| 68 | Travel | $ 177 | $ 1,681 | $ 2,000 | $ 611 | 2,000 | - | 0.0% | WVML Participation, etc. |
| 69 | Training & Education | $ 105 | $ 270 | $ 1,000 | $ 34 | 1,000 | - | 0.0% | WVML Participation, etc. |
| 70 | Advertising/Legal Publications | $ - | $ - | $ - | $ - | - | - | - | |
| 71 | Insurance & Bonds | $ 453 | $ 911 | $ 500 | $ 489 | 1,000 | 500 | 100.0% | |
| 72 | Departmental Supplies | $ 8 | $ 2,109 | $ 200 | $ - | 250 | 50 | 25.0% | |
| 73 | Contracted Services | $ - | $ - | | $ - | - | - | - | |
| 74 | Contributions | $ 1,405 | $ - | $ 2,000 | $ - | 2,000 | - | 0.0% | Funding for Mayor's Community Sponsorship Program |
| 75 | **Total Mayor's Office** | **$ 7,316** | **$ 18,428** | **$ 19,200** | **$ 7,862** | **19,750** | **550** | 2.9% | |
| 76 | | | | | | | | | |
| 77 | **Council - 410** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 78 | Salaries | $ 19,200 | $ 33,967 | $ 34,800 | $ 17,400 | 40,000 | 5,200 | 14.9% | 8 Seats at $5K per member |
| 79 | FICA | $ 1,469 | $ 2,598 | $ 2,700 | $ 1,331 | 3,100 | 400 | 14.8% | |
| 80 | Travel | $ 356 | $ 462 | $ 3,000 | $ 1,444 | 5,000 | 2,000 | 66.7% | More interest in training and travel from current Council |
| 81 | Advertising/Legal Publications | $ 439 | $ - | $ - | $ - | - | - | - | |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 82 | Training & Education | $ - | $ 3,125 | $ 3,000 | $ 28 | 3,000 | - | 0.0% | More interest in training and travel from current Council |
| 83 | Professional Services | $ - | $ - | | $ - | - | - | - | |
| 84 | Insurance & Bonds | $ 1,587 | $ 2,376 | $ 3,200 | $ 1,361 | 3,200 | - | 0.0% | Travelers insurance; |
| 85 | Departmental Supplies | $ 358 | $ 1,017 | $ 1,000 | $ 533 | 1,000 | - | 0.0% | |
| 86 | **Total Council** | **$ 23,409** | **$ 43,545** | **$ 47,700** | **$ 22,097** | **55,300** | **7,600** | **15.9%** | |
| 87 | | | | | | | | | |
| 88 | **City Manager - 412** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 89 | Salaries | $ 155,536 | $ 141,128 | $ 195,530 | $ 86,392 | 190,600 | (4,930) | -2.5% | City Manager, Executive Assistant (40% of time supporting Court Clerk - but full cost reflected in CM account) |
| 90 | FICA | $ 11,990 | $ 10,705 | $ 14,500 | $ 5,570 | 14,600 | 100 | 0.7% | |
| 91 | Group Insurance | $ 11,133 | $ 7,706 | $ 12,000 | $ 2,534 | 10,000 | (2,000) | -16.7% | |
| 92 | Retirement | $ 15,422 | $ 14,525 | $ 15,100 | $ 6,465 | 17,200 | 2,100 | 13.9% | |
| 93 | OPEB | $ 1,632 | $ 731 | $ 2,500 | $ 852 | 2,000 | (500) | -20.0% | |
| 94 | Telephone | $ 647 | $ 330 | $ 500 | $ 31 | 500 | - | 0.0% | |
| 95 | Travel | $ - | $ 4,138 | $ 1,500 | $ 5,000 | 1,500 | - | 0.0% | WVML conferences, etc. |
| 96 | Advertising and Postage | $ 47 | $ 2,244 | $ 300 | $ - | 300 | - | 0.0% | |
| 97 | Training & Education | $ 454 | $ 438 | $ 1,500 | $ - | 1,500 | - | 0.0% | WV Municipal League |
| 98 | Dues & Subscriptions | $ 1,097 | $ 1,194 | $ 1,500 | $ 95 | 1,500 | - | 0.0% | ICMA and WVML fees |
| 99 | Professional Services | $ 113 | $ 524 | $ 250 | $ - | 250 | - | 0.0% | |
| 100 | Insurance & Bonds | $ 23,719 | $ 13,722 | $ 15,000 | $ 6,936 | 15,000 | - | 0.0% | |
| 101 | Contracted Services | $ - | $ - | $ - | $ - | - | - | - | |
| 102 | Departmental Supplies | $ 992 | $ 169 | $ 500 | $ 307 | 750 | 250 | 50.0% | |
| 103 | Auto Supplies | $ - | $ 70 | $ 100 | $ - | 100 | - | 0.0% | |
| 104 | **Total City Manager** | **$ 222,782** | **$ 197,623** | **$ 260,780** | **$ 114,183** | **255,800** | **(4,980)** | **-1.9%** | |
| 105 | | | | | | | | | |
| 106 | **Treasurer - 413** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 107 | Salaries | $ 130,750 | $ 138,793 | $ 160,300 | $ 82,093 | 216,800 | 56,500 | 35.2% | Finance Director and three (3) Accounting Clerks (removing permit tech from cashier seat and hiring low level/inexperienced cashier for general operations and assistance; payroll cost ~40.6K) |
| 108 | FICA | $ 10,084 | $ 10,536 | $ 11,600 | $ 6,554 | 16,600 | 5,000 | 43.1% | |
| 109 | Group Insurance | $ 12,355 | $ 20,522 | $ 20,000 | $ 11,975 | 25,000 | 5,000 | 25.0% | |
| 110 | Retirement | $ 12,952 | $ 14,208 | $ 13,600 | $ 7,579 | 19,520 | 5,920 | 43.5% | |
| 111 | OPEB Other | $ 2,720 | $ 2,207 | $ 12,000 | $ 1,810 | 5,000 | (7,000) | -58.3% | |
| 112 | Telephone | $ - | $ - | $ 100 | $ - | 750 | 650 | 650.0% | Requesting cell phone for Finance Director |
| 113 | Travel | $ - | $ - | $ 1,000 | $ - | 1,000 | - | 0.0% | |
| 114 | Postage and Printing | $ 26 | $ - | $ - | $ - | $ 50 | $ 50 | - | |
| 115 | Advertising/Legal Publications | $ 880 | $ 1,172 | $ 1,000 | $ 626 | 1,000 | - | 0.0% | |
| 116 | Training & Education | $ 563 | $ 288 | $ 6,000 | $ 1,585 | 5,000 | (1,000) | -16.7% | GFOA Conferences and trainings, training for new hire |
| 117 | Dues & Subscriptions | $ 345 | $ 191 | $ 300 | $ 276 | 500 | 200 | 66.7% | GFOA dues, Adobe Subscription |
| 118 | Professional Services | $ - | $ 1,151 | $ 1,500 | $ 1,900 | 2,500 | 1,000 | 66.7% | Police Pension Report, CWH Trial Balance services |
| 119 | Audit Costs | $ 34,270 | $ 64,200 | $ 40,000 | $ - | 40,000 | - | 0.0% | |
| 120 | Insurance & Bonds | $ 14,171 | $ 10,872 | $ 14,000 | $ 5,924 | 14,000 | - | 0.0% | |
| 121 | Contracted Services | $ - | $ - | $ - | $ - | - | - | - | |
| 122 | Departmental Supplies | $ 420 | $ 1,295 | $ 1,500 | $ 443 | 1,500 | - | 0.0% | |
| 123 | Auto Supplies | $ - | $ - | $ 100 | $ - | - | (100) | -100.0% | |
| 124 | **Total Treasurer** | **$ 219,537** | **$ 265,434** | **$ 283,000** | **$ 120,765** | **349,220** | **66,220** | **23.4%** | **Estimated total cost for new hire cashier: $47,375 not including insurances** |
| 125 | | | | | | | | | |
| 126 | **Court Clerk - 415** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 127 | Salaries | $ 48,700 | $ 51,261 | $ 57,767 | $ 27,746 | 57,775 | 8 | 0.0% | Municipal Court Clerk position |
| 128 | FICA | $ 3,755 | $ 3,892 | $ 4,200 | $ 2,123 | 4,450 | 250 | 6.0% | |
| 129 | Group Insurance | $ 10,302 | $ 11,120 | $ 10,700 | $ 5,983 | 12,000 | 1,300 | 12.1% | |
| 130 | Retirement | $ 4,813 | $ 5,245 | $ 4,900 | $ 2,453 | 5,200 | 300 | 6.1% | |
| 131 | OPEB | $ 1,632 | $ 894 | $ 3,000 | $ 832 | 1,750 | (1,250) | -41.7% | |
| 132 | Travel | $ - | $ 268 | $ 1,500 | $ - | 1,000 | (500) | -33.3% | Court clerk training |
| 133 | Advertising and Postage | $ 390 | $ 440 | $ 700 | $ 465 | 700 | - | 0.0% | |
| 134 | Training & Education | $ 350 | $ 555 | $ 750 | $ 540 | 800 | 50 | 6.7% | State and National Court Clerk's Association |
| 135 | Dues & Subscriptions | $ - | $ - | $ 100 | $ - | 100 | - | 0.0% | Election and Municipal Clerk membership dues |
| 136 | Professional Services | $ - | $ - | $ 100 | $ - | 100 | - | 0.0% | |
| 137 | Insurance & Bonds | $ 4,446 | $ 4,479 | $ 4,000 | $ 2,235 | 4,500 | 500 | 12.5% | |
| 138 | Contracted Services | $ - | $ 25 | $ - | $ 25 | 100 | 100 | - | |
| 139 | Departmental Supplies | $ 1,106 | $ 423 | $ 1,000 | $ 163 | 1,000 | - | 0.0% | |
| 140 | **Total Court Clerk** | **$ 75,493** | **$ 78,602** | **$ 88,717** | **$ 42,566** | **89,475** | **758** | **13.8%** | |
| 141 | | | | | | | | | |
| 142 | **Police Judges - 416** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 143 | Salaries | $ 8,390 | $ 18,662 | $ 32,000 | $ 12,662 | 32,000 | - | 0.0% | Two Municipal Court judges; two magistrates; two prosecuting attorneys; and extra $2k for special judge |
| 144 | FICA | $ 642 | $ 1,428 | $ 2,400 | $ 969 | 2,400 | - | 0.0% | |
| 145 | Travel | $ - | $ - | $ 500 | $ - | 500 | - | 0.0% | WV State mandated annual training for magistrates & judges |
| 146 | Training & Education | $ - | $ - | $ 500 | $ - | 1,000 | 500 | 100.0% | WV State mandated annual training for magistrates & judges |
| 147 | Dues and Subscriptions | $ - | $ - | $ 100 | $ - | 100 | - | 0.0% | |
| 148 | Professional Services | $ 14,788 | $ 1,558 | $ 2,100 | $ - | 1,000 | (1,100) | -52.4% | Reduced because professional services now in salaries line item. |
| 149 | Insurance | $ 1,128 | $ 1,607 | $ 1,200 | $ 1,251 | 2,500 | 1,300 | 108.3% | |
| 150 | Departmental Supplies | $ - | $ - | $ - | $ - | - | - | - | |
| 151 | **Total Police Judges** | **$ 24,947** | **$ 23,254** | **$ 38,800** | **$ 14,882** | **39,500** | **700** | **1.8%** | |
| 152 | | | | | | | | | |
| 153 | **City Attorney - 417** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 154 | Professional Services | $ 137,588 | $ 212,494 | $ 200,000 | $ 71,893 | 175,000 | (25,000) | -12.5% | Cost for outside legal counsel; decreased to reflect current trends and needs (no forseeable new litigation) |
| 155 | **Total Attorney** | **$ 137,588** | **$ 212,494** | **$ 200,000** | **$ 71,893** | **175,000** | **(25,000)** | **-12.5%** | |
| 156 | | | | | | | | | |
| 157 | **Enforcement Agency - 425** | **FY 21 Actual** | **FY 22 Actual** | FY 23 Approved | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | Notes and Explanations |
| 158 | Salaries | $ - | $ - | $ - | $ - | 48,755 | 48,755 | - | New: Hiring a Code Enforcement Officer / Building Inspector Trainee |
| 159 | FICA | $ - | $ - | $ - | $ - | 3,730 | 3,730 | - | |
| 160 | Group Insurance | $ - | $ - | $ - | $ - | 6,000 | 6,000 | - | |
| 161 | Retirement | $ - | $ - | $ - | $ - | 4,388 | 4,388 | - | |
| 162 | OPEB | $ - | $ - | $ - | $ - | 1,000 | 1,000 | - | |
| 163 | Telephone | $ - | $ - | $ - | $ - | - | - | - | |
| 164 | Travel | $ - | $ - | $ - | $ - | - | - | - | |
| 165 | Advertising/Legal Publications | $ - | $ - | $ - | $ - | 2,000 | 2,000 | - | Vacant Property notifications/mailings |
| 166 | Training | $ - | $ - | $ - | $ - | 2,500 | 2,500 | - | Cross Training/Certifications in Inspection |
| 167 | Dues & Subscriptions | $ - | $ - | $ - | $ - | - | - | - | |
| 168 | Insurance and Bonds | $ - | $ - | $ - | $ - | 3,800 | 3,800 | - | |
| 169 | Contracted Services - Nuisance Property Expenses | $ - | $ - | $ - | $ - | 50,000 | 50,000 | - | Nuisance Property Expenditures historically funded out of CIP, but expense was moved to General Operating budget to reflect ongoing and not capital expenses. |
| 170 | Departmental Supplies | $ - | $ - | $ - | $ - | 2,000 | 2,000 | - | |
| 171 | Auto Supplies | $ - | $ - | $ - | $ - | 500 | 500 | - | |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 172 | **Total Enforcement Agency** | **$ -** | **$ -** | $ - | **$ -** | **124,673** | **124,673** | **-** | |
| 173 | | | | | | | | | |
| 174 | **Regional Dev Authority - 435** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 175 | Dues & Subscriptions | $ 1,946 | $ 1,946 | $ 3,600 | $ 3,524 | 5,500 | 1,900 | 52.8% | Fee increasing in FY23 per Region 9 |
| 176 | **Total Regional Dev. Authority** | **$ 1,946** | **$ 1,946** | **$ 3,600** | **$ 3,524** | **5,500** | **1,900** | 52.8% | |
| 177 | **Total City Administration** | **1,043,377** | **1,464,852** | **1,529,722** | **710,925** | **1,629,815** | **199,243** | **11.3%** | |
| 178 | | | | | | | | | |
| 179 | **Building Inspections - 436** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 180 | Salaries | $ 34,953 | $ 35,086 | $ 34,900 | $ 17,572 | 73,800 | 38,900 | 111.5% | Full Time Inspector Englebert |
| 181 | FICA | $ 2,694 | $ 2,664 | $ 2,700 | $ 1,344 | 5,650 | 2,950 | 109.3% | |
| 182 | Group Insurance | $ 64 | $ 62 | $ 400 | $ 55 | 500 | 100 | 25.0% | |
| 183 | Retirement | $ 3,466 | $ 3,599 | $ 3,140 | $ 1,560 | 6,650 | 3,510 | 111.8% | |
| 184 | Telephone | $ 542 | $ 344 | $ 1,000 | $ 32 | 750 | (250) | -25.0% | |
| 185 | Travel | $ - | $ - | $ 500 | $ - | 500 | - | 0.0% | |
| 186 | R&M to Auto | $ - | $ - | $ 500 | $ - | 500 | - | 0.0% | |
| 187 | Advertising | $ 239 | $ - | $ - | $ - | - | - | - | |
| 188 | Training & Education | $ - | $ - | $ 500 | $ - | 1,000 | 500 | 100.0% | Training to maintain licensing/accreditation; conference registrations |
| 189 | Dues & Subscriptions | $ - | $ - | $ 6,500 | $ - | 2,500 | (4,000) | -61.5% | WV Building Officials annual dues; Adobe subscription |
| 190 | Professional Services | $ - | $ - | $ 500 | $ - | 500 | - | - | |
| 191 | Insurance & Bonds | $ 3,779 | $ 2,747 | $ 3,000 | $ 1,364 | 6,000 | 3,000 | 100.0% | |
| 192 | Departmental Supplies | $ - | $ - | $ 500 | $ 85 | 4,000 | 3,500 | 700.0% | Inspection Equipment (Current Inspector using personal equipment) |
| 193 | Auto Supplies | $ - | $ - | $ 500 | $ - | 1,000 | 500 | 100.0% | Gas, oil, tires |
| 194 | Uniform | $ - | $ - | $ - | $ - | - | - | - | |
| 195 | **Total Building Inspections** | **$ 45,736** | **$ 44,502** | **$ 54,640** | **$ 22,013** | **103,350** | **48,210** | **89.1%** | |
| 196 | | | | | | | | | |
| 197 | **Planning & Zoning - 437** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 198 | Salaries | $ 200,950 | $ 175,930 | $ 292,475 | $ 98,505 | 210,000 | (82,475) | -28.2% | Permits Technician; Community Development Director ; City Planner |
| 199 | FICA | $ 15,519 | $ 13,220 | $ 21,200 | $ 7,536 | 16,500 | (4,700) | -22.2% | |
| 200 | Group Insurance | $ 28,177 | $ 26,131 | $ 26,000 | $ 12,175 | 25,000 | (1,000) | -3.8% | |
| 201 | Retirement | $ 19,574 | $ 17,955 | $ 24,950 | $ 8,593 | 18,900 | (6,050) | -24.2% | |
| 202 | OPEB | $ 6,256 | $ 3,397 | $ 10,000 | $ 2,487 | 6,000 | (4,000) | -40.0% | |
| 203 | Telephone | $ 648 | $ 290 | $ 700 | $ 18 | 500 | (200) | -28.6% | |
| 204 | Travel | $ - | $ 1,671 | $ 4,000 | $ 2,072 | 2,000 | (2,000) | -50.0% | State planning conferences |
| 205 | Postage | $ 43 | $ 904 | $ 750 | $ 633 | 1,000 | 250 | 33.3% | |
| 206 | Advertising/Legal Publications | $ 2,174 | $ 1,026 | $ 3,000 | $ 2,167 | 3,500 | 500 | 16.7% | |
| 207 | Training & Education | $ 1,284 | $ 895 | $ 4,000 | $ 1,407 | 3,000 | (1,000) | -25.0% | State planning conferences |
| 208 | Dues & Subscriptions | $ 1,643 | $ 2,200 | $ 1,500 | $ 2,598 | 2,000 | 500 | 33.3% | APA annual dues; Adobe subscriptions; Property Software; |
| 209 | Professional Services | $ - | $ 2,650 | $ 5,000 | $ - | 5,000 | - | 0.0% | |
| 210 | Insurance & Bonds | $ 10,392 | $ 14,989 | $ 15,000 | $ 10,839 | 20,000 | 5,000 | 33.3% | |
| 211 | Contracted Services | $ 16,738 | $ 29,661 | $ 15,000 | $ 24,643 | 30,000 | 15,000 | 100.0% | Comp plan implementation, VSB demolitions, Kimley-Horn Engineering Services ; etc. |
| 212 | Contracted Services - City Trees | $ 4,463 | $ 6,152 | $ 12,000 | $ - | 12,000 | - | 0.0% | |
| 213 | Departmental Supplies | $ 1,540 | $ 5,023 | $ 4,000 | $ 3,047 | 4,000 | - | 0.0% | |
| 214 | Computer Software / Tech | $ - | $ - | $ - | $ - | 11,000 | 11,000 | - | MyPermitNow Monthly Fees (previously paid out of Capital Funding) |
| 215 | **Total Planning and Zoning** | **$ 309,401** | **$ 302,094** | **$ 439,575** | **$ 176,719** | **370,400** | **(69,175)** | **-15.7%** | |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 216 | **Total City Bldg Inspection and P&Z** | **$ 355,138** | **$ 346,596** | **$ 494,215** | **$ 198,732** | **$ 697,573** | **$ 202,858** | **41.1%** | |
| 217 | | | | | | | | | |
| 218 | **Elections - 438** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 219 | Printing | $ 2,590 | **$ -** | $ - | | - | - | - | |
| 220 | Advertising | $ 370 | **$ -** | $ 750 | $ - | - | (750) | - | Elections in spring of 2021 and 2023; no elections anticipated in FY2024 but subject to change with Charter conversations |
| 221 | Contracted Services | $ 4,490 | **$ -** | $ 10,000 | $ - | - | (10,000) | - | |
| 222 | Departmental Supplies | $ 1,874 | **$ -** | $ 10,000 | $ - | - | (10,000) | - | |
| 223 | **Total Elections** | **$ 9,325** | **$ -** | **$ 20,750** | **$ -** | **-** | **(20,750)** | **-** | |
| 224 | | | | | | | | | |
| 225 | **City Hall - 440** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 226 | Salaries | $ - | $ 154,525 | $ 115,000 | $ 74,379 | 96,400 | (18,600) | -16.2% | Funds Operations Director |
| 227 | FICA | $ - | $ 12,179 | $ 12,300 | $ 6,455 | 7,400 | (4,900) | -39.8% | |
| 228 | Group Insurance | $ - | $ 22,361 | $ 22,000 | $ 10,150 | 12,600 | (9,400) | -42.7% | |
| 229 | Retirement | $ - | $ 15,855 | $ 14,500 | $ 7,550 | 8,700 | (5,800) | -40.0% | |
| 230 | OPEB | $ - | $ 1,788 | $ 5,000 | $ 2,040 | 4,000 | (1,000) | -20.0% | |
| 231 | Telephone | $ 19,544 | $ 21,391 | $ 22,000 | $ 10,386 | 22,000 | - | 0.0% | Server based phone system |
| 233 | Utilities | $ 18,861 | $ 20,682 | $ 19,000 | $ 9,501 | 21,000 | 2,000 | 10.5% | Water, sewer, electric, heating oil - Increasing to reflect inflation effects on utility costs |
| 234 | Travel | $ - | $ 316 | $ 500 | $ 481 | 750 | 250 | 50.0% | |
| 235 | R&M Building & Grounds | $ 948 | $ 1,097 | $ 1,500 | $ 2,421 | 10,000 | 8,500 | 566.7% | Exterior Repairs, Security Upgrades (Cameras in lobby), minor interior upgrades to accommodate increased staffing with lack of office space |
| 236 | R&M Equipment | $ - | $ 878 | $ 2,000 | $ 137 | 1,000 | (1,000) | -50.0% | Equipment rentals required for city hall maintenance |
| 237 | R&M Auto | $ - | $ - | $ 1,000 | $ - | 1,000 | - | 0.0% | Maintenance of city hall vehicles |
| 238 | Postage | $ 2,063 | $ 2,982 | $ 3,500 | $ 1,326 | 3,500 | - | 0.0% | |
| 239 | Building & Equipment Rental | $ 184,296 | $ 245,810 | $ 240,125 | $ 122,267 | 250,000 | 9,875 | 4.1% | Annual rent for CH ($120); monthly for CW Hall ($200,004 annual); and CTUB portion of 661 S. George ($30,600); another $20k for equipment rental (printers, postage machine). |
| 240 | Training and Education | $ - | $ 600 | $ 500 | $ - | 500 | - | 0.0% | |
| 241 | Advertising/Legal Publications | 5024.38 | $ 4,900 | $ 5,000 | $ 1,738 | 5,000 | - | 0.0% | |
| 242 | Dues & Subscriptions | $ 3,276 | $ 6,193 | $ 4,000 | $ 610 | 4,000 | - | 0.0% | Chamber of Commerce, Spirit Jefferson & the Journal; WVML Fees; Home Rule Board Fees; Amazon Fees |
| 243 | Professional Services | $ 383 | $ 3,150 | $ 2,000 | $ 2,543 | 2,000 | - | 0.0% | |
| 244 | Insurance & Bonds | $ 4,626 | $ 12,759 | $ 15,000 | $ 6,260 | 12,000 | (3,000) | -20.0% | |
| 245 | Contracted Services | $ 59,821 | $ 58,942 | $ 70,000 | $ 30,152 | 101,600 | 31,600 | 45.1% | Cleaning; grant/consulting services; Plan-It Payroll; IT Services previously paid from Capital Reserve ($50K); Equipment Maintenance Contract |
| 246 | Bank Charges | $ 5,211 | $ 15,684 | $ 20,000 | $ 10,110 | 20,000 | - | 0.0% | Fees related to acceptance of credit cards and online payments |
| 247 | Other Fees/Taxes | $ 561 | $ 1,224 | $ 1,500 | $ 993 | 2,000 | 500 | 33.3% | |
| 248 | Departmental Supplies | $ 9,537 | $ 9,029 | $ 11,000 | $ 4,866 | 11,000 | - | 0.0% | |
| 249 | Computer Software/Tech | 0 | $ - | $ - | $ 4,112 | 43,320 | 43,320 | - | **Tyle Tech/Incode Annual Fees; PSI Business License/B&O platform; Granicus Fees; Zoom Fees** |
| 250 | Special Emergency Expense | $ 16,209 | $ 11,180 | $ - | $ 4,680 | - | - | - | |
| 251 | Auto Supplies | $ - | $ - | $ 500 | $ - | 500 | - | 0.0% | Oil, Gas for 2 City Vehicles |
| 252 | **Total City Hall** | **$ 330,359** | **$ 623,526** | **$ 587,925** | **$ 313,156** | **640,270** | **52,345** | **8.9%** | |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 253 | | | | | | | | | |
| 254 | **Contributions/Transfers - 444** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 255 | Contributions - "But For" Donations | $ 60,000 | $ 60,000 | $ 60,000 | $ - | - | (60,000) | -100.0% | Annual But-For Donations issued January/February of each year; discuss change in process or funding level? |
| 256 | Contributions - Revive Grant | $ - | $ 10,000 | $ 38,500 | $ - | 20,000 | (18,500) | -48.1% | FIP and REVIVE grant historically funded out of CIP, but expense was moved to General Operating budget to reflect ongoing and not capital expenses. |
| 257 | Contributions - Façade Improvement Program | $ 5,000 | $ *11,500* | $ 20,000 | $ 5,377 | 15,000 | (5,000) | -25.0% | FIP and REVIVE grant historically funded out of CIP, but expense was moved to General Operating budget to reflect ongoing and not capital expenses. Reducing by $5k due to lack of public interest |
| 258 | Contributions - Homeless Solutions | $ 25,000 | $ - | $ 25,000 | $ - | 25,000 | - | 0.0% | Homelessness Solutions historically funded out of CIP, but expense was moved General Operating budget to reflect ongoing and not capital expenses. |
| 260 | Contributions - Nuisance Property Expenses | $ 50,000 | $ 23,993 | $ 50,000 | $ 15,600 | - | (50,000) | -100.0% | Nuisance Property Expenditures historically funded out of CIP, but expense was moved to General Operating budget to reflect ongoing and not capital expenses. MOVING EXPENSE TO CODE ENFORCEMENT, HENCE 0 BUDGETED |
| 259 | Contributions - Sidewalk Improvement Program | $ 6,193 | $ - | $ 20,000 | $ 5,000 | 15,000 | (5,000) | -25.0% | SIP grant historically funded out of CIP, but expense was moved General Operating budget to reflect ongoing and not capital expenses. Reducing by $5k due to lack of public interest |
| 261 | **Total Contributions/Transfers** | **$ 146,193** | **$ 105,493** | **$ 213,500** | **$ 25,977** | **75,000** | **(138,500)** | **-64.9%** | |
| 262 | | | | | | | | | |
| 263 | **Parking - 571** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 264 | Salaries | $ 32,773 | $ 33,011 | $ 34,100 | $ 19,222 | 36,100 | 2,000 | 5.9% | |
| 265 | FICA | $ 2,529 | $ 2,504 | $ 2,600 | $ 1,470 | 2,800 | 200 | 7.7% | |
| 266 | Group Insurance | $ 10,218 | $ 11,026 | $ 11,000 | $ 5,932 | 10,000 | (1,000) | -9.1% | |
| 267 | Retirement | $ 3,178 | $ 3,349 | $ 3,100 | $ 1,657 | 3,300 | 200 | 6.5% | |
| 268 | OPEB | $ 1,632 | $ 894 | $ 1,500 | $ 517 | 1,500 | - | 0.0% | |
| 269 | Utilities | $ 1,013 | $ 1,024 | $ 1,000 | $ 541 | 1,100 | 100 | 10.0% | |
| 270 | R&M Equipment | $ 2,689 | $ - | $ 3,000 | $ - | 3,000 | - | 0.0% | |
| 271 | Advertising/Legal Publication | $ - | $ - | $ - | $ - | - | - | - | |
| 272 | Postage and Printing | $ 13 | $ 116 | $ 800 | $ - | 500 | (300) | -37.5% | New parking brochure; |
| 273 | Building & Equipment Rental | $ 1,700 | $ 1,700 | $ 1,700 | $ 1,700 | 1,700 | - | 0.0% | Rental fee for parking lot at the Legion; confirm final year of payment |
| 274 | Insurance & Bonds | $ 3,779 | $ 2,614 | $ 3,000 | $ 1,333 | 3,000 | - | 0.0% | |
| 275 | Contracted Services | $ - | $ - | $ 800 | $ - | 500 | (300) | -37.5% | |
| 276 | Departmental Supplies | $ 3,943 | $ 1,866 | $ 6,000 | $ 2,249 | 6,000 | - | 0.0% | |
| 277 | Uniforms | $ - | $ - | $ 500 | $ - | 500 | - | 0.0% | |
| 278 | Computer Software/Tech | $ - | $ - | $ - | $ - | 4,000 | 4,000 | - | **United Public Safety Annual Fees** |
| 279 | **Total Parking** | **$ 63,467** | **$ 58,105** | **$ 69,100** | **$ 34,621** | **74,000** | **4,900** | **7.1%** | |
| 280 | | | | | | | | | |
| 281 | **Contingencies - 699** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 282 | Other Contributions | $ - | $ 366,514 | $ 429,433 | $ - | 342,428 | (87,005) | -20.3% | Placeholders for 5.6% COLA ($152,055); 3% retirement benefit ($82,921); $50,000 is for emergency snow costs; and funding for one COPS grant position in CTPD ($57,452 payroll, taxes, retirement); 8.4% COLA estimated cost is $228,083, or an additional $76K |
| 283 | **Total Contingencies** | **$ -** | **$ 366,514** | **$ 429,433** | **$ -** | **342,428** | **(87,005)** | **-20.3%** | |
| 284 | | | | | | | | | |
| 285 | **Police Department - 700** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 286 | Salaries | $ 1,221,797 | $ 1,178,546 | $ 1,336,995 | $ 625,882 | 1,377,483 | 40,488 | 3.0% | 17 sworn personnel (15 officers, 1 Chief, 1 SRO); and 2 admin staff; includes shift differential; longevity; uniform; and holiday/overtime (all other overtime is in separate line item) |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 287 | FICA | $ 30,883 | $ 29,730 | $ 32,500 | $ 16,563 | 35,345 | 2,845 | 8.8% | |
| 288 | Group Insurance | $ 122,807 | $ 128,536 | $ 125,000 | $ 62,215 | 135,000 | 10,000 | 8.0% | |
| 289 | Retirement | $ 133,818 | $ 128,644 | $ 114,000 | $ 60,496 | 136,568 | 22,568 | 19.8% | |
| 290 | Police Pension | $ 69,661 | $ 57,558 | $ 75,000 | $ 29,278 | 60,000 | (15,000) | -20.0% | |
| 291 | Overtime | $ 81,387 | $ 93,297 | $ 138,000 | $ 63,088 | 140,000 | 2,000 | 1.4% | Includes court/investigations/events/training/etc; |
| 292 | OPEB | $ 25,568 | $ 13,444 | $ 40,000 | $ 18,721 | 35,000 | (5,000) | -12.5% | |
| 293 | Telephone | $ 44,278 | $ 45,955 | $ 48,000 | $ 20,277 | 45,000 | (3,000) | -6.3% | 4 cell phones; in car wifi/CAD; internet; fax; office phones |
| 294 | Utilities | $ 41,490 | $ 40,453 | $ 45,000 | $ 16,724 | 42,500 | (2,500) | -5.6% | Electric/power; cable/Comcast; water and sewer, etc. |
| 295 | Travel | $ 2,023 | $ 4,387 | $ 7,500 | $ 1,664 | 5,000 | (2,500) | -33.3% | CALEA accreditation, in-service training (16 sworn), Perdmin |
| 296 | R&M Building & Grounds | $ 1,841 | $ 3,650 | $ 2,000 | $ 177 | 2,000 | - | 0.0% | |
| 297 | R&M Equipment | $ 517 | $ 275 | $ 5,000 | $ - | 3,500 | (1,500) | -30.0% | In-car and body cameras; zebra printers; fire safety; etc. |
| 298 | R&M Auto | $ 31,962 | $ 32,642 | $ 32,500 | $ 20,526 | 40,000 | 7,500 | 23.1% | 23 +/- vehicles to keep operational; auto service (oil changes, tire rotations, wipers, normal wear and tear), etc. |
| 299 | Postage | $ 832 | $ 925 | $ 1,500 | $ 531 | 1,500 | - | 0.0% | Capias letters, parking late/boot notices, error notirces in traffic tickets, certified mail for evidence submission, etc. |
| 300 | Building & Equipment Rental | $ 66,503 | $ 97,452 | $ 97,500 | $ 48,726 | 97,500 | - | 0.0% | Building rent calculated at $7,892 per month (another $2,500 per month is paid by CTUB and accounted for in the city hall budget); balance is for copier, etc. |
| 301 | Advertising/Legal Publications | $ 5,127 | $ 5,438 | $ 10,000 | $ 1,982 | 7,500 | (2,500) | -25.0% | Legal notices, asset forfeiture notices; possible officer vacancy. |
| 302 | Training & Education | $ 12,315 | $ 16,490 | $ 12,000 | $ 6,350 | 14,000 | 2,000 | 16.7% | 16 in-service hours (16 sworn = 256 hours)+ 8 hours supervisory (6 sworn = 48 hours); CALEA accreditation manager's training; Defense Tactics instructor, baton instructor, new detective crime scene management; tuition reimbursement |
| 303 | Dues & Subscriptions | $ 3,979 | $ 3,857 | $ 2,000 | $ 190 | 5,500 | 3,500 | 175.0% | CALEA Accreditation Fee $4595, WVCOP Dues, IACP, SRO, Journel |
| 304 | Professional Services | $ 2,975 | $ 11,397 | $ 7,500 | $ 550 | 7,500 | - | 0.0% | Miscellaneous legal services; hiring assistance; etc. |
| 305 | Insurance & Bonds | $ 107,700 | $ 100,832 | $ 110,000 | $ 51,913 | 110,000 | - | 0.0% | Travelers |
| 306 | Contracted Services | $ 45,467 | $ 46,722 | $ 40,000 | $ 21,328 | 92,500 | 52,500 | 131.3% | Alarm monitoring; cleaning; generator; pest control; $50K in IT monthly services |
| 307 | Bank Charges | $ 9 | $ 25 | $ - | $ 200 | 250 | 250 | - | |
| 308 | Departmental Supplies | $ 18,760 | $ 16,712 | $ 32,500 | $ 11,449 | 30,000 | (2,500) | -7.7% | Office supplies; etc.; additional funds for ammunition (qualification 2 times per year; 9mm, .223, slug, bird shot); etc. |
| 309 | Special Emergency Expense | $ 6,995 | $ 6,628 | $ - | $ 3,125 | - | - | 0.0% | |
| 310 | Auto Supplies | $ 46,219 | $ 59,083 | $ 50,000 | $ 32,935 | 60,000 | 10,000 | 20.0% | Gas and tires only; increased by $10K to account for rising costs of fuel |
| 311 | Computer Software/Tech | $ - | $ - | $ 23,700 | $ 12,666 | 25,000 | 1,300 | 5.5% | CAD maintenace; CALEA and PowerDMS, Guardian, PD website; $2500 for Report Beam (City's share); Police One Academy $1800; $3700 for body camera software licenses(bt) |
| 312 | Uniforms | $ 5,985 | $ 11,364 | $ 12,000 | $ 5,965 | 15,000 | 3,000 | 25.0% | FY24 2 current officer/ 4 new hires $9000 Bullistic Vest (DOJ Bullet Proof Vest Grant 50% reimbursement), New hire uniforms Class A, Badges, Pins, Leather Gear, boots, Jackets, etc. |
| 313 | **Total Police Dept** | **$ 2,130,898** | **$ 2,134,042** | **$ 2,400,195** | **$ 1,133,520** | **2,523,646** | **123,451** | **5.1%** | |
| 314 | | | | | | | | | |
| 315 | **Police-Special Duty Crossing Guard - 704** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 316 | Salaries | $ 21,108 | $ 22,209 | $ 23,000 | $ 12,339 | 24,500 | 1,500 | 6.5% | Funding for 6 crossing guards; No COLA |
| 317 | FICA | $ 1,615 | $ 1,699 | $ 1,800 | $ 944 | 2,000 | 200 | 11.1% | |
| 318 | Advertising/Legal Publications | $ - | $ - | $ - | $ - | - | - | - | |
| 319 | Insurance & Bonds | $ 1,841 | $ 1,735 | $ 1,500 | $ 852 | 1,750 | 250 | 16.7% | |
| 320 | Departmental Supplies | $ - | $ 45 | $ 150 | $ 92 | 200 | 50 | 33.3% | Stop signs |
| 321 | Uniforms | $ 25 | $ 61 | $ 300 | $ 125 | 300 | - | 0.0% | Reflective jackets and vests |
| 322 | **Total Police - Special Duty Crossing Guard** | **$ 24,589** | **$ 25,749** | **$ 26,750** | **$ 14,353** | **28,750** | **2,000** | **7.5%** | |
| 323 | **Total Police and Crossing Guards** | **$ 2,155,487** | **$ 2,159,790** | **$ 2,426,945** | **$ 1,147,873** | **2,552,396** | **125,451** | **5.2%** | |
| 324 | | | | | | | | | |
| 325 | **Dog Warden - 707** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 326 | Contributions | $ 1,625 | $ 1,617 | $ 1,800 | $ - | 1,600 | (200) | -11.1% | City passes along the dog tag fees to the County |
| 327 | **Total Dog Warden** | **$ 1,625** | **$ 1,617** | **$ 1,800** | **$ -** | **1,600** | **(200)** | **-11.1%** | |
| 328 | | | | | | | | | |
| 329 | **Streets - 750** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 330 | Salaries | $ 234,489 | $ 202,293 | $ 224,650 | $ 118,899 | 233,800 | 9,150 | 4.1% | Includes maintenance supervisor and three crew members |
| 331 | FICA | $ 18,094 | $ 15,073 | $ 16,300 | $ 9,096 | 17,900 | 1,600 | 9.8% | |
| 332 | Group Insurance | $ 31,789 | $ 18,250 | $ 35,000 | $ 9,562 | 25,000 | (10,000) | -28.6% | |
| 333 | Retirement | $ 22,954 | $ 20,461 | $ 19,100 | $ 10,409 | 21,500 | 2,400 | 12.6% | |
| 334 | OPEB | $ 5,984 | $ 1,887 | $ 8,000 | $ 2,296 | 6,000 | (2,000) | -25.0% | |
| 335 | Telephone | $ 3,879 | $ 2,125 | $ 3,500 | $ 623 | 3,000 | (500) | -14.3% | Field staff equipped with cell phones |
| 336 | Utilities | $ 92,702 | $ 94,982 | $ 100,000 | $ 48,749 | 100,000 | - | 0.0% | Electric (street lights), water, sewer, and internet |
| 337 | Travel | $ - | $ - | $ 1,500 | $ - | 1,000 | (500) | -33.3% | Maintain certifications; other skill enhancement training as required/proposed |
| 338 | R&M Buildings & Grounds | $ 13,550 | $ 9,353 | $ 15,000 | $ 6,215 | 14,000 | (1,000) | -6.7% | General maintenance of city buildings. |
| 339 | R&M Equipment | $ 10,400 | $ 16,866 | $ 15,000 | $ 11,343 | 15,000 | - | 0.0% | Regular maintenance of fleet equipment. |
| 340 | R&M Auto | $ 9,966 | $ 4,400 | $ 7,500 | $ 4,952 | 7,500 | - | 0.0% | Regular maintenance of department vehicles. |
| 341 | Building & Equipment Rental | $ - | $ - | $ 2,000 | $ - | 1,000 | (1,000) | -50.0% | Equipment rented as required to maintain various city buildings. |
| 342 | Advertising/Legal Publications/Postage | $ 358 | $ - | $ 500 | $ - | 250 | (250) | -50.0% | Spring and Fall Cleanup. Additional city sponsored projects as required. |
| 343 | Training & Education | $ 169 | $ 1,050 | $ 1,000 | $ - | 500 | (500) | -50.0% | Maintain certifications; other skill enhancement training as required/proposed |
| 344 | Dues & Subscriptions | $ 191 | $ 188 | $ 500 | $ 112 | 500 | - | 0.0% | |
| 345 | Professional Services | $ - | $ - | $ 100 | $ - | - | (100) | -100.0% | |
| 346 | Insurance & Bonds | $ 18,757 | $ 16,890 | $ 19,000 | $ 8,301 | 19,000 | - | 0.0% | |
| 347 | Contracted Services | $ 67,297 | $ 39,170 | $ 50,000 | $ 14,512 | 50,000 | - | 0.0% | 4-yr snow average is just over $33,100 (update for last year); recent high of $106,900 in FY14; additional $50k for snow held in reserve in the contingency account (699). |
| 348 | Departmental Supplies | $ 10,290 | $ 22,272 | $ 15,000 | $ 2,224 | 12,000 | (3,000) | -20.0% | |
| 349 | Computer Software / Tech | $ - | $ - | $ - | $ - | 6,000 | 6,000 | - | **GoGov Work Order Software cost** |
| 350 | Auto Supplies | $ 14,720 | $ 24,333 | $ 20,000 | $ 13,966 | 23,000 | 3,000 | 15.0% | Other city vehicle maintenance. |
| 351 | Uniforms | $ 8,067 | $ 8,400 | $ 9,000 | $ 4,742 | 10,000 | 1,000 | 11.1% | |
| 352 | **Total Streets** | **$ 563,656** | **$ 497,991** | **$ 562,650** | **$ 266,000** | **566,950** | **4,300** | **0.8%** | |
| 353 | | | | | | | | | |
| 354 | **Visitor's Center - 901** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 355 | Utilities | $ 3,515 | $ 3,659 | $ 3,000 | $ 1,455 | 3,000 | - | 0.0% | Utilities are for Rouss Hall, where Visitors Center was previously located. |
| 356 | R&M Building & Grounds | $ - | $ - | $ - | $ - | - | - | #DIV/0! | |
| 357 | Contracted Services | $ - | $ - | $ 1,000 | $ - | - | (1,000) | -100.0% | |
| 358 | Contributions | $ 63,724 | $ 85,900 | $ 62,500 | $ 53,316 | 75,000 | 12,500 | 20.0% | Includes half of hotel/motel collections. Another $18k in in-kind services provided as rent space in CW hall (non-cash expense). |
| 359 | **Total Visitor's Center** | **$ 67,239** | **$ 89,559** | **$ 66,500** | **$ 54,770** | **78,000** | **11,500** | **17.3%** | |
| 360 | | | | | | | | | |
| 361 | **Fairs/Festivals - 903** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 362 | Bldg & Equip Rental | $ - | $ 986 | $ - | $ 90 | 1,000 | 1,000 | - | |
| 363 | Advertising/Legal Publications | $ 798 | $ 1,566 | $ - | $ 687 | 1,500 | 1,500 | - | |
| 364 | Contracted Services | $ 3,058 | $ 10,830 | $ 30,000 | $ 5,603 | 13,000 | (17,000) | -57% | |
| 365 | Departmental Supplies | $ 3,259 | $ 13,212 | $ - | $ 11,961 | 15,000 | 15,000 | - | |
| 366 | Contributions | $ - | $ 2,700 | $ 5,000 | $ 3,300 | 4,500 | (500) | -10% | Car show contribution |
| 367 | **Total Fairs/Festivals** | **$ 7,115** | **$ 29,295** | **$ 35,000** | **$ 21,641** | **35,000** | **-** | **0%** | |
| 368 | | | | | | | | | |
| 369 | **Transfers - 960/698 SAO** | **FY 21 Actual** | **FY 22 Actual** | **FY 23 Approved** | **Thru Dec. '22** | **FY 24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |

| 41 | DEPARTMENT LINE ITEMS | FY 21 Actual | FY 22 | FY 23 | FY23 Thru Dec. | FY24 Proposed | FY 23-24 | FY 23-24 | NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|---|---|
| 370 | Transfers to Capital Reserve - Table Games | $ 781,704 | $ 1,052,463 | $ 617,500 | $ 474,991 | 575,680 | (41,820) | -6.8% | FY21 - gaming/lottery transfer. FY22 - gaming/lottery transfer. FY23 budget transfer includes lottery money (gaming and video); FY2024 proposed is the gaming/lottery estimated amounts less expenses previously paid in Capital Reserve (SIP, FIP, Revive, Nuisance, Homelessness, Software/Tech Operating fees and services). |
| 371 | Transfers to Capital Reserve - Repaving | $ 140,348 | $ 129,567 | $ 125,000 | $ 54,572 | 130,000 | 5,000 | 4.0% | Monthly Street Fee Remittance from CTUB is xfrd to Capital Reserve for future street repaving expenditures |
| 372 | Transfers Out - Primarily Parks & Rec | $ 106,224 | $ 128,400 | $ 100,000 | $ 90,816 | 112,500 | 12,500 | 12.5% | Beginning in FY20, appropriations includes hotel/motel tax, plus additional money to support parks programming ($37.5K proposed supplemental for FY24). |
| 373 | **Total Transfers** | **$ 1,028,276** | **$ 1,310,430** | **$ 842,500** | **$ 620,379** | **818,180** | **(24,320)** | **-2.9%** | |
| 374 | | | | | | | | | |
| 375 | **General Government - 975** | **FY21 Actual** | **FY22 Actual** | **FY23 Approved** | **Thru Dec' 22** | **FY24 Proposed** | **$ Change** | **% Change** | **Notes and Explanations** |
| 376 | Contributions | $ - | $ - | $ 2,342,544 | $ - | 2,342,544 | - | $ - | Unencumbered ARPA grant funding absorbed by General Fund due to revenue loss allowance. Balance of total ARPA award , less community grant payouts, will be held in the General Government expense item until encumberance occurs (at the recommendation of WVSAO staff). FY22 unencumbered funding of $1,010,022 plus FY23 second tranche transfer of $1,332,522. ***$1.5 million dedicated to grant matching, $842.5K is fully unencumbered. |
| 377 | Contribution - Community ARPA Awards | $ - | $ 322,500 | $ - | $ - | $ - | - | - | Council Approved ARPA grant payouts for community grant requests in FY22 - Currently reviewing second round of community grant fundings, will need to do revision once ARPA Community payouts are approved with a solid total $ amount needed to fund said payouts |
| 378 | **Total General Government** | **$ -** | **$ 322,500** | **$ 2,342,544** | **$ -** | **$ 2,342,544** | **-** | **$ -** | |
| 379 | | | | | | | | | |
| 380 | | **FY21 Actual** | **FY22 Actual** | **FY 23 Approved 1-17-2023** | **FY23 Thru Dec. 2022** | **FY24 Proposed** | **FY23 - 24 $ Change** | **FY23 - FY24 % Change** | **Provides for comparable year-over-year comparision of operating costs** |
| 381 | **Total Expenses** | **$ 5,440,898** | **$ 6,752,740** | **$ 9,034,659** | **$ 3,080,920** | **$ 9,213,486** | **$ 178,327** | **2.0%** | |
| 382 | | | | | | | | | |
| 383 | **Surplus or Deficit** | $ 305,261 | $ 1,860,698 | $ 214,929 | $ 3,904,087 | 136,427 | (78,503) | N/A | ***FY24 Surplus could be $196,427 if FY23 But-Fors unfunded and $ carries over |

# MUNICIPALITY OF CHARLES TOWN, WEST VIRGINIA
# CALCULATING REDUCED LEVY RATE
# 2023 - 2024

| CLASS | ROLL BACK VALUE (Column D) | | WEIGHTING | | WEIGHTED ASSESSED VALUE |
|---|---|---|---|---|---|
| Class I | $ 0 | X | 0.01 | = | $ 0 |
| Class 2 | 334,653,250 | X | 0.02 | = | 6,693,065 |
| Class 4 | 164,468,489 | X | 0.04 | = | 6,578,740 |
| **Total All Classes** | $ 499,121,739 | | (Total WAV) | | $ 13,271,805 |

**Previous year's projected tax revenue** X 101% + % for Assessor: 1.85%

$ 1,406,275 102.85% % $ 1,446,354

Divide by the **TOTAL WEIGHTED ASSESSED VALUE (Total WAV)**
**(use 4 decimal places here)** $ 0.1090

The result of this division is then multiplied x 100 **(use 2 decimal places here)**
and this will = the Class 1 Levy Rate in cents per $100 of assessed value **10.90**

The Class 2, 3, and 4 Levy Rates are determined by multiplying the Class I Rate as follows:

| | | | | | |
|---|---|---|---|---|---|
| **Class 1 Rate** | 10.90 | ¢ | X 2 | = | Class 2 Rate: 21.80 |
| **Class 1 Rate** | 10.90 | ¢ | X 4 | = | Class 3 & 4 Rate: 43.60 |

**DO NOT USE RATES IN EXCESS OF 2 DECIMAL PLACES**

ASSESSED VALUE (TOTAL WAV) USE 4 DECIMAL POINTS HERE 0.1090

**Maximum Class 1 Levy Rate WITHOUT a public hearing. . . . . 10.90**

**Maximum Class 1 Levy Rate WITH a public hearing. . . . . 11.85**

# MUNICIPALITY OF CHARLES TOWN, WEST VIRGINIA
# LEVY PAGE
# REGULAR CURRENT EXPENSE LEVY
# 2023 - 2024

| Current Year | Column E<br>Certificate of Valuation<br>Assessed Value for Tax Purposes | Levy Rate/$100 | Taxes Levied |
|---|---|---|---|
| Class I | | | |
| Personal Property | $ 0 | 10.90 | $ 0 |
| Public Utility | 0 | | 0 |
| Total Class I | $ 0 | | $ 0 |
| Class II | | | |
| Real Estate | $ 344,805,850 | 21.80 | $ 751,677 |
| Personal Property | 0 | | 0 |
| Total Class II | $ 344,805,850 | | $ 751,677 |
| Class IV | | | |
| Real Estate | $ 126,789,370 | 43.60 | $ 552,802 |
| Personal Property | 36,962,450 | | 161,156 |
| Public Utility | 7,590,839 | | 33,096 |
| Total Class IV | $ 171,342,659 | | $ 747,054 |
| **Total Value & Projected Revenue** | $ **516,148,509** | | $ **1,498,731** |
| Less Delinquencies, Exonerations & Uncollectable Taxes | | 3.00% . . . . . | 44,962 |
| Less Tax Discounts (use Total Proj. Rev. Less Delinquencies to calculate) | | 2.50% . . . . . | 36,344 |
| Less Allowance for Tax Increment Financing if Applicable - see worksheet (Subtracted from regular current expense taxes levied only) | | . . . . . | 0 |
| **Total Projected Property Tax Collection** | | . . . . . | **1,417,425** |
| Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only) | | **1.85%** . . . . . | 26,222 |
| Net Amount to be Raised by Levy of Property Taxes For Budget Purposes (Amount carries to #301-01 on GF REV tab) | | . . . . . | $ **1,391,203** |

# MUNICIPALITY OF CHARLES TOWN, WEST VIRGINIA
# LEVY PAGE
# REGULAR CURRENT EXPENSE LEVY
# 2023 - 2024

| Current Year | Column E<br>Certificate of Valuation<br>Assessed Value for Tax Purposes | Levy Rate/$100 | Taxes Levied |
|---|---|---|---|
| Class I | | | |
| Personal Property | $ 0 | 11.85 | $ 0 |
| Public Utility | 0 | | 0 |
| Total Class I | $ 0 | | $ 0 |
| Class II | | | |
| Real Estate | $ 344,805,850 | 23.70 | $ 817,190 |
| Personal Property | 0 | | 0 |
| Total Class II | $ 344,805,850 | | $ 817,190 |
| Class IV | | | |
| Real Estate | $ 126,789,370 | 47.40 | $ 600,982 |
| Personal Property | 36,962,450 | | 175,202 |
| Public Utility | 7,590,839 | | 35,981 |
| Total Class IV | $ 171,342,659 | | $ 812,165 |
| **Total Value & Projected Revenue** | $ **516,148,509** | | $ **1,629,355** |
| Less Delinquencies, Exonerations & Uncollectable Taxes | | 3.00% . . . . . | 48,881 |
| Less Tax Discounts (use Total Proj. Rev. Less Delinquencies to calculate) | | 2.50% . . . . . | 39,512 |
| Less Allowance for Tax Increment Financing if Applicable - see worksheet (Subtracted from regular current expense taxes levied only) | | . . . . . | 0 |
| **Total Projected Property Tax Collection** | | . . . . . | **1,540,962** |
| Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only) | | **1.85%** . . . . . | 28,508 |
| Net Amount to be Raised by Levy of Property Taxes For Budget Purposes (Amount carries to #301-01 on GF REV tab) | | . . . . . $ | **1,512,454** |

# MUNICIPALITY OF CHARLES TOWN, WEST VIRGINIA
# LEVY PAGE
# REGULAR CURRENT EXPENSE LEVY
# 2023 - 2024

| Current Year | Column E<br>Certificate of Valuation<br>Assessed Value for Tax Purposes | Levy Rate/$100 | Taxes Levied |
|---|---|---|---|
| Class I | | | |
| Personal Property | $ 0 | 11.83 | $ 0 |
| Public Utility | 0 | | 0 |
| Total Class I | $ 0 | | $ 0 |
| Class II | | | |
| Real Estate | $ 344,805,850 | 23.66 | $ 815,811 |
| Personal Property | 0 | | 0 |
| Total Class II | $ 344,805,850 | | $ 815,811 |
| Class IV | | | |
| Real Estate | $ 126,789,370 | 47.32 | $ 599,967 |
| Personal Property | 36,962,450 | | 174,906 |
| Public Utility | 7,590,839 | | 35,920 |
| Total Class IV | $ 171,342,659 | | $ 810,793 |
| **Total Value & Projected Revenue** | $ **516,148,509** | | $ **1,626,604** |
| Less Delinquencies, Exonerations & Uncollectable Taxes | | 3.00% . . . . . | 48,798 |
| Less Tax Discounts (use Total Proj. Rev. Less Delinquencies to calculate) | | 2.50% . . . . . | 39,445 |
| Less Allowance for Tax Increment Financing if Applicable - see worksheet (Subtracted from regular current expense taxes levied only) | | . . . . . | 0 |
| **Total Projected Property Tax Collection** | | . . . . . | **1,538,361** |
| Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only) | | **1.85%** . . . . . | 28,460 |
| Net Amount to be Raised by Levy of Property Taxes For Budget Purposes (Amount carries to #301-01 on GF REV tab) | | . . . . . $ | **1,509,901** |

the city of Charles Town, WV

FY2024 Coal Severance Budget Proposal (v1.0)
City Council March 6, 2023

| *REVENUES* | FY21 ACTUAL | FY22 ACTUAL | FY23 BUDDGET | FY23 THRU DEC. 2022 | FY24 PROPOSED | % CHANGE FY 23 - 24 | FY 24 NOTES |
|---|---|---|---|---|---|---|---|
| Carryover | $ 62,353 | $ 73,959 | $ 94,112 | $ 94,112 | $ 104,112 | 10.6% | |
| Coal Severance | $ 11,606 | $ 25,531 | $ 10,000 | $ 9,051 | $ 15,000 | 50.0% | |
| **Total Revenues** | **$ 73,959** | **$ 99,490** | **$ 104,112** | **$ 103,163** | **$ 119,112** | **14.4%** | |

| DEPARTMENT LINE ITEMS | FY21 ACTUAL | FY22 ACTUAL | FY23 BUDDGET | FY23 THRU DEC. 2022 | FY24 PROPOSED | FY23-24 | FY 24 NOTES AND EXPLANATIONS |
|---|---|---|---|---|---|---|---|
| **Parks and Recreation** | | | | | Proposed | % Change | Notes and Explanations |
| Parks and Recreation - Capital | $ - | $ - | $ - | $ - | $ - | - | Saving funds for new pool/splash pad or other park amenity |
| **Total Parks and Recreation** | **$ -** | **$ -** | **$ -** | **$ -** | **$ -** | - | |
| | | | | | | | |
| **Surplus** | **$ 73,959** | **$ 99,490** | **$ 104,112** | **$ 103,163** | **$ 119,112** | **14.4%** | |

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-243: Authorization for Public Notice of Public Hearing in Consideration of the FY24 Levy Rate

Per the feedback of City Council during the FY23 budget cycle and the Finance Committee during the FY23 & FY24 budget cycles, there is interest in increasing the levy rate for Class I property above the maximum rate allowed without a public hearing. After incorporating the assessor valuation data in the West Virginia State Auditor's Office budget workbook, the maximum the class 1 levy rate can be without a public hearing is 10.90. The maximum with a public hearing is capped at 11.85. The current class 1 levy rate for FY23 is 11.83.

Attached is the public hearing notice that must be advertised in order to satisfy the notification requirements of the State Auditor's Office. The proposed public hearing date is March 20th, 2023 at 5 p.m. (2 hours before the budget adoption meeting).

## Proposed Motion:

Move to direct City Staff to proceedpublish the public hearing notice in accordance with WV Code §11-8-6e.

**ATTACHMENTS:**

- Notice of Proposed Tax Hearing.pdf

# NOTICE OF PROPOSED TAX INCREASE

The Municipality of CHARLES TOWN proposes to increase property tax levies.
(Name of Municipality)

1. **Appraisal/Assessment Increase:** Total assessed value of property, excluding additional assessments due to new or improved property, exceeds last year's total assessed value of property by 12.13% percent

2. **Lowered Rate necessary to Offset Increased Assessmement:** The tax rate which would levy the same amount of property tax as last year, when multiplied by the new total assessed value of property with the exclusions mentioned above, per $100 of assessed value on each class of property, would be:

| | Lowered Tax Rates |
|---|---|
| Class I | 10.90 ¢ |
| Class II | 21.80 ¢ |
| Class III | 43.60 ¢ |
| Class IV | 43.60 ¢ |

3. **Effective Rate Increase:** **The** CHARLES TOWN proposes to adopt
(Name of County or Municipality)
a tax rate per $100 of assessed value on each class of property as follows:

| | Proposed Rate | Effective Tax Rate Increase | Percentage of Increase |
|---|---|---|---|
| Class I | 11.85 ¢ | 0.95 ¢ | 9% |
| Class II | 23.70 ¢ | 1.90 ¢ | 9% |
| Class III | 47.40 ¢ | 3.80 ¢ | 9% |
| Class IV | 47.40 ¢ | 3.80 ¢ | 9% |

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. Revenue produced last year: $1,406,275

5. Revenue Projected under the effective rate increases: $130,623

6. Revenue projected from new property or improvements: $56,646

7. General areas in Which revenue is to be allocated: Code Enforcement, Staffing Support

A public hearing on the increases will be held on March 20th, 2023 @ 5 p.m.
(Date and Time)

at Charles Town City Hall Council Chambers The decision regarding the increase will be made
(Place)

on March 20th, 2023 @ 7 p.m. at Charles Town City Hall Council Chambers
(Date and Time) (Place)

**CERTIFICATION OF**

# PUBLIC NOTICE AND HEARING

**DATE:** March 6th, 2023

**STATE OF WEST VIRGINIA**

**MUNICIPALITY OF** CHARLES TOWN

I, John Barkley, Recording Officer of said municipality, of said County, do hereby certify that notice was made regarding the public hearing on a proposed tax increase and that the information provided on the levy page is in compliance with W. Va. Code §§ 11-8-6e.

(Recorder or City Clerk)

**CHARLES TOWN**

(Municipality)

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Report
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-247: Personnel Committee Update (Possible Executive Session)

The City Council is asked to continue efforts in consideration of the mid-year review of the City Manager's position.

**ATTACHMENTS:**

- CM Profile and Position Description (Council Approved).pdf

**CITY MANAGER PROFILE**
**FEBRUARY 7, 2022**

**PURPOSE**

The purpose of this profile is to clarify the skills and attributes that the City of Charles Town Council is looking for in a City Manager. All those involved in the hiring and selection process should have a copy of this profile, so that everyone is working from a common understanding of the type of person Council is seeking. It is intended to be utilized as the primary criteria in evaluating candidates. This profile will also be shared with candidates who apply for the position so that they have a clear picture of Council's preferences and present their qualifications accordingly.

**EDUCATION AND EXPERIENCE**

A bachelor's degree is required; a master's degree is preferred. Degrees in public administration, business, or closely related fields are preferred.

A minimum of three years of public administration experience is required, with five years preferred.

**KNOWLEDGE, SKILLS AND ABILITIES**

The City Manager must demonstrate skills in leadership, communication, administration, and Council relations.

***Leadership.*** Candidates must demonstrate past performance in crafting and articulating a vision and inspiring others to make that vision a reality. They must demonstrate an ability to find common ground among people with diverse points of view, inspire staff, and advance an agenda that is both visionary and practical. They must show the ability to carefully assess the strengths, weaknesses, barriers, and opportunities for a problem or situation, and craft and advance a plan of action for success. Past performance should demonstrate the ability to be innovative, think strategically, and develop programs or processes to solve community problems or accomplish established goals.

***Communications.*** The candidate must demonstrate an ability to listen, to communicate complex ideas in a simple, clear way, and develop and maintain good relations with a broad spectrum of people and/or community groups. Excellent oral and written communication skills are a must.

***Administration.*** Candidates must demonstrate an ability to organize and manage people, an ability to meet budget targets and deadlines, and an ability to provide professional leadership in managing multiple priorities while maintaining stability in the ongoing provision of city services. Candidates should have demonstrated prior experience in managing a city or county budget. A strong financial background and experience in grant procurement is desirable as well as dealing with government-owned utility finances. Candidates must demonstrate a personality that can communicate the local government's goals and needs to employees.

***Council Relations.*** Candidates must have the ability to work with Council members to keep them informed and explain technical processes. Candidates should be able to adequately inform the Council on a regular basis so there are no surprises. The person must be able to accept constructive criticism, when properly processed and given, and to implement the needed changes. Candidates must be open and honest with the Council and able to present all sides of an issue that affect the locality. Candidates must be able to carry out the intentions and official directions of Council enthusiastically.

Within this overall context, the city manager must evidence skills and experience in the following areas.

***Economic Development/Revitalization.*** The city manager must demonstrate skills and experience in creating and executing economic development and revitalization strategies, including strategies for blending the revitalization

of a historic downtown with the citywide growth of new business and commercial development opportunities. Knowledge of the national Main Street program will be helpful in executing on the downtown first focus outlined in the City's comprehensive plan.

***Historic Tourism and Preservation.*** The city manager must respect the City's history, with skills for historic preservation, advancing historic tourism, and engaging the arts to promote Charles Town.

***Intergovernmental Relations.*** Candidates must be able to maintain a good working relationship with another closely aligned city government and a County government whose central offices grace the City's downtown. The city manager must demonstrate an ability to represent the interest of the City's residents while working within the reality of an economic and social environment that is more regional. Candidates must demonstrate an ability to work with a spectrum of public agencies, including schools and state and federal agencies.

***Community Relations.*** Candidates must have demonstrated involvement in community activities. Experience working with and understanding the needs of the business community is highly desirable. Candidates should be able to present a confident image of the local government to the community at large. Candidates must be to demonstrate a positive, productive attitude toward citizens of the community.

***Infrastructure Planning and Implementation.*** The city manager must demonstrate skills in prioritizing, planning, and implementing infrastructure projects, including but not limited to those associated with public water and wastewater systems and other municipal facilities.

***Housing Development.*** The city manager must demonstrate experience facilitating the planning and zoning of new housing growth and knowledge of affordable housing policies and practices.

**CITY OF CHARLES TOWN**
**CITY MANAGER JOB DESCRIPTION**
**FEBRUARY 7, 2022**

**Pay Range: Depends upon experience and qualifications**

**POSITION SUMMARY**
The City Manager is the administrative leader for the City of Charles Town and the highest ranking staff member. As such, the City Manager is ultimately responsible for directing all operations, services and functions assigned to and provided by the various units of City government under the direction of the Mayor and City Council. The only exception is the City Police Department, for which the Chief of Police is the administrative leader and reports directly to the Mayor.

The City Manager also currently serves as City Clerk, City Treasurer, Chairperson of the Utility Board, and Zoning Administrator (when not otherwise assigned).

The City Manager is empowered to exercise considerable managerial and administrative judgment in conducting the business of the City within the framework of established policies, prevailing federal, state, and local laws and/or at the directives of the City Council. The City Manager must possess strong leadership, communication, administrative skills, and the ability to foster a positive working relationship with City Council.

This full-time position requires frequent attendance at evening meetings and occasional travel to meetings outside the local area. Overnight travel to Charleston, West Virginia and/or other locations for conferences, work sessions or position related training is also required.

**ESSENTIAL JOB FUNCTIONS**
Reporting directly to the City Council, the City Manager provides overall leadership for the City, serves as its chief executive, and is responsible for managing the City's day-to-day operations in accordance with all prevailing laws and/or established policies/guidelines. Specific responsibilities and duties include:

1. Establish and maintain a positive working relationship with the Mayor and City Council. Ensure that City Council meeting agendas are prepared, properly posted, and the minutes recorded. Attend and participate in all City Council meetings.
2. Prepare at least a monthly City Manager's report to keep the Mayor and Council informed and updated.
3. Ensure that meetings for standing committees of City Council and other established City boards, commissions or committees are conducted. Ensure that meeting agendas are prepared, properly posted, and committee reports prepared. Attend or designate a proper staff member to attend and participate in these meetings.
4. Assume a leadership role in the hiring, training, and career development of all direct-report City employees. Ensure that annual employee performance reviews for all such City employees are conducted and that all human resource issues be resolved in accordance with the City's personnel policies and prevailing state and federal laws or guidelines.
5. Conduct regular staff meetings with department heads to coordinate work, establish priorities, exchange information, etc.
6. Ensure the City's compliance with all federal, state, and local laws.
7. Ensure that all City records, public documents, and data are kept and maintained in accordance with prevailing laws.
8. Procure and administer grants in accordance with grant requirements.

9. Obtain professional services as necessary for the City's functions such as attorneys, accounting firms, engineering firms, and/or others.
10. Present a confident and responsive image of the City in communicating with the public and the media.
11. Assume a leadership role in the development and implementation of economic development and revitalization strategies for the City.
12. Establish and maintain a positive working relationship with the City of Ranson, other local municipalities, Jefferson County, and other governmental agencies and elected officials or representatives.
13. Serves as City Treasurer and, as such, is ultimately responsible for managing the finances of the City in accordance with established policies and all prevailing federal, state, and local laws or guidelines. This includes, but is not limited to preparing, monitoring, and managing the City's annual operating budget; serving as custodian of all invested funds, bonds and notes; overseeing the maintenance of a general accounting system for the City and each of its departments/entities; and providing regular financial reports to City Council.
14. Currently serves as Chairperson of the City's Utility Board and, as such, is responsible for representing the Mayor and Council's interests on the Board and keeping the Mayor and Council fully informed of Utility Board activities and policies.
15. Currently serves as the City's Zoning Administrator (unless otherwise assigned) and, as such, is ultimately responsible for ensuring proper administration of the City's zoning ordinances and other related municipal codes.

**MINIMUM QUALIFICATIONS AND REQUIRED KNOWLEDGE, SKILLS AND ABILITIES**

**Experience:** A minimum of three years' experience in Public Administration is required, with five years preferred. A broad range of administrative and management experience is desirable in areas including, but not limited to strategic planning and leadership; financial management and budgeting; human resources; municipal administration; economic development/revitalization; historic tourism and preservation; intergovernmental relations; community relations, infrastructure planning, and housing development.

**Education:** A Bachelor's degree is required; a Master's degree is preferred. Degrees in public administration, business or closely related fields are preferred.

**Other Requirements:** This position also requires the possession of a valid driver's license. In order to meet bonding requirements, candidates must also submit to a background check.

**KNOWLEDGE, SKILLS AND ABILITIES**

Candidates shall possess and demonstrate the following knowledge, skills, and abilities:

1. Strategic planning and leadership.
2. Inter-personal skills necessary to establish and maintain effective working relationships with the City's Mayor, Council members, appointed board and committee members, City staff, and the general public.
3. Strong oral and written communication skills.
4. Knowledge of and the ability to apply good supervisory practices, office protocols, and ethical standards.
5. A high degree of familiarity with financial reporting, budgeting, cash and debt management, fund and cost accounting, taxation formulas and processing, billing, purchasing, and payroll procedures.
6. Proficient in use of computers and data processing technology.
7. Self-motivation and the ability to prioritize and work independently on multiple and varied tasks.
8. Ability to mediate and resolve problems effectively and efficiently.
9. Ability to exercise sound judgment and tact when responding to problems or making decisions.
10. Ability to perform under time sensitive demands.

**Reports Directly to:** Mayor and City Council
**Review responsibility:** Annually by Mayor and City Council via Personnel Committee

**PHYSICAL REQUIREMENTS AND WORK ENVIRONMENT**

The physical demands and work environment described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

An employee in this position spends the majority of time in an office setting with a controlled climate where they sit and work on a computer, communicate by telephone, email, or in person, and move around the office or travel to other locations to attend meetings.

An employee in this position may be required to visit building and construction sites with difficult terrain. An employee in this position must have the strength, stamina, and physical coordination needed to gain access to construction project sites.

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-256: Payment of Bills - March 6, 2023

**ATTACHMENTS:**

- CAPITAL RESERVE COUNCIL REPORT 2023 3 06.pdf
- GENERAL FUND COUNCIL REPORT 2023 3 06.pdf
- PARKS & REC COUNCIL REPORT 2023 03 06.pdf

| VENDOR SORT KEY | DATE | DESCRIPTION | FUND | DEPARTMENT | AMOUNT |
|---|---|---|---|---|---|
| ADVANTAGE TECHNOLOGY LLC | 3/03/23 | OPTIPLEX/2 DELL MONITOR | CAPITAL RESERVE | GENERAL GOVERNMENT | 2,747.00 |
| | | | | TOTAL: | 2,747.00 |

========== FUND TOTALS ==========

| | | |
|---|---|---|
| 200 | CAPITAL RESERVE | 2,747.00 |
| | GRAND TOTAL: | 2,747.00 |

TOTAL PAGES: 1

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-City of Charles Town
VENDOR: All
CLASSIFICATION: All
BANK CODE: Include: CAP1
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 3/03/2023 THRU 3/03/2023

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: Check Date
SEQUENCE: By Vendor Sort
DESCRIPTION: Item
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

| VENDOR SORT KEY | DATE | DESCRIPTION | FUND | DEPARTMENT | AMOUNT |
|---|---|---|---|---|---|
| 10-42 TACTICAL LLC | 3/03/23 | DAY UNIFORMS | GENERAL FUND | POLICE DEPARTMENT | 109.98 |
| | 3/03/23 | DAY UNIFORMS | GENERAL FUND | POLICE DEPARTMENT | 129.98 |
| | 3/03/23 | DAY UNIFORMS | GENERAL FUND | POLICE DEPARTMENT | 0.00 |
| | 3/03/23 | DAY UNIFORMS | GENERAL FUND | POLICE DEPARTMENT | 159.98 |
| | 3/03/23 | DAY UNIFORMS | GENERAL FUND | POLICE DEPARTMENT | 8.00 |
| | 3/03/23 | DAY UNIFORMS | GENERAL FUND | POLICE DEPARTMENT | 16.30 |
| | | | | TOTAL: | 424.24 |
| BOARD OF TRUSTEES OF THE POLICE PENSIO | 3/03/23 | MAR2023 POLICE PENSION CON | GENERAL FUND | POLICE DEPARTMENT | 4,943.16 |
| | | | | TOTAL: | 4,943.16 |
| CINTAS | 3/03/23 | LAUNDRY BAGS | GENERAL FUND | STREETS & HIGHWAYS | 188.53 |
| | 3/03/23 | LAUNDRY BAGS | GENERAL FUND | STREETS & HIGHWAYS | 188.53 |
| | | | | TOTAL: | 377.06 |
| CITY OF CHARLES TOWN -- CAPITAL RESERV | 3/03/23 | DECEMBER 2022 REPAVING | GENERAL FUND | TRANSFERS | 11,056.69 |
| | 3/03/23 | JANUARY 2023 REPAVING | GENERAL FUND | TRANSFERS | 11,934.92 |
| | | | | TOTAL: | 22,991.61 |
| CITY OF CHARLES TOWN PETTY CASH | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 18.17 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 70.59 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 20.00 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 45.00 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 45.00 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 45.00 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 45.00 |
| | 3/03/23 | CTPD PETTY CASH REPLENISHM | GENERAL FUND | POLICE DEPARTMENT | 42.71 |
| | | | | TOTAL: | 331.47 |
| CITY OF CT CAPITAL RESERVE | 3/03/23 | JAN23 GAMING/LOTTERY XFR | GENERAL FUND | TRANSFERS | 74,867.64 |
| | 3/03/23 | JAN23 GAMING/LOTTERY XFR | GENERAL FUND | TRANSFERS | 1,390.29 |
| | 3/03/23 | JAN23 GAMING/LOTTERY XFR | GENERAL FUND | TRANSFERS | 22,516.85 |
| | 3/03/23 | JAN23 GAMING/LOTTERY XFR | GENERAL FUND | TRANSFERS | 19.63 |
| | | | | TOTAL: | 98,794.41 |
| CREAMERS AUTO SERVICE CENTER, LLC | 3/03/23 | CAR#26 OIL CHANGE/OIL | GENERAL FUND | POLICE DEPARTMENT | 86.98 |
| | 3/03/23 | #26 SECURED HEAT SHIELD | GENERAL FUND | POLICE DEPARTMENT | 119.95 |
| | | | | TOTAL: | 206.93 |
| CHARLES TOWN BUILDING COMMISSION | 3/03/23 | MARCH 2023 CITY RENTS | GENERAL FUND | CITY HALL | 2,550.00 |
| | 3/03/23 | MARCH 2023 CITY RENTS | GENERAL FUND | CITY HALL | 16,667.00 |
| | 3/03/23 | MARCH 2023 CITY RENTS | GENERAL FUND | POLICE DEPARTMENT | 7,840.98 |
| | | | | TOTAL: | 27,057.98 |
| CHARLES TOWN UTILITY BOARD | 3/03/23 | 661 WATER DELIVERY 2/3/23 | GENERAL FUND | POLICE DEPARTMENT | 81.11 |

| VENDOR SORT KEY | DATE | DESCRIPTION | FUND | DEPARTMENT | AMOUNT |
|---|---|---|---|---|---|
| FIRST-CITIZENS BANK & TRUST CO | 3/03/23 | 3RD FLOOR COPIER RENTAL | GENERAL FUND | CITY HALL | 185.00 |
| | | | | TOTAL: | 185.00 |
| FRONTIER, INC. | 3/03/23 | PD RINGDOWN 2/22/23-3/21/2 | GENERAL FUND | POLICE DEPARTMENT | 51.59 |
| | 3/03/23 | 661 304-725-2381ser 2/24-3 | GENERAL FUND | POLICE DEPARTMENT | 69.23 |
| | | | | TOTAL: | 120.82 |
| FRONTIER COMMUNICATIONS CORP | 3/03/23 | 661 PD PHONE SER11/10/22-1 | GENERAL FUND | POLICE DEPARTMENT | 1,157.52 |
| | 3/03/23 | 661 PD PHONE SER 12/10/22- | GENERAL FUND | POLICE DEPARTMENT | 1,157.52 |
| | 3/03/23 | 661 PD PHONE SER 1/10/23-2 | GENERAL FUND | POLICE DEPARTMENT | 1,190.74 |
| | 3/03/23 | 661 PD PHONE SER 2/10/23-3 | GENERAL FUND | POLICE DEPARTMENT | 1,190.74 |
| | | | | TOTAL: | 4,696.52 |
| GRIFFITH ENERGY SERVICES, INC | 3/03/23 | CITY HALL OIL 2/22/23 | GENERAL FUND | CITY HALL | 519.82 |
| | | | | TOTAL: | 519.82 |
| GUARDIAN | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | NON-DEPARTMENTAL | 108.34 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | TREASURER'S OFFICE | 26.94 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | CITY CLERK'S OFFICE | 8.98 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | PLANNING & ZONING | 35.92 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | CITY HALL | 8.98 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | PARKING | 0.00 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | POLICE DEPARTMENT | 134.70 |
| | 3/03/23 | MAR23 VISION PREMIUMS | GENERAL FUND | STREETS & HIGHWAYS | 26.94 |
| | | | | TOTAL: | 350.80 |
| JOHN BARKLEY | 3/03/23 | 2/13-2/15 WVML CONFERENCE | GENERAL FUND | CITY MANAGER'S OFFICE | 141.68 |
| | | | | TOTAL: | 141.68 |
| KENT PARSONS FORD, INC | 3/03/23 | CAR#17 REPLACE THROTTLE/GA | GENERAL FUND | POLICE DEPARTMENT | 388.28 |
| | | | | TOTAL: | 388.28 |
| CHRISTOPHER KUTCHER | 3/03/23 | 2/26-27 2023 RETIRE MEETIN | GENERAL FUND | POLICE DEPARTMENT | 96.00 |
| | | | | TOTAL: | 96.00 |
| MARLIN BUSINESS BANK | 3/03/23 | PD& CITY COPIER RENTAL | GENERAL FUND | CITY HALL | 515.98 |
| | 3/03/23 | PD& CITY COPIER RENTAL | GENERAL FUND | POLICE DEPARTMENT | 280.00 |
| | | | | TOTAL: | 795.98 |
| MATTHEW ZECHMAN | 3/03/23 | 3/19-3/22/23 ACADEMY MEAL | GENERAL FUND | POLICE DEPARTMENT | 90.75 |
| | | | | TOTAL: | 90.75 |
| MCKINNEY'S AUTO REPAIR & TOWING | 3/03/23 | #1 WV STATE INSPECTION | GENERAL FUND | POLICE DEPARTMENT | 14.00 |
| | | | | TOTAL: | 14.00 |

| VENDOR SORT KEY | DATE | DESCRIPTION | FUND | DEPARTMENT | AMOUNT |
|---|---|---|---|---|---|
| ROBERT TRAINOR | 3/03/23 | 2/26-27 2023 RETIRE METING | GENERAL FUND | MAYOR'S OFFICE | 96.00 |
| | | | | TOTAL: | 96.00 |
| SHENANDOAH SALES AND SERVICE INC. | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 28.50 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 85.50 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 152.00 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 256.50 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 14.00 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 24.16 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 13.80 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 69.31 |
| | 3/03/23 | SWEEPER-FUEL LEAK/HEADLIGH | GENERAL FUND | STREETS & HIGHWAYS | 35.00 |
| | | | | TOTAL: | 678.77 |
| STAPLES ADVANTAGE | 3/03/23 | 3 BOXES FOLDERS,DESK PAD | GENERAL FUND | PLANNING & ZONING | 136.60 |
| | 3/03/23 | STAPLES,SPOONS,PAPER PLATE | GENERAL FUND | CITY HALL | 243.58 |
| | | | | TOTAL: | 380.18 |
| STEPTOE & JOHNSON PLLC | 3/03/23 | LEGAL SERVICES JANUARY 202 | GENERAL FUND | CITY ATTORNEY | 20,487.50 |
| | | | | TOTAL: | 20,487.50 |
| THE JOURNAL,MARTINSBURG | 3/03/23 | PD POLICE OFFICER JOB POST | GENERAL FUND | POLICE DEPARTMENT | 911.03 |
| | | | | TOTAL: | 911.03 |
| TIAA, FSB | 3/03/23 | 2ND FLOOR PLAT PRINTER | GENERAL FUND | CITY HALL | 153.50 |
| | 3/03/23 | 2ND FLOOR PLAT PRINTER | GENERAL FUND | CITY HALL | 300.00 |
| | | | | TOTAL: | 453.50 |
| UNITED WAY OF THE EASTERN PANHANDLE, I | 3/03/23 | TEEN COURT FEES FEBRUARY 2 | GENERAL FUND | NON-DEPARTMENTAL | 380.00 |
| | | | | TOTAL: | 380.00 |
| WV STATE TREASURER'S OFFICE | 3/03/23 | MUNC COURT FEES FEBRUARY 2 | GENERAL FUND | NON-DEPARTMENTAL | 4,239.96 |
| | | | | TOTAL: | 4,239.96 |

========== FUND TOTALS ==========

| | | |
|---|---|---|
| 001 | GENERAL FUND | 203,052.65 |
| | GRAND TOTAL: | 203,052.65 |

TOTAL PAGES: 3

| VENDOR SORT KEY | DATE | DESCRIPTION | FUND | DEPARTMENT | AMOUNT |
|---|---|---|---|---|---|

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-City of Charles Town
VENDOR: All
CLASSIFICATION: All
BANK CODE: Include: AP1
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 3/03/2023 THRU 3/03/2023

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: Check Date
SEQUENCE: By Vendor Sort
DESCRIPTION: Item
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

| VENDOR SORT KEY | DATE | DESCRIPTION | FUND | DEPARTMENT | AMOUNT |
|---|---|---|---|---|---|
| AC & T CO., INC | 3/03/23 | JMP PORTA POTTY SERV | PARKS & REC | PARKS & REC | 265.00 |
| | | | | TOTAL: | 265.00 |

========== FUND TOTALS ==========

| | | |
|---|---|---|
| 207 | PARKS & REC | 265.00 |
| | GRAND TOTAL: | 265.00 |

TOTAL PAGES: 1

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 03-CT BOARD OF P&R
VENDOR: All
CLASSIFICATION: All
BANK CODE: Include: PARK1
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 3/03/2023 THRU 3/03/2023

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: Check Date
SEQUENCE: By Vendor Sort
DESCRIPTION: Item
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-226: Charles Town Utility Board Minutes - February 8, 2023

**ATTACHMENTS:**
- 2023.02.08 UB MINUTES.pdf

**Charles Town Utility Board**
**Special Board Meeting**
**February 8, 2023**

The Charles Town Utility Board held a special meeting on February 8, 2023 at 4:00 P.M. Members of the Board present were Duke Pierson, Tommy Stocks and Jeff Whitten. Also present were Kristen Stolipher, April Shultz, and Hoy Shingleton.

## CALL TO ORDER

Vice Chairman Duke Pierson called the meeting to order at 4:00 P.M.

## APPROVAL OF MINUTES

Approval of January 18, 2023 Special Meeting Minutes

The Vice Chairman called for changes or corrections to the January 18, 2023 special meeting minutes. With no objections from the Board, the minutes were approved as part of the record.

## PUBLIC COMMENT

The Board received a public comment from Elizabeth Ricketts.

The Vice Chairman announced that Claire Ath is the new County Commission liason until the County Commission appoints a new member.

## OLD BUSINESS

Colandrea Request

Last month the Board held discussions on the fee request from Mr. Colandrea. The Vice Chairman provided that per the legal opinion provided by Mr. Shingleton, the Board is requiring Mr. Colandrea to pay the CIF of $18,356.65 for sewer service as discussed at the last meeting. Staff will forward this information to Mr. Colandrea.

**Action:** **No action by the Board.**

Miller Station Evaluation

Mrs. Stolipher provided the proposed development is located adjacent from Walmart on Patrick Henry Way. Gwin Dobson Foreman completed an evaluation of sewer options to address the Miller Station development. Once the development is ready to move forward CTUB will need to begin preliminary engineering to provide the property with sewer service.

**Action:** **No action by the Board.**

## NEW BUSINESS

Resolution 2023-01 – A Resolution Honoring Joseph D. Burris

Mrs. Stolipher presented a resolution honoring CTUB employee, Joseph Burris, who passed away unexpectedly. Mr. Burris was a dedicated, long-time employee and is a tremendous loss to the Utility. Vice Chairman read the resolution into record. Mr. Burris's family was in the audience.

**Action:** **Motion made by Mr. Stocks, second by Mr. Whitten, the Board unanimously approved Resolution 2023-01 honoring Joseph D. Burris.**

Renewal & Replacement Project Resolution No. 4 – Contractor Pay Application No. 4

Mrs. Stolipher provided the contractor has submitted an application for payment no. 4 in the amount of $91,314.99. Chris Eckenrode from Gwin Dobson Foreman provided an update on the project.

**Action:** **Motion by Mr. Whitten, second by Mr. Stocks, the Board unanimously approved the Contractor Pay Application No. 4.**

River Intake VFD Installation

Mr. Eckenrode briefed the Board on evaluating electrician quotes to replace two existing water treatment plant raw water intake facility soft starters with VFD's. Quotes were received from S&S Electric for $179,765.00, RCD Electrical Services for $285,378.00 and KM Electrical Solutions for $307,000.00. Mr. Eckenrode provided the total project costs after installation, procurement of telemetry and engineering totaling $232,090.00. The Board provided discussions. Mrs. Stolipher mentioned the funding for this project would come from the remaining surety money and the Renewal and Replacement account.

**Action:** **Motion by Mr. Whitten, second by Mr. Stocks, the Board unanimously approved the quote from S&S Electric and other associated costs totaling the $232,090.00 to install the VFD's.**

## MANAGER REPORTS

Utility Manager Report

Mrs. Stolipher briefed the Board on this month's sewer and water efforts including the ongoing lead and copper inventory, finalizing the Collection Project design, request for ARPA funds from the City of Charles Town, and an update on the PSC hearings. The Board provided discussions.

**Action:** **No action required by the Board.**

Chairman Report

No report was provided.

**Action:** **No action required by the Board.**

## APPROVAL OF BILLS

February 8, 2023

**Action:** **Motion by Mr. Stocks, second by Mr. Whitten, the Board unanimously approved the payment of the bills.**

## INFORMATION ONLY

The Vice Chairman mentioned the following documents included as Information Only; the RFQ for Legal Services, the Revenue & Expense Report for December 2022 and the Financial Statements for Fiscal Year 2022.

The next special meeting is scheduled for Wednesday, February 22, 2023 at 4:00 P.M. at 661 S. George Street.

There being no further business at this time, the Board adjourned the meeting at 4:31 P.M.

**Action:** **Motion by Mr. Stocks, second by Mr. Whitten, the Board unanimously approved the motion to adjourn.**

Duke Pierson
Vice Chairman

Thomas Stocks
Treasurer

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-245: WV Fest - Mayor's Invitation to the Governor or West Virginia - Signed

**ATTACHMENTS:**

- Letter to Governor Justice - 2-22-23.pdf

# City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us


**VIA EMAIL AND FIRST-CLASS MAIL**

February 22, 2023


**MAYOR**
*Robert M. Trainor*

**CITY COUNCIL**
*James Kratovil*
*Elizabeth Ricketts*
*Jeff Hynes*
*Kevin Tester*
*Jean Petti*
*Julie Philabaum*
*Micheal George*
*Rikki Twyford*

**City Manager**
*John Barkley*


Office of the Governor
State Capitol, 1900 Kanawha Blvd. E
Charleston, WV 25305

**Subject: Invitation to the Charles Town "West Virginia Fest" on Saturday, June 17, 2023**

Dear Governor Justice:

I write on behalf of the City of Charles Town to cordially invite you to be our guest of honor at this year's annual Charles Town "West Virginia Fest", one of our major downtown festivals, drawing thousands of West Virginians as well as folks from across the tri-state region for a fun-filled day of activities in celebration of West Virginia's birthday.

We hold our annual WV Fest on the Saturday that is closest to West Virginia's actual birthday of June 20th, which falls on Saturday, June 17th this year and typically runs from 10:00AM to 5:00PM or so. It is an absolutely awesome event with plenty of activities for all ages including music, street fair, arts and cultural presentations, and a rousing "Are You Smarter than an 8th Grader?" history quiz competition hosted by Curator Randall Reid-Smith. We would be especially pleased and grateful if you served as our special Guest of Honor for these festivities. Naturally, we'll accommodate your schedule for that day to ensure that you'll be able to make the most of your time in the beautiful Eastern Panhandle.

Please feel free to contact me at 304.283.2946 or email: btrainor@charlestownwv.us if you have any questions.

My contacts for this event are:
Ms. Liz Cook, Downtown Coordinator at 304.261.6279, ecook@charlestownwv.us;
Mr. John Barkley, City Manager at 304.724.3244, jbarkley@charlestownwv.us;
Mr. Matt Ward at 202.422.2411, Matt.Ward@StrategiesDC.com

Sincerely,

Robert M. Trainor
Mayor

cc: Melissa.R.Parsons@wv.gov
Rebecca.D.Blaine@wv.gov
Randall.ReidSmith@wv.gov
Daryl.E.Cowles@wv.gov

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-246: Eastern Panhandle Transit Authority (EPTA)/ Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Letter of Support Request - Copy of Letter Sent

**ATTACHMENTS:**

- Letter to Pete Buttigieg.pdf

# City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us


**VIA EMAIL AND FIRST-CLASS MAIL**

February 22, 2023


**MAYOR**
*Robert M. Trainor*

**CITY COUNCIL**
*James Kratovil*
*Elizabeth Ricketts*
*Jeff Hynes*
*Kevin Tester*
*Jean Petti*
*Julie Philabaum*
*Micheal George*
*Rikki Twyford*

**City Manager**
*John Barkley*


The Honorable Pete Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

**RE: City of Charles Town, WV Support for the DOT RAISE Grant Funding for the Eastern Panhandle Rural Multimodal Transit Center Project.**

Dear Secretary Buttigieg:

I write to convey the City of Charles Town's strong support for the West Virginia Department of Transportation, Division of Highways (WVDOH) application to the U.S. Department of Transportation, for RAISE grant funding for the Eastern Panhandle Rural Multimodal Transit Center project in downtown Martinsburg. The proposed Transit Center will be owned and operated by the Eastern Panhandle Transit Authority (EPTA), currently serving Berkeley and Jefferson counties. This project will improve access to safe and reliable transit service, provide sustainable transportation choices, and improve the quality of life and economy within our community. I encourage you to give the highest consideration to this RAISE grant request.

The community of Jefferson and Berkeley counties is rapidly growing, Charles Town's population alone has grown by almost 25% population since 2010. The Eastern Panhandle Transit Authority provides the only public transportation option for Charles Town residents and the surrounding community. EPTA's overall mission to enhance the quality of life for all citizens by providing safe, accessible, reliable, and affordable transit options is a great benefit to residents of Charles Town. We believe that this project of locating the new Transit Center in the heart of historic downtown Martinsburg will be the capstone of many years of planning and effort and be of great value to Charles Town and the greater Jefferson and Berkeley County community.

Sincerely,

Robert M. Trainor
Mayor

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-249: Letter to Jefferson County Commission, February 2023, Ref: Charles Town Utility Board Vacancy

**ATTACHMENTS:**

- Ltr to JCC Ref CTUB Vacancy Feb 22.pdf

# City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us



**MAYOR**
*Robert M. Trainor*

**CITY COUNCIL**
*James Kratovil*
*Elizabeth Ricketts*
*Kevin Tester*
*Jeff Hynes*
*Jean Petti*
*Julie Philabaum*
*Michael George*
*Rikki Twyford*

**CITY MANAGER**
*John Barkley*


February 22, 2023

Ms. Cindy Rezmer
Interim County Manager
Jefferson County, WV
124 E. Washington Street
P.O. Box 250
Charles Town, WV 25414
Via Email: crezmer@jeffersoncountywv.org

Dear Ms. Rezmer:

I am writing to you regarding the currently vacant seat on the Charles Town Utility Board, representing the former Public Service District. Upon the resignation of the former Board member who held the seat until August of 2022, the seat was vacated and continues to remain vacant.

Given the time that has passed to this point, we would like to move forward with an attempt to advertise and fill this important seat on the CTUB Board immediately. Accordingly, the Council intends to take the necessary action to do this. I wanted to reach out and inform you of this to ensure that our efforts are not duplicative.

Thank you for your consideration of this matter. Feel free to contact me at (304) 724-3244 with any questions or comments.

Sincerely,

John C. Barkley

John C. Barkley
City Manager

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

## 2023-248: Mayors Select Committee for Consideration of Renewal of the Lease for CW Hall, First Floor - Letter

**ATTACHMENTS:**

- Mayor's Select Committee Letter & Lease.pdf

February 22, 2023

Re: Mayor's Select Committee on the Jefferson G.A.P. Coalition, Inc. Charles Washington Hall Lease Renewal

Dear Council members

Please be advised that I have commissioned a Select Committee to perform the following:

1. Review the existing lease between CW Hall Manager, LLC and Jefferson G.A.P. Coalition, Inc.
2. Negotiate the terms of a renewal lease with appropriate Jefferson G.A.P. Coalition, Inc. representatives, taking into account those factors that may affect the conditions of the lease, including among others: Bushel & Peck and Ortega's Taco Shop sales for calendar years 2020 through 2022,
3. Submit a renewal lease for City Council consideration and approval not later than the first regular City Council meeting in May 2023.

The following personnel are hereby appointed to the Select Committee:

- Mr. Robert Trainor, Mayor
- Mr. Jeff Hynes, Ward 2 Rep & Planning Commission Council Rep
- Ms. Elizabeth Cook, Downtown Coordinator/Business Development
- Ms. Liz McDonald, Downtown Business Owner

All Committee meetings will conform with applicable WV State and City ordinances, rules, and regulations.

This Select Committee will be dissolved upon the signing of the approved lease by all parties of interest, or by my declaration.

Robert M. Trainor
Mayor

Attachment: Lease Agreement between CW Hall Manager, LLC and Jefferson G.A.P. Coalition, Inc., of 24 April 2019

Copy to: Mr. John Barkley, City Manager
Ms. Elizabeth Cook, Downtown Coordinator/Business Development
Ms. Liz McDonald, Dandridge Reality Group, 113 W Washington

LEASE AGREEMENT

This Lease Agreement is made between CW Hall Manager, LLC, a West Virginia Limited Liability Company (hereinafter referred to as "Lessor"), that is managed by the City of Charles Town, a Municipal Corporation, whose mailing address is PO Box 14, Charles Town, WV 25414; and Jefferson G.A.P. Coalition, Inc. (hereinafter referred to as "Lessee"), a West Virginia non-profit Corporation whose mailing address is 100 West Washington St. #101 Charles Town, WV 25414

Lessee offers to lease the following commercial space from Lessor:

1) The first floor of the building known as Charles Washington Hall, 100 W. Washington Street, Charles Town, WV 25414.

2) The basement of the building known as Charles Washington Hall, 100 W. Washington Street, Charles Town, WV 25414. Provided, however, that no operations of the Lessee of its Sub-Lessees, nor any items that the Lessee or its Sub-Lessees may store therein, shall interfere with the fixtures and systems contained therein.

3) All that/those certain trade equipment, systems, fixtures, furniture, and miscellaneous items, which are a part of, or contained in, the area to be leased by the Lessee, at the time of the execution of this Lease Agreement. See Appendix A for a list of trade equipment so leased as part of this agreement.

**Term and Rent.** Lessor leases to Lessee the premised identified above for an initial term of thirty-six (36) months commencing May 1, 2019 and terminating April 30, 2022, for a total rent of Twelve Thousand Dollars ($12,000), plus a percentage of the gross sales originating from the leased commercial space by the Jefferson G.A.P. Coalition, Inc.'s Bushel and Peck grocery operations and the gross sales originating from the sub-leased commercial space by the West Bay tenant's restaurant operations. The rent shall be payable at Two Hundred Dollars ($200) per month, plus one (1) percent of the gross sales originating from the leased commercial space of Bushel and Peck for the first twelve (12) months and one (1) percent of the gross sales originating from the sub-leased commercial space of the West Bay tenant beginning three (3) months after the sub-lease is signed and continuing through April 30, 2020; and Four Hundred Dollars ($400) per month, plus one (1) percent of the gross sales originating from the leased commercial space of Bushel and Peck and two (2) percent of the gross sales originating from the sub-leased commercial space of the West Bay tenant for the final twenty-four (24) months of the initial term.

**Renewal Option.** Provided the Lessee is not in default under the terms and conditions of this lease, Lessee shall have the right to renew this lease for an additional period of twenty-four (24) months under the same terms and conditions as stated herein, except that the rent shall increase to Five Hundred Dollars ($500) per month, plus one (1) percent of the gross sales originating from the leased commercial space of Bushel and Peck and two (2) percent of the gross sales originating from the sub-leased commercial space of the West Bay tenant for the duration of the renewal period. Lessee shall give Lessor notice in writing of Lessee's intention to exercise this option at least One Hundred and Eighty (180) calendar days prior to the expiration of this lease.

**Rent Due.** Rent is due and payable in advance on the first day of each month. The percentage payments shall be paid thirty (30) days in arrears and with the next regularly scheduled rent payment. A sales report of sufficient detail acceptable to Lessor documenting the gross sales originating from the leased commercial space of Bushel and Peck and the West Bay tenant shall accompany the payment. A late fee of Fifty Dollars ($50) shall be assessed after the tenth (10) day of the month. Failure to pay rent on time may be cause for termination of this Lease Agreement.

**Use.** Lessee shall use and occupy the premises identified above for the operation and management of a grocery



Attachment
Page 1 of 7

store with a local-foods focus and commercial restaurant. The premises shall be used by Lessee for no other purpose without the prior, written consent of the Lessor.

**Charles Town Visitor's Center.** Lessee agrees to sub-lease a portion of the East Bay of the premises, or such other areas as may be agreed to by and between the Lessee and the Lessor for the operation of the Charles Town Visitor's Center. The term of the sub-lease shall be for one (1) year and shall be automatically renewed for the duration of this lease unless Lessor provides written notice to the Lessee. There shall be no charge to Lessor for such purpose.

**Assignment, Subletting and West Bay.** Lessee shall not further assign this lease or sublet any portion of the premises (less and except the West Bay portion of the premises, as hereinafter described) without prior, written consent of Lessor. Any such assignment or subletting without consent shall be void and, at the option of Lessor, may terminate this lease. *Provided*, however, that it is contemplated in this Lease Agreement that Lessee intends to sub- lease the West Bay of the premises for use and operation of a commercial restaurant and may so sub-lease said West Bay for the establishment and operation of said restaurant without obtaining Lessor's consent or approval of such sub-lease agreement. Failure of the Lessee to sublet the West Bay portion of the premises to a restaurant that is fully operational no later than October 1, 2019 may be reason for Lessor to exercise its option to assume full responsibility for leasing the West Bay, including the collection of all rents resulting from the sub-lease. If Lessor exercises this option, the rents from Lessee shall be reduced to exclude the percentage of gross sales originating from the sub-leased commercial space of the West Bay tenant.

**Second Floor Access.** Lessee agrees to allow access to the second floor of the building to Lessor and/or any of its agents, assignees, designees or sub-lessors via the first floor entrance on N. George Street. Lessor, its agents, assignees, designees or sub- lessors shall have the right to use the entrance on N. George Street, the alcove immediately inside the entrance and the staircase and elevator inside said alcove, for access to the second floor.

**Care and Maintenance of Premises.** Lessee acknowledges that the premises are in good order and repair to the extent reasonably known by a visual inspection of the premises. Lessee shall maintain the premises in good and safe condition and at the conclusion of this lease return premises in the same condition, ordinary wear and tear excepted.

The Lessor shall remain responsible for all major repairs to the premises and appurtenances and shall perform said repairs in a reasonable time after being given notice by the Lessee of the need for repair. The Lessee shall be responsible for all minor repairs to the premises and shall, during the term of this lease, use all reasonable precautions to prevent waste, damage, or injury to the premises. A major repair is defined as any repair, which, including parts and labor at the prevailing rates, exceeds the sum of Five Hundred Dollars ($500). Lessee shall immediately notify Lessor of damage or concerns of damage, needed repairs, or the potential need for repair.

The Lessor shall be responsible for shoveling the sidewalks and leaving the same free and clear of ice and snow.

Lessee shall be responsible for the cost of leasing a dumpster and/or providing a system for the regular removal of all trash and debris originating in or on the premises leased by the Lessee herein. Lessee shall regularly clean interior and exterior spaces, including interior and exterior windows on that portion of the premises leased to the Lessee herein.

Lessee shall ensure immediate removal of used grease by a qualified contractor and shall clean the grease trap on a regular basis.

**Alterations.** Lessee shall not make any material alterations, additions, or improvements, in, to or about the

premises without first obtaining the prior, written consent of Lessor.

**Ordinances and Statutes.** Lessee shall comply with all statutes, ordinances and requirements of all Jefferson County, West Virginia and Charles Town, West Virginia municipal, West Virginia state, and federal authorities now in force, or which may hereafter be in force, pertaining to the premises, occasioned by or affecting the use thereof by the Lessee. Provided, however, that if compliance requires any structural alteration to the premises, Lessee shall have the right to terminate this lease.

**Utilities.** All applications and connections for necessary utility services that support the operations of the first floor of the building shall be made in the name of Lessee only, and Lessee shall be solely liable for utility charges as they become due, including those for water and sewer, electricity, trash removal, telephone, internet, and pest control. The meters associated with the first floor are numbered S310324315 and S310326458.

Lessor represents that connections for electricity for the second floor of said premises are separate and shall be made in the name of Lessor and/or its agents, assignees or designees and the same shall be solely liable as they come due. These meters are numbered S18826689 and S310324474.

The Lessor shall be responsible for maintaining an active fire alarm for the premises.

**Notices.** All notices from Lessor to Lessee under this Lease and applicable law shall be delivered to the following address: 100 West Washington St., Charles Town WV 25414

**Entry and Inspection.** Lessee shall permit Lessor and/or its agents or assignees to enter upon the premises at reasonable times and upon reasonable notice, for the purpose of inspecting the same.

**Indemnification.** Lessor shall not be liable for any damage or injury to Lessee, or any other person, or to any property, occurring on the premises or any part thereof, leased herein by the Lessee, and Lessee agrees to hold Lessor harmless from any claims for such damages to the extent occurring on the premises leased by the Lessee herein. Lessor shall not be held liable for any loss of income by Lessee, unless caused by willful or malicious conduct of the Lessor.

**Insurance.** Lessee, at its expense and at all times, shall maintain plate glass and public liability insurance including bodily injury and property damage insuring Lessee and Lessor with a minimum of one million dollars ($1,000,000.00) in coverage. Lessee shall provide Lessor with a Certificate of Insurance showing Lessor as additional insured. The Certificate shall provide for a thirty (30) day written notice to Lessor in the event of cancellation or material change of coverage. Lessee shall provide said documentation to Lessor within ten (10) calendar days of the commencement of this lease. To the maximum extent permitted by insurance policies, which may be owned by Lessor or Lessee, Lessee and Lessor, for the benefit of each other, waive any and all rights of subrogation, which might otherwise exist. Failure of Lessee to provide said documentation within the time frame stated above, or failure of Lessees to maintain public liability insurance during the term of this lease as described above may result in immediate termination of this lease at the sole discretion of the Lessor. If this lease shall have been so terminated by Lessor, Lessor may at any time thereafter resume possession of the premises by any lawful means and remove Lessees or other occupants and their effects in accordance with applicable law.

**Destruction of Premises.** In the event of a partial destruction of the premises during the term hereof, from any cause, Lessor shall forthwith repair the same, provided that such repairs can be made within sixty (60) days under existing governmental laws and regulations, but such partial destruction shall not terminate this lease. If such repairs cannot be made within said sixty (60) days, this lease may be terminated at the option of either party. In the event that the building in which the demised premises may be situated is destroyed to an

extent of not less than one-third of the replacement costs thereof, Lessor may elect to terminate this lease whether the demised premises be insured or not. A total destruction of the building in which the premises may be situated shall terminate this lease.

**Lessor's Remedies on Default of Covenants and Conditions.** If Lessee defaults in the performance of any of the covenants or conditions hereof, Lessor may give Lessee notice of such default and if Lessee does not cure any such default within ten (10) calendar days after the giving of such notice (or if such other default is of such a nature that it cannot be completely cured within such period, if Lessee does not commence such curing within ten (10) calendar days and thereafter proceed with reasonable diligence and in good faith to cure such default), then Lessor may terminate this lease on not less than five (5) calendar days' notice to Lessee. On the date specified in such notice the term of this lease shall terminate, and Lessee shall then quit and surrender the premises to Lessor, without extinguishing Lessee's liability. If this lease shall have been so terminated by Lessor, Lessor may at any time thereafter resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects in accordance with applicable law.

**Waiver.** No failure of Lessor to enforce any term hereof shall be deemed to be a waiver.

**Heirs, Assigns, Successors.** This lease is binding upon and inures to the benefit of the heirs, assigns and successors in interest to the parties hereto.

**Subordination.** This lease is and shall be subordinated to all existing liens and encumbrances against the property.

**Signs.** Lessee is entitled to erect no more than two (2) signs outside the front street-level entrance to the premises, upon approval of the City of Charles Town Historic Landmarks Commission. It is anticipated in this Lease Agreement that no more than two (2) signs shall front on Washington Street. Prior, written consent of the Lessor shall be required before any additional signs beyond the number anticipated herein shall be permitted.

**Title.** Lessor represents and warrants to Lessee that it has good and marketable fee simple title to the leased premises.

**Lessee's Right to Terminate.** Lessee shall have the right to terminate this lease with ninety (90) calendar days' notice to the Lessor. Provided, however, that the Lessee's termination of this Lease Agreement shall not otherwise extinguish the Lessee's liability for any of its obligations becoming due prior to the termination of this Lease Agreement.

**Entire Agreement.** The foregoing constitutes the entire agreement between the parties and may be modified only by a writing signed by both parties.

Signed this 24th day of April 2019.

CW Hall Manager, LLC

BY: Scott Rogers

ITS: Charles Town Mayor

Jefferson G.A.P. Coalition, Inc.

BY: H. Fore Harrison

ITS: President

STATE OF WEST VIRGINIA, COUNTY OF JEFFERSON, to-wit:

The foregoing document was acknowledged before me by the CW Hall Manager, LLC by

Scott Rogers its Mayor

this 24th day of April 2019.

Deborah F. Wilson

Notary Public

My commission expires: March 11, 2021

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Deborah F Wilson
City of Charles Town
PO Box 14
Charles Town, WV 25414
My Commission Expires March 11, 2021

STATE OF WEST VIRGINIA, COUNTY OF JEFFERSON, to-wit:

The foregoing document was acknowledged before me by the Jefferson G.A.P., Inc. by

FIONA Harrison its President

this 24th day of April 2019.

Deborah F Wilson

Notary Public

My commission expires: March 11, 2021

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Deborah F Wilson
City of Charles Town
PO Box 14
Charles Town, WV 25414
My Commission Expires March 11, 2021

**City Council**
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/06/23
Department: City Council
Category: Information Only
Initiator:

**SCHEDULED**

**AGENDA ITEM (ID # )**

# 2023-250: Ordinance Authorizing and Directing the Mayor to Execute an Agreement Rescinding, Canceling, and Nullifying, as Between the Parties to such Agreement, those certain Conditions of Annexation Dated the 30th Day of January 2007, Entered by and Between Rolfe G. Hayes and Ahmad H. Abdul-Baki, as Owners of the Subject Real Property, and the City of Charles Town, and Releasing the Parties to such Agreement from any Executory Obligations, Covenants, or Duties Under the Conditions of Annexation - Finalized Documents

**ATTACHMENTS:**

- An Ordinance Authorizing and Directing the Mayor to Execute an Agreement Rescinidng, Canceling, and Nullifying, Coniditons of An.pdf
- Nullification Agreement - Hayes Property.pdf

CITY OF CHARLES TOWN
WEST VIRGINIA

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT RESCINDING, CANCELING, AND NULLIFYING, AS BETWEEN THE PARTIES TO SUCH AGREEMENT, THOSE CERTAIN CONDITIONS OF ANNEXATION DATED THE 30th DAY OF JANUARY, 2007, ENTERED BY AND BETWEEN ROLFE G. HAYES AND AHMAD H. ABDUL-BAKI, AS OWNERS OF THE SUBJECT REAL PROPERTY, AND THE CITY OF CHARLES TOWN, AND RELEASING THE PARTIES TO SUCH AGREEMENT FROM ANY EXECUTORY OBLIGATIONS, COVENANTS, OR DUTIES UNDER THE CONDITIONS OF ANNEXATION.

WHEREAS, pursuant to (i) an Ordinance duly approved upon second reading and adopted by the Common Council of the City of Charles Town at a regular meeting held on October 16, 2006 (the "Annexation Ordinance"), and (ii) an Order entered by the County Commission of Jefferson County, West Virginia, on November 30, 2006 (the "Annexation Order"), the City of Charles Town annexed within its corporate limits four (4) parcels of land containing an aggregate of 268.8668 acres, more or less, being two parcels then owned by Rolfe G. Hayes ("Hayes") containing, respectively, 198.1519 acres, more or less, and 10.9440 acres, more or less, a parcel then owned by Ahmad H. Abdul-Baki ("Abdul-Baki") containing 4.6209 acres, more or less, and a portion of the Route 340 Bypass containing approximately 55.15 acres, more or less (collectively, the "Annexed Property");

WHEREAS, pursuant to a Resolution duly adopted by the Common Council of the City of Charles Town at the aforesaid meeting held on October 16, 2006, the City of Charles Town accepted and approved the annexation of the Annexed Property and thereby agreed with Hayes and Abdul-Baki to the provisions of those certain Conditions of Annexation thereafter executed by Hayes, Abdul-Baki, and the then Mayor, and dated the 30th day of January, 2007 (the "Conditions of Annexation");

WHEREAS, the Conditions of Annexation contemplated a specific development project that required rezoning particular portions of the Annexed Property, respectively, to General Commercial, Neighborhood Residential, and Residential Multi-Family districts, and other modifications to the zoning regulations in order to permit construction of a hospital and related medical uses and professional uses in the General Commercial district and innovative residential units in the residential districts;

WHEREAS, the Conditions of Annexation required that the final development design of the development project be in general conformance with an Annexation Concept Plan attached to the Conditions of Annexation (the "Concept Plan");

WHEREAS, the Conditions of Annexation further contemplated that, in order to facilitate the construction of a new hospital and medical office facility on the Annexed Property, approximately thirty (30) acres of land would be donated to West Virginia University Hospitals –

East for construction of a hospital and related medical uses and professional offices;

WHEREAS, subsequent to execution of the Conditions of Annexation, the intended purchaser and developer of the parcels owned by Hayes and Abdul-Baki withdrew from the contemplated transaction and development;

WHEREAS, in 2012, Abdul-Baki conveyed to third parties his parcel of 4.6209 acres, more or less;

WHEREAS, Hayes died in 2014 and his parcels containing, respectively, 198.1519 acres, more or less, and 10.9440 acres, more or less, came to be held by Roscoe A. Hayes, Alice M. Spickler and Donald L. Spickler, Co-Trustees of the Alice M. Spickler Living Trust, and Joseph R. Gallo (collectively, the "Hayes Property Owners");

WHEREAS, in 2020, the Hayes Property Owners subdivided the parcel of 198.1519 acres, more or less, and conveyed therefrom a parcel of 27.8213 acres, more or less, to a third party;

WHEREAS, the Hayes Property Owners continue to hold the parcel of 10.9440 acres, more or less, and the remainder of the parcel that originally contained 198.1519 acres, more or less (collectively, the "Hayes Property Owners' Property"), which property has not been further developed;

WHEREAS, in recognition that the Conditions of Annexation contemplated a specific development project and that it now and in the future would and will be impractical, if not impossible, to develop the specific development project contemplated, particularly in general conformance with the Concept Plan as required by the Conditions of Annexation, due to changed circumstances and for various reasons including, without limitation, that portions of the Annexed Property intended to be included in the development project are now owned by third parties and that construction of a hospital on the Annexed Property is no longer contemplated, the Hayes Property Owners have requested that the City of Charles Town agree to rescind, cancel, and nullify the Conditions of Annexation as between the Hayes Property Owners and the City of Charles Town and that the Hayes Property Owners, West Virginia University Hospitals – East, and the City of Charles Town mutually release each of the other Parties from any and all executory covenants and obligations thereunder; *provided that*, it is the intent and desire of the Hayes Property Owners that Paragraph V of the Conditions of Annexation, pertaining to provision of water and sanitary sewer service to the Annexed Property by the Charles Town Utility Board, shall remain in full effect ("Paragraph V Provision");

WHEREAS, the Hayes Property Owners have expressed that the existence of the Conditions of Annexation and the uncertainty of their effect have frustrated the efforts of the Hayes Property Owners to market and sell the Hayes Property Owners' Property, which has prevented development of such real property; and

WHEREAS, West Virginia University Hospitals – East has expressed its willingness to release any

claim and/or rights it may have with respect to the donation of thirty (30) acres of land contemplated by the Conditions of Annexation on such separate terms and conditions as may be agreed between the Hayes Property Owners and West Virginia University Hospitals – East;

NOW, THE COUNCIL OF THE CITY OF CHARLES TOWN FINDS AND DECLARES, that the Conditions of Annexation contemplated a specific development project;

FURTHER FINDS AND DECLARES, that it now and in the future would and will be impractical, if not impossible, to develop the specific development project contemplated, particularly in general conformance with the Concept Plan as required by the Conditions of Annexation;

FURTHER FINDS AND DECLARES, that certain covenants and obligations of each of the Hayes Property Owners and the City of Charles Town to the other under the Conditions of Annexation remain unperformed and executory and, accordingly, the Conditions of Annexation are unenforceable by either the Hayes Property Owners or the City of Charles Town;

FURTHER FINDS AND DECLARES, that the best interests of the City of Charles Town would not be served by the City of Charles Town performing and satisfying its unperformed and executory covenants and obligations to the Hayes Property Owners under the Conditions of Annexation for the sole purpose of positioning the City of Charles Town to enforce the Conditions of Annexation against the Hayes Property Owners;

FURTHER FINDS AND DECLARES, that leaving the Conditions of Annexation in effect between the Hayes Property Owners and the City of Charles Town serves no current or contemplated future purpose of the City of Charles Town;

FURTHER FINDS AND DECLARES, that it is in the best interests of the City of Charles Town to agree to rescind, cancel, and nullify the Conditions of Annexation as between the Hayes Property Owners and the City of Charles Town, with each of the Hayes Property Owners, West Virginia University Hospitals – East, and the City of Charles Town mutually releasing each of the others from any and all executory covenants and obligations thereunder, excepting only the Paragraph V Provision; and

FURTHER FINDS AND DECLARES, that, in light of the continuing applicability of the Conditions of Annexation to the 4.6209 acre, more or less, parcel and the 27.8213 acre, more or less, parcel conveyed to third parties, as discussed above, each of the current owners of such parcels should be offered the opportunity to enter a separate agreement rescinding, canceling, and nullifying the Conditions of Annexation as between such owner and the City of Charles Town, with mutual releases of executory covenants and obligations thereunder;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that the Mayor of the City of Charles Town be, and hereby is, authorized and directed to execute and enter on behalf of the City of Charles Town an agreement with the Hayes Property Owners and West Virginia University Hospitals – East in the form of that attached as EXHIBIT A that rescinds,

cancels, and nullifies the Conditions of Annexation as between the Hayes Property Owners and the City of Charles Town, with each of the parties thereto mutually releasing each of the other parties from any and all executory covenants and obligations under the Conditions of Annexation, excepting only the Paragraph V Provision (the "Hayes Property Owners Nullification Agreement");

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that, in the event the current owner(s) of the 4.6209 acre, more or less, parcel and/or the current owner(s) of the 27.8213 acre, more or less, parcel conveyed to third parties, as discussed above, so elect, the Mayor of the City of Charles Town be, and hereby is, authorized and directed to execute and enter on behalf of the City of Charles Town an agreement with such persons in the form of that attached as EXHIBIT A, but (i) with such persons substituted for the Hayes Property Owners therein, (ii) with West Virginia University Hospitals – East included as a party thereto only to the extent it elects to so be included; (iii) with references to any separate agreement between the Hayes Property Owners and West Virginia University Hospitals – East deleted therefrom; (iv) with respect to only the 4.6209 acre, more or less, parcel, with Subsections 1(a) and 2(a) included therein only if desired by the subject current owner and as appropriately modified to reflect the subject property; and (v) with Subsection 3(b)(i) deleted therefrom (each, a "Third Party Nullification Agreement");

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that this Ordinance does not and shall not be deemed to, and neither the Hayes Property Owners Nullification Agreement nor any Third Party Nullification Agreement shall or shall be interpreted to, de-annex or otherwise affect the annexation of the Annexed Property, which Annexed Property shall remain annexed within the corporate limits of the City of Charles Town;

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that this Ordinance does not and shall not be deemed to, and neither the Hayes Property Owners Nullification Agreement nor any Third Party Nullification Agreement shall or shall be interpreted to, undo, reverse, change, or affect the current zoning of the Annexed Property as reflected on the Charles Town Zoning Map except that, pursuant to Section 3(b)(i) of the Hayes Property Owners Nullification Agreement, the Hayes Property Owners shall seek a change in the zoning classification of the Hayes Property Owners' Property to the Urban Reserve District by zoning amendment, for which purposes the prior rezoning of the Hayes Property Owners' Property pursuant to the Conditions of Annexation shall be considered revoked, annulled, void, and of no effect for all purposes;

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that this Ordinance does not and shall not be deemed to, and neither the Hayes Property Owners Nullification Agreement nor any Third Party Nullification Agreement shall or shall be interpreted to, undo, cancel, reverse, or otherwise make or render ineffective any other act heretofore performed by any party pursuant to the Conditions of Annexation; and

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that, with respect

to any Third Party Nullification Agreement to be entered hereunder, this Ordinance and such Third Party Nullification Agreement are intended to, and shall be deemed to, result in the release of the executory covenants and obligations of the subject third parties and their successors and assigns to or in favor of the City of Charles Town under the Conditions of Annexation, and this Ordinance and such Third Party Nullification Agreement are intended to, and shall be deemed to, result in release of the executory covenants and obligations of the subject third parties and their successors and assigns to or in favor of West Virginia University Hospitals – East only to the extent it elects to be a party to the subject Third Party Nullification Agreement.

This Ordinance shall take effect upon enactment.

First Reading: January 17, 2023

Public Hearing: February 6, 2023

Passed on Second Reading: February 6, 2023

Enacted this 6th day of Feb, 2023

CITY OF CHARLES TOWN

Robert M. Trainor
Mayor

Attest:

John C. Barkley
City Clerk

**EXHIBIT A**
**NULLIFICATION AGREEMENT**

## NULLIFICATION AGREEMENT

This **NULLIFICATION AGREEMENT** (this "Agreement"), dated the 21st day of February, 2023 is entered into by and between the CITY OF CHARLES TOWN, a West Virginia municipal corporation, party of the first part (the "City"), ROSCOE A. HAYES, ALICE M. SPICKLER AND DONALD L. SPICKLER, CO-TRUSTEES OF THE ALICE M. SPICKLER LIVING TRUST, AND JOSEPH R. GALLO, parties of the second part, and WEST VIRGINIA HOSPITALS – EAST, INC., a West Virginia non-profit corporation, party of the third part. The party of the first part, the parties of the second part, and the party of the third part are sometimes referred to herein collectively as the "Parties," or individually as a "Party."

### RECITALS

WHEREAS, in 2006, the City annexed within its corporate limits four (4) parcels of land (the "Annexed Property") including two parcels then owned by Rolfe G. Hayes ("Hayes") containing, respectively, 198.1519 acres, more or less, and 10.9440 acres, more or less, and a parcel then owned by Ahmad H. Abdul-Baki ("Abdul-Baki") containing 4.6209 acres, more or less;

WHEREAS, pursuant to a Resolution duly adopted by the City's Common Council, the City accepted and approved said annexation and thereby agreed with Hayes and Abdul-Baki to the provisions of those certain Conditions of Annexation thereafter executed by Hayes, Abdul-Baki, and the then Mayor of the City, and dated the 30th day of January (the "Conditions of Annexation");

WHEREAS, the Conditions of Annexation contemplated a specific development project and required that the final development design of the development project be in general conformance with an Annexation Concept Plan attached to the Conditions of Annexation;

WHEREAS, the Conditions of Annexation further contemplated that, in order to facilitate the construction of a new hospital and medical office facility on the Annexed Property, approximately thirty (30) acres of land would be donated to West Virginia University Hospitals – East, Inc.;

WHEREAS, subsequent to execution of the Conditions of Annexation, the intended purchaser and developer of the parcels owned by Hayes and Abdul-Baki withdrew from the contemplated transaction and development;

WHEREAS, in 2012, Abdul-Baki conveyed to Richard Smith and Erin Smith his parcel of 4.6209 acres, more or less;

WHEREAS, Richard Smith and Erin Smith continue to hold said parcel of 4.6209 acres, more or less;

WHEREAS, Hayes died in 2014 and his parcels containing, respectively, 198.1519 acres, more or less, and 10.9440 acres, more or less, came to be held by Roscoe A. Hayes, Alice M. Spickler and Donald L. Spickler, Co-Trustees of the Alice M. Spickler Living Trust, and Joseph R. Gallo (collectively, the "Hayes Property Owners");

WHEREAS, in 2020, the Hayes Property Owners subdivided the parcel of 198.1519 acres, more or less, and conveyed therefrom a parcel of 27.8213 acres, more or less, to Brad Bishop;

WHEREAS, Brad Bishop continues to hold said parcel of 27.8213 acres, more or less;

WHEREAS, the Hayes Property Owners continue to hold the parcel of 10.9440 acres, more or less, and the remainder of the parcel that originally contained 198.1519 acres, more or less;

WHEREAS, various provisions of the Conditions of Annexation currently remain unperformed and executory on the part of each of the City and the Hayes Property Owners, the City and the Hayes Property Owners accordingly agree that the Conditions of Annexation are unenforceable by neither of them, and the Hayes Property Owners dispute the enforceability of the Conditions of Annexation in any event;

WHEREAS, the City and the Hayes Property Owners mutually desire to rescind, cancel, and nullify the Conditions of Annexation as between them; and

WHEREAS, the Parties mutually desire that the Parties mutually release each of the other Parties from any and all executory covenants and obligations under the Conditions of Annexation, except as expressly provided otherwise herein;

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth in this Agreement and other good and valuable consideration (including, as between the Hayes Property Owners and West Virginia University Hospitals – East, Inc., any other consideration set forth in any separate agreement between such parties relating to the subject matter of this Agreement (the "Hayes/WVUH-E Separate Agreement")), the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1 -- NULLIFICATION

The Conditions of Annexation shall be, and hereby are, fully and completely rescinded, canceled, and nullified as between the Parties.

(a) Notwithstanding the foregoing Section 1, Paragraph V of the Conditions of Annexation, which pertains to water and sewer service to the subject property, shall remain in full force and effect such that the Hayes Property Owners' parcel of 10.9440 acres, more or less, and the remainder of the parcel that originally contained 198.1519

acres, more or less, shall be served by the Charles Town Utility Board and otherwise in accordance with said Paragraph V.

SECTION 2 -- MUTUAL RELEASE

Each of the Parties shall, and hereby does, for and on behalf of itself and its heirs, personal representatives, attorneys, successors, and assigns, fully, finally, and completely release, remise, acquit, and forever discharge each of the other Parties, and all their respective trustees, directors, officers, managers, employees, agents, representatives, insurers, heirs, devisees, personal representatives, successors, and assigns, if any, of and from any and all executory obligations, covenants, and duties under the provisions of the Conditions of Annexation.

(a) Notwithstanding the foregoing Section 2, the obligations of the Hayes Property Owners under Paragraph V of the Conditions of Annexation shall remain in full force and effect.

SECTION 3 -- LIMITED EFFECT OF AGREEMENT

This Agreement is not intended to, does not, and shall not be deemed or interpreted to:

(a) De-annex or otherwise affect the annexation of the Annexed Property, which Annexed Property shall remain annexed within the corporate limits of the City of Charles Town;

(b) Undo, reverse, change, or affect the current zoning of the Annexed Property as reflected on the Charles Town Zoning Map;

(i) Notwithstanding the foregoing Subsection 3(b), the Parties agree that the Hayes Property Owners shall, by petition, pursuant to the process and subject to all required actions provided in Section 1321.12 of the Charles Town Zoning Ordinance, seek a change in the zoning classification of the parcel of 10.9440 acres, more or less, and the remainder of the parcel that originally contained 198.1519 acres, more or less, now owned by the Hayes Property Owners from the Neighborhood Residential and General Commercial zoning districts to the Urban Reserve zoning district, in recognition that such land would be placed in the Urban Reserve zoning district upon annexation under the current Charles Town Zoning Ordinance; or

(c) Undo, cancel, reverse, or otherwise make or render ineffective any other act heretofore performed by any Party pursuant to the Conditions of Annexation.

SECTION 4 -- ENTIRE AGREEMENT

This Agreement contains the entire understanding of the Parties hereto in respect to the subject

matter contained herein. There are no restrictions, promises, representations, warranties, covenants, or undertakings, other than those expressly set forth or referred to herein. This Agreement supersedes all prior agreements and understandings between the Parties with respect to such subject matter. Notwithstanding the foregoing, the Hayes Property Owners and West Virginia University Hospitals – East, Inc. acknowledge and agree that the Hayes/WVUH-E Separate Agreement addresses to some extent the subject matter contained herein and the Hayes/WVUH-E Separate Agreement shall be given full effect together with this Agreement.

SECTION 5 -- AMENDMENT

To the fullest extent provided by applicable Law, this Agreement may only be amended, modified, and supplemented by mutual consent of the Parties hereto with respect to any of the terms contained herein, in such manner as may be agreed upon in writing by such Parties.

SECTION 6 -- SEVERABILITY

If any provision of this Agreement is terminated or held by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the remainder of this Agreement will remain in full force and effect.

SECTION 7 -- SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators, successors, and assigns.

SECTION 8 -- COUNTERPARTS & FACSIMILES

This Agreement may be executed by the Parties hereto in any number of separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts together shall constitute but one and the same instrument. Signed counterparts of this Agreement may be delivered by facsimile or electronically transmitted image, and such facsimile or electronically transmitted image counterparts and signatures shall be deemed to be, and fully effective and enforceable as, originals for all purposes.

SECTION 9 -- CHOICE OF LAW

This Agreement shall be governed by and construed in accordance with the internal laws of the State of West Virginia, without giving effect to any choice or conflict of law provision or rule that would cause the application of laws of any jurisdiction other than those of the State of West Virginia.

*[remainder of page intentionally blank – signature page follows]*

IN WITNESS WHEREOF, the Parties hereto have executed this Nullification Agreement, intending it effective the day and year first above written.

CITY OF CHARLES TOWN

Robert M. Trainor
Mayor

Attest:

John C. Barkley
City Clerk

STATE OF WEST VIRGINIA;
COUNTY OF Jefferson, to-wit:

The foregoing instrument was acknowledged before me this 21st day of February, 2023 by Robert M. Trainor, in his capacity as Mayor of the City of Charles Town, a West Virginia municipal corporation.

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC

My commission expires: 1/5/26.

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
AMANDA J. GERSTELL
Charles Town Police Department
661 South George Street, Suite 100, Charles Town WV 25414
My Commission Expires January 5, 2026

ROSCOE A. HAYES

STATE OF West Virginia
COUNTY OF Berkeley, to-wit:

The foregoing instrument was acknowledged before me this 31 day of January, 2023 by Roscoe A. Hayes.

(AFFIX NOTARIAL SEAL)

OFFICIAL SEAL
Notary Public, State of West Virginia
JENNIFER E GAGEBY
Law Office of Stephen R Kershner LC
1314 Edwin Miller Blvd., Suite 210
Martinsburg WV 25401
My commission expires July 14, 2023

NOTARY PUBLIC

My commission expires: 7/14/2023.

ALICE M. SPICKLER, Co-Trustee

DONALD L. SPICKLER, Co-Trustee

STATE OF Ohio ;
COUNTY OF Medina, to-wit:

The foregoing instrument was acknowledged before me this 30th day of January, 2023 by Alice M. Spickler and Donald L. Spickler, Co-Trustees of the Alice M. Spickler Living Trust.

(AFFIX NOTARIAL SEAL)

Anne E. Marco
NOTARY PUBLIC

My commission expires: 

1/31/23

JOSEPH R. GALLO

STATE OF New Jersey;
COUNTY OF Bergen, to-wit:

The foregoing instrument was acknowledged before me this 31st day of , 2023, by Joseph R. Gallo.

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC

CORNELIA LISA
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50090896
My Commission Expires 9/27/2023

My commission expires: _____.

WEST VIRGINIA HOSPITALS – EAST, INC.

By: Dean Thomas

Its: Dean Thomas, MBA, MHSA, FACHE
President and CEO

STATE OF WEST VIRGINIA;
COUNTY OF Berkeley, to-wit:

The foregoing instrument was acknowledged before me this 10th day of February, 2023, by Dean Thomas, in his/her capacity as President & CEO of West Virginia Hospitals – East, Inc., a West Virginia non-profit corporation, as the act and deed of said corporation.

[AFFIX NOTARIAL SEAL]
OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Linda Stotelmyer
144 Stotelmyer Lane
Martinsburg, WV 25405
My Commission Expires March 03, 2025

Linda Stotelmyer
NOTARY PUBLIC

My commission expires: March 3, 2025.

This document was prepared by Michael J. Funk, Esq., Steptoe & Johnson PLLC, 1250 Edwin Miller Blvd., Martinsburg, WV, 25404.