CITY OF CHARLES TOWN
CITY COUNCIL
AGENDA • MAY 1, 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

: **2023-416** Approval of Minutes - April 18, 2023
April 18 meeting minutes.docx

3. PUBLIC COMMENT

4. WARD REPORTS

5. MAYOR'S REPORT

: **2023-405** Building Safety Month Proclamation
Building Safety Month Proclamation.pdf

: **2023-407** Jury Duty Parking

: **2023-418** Physical Activity Proclamation - Co-Sponsor Wayne Clark
Health and Wellness_Proclamation.pdf

6. COMMITTEE REPORTS

: **2023-406** Ordinance Committee Minutes - April 20, 2023
Ordinance Meeting Minutes 4_20_23.pdf

: **2023-410** Personnel Committee Report (Possible Executive Session)

7. CITY MANAGER REPORT

: **2023-443:** City Manager Report - May 1, 2023
City Manager Report - May 1st.pdf

8. POLICE CHIEF REPORT

: **2023-409** Parking Enforcement Officer - Introduction
Parking Attendant Oath.pdf

9. UNFINISHED BUSINESS

10. NEW BUSINESS

: **2032-404** Open Container Waiver Request - WV Fest

CharlesTownNowBeerGardenWVFest2023.pdf
AbolitionistBeerGardenWVFest2023.pdf

: **2023-415** Resolution for Old Opera House 50th Anniversary
A Resolution Recognizing the Old Opera House Theatre Company on Its Fiftieth Year Anniversary.docx

: **2023-421** Status of APUS Property - Staff requested by Council to provide property and negotiation updates.

11. REFERRALS TO COMMITTEES/COMMISSIONS

: **2023-411** Text Amendment to Ordinance - Mobile Food Vendors
Food Trucks Council Report.pdf

: **2023-412** Text Amendment - Buffering Standards
Buffer Standards Council Report.pdf

: **2023-413** Text Amendment - Driveway Standards
Driveways Council Report.pdf

: **2023-414** Text Amendment - Townhouse Standards
Townhomes Council Report.pdf

12. APPROVAL OF BILLS

: **2023-433:** Payment of Bills - May 1, 2023
GENERAL FUND COUNCIL REPORT 2023 5 1.pdf
REPAVING COUNCIL REPORT 2023 05 1.pdf
PARKS & REC COUNCIL REPORT 2023 05 1.pdf
GEN FUND SPECIAL RUN 2023 05 01.pdf

13. ADJOURNMENT

14. INFORMATION ONLY - NEXT MEETING Monday, May 15, 2023

: **2023-417** Mayor's Select Committee Letter to Reconcile Codified Code Articles 1759 and 1705
Mayor_s_Select_Committee_Letter.pdf

: **2023-419** Charles Town Utility Board Minutes - March 22, 2023
CTUB Board Minutes March 22, 2023.pdf

: **2023-420** Charles Town Utility Board Minutes - April 12, 2023
2023.04.12 UB MINUTES.pdf

15. 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: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-416 Approval of Minutes - April 18, 2023

City Council Minutes - April 18, 2023

ATTACHMENTS:

- April 18 meeting minutes.docx

CITY OF CHARLES TOWN

CITY COUNCIL

MINUTES • April 18, 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	Absent	
Micheal George	Councilmember	Present	
Rikki Twyford	Councilmember	Present	

Ms. Alissa Meeks, Community Development Director and Interim City Clerk, Ms. Liz Cook, Business Development and Downtown Coordinator, and Ms. Breanna Andrews, Finance Director, were also in attendance.

1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

2023-382: City Council Meeting Minutes - April 3, 2023

The following change was made to the minutes:

Packet page 7, Ward Reports - Ward #4; change "**Ms. Ricketts reported the following:**" to "**Ms. Twyford reported the following**:"

Hearing no other changes or corrections Mayor Trainor declared the minutes approved.

2023-383: City Council Special Meeting Minutes - April 6, 2023

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

3. PUBLIC COMMENT

Mr. Michael Tolbert commented on the proposed Council action to update the City Charter.

4. WARD REPORTS

Ward #1

Ms. Ricketts reported the following:

- That she mistakenly stated at the Special Council meeting on April 6th that the topic for the scheduled April 22, 2023, Council workshop was the City's American Rescue Plan, when in fact the City Charter discussion was the topic.

- That she attended the West Virginia Department of Transportation Public Meeting. An online survey is available for citizen and resident input.

- That the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) has posted a draft copy of their FY2024 Unified Planning Work Program on their website; public comment is open until May 16, 2023.

- She thanked City Planner, Mr. James Newman, for his presentation to the Jefferson County Planning Commission, providing Charles Town's perspective and input to the County's Comprehensive Plan initiative.

- That the Charles Town Utility Board is flushing fire hydrants throughout their service area through June 30th and that as a result residents may experience water pressure changes or cloudy water.

- That the Charles Town Tree Board will be hosting an Arbor Day Event on Saturday, April 29, 2023.

Mr. Kratovil reported he attended his committee meetings and was happy to have the Charles Town Farmer's Market begin their season.

Ward #2

Mr. Tester reported that the celebration in honor of The Old Opera House's 50th Anniversary is May 6, 2023, at the Hollywood Casino at Charles Town and that the Old Opera House production of "Curtains" opens this weekend - April 21st-23rd.

Mr. Hynes reported the following:

- That at the Planning Commission meeting some residents voiced their concern over stormwater run-off from the Norborne Glebe construction site entering Evitts Run. The City's engineering firm confirmed that the Norborne Glebe construction site is conforming with construction site run-off regulations.

- The Jefferson County High School Boys Wilde Lacrosse team won their first unofficial game.

- That he will be researching the local surcharge taxes on Potomac Edison electric bills to determine whether the City is actually receiving the revenues.

Ward #3

Ms. Petti reminded everyone that the 65th Annual House and Garden Tour is scheduled for the weekend of April 29th and 30th from 10:00AM to 4:00PM.

Ward #4

Mr. George thanked Liz Cook, Business Development and Downtown Coordinator, and her team for the success of Blooms and Blossoms and the Pub Crawl.

Ms. Twyford reported the following:

- That she attended Blooms and Blossoms and the Pub Crawl and thanked Liz Cook and Charles Town Now for a very successful event. She felt the pop-up speakeasy and the entire event were fun and well-planned. She also attended the opening day of the Farmer's Market and the Flower Expo at Corner Connection and thank Fiona, Todd, and Mara.

- That the Ordinance Committee meeting is scheduled for this Thursday, April 20, 2023.

- That the State Math Field Day will be held April 22nd and wished the best of luck to all the participants.

- That she looks forward to seeing the production "Curtains" at the Old Opera House and will be participating in the House and Garden Tour this month.

5. MAYOR'S REPORT

Mayor Trainor reported he attended the following meetings:

Finance Committee, Personnel Committee, Charles Town Utility Board of Directors, and Charles Town Police Civil Service; and Special Committee meetings - Charles Washington Hall lease renewal and Huntfield Condition of Annexation.

He also attended a meeting with a potential developer for the Belvedere area (approximately between Tate Manor and Magnolia Springs) and participated in the Leadership Jefferson - Local Government module.

2023-378: Mayor's Select Committee to Reconcile City of Charles Town Codified Code, Articles 1759 and 1705

The Mayor reported a select committee has been commissioned to review Charles Town Codified Code, Articles 1759 and 1705 and anticipates a "red-lined" version to the Council on or about the second regular Council meeting in September. The members on the Committee will consist of Mayor Robert Trainor, Councilmember James Kratovil, Director of Community Development Alissa Meeks, and Building Official Delaine Englebert.

6. COMMITTEE REPORTS

2023-362: Personnel Committee Report (Possible Executive Session)

Mr. Hynes moved to enter into Executive Session. Mr. George seconded the motion. There being no objection, Mayor Trainor declared the Council in Executive Session.

Mayor Trainor declared the Council out of Executive Session.

Mr. George moved to approve compensating City employee Carolyn Vezzosi $1,000.00 per month, commencing March 16, 2023 through the start date of a newly hired City Manager; and compensating City

employee Alissa Meeks $3,000.00 per month, commencing March 16, 2023 through two months after the start date of a newly hired City Manager, for assuming additional duties and responsibilities, including City Clerk, necessitated by the absence of a City Manager. Ms. Petti seconded the motion, and it passed unanimously.

RESULT:	**APPROVED**
MOVER:	Micheal George
SECONDER:	Jean Petti
AYES:	Kratovil, Ricketts, Tester, Hynes, Petti, George, Twyford
ABSENT:	Philabaum

2023-363: Finance Committee Report

Mayor Trainor reported the following:

- That he will assist the Finance Director, Ms. Andrews, to develop and present a draft of the proposed FY2024 Capital Budget to the Finance Committee at their May 2nd meeting.
- That the Charles Town Police Department (CTPD) is exploring options to update their website and that they also plan to schedule promotion testing to fill vacancies created by Captain Steven's retirement.
- That the Committee plans to submit to the Personnel Committee for their consideration recommended revisions to the Employee Handbook, section 4.11 regarding the City's travel policies.
- That the Committee denied two Business & Occupation Tax Penalty Waiver requests.
- That the Committee agreed to fund the Council's approved donation of $4,000.00 for the Jefferson County Fireworks Event from the FY2023 Contingencies budget line item (699).
- That the City's FY2022 financial audit was completed with no reported finding and has been submitted to the West Virginia State Auditor's Office.

2023-364: Infrastructure Committee Report

Councilmember Ricketts reported that the Infrastructure Committee met and adjourned without discussion or action due to technical difficulties.

7. CITY MANAGER REPORT

Ms. Meeks, Interim City Clerk, reported the following:

- That the 2023 Municipal Election ballots have been printed and delivered. Poll worker training will take place on April 24th and April 25th.
- That the Council's Workshop on the Charter is scheduled for April 22nd at 10:00AM at City Hall.

- That the Planning Commission's April 24th meeting will include a public hearing concerning City policy regarding food truck vendors.

- That the Arbor Day tree planting event will take place at the entrance of the City's Skate Park on Saturday, April 29th at 11:00AM.

Ms. Liz Cook, Business Development and Downtown Coordinator, updated the Council on the success of the Blooms and Blossoms and Pub Crawl events. She recognized Mr. Jim Wysong, Maintenance Supervisor and crew for their awesome work preparing for the event as well as Mr. Todd Coyle and Councilmember Micheal George for their participation in helping make the day such a great success.

She also reminded the Council that the Charles Town West Virginia Festival is scheduled for June 17, 2023, from 10:00AM-5:00PM and announced that the Skinner Law Firm, The Caverns, and the Ranson Convention and Visitor's Bureau (CVB) have volunteered to be sponsors.

8. POLICE CHIEF REPORT

Mayor Trainor distributed the CTPD statistic report for March. He reported the CTPD is conducting interviews for the parking attendant position and that there will be a Police Civil Service Commission meeting on Thursday, April 20th to review candidates who recently passed the police entrance exam.

9. UNFINISHED BUSINESS

2023-375: ARPA Phase II Discussion

An agenda item will be added to the regular May 15th Council meeting for the City's American Rescue Plan Phase II discussion.

10. NEW BUSINESS

2023-380: Public Hearing regarding Proposed FY24 Levy Rate

Mr. Hynes moved to open the public hearing regarding the Proposed FY2024 Levy Rate. Mr. George seconded the motion, and there were no objections.

No one signed up for the public hearing.

Mr. George moved to close the public hearing. Mr. Hynes seconded the motion and there were no objections.

2023-358: Approval of Levy Rate and FY24 General Fund and Coal Severance Budgets

Mr. George moved to approve the FY2024 General Fund Budget, the FY2024 Coal Severance Budget, and to adopt the FY2024 Levy rate of 11.83 as presented. Mr. Hynes seconded the motion, and it passed unanimously.

RESULT:	**APPROVED**
MOVER:	Micheal George
SECONDER:	Jeff Hynes
AYES:	Kratovil, Ricketts, Tester, Hynes, Petti, George, Twyford
ABSENT:	Philabaum

2023-360: Mildred Street Depot Property Owners - Facade Improvement Program Waiver Request

Ms. Petti moved that the Mildred Street Depot project be deemed eligible for the Facade Improvement Program and be sent to the Historic Landmark Committee for their review. Mr. Kratovil seconded the motion.

Mr. Hynes moved to table this agenda item, there was no second to the motion.

The vote was held on Ms. Petti's motion, and it passed by a 6-1 vote.

RESULT:	**APPROVED [6-1]**
MOVER:	Jean Petti
SECONDER:	James Kratovil
AYES:	Kratovil, Ricketts, Tester, Petti, George, Twyford
NAYS:	Hynes
ABSENT:	Philabaum

Mr. Hynes moved to direct staff to update the current Facade Improvement Program policy to include a provision to allow, after May 1st of each year, for consideration of historic contributing buildings within the City of Charles Town but outside of the City's historic overlay district. Mr. Kratovil seconded the motion, and it passed unanimously.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	James Kratovil
AYES:	Kratovil, Ricketts, Tester, Hynes, Petti, George, Twyford
ABSENT:	Philabaum

2023-361: Jefferson County Development Authority (JCDA) Presentation

Mr. Todd Coyle, the City's Jefferson County Development Authority (JCDA) representative, gave an update on activities and status of the JCDA.

2023-376: Jefferson County Development Authority (JCDA) City Representative Candidate(s) Submission

Due to the expiration of Mr. Coyle's term as the City's JCDA representative, Mr. George moved to open nominations for the City's replacement JCDA representative; for a term ending April 5, 2026.

Ms. Petti nominated Mr. Coyle; Mr. George nominated Ms. Ricketts; Mr. Kratovil nominated Mr. George and Ms. Philabaum; and Mayor Trainor nominated himself.

Mr. George moved to close the nominations and send to the Jefferson County Commissioners Ms. Ricketts, Mr. George, and Mayor Trainor as the City's nominees for the JCDA Board. Ms. Petti seconded the vote and it passed by a 5-2 vote.

RESULT:	**APPROVED [5-2]**
MOVER:	Micheal George
SECONDER:	Jean Petti
AYES:	Kratovil, Tester, Petti, George, Twyford
NAYS:	Ricketts, Hynes
ABSENT:	Philabaum

2023-357: Arbor Day Resolution

The Mayor read into record "A Resolution to Celebrate Arbor Day April 29, 2023". There being no objections, Mayor Trainor declared the resolution approved.

11. REFERRALS TO COMMITTEES/COMMISSIONS

There were no referrals to committees or commissions.

12. APPROVAL OF BILLS

2023-385: Payment of Bills - April 18, 2023

Mr. Kratovil moved to approve the bills for payment. Mayor Trainor asked if there were any objections. Hearing none, he declared the bills approved.

13. ADJOURNMENT

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

14. INFORMATION ONLY - NEXT MEETINGS:

WORKSHOP - April 22, 2023, 10:00AM
COUNCIL MEETING - May 1, 2023, 7:00PM

2023-365: Charles Town Match Commitment to "Liberty Street Storm Flood Mitigation Project"

2023-366: Ordinance Committee Report - March 2023

2023-367: CVB Power Point Presentation

2023-368: Letter of Appreciation

2023-369: Oath of Office - Parks and Recreation

2023-370: WV Local Government - Walgreens Release Form

2023-379: Charles Town Utility Board of Directors Meeting Minutes - March 22, 2023

FY2022 Single Audit Report

15. 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: 05/01/23
Department: City Council
Category: Proclamation
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-405 Building Safety Month Proclamation

National Building Safety Month

ATTACHMENTS:

- Building Safety Month Proclamation.pdf

Building Safety Month Proclamation

Whereas: our City of Charles Town, West Virginia is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure both in everyday life and when disasters strike; and

Whereas: our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

Whereas: these guardians are dedicated members of the International Code Council, a nonprofit organization that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play; and

Whereas: these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

Whereas: Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity; and

Whereas: "It Starts with You," the theme for Building Safety Month 2023, encourages us all to raise awareness about building safety on a personal, local and global scale; and

Whereas: each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

Now Therefore, be it resolved, as Mayor of Charles Town, West Virginia, do hereby proclaim the month of May 2023 as Building Safety Month in the City of Charles Town and encourage our citizens to join us as we participate in Building Safety Month activities such as they are.

In Witness Whereof, I have hereunto set my hand and caused the Seal of Charles Town, West Virginia to be affixed this first day of May, two thousand twenty-three.

Robert M. Trainor

Alissa Meeks
City Clerk

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-407 Jury Duty Parking

Jury Duty Parking

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Proclamation
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-418 Physical Activity Proclamation - Co-Sponsor Wayne Clark

Physical Activity Proclamation

ATTACHMENTS:

- Health and Wellness_Proclamation.pdf

Health and Wellness Proclamation

Whereas, physical activity is vital for healthy aging and can reduce the burden of chronic diseases and prevent early death; and

Whereas, physically active persons generally live longer and are at less risk for serious health problems, such as obesity, diabetes, heart disease, and various other health related issues; and

Whereas, according to the Centers for Disease Control and Prevention, over half of the adults in the United States have been diagnosed with a chronic condition, and over 25% have been diagnosed with two or more chronic conditions; and

Whereas, almost 1 in 5 children and 2 in 5 adults in the United States suffer with obesity according to the Centers for Disease Control and Prevention; and

Whereas, American Physical Activity Guidelines recommend children ages 6 to 17 engage in at least 60 minutes of moderate-to-vigorous physical activity each day and adults engage in at least 150 minutes a week of moderate intensity activity such as brisk walking; and

Whereas, the Centers for Disease Control and Prevention is leading the Active People, Healthy Nation℠ national initiative to help 27 million Americans become more physically active by 2027, which can improve health, quality of life, and help reduce the risk of chronic diseases.

Now, Therefore, be it resolved that by virtue of the authority vested in me as Mayor of our City, I do hereby proclaim the month of May 2023 as:

Health and Wellness Month

in Charles Town, West Virginia and recommit our City to its goals of walkability through improved sidewalks and trail networks; facilitating increased physical activity and events in our parks and recreational areas; and renewed commitment to green spaces throughout our community.

In Witness Whereof, I have hereunto set my hand and caused the Seal of Charles Town, West Virginia to be affixed this first day of May, two thousand twenty-three

Robert M. Trainor
Mayor

Alissa Meeks
City Clerk

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-406 Ordinance Committee Minutes - April 20, 2023

Ordinance Committee Minutes - April 20, 2023

ATTACHMENTS:

- Ordinance Meeting Minutes 4_20_23.pdf

City of Charles Town Ordinance Committee Report - April 20, 2023

Call to Order

18:06

In Attendance

Councilmembers:

Rikki Twyford

Jean Petti

Kevin Tester

Agenda / Discussions

Article 171 - Municipal Court & Review of Fees / Penalties Associated with Municipal Ordinances

We reviewed the work done by Councilwoman Petti regarding changes to Article 171. We thank her for her detailed research and suggestions. We will have an updated redlined version for discussion at the May meeting. We anticipate we will also have answers to our follow up questions for City Staff, State Staff, and Legal Counsel.

- ***Recommendation to City Council:***
  - *None at this time*

Next Ordinance Committee Meeting Date

Wednesday, May 24, 2023, at 18:00 at City Hall

Note: The May 2023 meeting has been rescheduled from 5/18 to 5/24. We will have refreshments and bid farewell to long-time Ordinance Committee member, Councilwoman Jean Petti. Everyone is welcome to attend.

Adjournment

20:03

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-410 Personnel Committee Report (Possible Executive Session)

Personnel Committee Report (Possible Executive Session

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-443: City Manager Report - May 1, 2023

ATTACHMENTS:

- City Manager Report - May 1st.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

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

FROM: Alissa Meeks, Interim City Clerk and Director of Community Development

SUBJECT: City Manager's Report

DATE: May 1, 2023

ADMINISTRATION AND OPERATIONS

Frontier Communications. Representatives from Frontier have been meeting with city staff to review a drafted memo to allow Frontier to continue work in the community as they planned to build out their Gigabit America (fiber internet) project. After several meetings, Frontier has determined they cannot adhere to the City's requested stipulations (surveys, bond, remediation plan) and have elected to shift resources to other areas. Noting, Frontier will be required to remediate all damaged areas sustained during their initial work.

2023 Municipal Election. City staff met with a regional field representative of the Secretary of State's Office to review Municipal requirements related to the Elections and the City is on schedule with the sequence of events leading up to the Elections. Staff conducted poll worker training on April 24th and 25th. The first publication of the Sample Ballot will be published in the Spirit of Jefferson on May 3rd. The last day to register to vote in the municipal election is May 4th. Early voting starts May 12 – May 22.

COMMUNITY AND ECONOMIC DEVELOPMENT

Sheetz Augustine Avenue Project: On April 19th, city officials met with Mr. Bob Franks, a Sheetz representative as well as DOH to discuss the Sheetz traffic light. One of the major points of discussion surrounded the timing sequence as well as the lack of a dedicated green arrow from Washington Patriots Drive. That meeting yielded the following Augustine Avenue information:

*Traffic entering WHS from Route 340 will have a dedicated left turn lane and arrow. Traffic entering Sheetz (from Charles Town) will have a dedicated left turn lane. These two (2) arrows will be green at the same time.
*All left turns from Augustine Avenue will go first, with green arrows, and that will be followed by a permissive green (may still turn left but yield to opposing traffic). Subsequently, after Augustine Avenue runs, the Sheetz and School driveways will be green concurrently.
*Traffic exiting the school will have a dedicated right turn/straight lane (to Sheetz) and its own left turn lane.

Summer Parks Staffing: Summer Parks programming and registration have launched, and both our tennis and swimming seasons are getting underway. The City maintains an MOU with the County's Parks and Recreation to provide all program registration and the City provides the staffing and facilities with a 70/30 revenue split. We have over 20 lifeguards who have applied to staff our pool (new/returning) and over 15 tennis staff. During this season, the City nearly doubles its operational staffing.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-409 Parking Enforcement Officer - Introduction

Parking Enforcement Officer Introduction

ATTACHMENTS:

- Parking Attendant Oath.pdf

CITY OF CHARLES TOWN, WEST VIRGINIA
POLICE DEPARTMENT OATH OF OFFICE

I, **COREY LEWIS,** do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia and the Ordinances of the City of Charles Town.

I, **COREY LEWIS,** do solemnly swear that I will faithfully discharge and perform the duties of the position of Parking Enforcement Officer to the best of my skill, judgment, and according to law.

Corey Lewis
Charles Town Police Department

The above oath was taken and subscribed before Robert M. Trainor, Mayor of Charles Town, on this 26th day of April, 2023.

Robert M. Trainor
Mayor

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2032-404 Open Container Waiver Request - WV Fest

Open Container Waiver Request for WV Fest

ATTACHMENTS:

- CharlesTownNowBeerGardenWVFest2023.pdf
- AbolitionistBeerGardenWVFest2023.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
Elizabeth Ricketts
James Kratovil
Jeff Hynes
Kevin Tester
Julie Philabaum
Jean Petti
Michael George
Rikki Twyford

CITY CLERK
Alissa Meeks

May 1. 2023

WV Alcohol Beverage Control Administration
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

To Whom It May Concern,

I am writing on behalf of the City of Charles Town to ask that the WV Alcohol Beverage Control Administration approve the request by Charles Town Now, doing business as Discover Downtown Charles Town Inc., for a one-day permit to host an outdoor beer garden at this year's WV Fest. The festival takes place in downtown Charles Town and is a major event in the region every year. This event is scheduled for June 17, 2023 and the city agrees to suspend all open container laws an related ordinances in the specified area of the beer garden.

If you have any questions regarding this event or our support for the application from Charles Town Now, doing business as Discover Downtown Charles Town Inc., please do not hesitate to contact our Downtown Coordinator, Liz Cook. She can be reached by phone at 304-270-0174, or ecook@charlestownwv.us.

Thank you for your assistance with this request.

Sincerely,

Robert M. Trainor
Mayor

c: Liz Cook, Business Development and Downtown Coordinator
Ann Paonessa, Charles Town Now

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

CITY CLERK
Alissa Meeks

May 1. 2023

WV Alcohol Beverage Control Administration
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

To Whom It May Concern,

I am writing on behalf of the City of Charles Town to ask that the WV Alcohol Beverage Control Administration approve the request by Charles Town Now, doing business as Discover Downtown Charles Town Inc., for a one-day permit to host an outdoor beer garden at this year's WV Fest. The festival takes place in downtown Charles Town and is a major event in the region every year. This event is scheduled for June 17, 2023 and the city agrees to suspend all open container laws an related ordinances in the specified area of the beer garden.

If you have any questions regarding this event or our support for the application from Charles Town Now, doing business as Discover Downtown Charles Town Inc., please do not hesitate to contact our Downtown Coordinator, Liz Cook. She can be reached by phone at 304-270-0174, or ecook@charlestownwv.us.

Thank you for your assistance with this request.

Sincerely,

Robert M. Trainor
Mayor

c: Liz Cook, Business Development and Downtown Coordinator
Ann Paonessa, Charles Town Now

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Proclamation
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-415 Resolution for Old Opera House 50th Anniversary

Resolution for Old Opera House 50th Anniversary

ATTACHMENTS:

- A Resolution Recognizing the Old Opera House Theatre Company on Its Fiftieth Year Anniversary.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

A Resolution Recognizing the Old Opera House Theatre Company on Its Fiftieth Year Anniversary

WHEREAS, the Old Opera House Theatre Company official incorporated on May 7, 1973; and

WHEREAS, in 1910, Annie G. Packette raised $50,000 and employed a Washington, D.C. architect to design and construct the New Opera House at 204 N. George St, Charles Town; and

WHEREAS, the first entertainment that took place in Charles Town's New Opera House was on the night of February 14, 1911 by home talent; and

WHEREAS, from 1948 to the 1970s, the New Opera House stage was dark because the emergence of movies; and

WHEREAS, in 1971, Dixie Kilham, owner of Hilltop House in Harpers Ferry, and Robert and Diane Angel contacted the owners of the building, Mr. and Mrs. Augustine Todd, about using the theatre for local productions. The Todds agreed at least to the cleaning of the structure. Once the building was clean, a group of local citizens joined together to form The Old Opera House Theatre Company; and

WHEREAS, in October 1976, the "new" Old Opera House opened its main stage doors to the public with a production of My Fair Lady. Since then, the offerings of the theatre have continued to increase in diversity and frequency. Today the theatre presents six main stage productions, a summer family production, a one-act play festival and a ballet every other year; and

WHEREAS, the mission statement of the Old Opera House Theatre Company is: "Excite and involve the community in all aspects of the performing and visual arts."

NOW, THEREFORE BE IT RESOLVED, the City Council of Charles Town, WV do hereby congratulate the Old Opera House Theatre Company on its Fifty years of excellent service to our community and proclaim May 7, 2023, as Old Opera House Theatre Company Day in Charles Town, WV and wish continued success to Old Opera House Theatre Company and all its employees and volunteers!

Adopted this 1st day of May 2023.

Attest:

_____
Robert M. Trainor
Mayor

_____
Alissa Meeks
City Clerk

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-421 Status of APUS Property - Staff requested by Council to provide property and negotiation updates.

Status of APUS Property - Staff requested by Council to provide property and negotiation updates.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Ordinance
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-411 Text Amendment to Ordinance - Mobile Food Vendors

Text Amendment - Mobile Food Vendors

ATTACHMENTS:

- Food Trucks Council Report.pdf

Text Amendment Staff Report
Mobile Food Vendors
TXA2023-01

Date: For the May 1st, 2023 City Council meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

OVERVIEW

Mobile food vendors are not listed in Zoning Ordinance *Table 1322.04 Zoning District Use Table* as a permitted use, and are not currently allowed in the City.

This language will be inserted into the Zoning Ordinance Article 1323 as entry (L).

PLANNING COMMISSION

The Planning Commission discussed this item at their April 24, 2023 meeting. Commissioners discussed the text and had the following comments:

1. Will a parking permit be required for those operating in public parking spaces?
2. Will there be a limit to how many spaces an individual vendor may occupy?
3. For operations on sidewalks, how much space must be left as clearance for pedestrians?
4. On private property can required parking spaces be occupied by food trucks?
5. Is there a limit on how many food trucks a private property would be allowed to support at any one time?

Two members of the public spoke. Both were food truck operators and spoke in favor of the ordinance.

Following discussion, the Commissioners voted to recommend **approval** of the Ordinance, with their questions/comments to be reviewed by the Ordinance Committee.

PROPOSED TEXT

(L) Mobile Food Vendor

In addition to the other applicable requirements of the City of Charles Town, Mobile Food Vendors shall also be governed by the following provisions:

1. General Guidelines
   a. Mobile Food Vendors shall only operate during specified hours of 7am to 7pm, Monday, Wednesday, and Sunday. Food trucks are permitted to operate at different hours and days, subject to approval of a Special Activity Permit.

   b. Only food and non-alcoholic drinks may be sold by the Mobile Food Vendor.

c. In order to operate in the City of Charles Town, Mobile Food Vendors:
    (1) Shall obtain all applicable health department and State Fire Marshal permit(s) before applying for a City Business License and Mobile Food Vendor Application.
    (2) May not operate until all approvals are obtained through the City of Charles Town.
    (3) Shall keep their Health Permit and Business License in plain sight.

d. Food trucks are not permitted to set up seating, tents, or other items in such a manner as to negatively impact public safety. Sidewalks, handicap parking spaces, access ramps and stairs, and building entrances and exits, may not be blocked or have access impaired by a mobile food vendor.

e. Any electricity generators required for a Mobile Food Vendors located in the public right-of-way shall be self-contained and self-provided. Vendors shall not draw on public utilities from a public source without written authorization from the City. No utility cable shall be extended on or across any City street or sidewalk.

2. Location
    a. Mobile Food Vendors are only permitted to operate in the locations as designated by the Zoning Ordinance or permitted by City Council. Spaces are not reserved for specific vendors.

    b. Within the public right-of-way, mobile food vendors may only locate in parking spaces along the 100 block of N. Charles Street, the 100 block of N. Samuel Street, and the 100 block of S. Samuel Street.

    c. Parking a mobile vending unit on private commercially zoned property is permitted if notarized written permission is given from property owner, and such authorization is included with the application.

    d. Food trucks are permitted to operate at other locations beyond those specified in subsections b and c above, subject to approval of a Special Activity Permit.

    e. A Mobile Food Vendor is not permitted to park:
        (1) Within 15 feet of any bus stop zone,
        (2) Within 15 feet of a pedestrian crosswalk or intersection,
        (3) Within 15 feet of a handicapped parking space.,
        (4) Within any loading zone or other area where vehicles are prohibited to park.
        (5) Within the public right-of-way in any residential zoning district in the City of Charles Town when not in use.
        (6) Additionally, it is not permitted to be parked on any street of Charles Town when not in use in accordance with these regulations.

3. Advertisement and Signage

a. Signage may be imprinted on the exterior body of a licensed mobile food establishment and include the use of an attached or detached menu board. This is the only signage permitted.
b. No banners or balloons may be attached to a mobile food unit or otherwise located on the mobile food site. No flashing or blinking or strobe lights are allowed.

4. Noise
   a. No Mobile Food Vendors shall make or cause to be made any unreasonable or excessive noise. No amplified music or announcements are permitted.
   b. All generators must operate at a level of sixty-five (65) decibels or lower when measured from a distance of fifteen (15) feet.

5. Waste material Disposal
   a. All waste shall be removed and disposed of daily by the Mobile Food Vendor.
   b. No liquid or solid waste may be discharged from the Mobile Food Unit.
   c. Public trash receptacles shall not be used for disposal of waste that is directly generated by the Mobile Food Unit, such as grease, food scraps, food packaging material, and other waste products.
   d. Receptacles for the disposal of waste materials or other litter must be provided for customers.

6. Approval Process:
   a. The Zoning Administrator shall approve the issuance of a Mobile Food Vending License only if the application is complete, complies with the requirements of this Ordinance, including applicable Health Department approvals, City Business License and provided the application is accompanied by the required fee.

7. Fees:
   a. An application fee shall accompany each application. See the City of Charles Town Fee Schedule for the amount.

DEFINITION

Proposed amendment to Zoning Ordinance Article 1325 *Definitions*, would define the use as:

MOBILE FOOD VENDOR – A food service establishment that is self-propelled or otherwise designated to be movable from place to place, including but not limited to a licensed, motorized vehicle, mobile kitchen, cart, stand, or tent, and which operates temporarily on a premise where food items are sold to the general public.

PROCESS

The Council should refer this item to the Ordinance Committee for further refinement prior to a Council public hearing.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Ordinance
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-412 Text Amendment - Buffering Standards

Text Amendment - Buffering Standards

ATTACHMENTS:

- Buffer Standards Council Report.pdf

Text Amendment Staff Report

Buffer Standards

TXA2023-02

Date: For the May 1st, 2023 City Council meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

CODE SECTION

1333.15, Buffer and Screening Standards

…

(B) Opaque screening to a minimum height of six (6) feet shall be required around the perimeter of all mini-storage warehousing facilities, recreational and commercial vehicle parking areas, and loading areas, and also between single-family detached and multi-family or townhouse dwelling units, and where elsewhere specified in this Ordinance.

ISSUE

This language requires that a buffer be placed between single-family homes and multi-family/townhome units. While this may be suitable for placing a buffer between existing single-family homes and newly proposed multi-family/townhome development, it does not make sense when the proposed multi-family/townhomes are being built as part of a planned development.

The proposed changes would clarify that a buffer is not required when single-family dwelling units and multi-family/townhomes are being developed as part of a cohesive, planned development.

PROPOSED LANGUAGE

Proposed language is in red and **bolded** below:

Opaque screening to a minimum height of six (6) feet shall be required around the perimeter of all mini-storage warehousing facilities, recreational and commercial vehicle parking areas, and loading areas, and also between single-family detached and multi- family or townhouse dwelling units **except where such units are part of the same planned development,** and where elsewhere specified in this Ordinance.

PLANNING COMMISSION

The Planning Commission reviewed this item on April 24th, 2023 at a public hearing. This issue has been brough up at various sketch and preliminary plan applications and the Commissioners

were of the problems the existing language has caused. Commissioner Derr recommended a change in language, which has been incorporated into this report.

The Commissioners voted to recommend **approval** of the text amendment.

PROCESS

The Council should refer this item to the Ordinance Committee for further refinement prior to a Council public hearing.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Ordinance
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-413 Text Amendment - Driveway Standards

Text Amendment - Driveway Standards

ATTACHMENTS:

- Driveways Council Report.pdf

Text Amendment Staff Report

Driveway Standards

TXA2023-03

Date: For the May 1st, 2023 City Council meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

CODE SECTION

Section 1333.07, Driveway Standards

Driveways may be used to provide a place and access for vehicular movement only between a parking area for a single residential unit of occupancy or agricultural use (farm) and a Street, Alley, or Access Drive. Driveways may be used for off-street parking. Driveways shall conform to the following:

(A) Residential Driveway entrances shall be provided from any roadway to all single-family residences in accordance with Standard Detail DE-1 or Standard Detail DE-2 (depending upon the curb and gutter requirements).

(B) There shall be no more than one (1) vehicular entrance per individual Lot on a Public Street, unless the entrances are separated by a minimum of 150 feet.

(C) No Driveway shall be constructed closer than 40 feet to the nearest street intersection.

(D) Driveways shall not be located less than five (5) feet from an adjoining property unless used as a shared Driveway between the two abutting properties.

(E) Driveway grades shall not exceed three percent (3%) from the edge of the intersecting street pavement to the property line, nor exceed ten percent (10%) from the property line to the garage, carport, or other off-street parking space.

(F) The maximum slope of embankments adjacent to Driveways shall not exceed 1V:3H unless a retaining wall is used to insure that the earth is stabilized.

(G) Driveways shall be constructed at least 12 feet in width and of at least six (6) inches of compacted stone for a distance of at least twelve (12) feet beyond the right-of-way line.

ISSUE

The current language does not match what prior practice within the City; driveways have been built within 40 ft. of intersections. The proposed language clarifies exactly where driveways

may be placed and how the 40 ft. no-build area is measured. The amendment also fixes a typo, replacing 'insure' with 'ensure'.

PROPOSED LANGUAGE

Proposed changes are in red and **bold** below:

Section 1333.07, Driveway Standards

Driveways may be used to provide a place and access for vehicular movement only between a parking area for a single residential unit of occupancy or agricultural use (farm) and a Street, Alley, or Access Drive. Driveways may be used for off-street parking. Driveways shall conform to the following:

(A) Residential Driveway entrances shall be provided from any roadway to all single-family residences in accordance with Standard Detail DE-1 or Standard Detail DE-2 (depending upon the curb and gutter requirements).

(B) There shall be no more than one (1) vehicular entrance per individual Lot on a Public Street, unless the entrances are separated by a minimum of 150 feet.

(C) **Driveways at Intersections:**

1. For intersections which include four or more approaches, no driveway shall be constructed closer than 40 feet to the nearest street intersection, measured at the road centerline intersection(s) and radiating 40 feet in all directions or to the nearest tangential curb-return, whichever is greater in distance.
2. For an intersection of three roadway approaches (commonly referred to as a three-way intersection), no driveways may be placed within 40 ft of the intersection along the single approach (Intersecting approach) roadway, starting at the centerline of the main (commonly referred to as the through-roadway) and measured 40 feet towards the intersecting approach or to the nearest tangential curb-return, whichever is greater in distance. Driveways may be placed on the main road (through-roadway) opposite the intersecting road (intersecting approach).

(D) Driveways shall not be located less than five (5) feet from an adjoining property unless**:**

1. Used as a shared Driveway between the two abutting properties

2. For driveways serving duplex or townhouse development, those driveways may be located up to the shared party wall property line.

(E) Driveway grades shall not exceed three percent (3%) from the edge of the

intersecting street pavement to the property line, nor exceed ten percent (10%) from the property line to the garage, carport, or other off-street parking space.

(F) The maximum slope of embankments adjacent to Driveways shall not exceed 1V:3H unless a retaining wall is used to **ensure** that the earth is stabilized.

(G) Driveways shall be constructed at least 12 feet in width and of at least six (6) inches of compacted stone for a distance of at least twelve (12) feet beyond the right-of-way line.

PLANNING COMMISSION

The Planning Commission discussed this item at a public hearing on April 24, 2023. Commissioner Cummings asked if traffic safety was taken into account for these proposed changes. City staff worked with Kimley-Horn to craft the language and ensure that no driveways will located in such a manner as to be a traffic hazard; the proposed language is the result of those conversations, with a focus on safety and regulatory clarity.

The Commission voted to recommend **approval** of the text changes.

PROCESS

The Council should refer this item to the Ordinance Committee for further refinement prior to a Council public hearing.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Ordinance
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-414 Text Amendment - Townhouse Standards

Text Amendment - Townhouse Standards

ATTACHMENTS:

- Townhomes Council Report.pdf

Text Amendment Staff Report

Townhouse Standards

TXA2023-04

Date: For the May 1st, 2023 City Council meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

CODE SECTION

1333.20, Townhouse Development Standards

…

(K) All electric meters shall be located in the rear of dwelling units, except where a waiver may be granted by the Planning Commission.

ISSUE

This language requires electric meters be located behind townhomes. However, this requirement is not supported by electric utilities serving the City, and waivers are frequently required from this Code section. The text amendment would remove this requirement.

PROPOSED LANGUAGE

The section (K) *Electric Meters* would be removed. Subsequent sections L-Q would become K-P.

PLANNING COMMISSION

The Planning Commission heard this item at a public hearing on April 24, 2023. The Commission is aware of the issues caused by this requirement. The Commission voted to recommend **approval** of the text amendment.

PROCESS

The Council should refer this item to the Ordinance Committee for further refinement prior to a Council public hearing.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-433: Payment of Bills - May 1, 2023

ATTACHMENTS:

- GENERAL FUND COUNCIL REPORT 2023 5 1.pdf
- REPAVING COUNCIL REPORT 2023 05 1.pdf
- PARKS & REC COUNCIL REPORT 2023 05 1.pdf
- GEN FUND SPECIAL RUN 2023 05 01.pdf

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
10-42 TACTICAL LLC	4/28/23	STEVENS-RETIRED BADGE,SHIR	GENERAL FUND	POLICE DEPARTMENT	19.20
	4/28/23	STEVENS-RETIRED BADGE,SHIR	GENERAL FUND	POLICE DEPARTMENT	127.50
	4/28/23	STEVENS-RETIRED BADGE,SHIR	GENERAL FUND	POLICE DEPARTMENT	36.90
	4/28/23	STEVENS-RETIRED BADGE,SHIR	GENERAL FUND	POLICE DEPARTMENT	127.50
	4/28/23	STEVENS-RETIRED BADGE,SHIR	GENERAL FUND	POLICE DEPARTMENT	93.40
	4/28/23	ANDERSON ARMOR	GENERAL FUND	POLICE DEPARTMENT	1,021.00
	4/28/23	ANDERSON ARMOR	GENERAL FUND	POLICE DEPARTMENT	289.00
	4/28/23	ANDERSON ARMOR	GENERAL FUND	POLICE DEPARTMENT	39.00
	4/28/23	ANDERSON ARMOR	GENERAL FUND	POLICE DEPARTMENT	20.00
	4/28/23	ANDERSON ARMOR	GENERAL FUND	POLICE DEPARTMENT	13.00
	4/28/23	ANDERSON ARMOR	GENERAL FUND	POLICE DEPARTMENT	14.00
	4/28/23	200CHARLES TOWN POLICE PAT	GENERAL FUND	POLICE DEPARTMENT	556.35
				TOTAL:	2,356.85
ADT SECURITY SERVICES, INC.	4/28/23	ROUSSHALL ALARM 5/1/23-4/3	GENERAL FUND	CITY HALL	703.76
				TOTAL:	703.76
AMERICAN LEGAL PUBLISHING CORP	4/28/23	UPDATE WEBSITE & ORDINANCE	GENERAL FUND	CITY HALL	2,621.84
				TOTAL:	2,621.84
APPLE VALLEY WASTE SERVICE, INC.	4/28/23	TRASH SER MAR-MAY23MALWARE	GENERAL FUND	CONT/TRNSFR 2 OTHR FUN	876.11
				TOTAL:	876.11
AUTOZONE, INC.	4/28/23	BULB 9005 FOR CAR#27	GENERAL FUND	POLICE DEPARTMENT	22.99
				TOTAL:	22.99
BOARD OF TRUSTEES OF THE POLICE PENSIO	4/28/23	MAY2023 POLICE PENSION CON	GENERAL FUND	POLICE DEPARTMENT	4,943.16
				TOTAL:	4,943.16
BOXER CRAFT HOUSE	4/28/23	ELECTION BANNER	GENERAL FUND	ELECTIONS	100.00
				TOTAL:	100.00
CHARLES TOWN BOARD OF PARKS & REC	4/28/23	MARCH2023 50% HOTEL COLLEC	GENERAL FUND	TRANSFERS	5,955.12
				TOTAL:	5,955.12
CINTAS	4/28/23	LAUNDRY BAGS	GENERAL FUND	STREETS & HIGHWAYS	188.53
	4/28/23	LAUNDRY BAGS	GENERAL FUND	STREETS & HIGHWAYS	188.53
				TOTAL:	377.06
CITY OF CHARLES TOWN -- CAPITAL RESERV	4/28/23	MARCH 2023 REPAVING	GENERAL FUND	TRANSFERS	10,816.67
				TOTAL:	10,816.67
CITY OF CHARLES TOWN PETTY CASH	4/28/23	CTPD PETTY CASH REPLENISHM	GENERAL FUND	POLICE DEPARTMENT	114.70
	4/28/23	CTPD PETTY CASH REPLENISHM	GENERAL FUND	POLICE DEPARTMENT	42.01
	4/28/23	CTPD PETTY CASH REPLENISHM	GENERAL FUND	POLICE DEPARTMENT	41.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	4/28/23	MAY 2023 CITY RENTS	GENERAL FUND	CITY HALL	2,550.00
	4/28/23	MAY 2023 CITY RENTS	GENERAL FUND	CITY HALL	16,667.00
	4/28/23	MAY 2023 CITY RENTS	GENERAL FUND	POLICE DEPARTMENT	7,840.98
				TOTAL:	27,177.98
DOCUMENT SOLUTIONS, INC.	4/28/23	3/24 SERVICE-REPL KM DRIVE	GENERAL FUND	CITY HALL	135.00
				TOTAL:	135.00
EXECUTIVE EMERGENCY LIGHTING LLC	4/28/23	CAR#4 REPAIR HAVIS DOCK	GENERAL FUND	POLICE DEPARTMENT	199.00
	4/28/23	CAR#4 REPAIR HAVIS DOCK	GENERAL FUND	POLICE DEPARTMENT	12.50
				TOTAL:	211.50
FRONTIER, INC.	4/28/23	CITY&PD PHONE SERV 4/4-5/3	GENERAL FUND	CITY HALL	1,488.22
	4/28/23	PD FAXLINE 4/7/23-5/6/23	GENERAL FUND	POLICE DEPARTMENT	137.78
	4/28/23	CITY&PD PHONE SERV 4/4-5/3	GENERAL FUND	POLICE DEPARTMENT	1,488.22
	4/28/23	661 304-725-2381 SER 4/24-	GENERAL FUND	POLICE DEPARTMENT	68.64
				TOTAL:	3,182.86
FRONTIER COMMUNICATIONS CORP	4/28/23	661 PD PHONE SER 4/10-5/9	GENERAL FUND	POLICE DEPARTMENT	1,158.42
				TOTAL:	1,158.42
GALLS, LLC	4/28/23	3DUAL SWITCH FLASHLIGHTS#1	GENERAL FUND	POLICE DEPARTMENT	447.43
				TOTAL:	447.43
GRIFFITH ENERGY SERVICES, INC	4/28/23	CITY HALL OIL 3/7/23	GENERAL FUND	CITY HALL	411.75
	4/28/23	CITY HALL OIL 3/21/23	GENERAL FUND	CITY HALL	621.26
	4/28/23	CITY HALL OIL 4/6/23	GENERAL FUND	CITY HALL	221.37
				TOTAL:	1,254.38
JEFFERSON COUNTY CONVENTION & VISITOR'	4/28/23	MARCH2023 50% HOTEL COLLEC	GENERAL FUND	VISITORS CENTER	5,955.12
				TOTAL:	5,955.12
JEFFERSON PUBLISHING COMPANY, INC.	4/28/23	3/29 CITY MANAGER JOB POST	GENERAL FUND	CITY MANAGER'S OFFICE	173.60
	4/28/23	3/29&4/5 FY23 LEVY ESTIMAT	GENERAL FUND	TREASURER'S OFFICE	420.78
	4/28/23	3/29 NPH SLD-2023-01 HADAV	GENERAL FUND	PLANNING & ZONING	42.46
	4/28/23	3/29 NPH BZA-20203-01	GENERAL FUND	PLANNING & ZONING	36.94
	4/28/23	4/5&4/12 NPH-MOBILE FOOD T	GENERAL FUND	PLANNING & ZONING	86.22
	4/28/23	3/1 WEEKLY EVENT CALENDAR	GENERAL FUND	CITY HALL	69.50
	4/28/23	3/8 OPP TO SERVE CTUB	GENERAL FUND	CITY HALL	135.63
	4/28/23	3/8 WEEKLY EVENT CALENDAR	GENERAL FUND	CITY HALL	69.50
	4/28/23	3/15 TAX INCREASE&EVENT CA	GENERAL FUND	CITY HALL	239.78
	4/28/23	3/15 TAX INCREASE&EVENT CA	GENERAL FUND	CITY HALL	69.50
	4/28/23	3/22 WEEKLY EVENT CALENDAR	GENERAL FUND	CITY HALL	69.50
	4/28/23	3/29 WEEKLY EVENT CALENDAR	GENERAL FUND	CITY HALL	69.50
				TOTAL:	1,482.91

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	TREASURER'S OFFICE	3.96
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	TREASURER'S OFFICE	3.96
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	CITY CLERK'S OFFICE	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	CITY CLERK'S OFFICE	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	CITY CLERK'S OFFICE	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	PLANNING & ZONING	6.60
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	PLANNING & ZONING	6.60
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	PLANNING & ZONING	6.60
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	CITY HALL	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	CITY HALL	0.00
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	CITY HALL	0.00
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	PARKING	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	PARKING	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	PARKING	1.32
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	POLICE DEPARTMENT	21.12
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	POLICE DEPARTMENT	21.12
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	POLICE DEPARTMENT	21.12
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	STREETS & HIGHWAYS	5.28
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	STREETS & HIGHWAYS	5.28
	4/28/23	EAP PREM FEES 4/1/23-6/30/	GENERAL FUND	STREETS & HIGHWAYS	5.28
				TOTAL:	124.08
MCKINNEY'S AUTO REPAIR & TOWING	4/28/23	REPL.BRAKE PADS&ROTORS #15	GENERAL FUND	POLICE DEPARTMENT	1,026.51
				TOTAL:	1,026.51
MIDWEST RADAR & EQUIPMENT, INC.	4/28/23	CALIBRATE RADARS-ALL PD CA	GENERAL FUND	POLICE DEPARTMENT	675.00
				TOTAL:	675.00
PERRY & ASSOCIATES	4/28/23	FY22 PREPARATION OF AUDIT	GENERAL FUND	TREASURER'S OFFICE	15,000.00
				TOTAL:	15,000.00
PITNEY BOWES	4/28/23	1 RED INK FOR POSTAGE MACH	GENERAL FUND	CITY HALL	127.48
				TOTAL:	127.48
POTOMAC EDISON COMPANY, INC.	4/28/23	ELECTRIC SERV MARCH 2023	GENERAL FUND	CITY HALL	686.13
	4/28/23	ELECTRIC SERV MARCH 2023	GENERAL FUND	PARKING	93.43
	4/28/23	ELECTRIC SERV MARCH 2023	GENERAL FUND	STREETS & HIGHWAYS	8,465.18
	4/28/23	ELECTRIC SERV MARCH 2023	GENERAL FUND	VISITORS CENTER	590.93
				TOTAL:	9,835.67
THE JOURNAL,MARTINSBURG	4/28/23	4/2 CITY MANAGER JOB POSTI	GENERAL FUND	CITY MANAGER'S OFFICE	600.00
	4/28/23	4/2 ONLINE CITY MANAGER JO	GENERAL FUND	CITY MANAGER'S OFFICE	425.00
				TOTAL:	1,025.00
TIAA, FSB	4/28/23	2ND FLOOR PLAT PRINTER	GENERAL FUND	CITY HALL	153.50

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT

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

001	GENERAL FUND	203,770.09
	GRAND TOTAL:	203,770.09

TOTAL PAGES: 4

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: 4/28/2023 THRU 4/28/2023

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
ALL AMERICAN PAVING LLC	4/28/23	PAVING ALLEY AT UNITED BAN	CAPITAL RESERVE	STREETS & TRANSPORTATI	3,090.00
	4/28/23	PAVING ALLEY AT UNITED BAN	CAPITAL RESERVE	STREETS & TRANSPORTATI	4,980.00
				TOTAL:	8,070.00

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

200	CAPITAL RESERVE	8,070.00
	GRAND TOTAL:	8,070.00

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: REPAV
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: 4/28/2023 THRU 4/28/2023

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	4/28/23	JMP PORTA POTTY SERV	PARKS & REC	PARKS & REC		265.00
					TOTAL:	265.00
FRONTIER, INC	4/28/23	JMP PHONE SERV APRIL 2023	PARKS & REC	PARKS & REC		69.53
					TOTAL:	69.53

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

207	PARKS & REC	334.53
	GRAND TOTAL:	334.53

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: 4/28/2023 THRU 4/28/2023

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	5/01/23	DAY ARMOR	GENERAL FUND	POLICE DEPARTMENT	1,021.00
	5/01/23	DAY ARMOR	GENERAL FUND	POLICE DEPARTMENT	289.00
	5/01/23	DAY ARMOR	GENERAL FUND	POLICE DEPARTMENT	39.00
	5/01/23	DAY ARMOR	GENERAL FUND	POLICE DEPARTMENT	20.00
	5/01/23	DAY ARMOR	GENERAL FUND	POLICE DEPARTMENT	13.00
	5/01/23	DAY ARMOR	GENERAL FUND	POLICE DEPARTMENT	14.00
				TOTAL:	1,396.00
ENTERTAINMENT AVENUE	5/01/23	DEPOSIT FOR WVFEST GAMES 2	GENERAL FUND	FAIR ASSOC/FESTIVAL	1,062.50
				TOTAL:	1,062.50
MARLIN BUSINESS BANK	5/01/23	PD & CITY COPIER RENTAL	GENERAL FUND	CITY HALL	515.98
	5/01/23	PD & CITY COPIER RENTAL	GENERAL FUND	POLICE DEPARTMENT	280.00
				TOTAL:	795.98
ORACLE ELEVATOR HOLDCO INC. DEPT# 9901	5/01/23	108N GEORGE-MAINT SER 2/1-	GENERAL FUND	CITY HALL	844.69
				TOTAL:	844.69

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

001	GENERAL FUND	4,099.17
	GRAND TOTAL:	4,099.17

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: 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: 5/01/2023 THRU 5/01/2023

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: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-417 Mayor's Select Committee Letter to Reconcile Codified Code Articles 1759 and 1705

Mayor's Select Committee to Reconcile Codified Code Articles 1759 and 1705.

ATTACHMENTS:

- Mayor_s_Select_Committee_Letter.pdf

OFFICE OF THE MAYOR

ROBERT M. TRAINOR

The Golden Rule City

April 20, 2023

Re: Mayor's Select Committee to Reconcile City of Charles Town Codified Code, Articles 1759 and 1705

Dear Council members

Please be advised that per Council's request, I have commissioned a Select Committee to perform the following:

1. Review Charles Town Codified Code, Articles 1759 and 1705
2. Determine inconsistencies and redundancies between the two Articles
3. Provide recommendations for both articles to reconcile those inconsistencies and redundancies
4. Submit "red-line" versions to the City Council for consideration and approval by, on or about the second regular City Council meeting in September 2023.

The following personnel are hereby appointed to the Select Committee:

- Mr. Robert Trainor, Mayor
- Mr. James Kratovil, Ward 1 Council Representative
- Ms. Alissa Meeks, Charles Town Director of Community Development
- Ms. Delaine Englebert, Charles Town Building Official

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

This Select Committee is intended to be dissolved upon Council approval of the revised articles 1759 and 1705.

Robert M. Trainor
Mayor

Attachment: Charles Town Codified Code Ordinance 1759
Charles Town Codified Code Ordinance 1705
International Property Maintenance Code – 2018

Copy to: Ms. Alissa Meeks, Charles Town Director of Community Development
Ms. Delaine Englebert, Charles Town Building Official

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-419 Charles Town Utility Board Minutes - March 22, 2023

Charles Town Utility Board Minutes - March 22, 2023

ATTACHMENTS:

- CTUB Board Minutes March 22, 2023.pdf

Charles Town Utility Board
Regular Board Meeting
March 22, 2023

The Charles Town Utility Board held a regular meeting on March 22, 2023 at 4:00 P.M. Members of the Board present were Bob Trainor, Chairman; Tommy Stocks, Treasurer; Jeff Whitten, Board Member and Heidi Parker, Board Member. Also present were Kristen Stolipher, Utility Manager; April Shultz, Assistant Utility Manager; Hoy Shingleton, Legal Counsel; Ashley Stottlemyer, Secretary and Claire Ath, County Commission Liaison.

Mayor, Bob Trainor was appointed the Interim Chairman until a new Charles Town City Manager is hired.

CALL TO ORDER

The Chairman called the meeting to order at 4:00 P.M.

The Chairman swore in Heidi Parker to serve as a new CTUB board member. She will serve until the term expires on December 31, 2023.

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

APPROVAL OF MINUTES

Approval of March 8, 2023 Regular Meeting Minutes

The Chairman called for changes or corrections to the March 8, 2023 regular meeting minutes.

Action: **Motion by Mr. Stocks, second by Mr. Whitten, the Board unanimously approved the minutes as presented.**

Approval of March 9, 2023 Special Meeting Minutes

The Chairman called for changes or corrections to the March 9, 2023 special meeting minutes.

Action: **Motion by Mr. Whitten, second by Mr. Stocks, the Board unanimously approved the minutes as presented.**

PUBLIC COMMENT

The Board received a public comment from Nicola Bastian.

OLD BUSINESS

Legal Services RFP - Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.

This item was moved to the end of the meeting.

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

NEW BUSINESS

Precision Pump and Repair – Raw Water Intake Pump

Mrs. Stolipher provided a pump quote for a repair to one of the raw water intake pumps. One of the other pumps was repaired last year. Mrs. Stolipher mentioned this quote amount exceeds the threshold she is permitted to approve.

Action: **Motion made by Mr. Stocks, second by Mr. Whitten, the Board unanimously approved the repair to the water intake pump.**

MANAGER REPORTS

Utility Manager Report

Mrs. Stolipher briefed the Board on this month's sewer and water efforts including an update on the PSC cases, the lead and copper EPA mandates currently being addressed and a follow-up on the customer notification policy for emergency situations.

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

Chairman Report

The Chairman mentioned he will serve as the Interim Chairman until a new Charles Town City Manager is hired.

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

APPROVAL OF BILLS

March 22, 2023

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

EXECUTIVE SESSION

Action: **Motion by Mr. Whitten, second by Mr. Stocks, the Board unanimously approved convening into Executive Session at 4:18 P.M. to discuss the following items:**

- Legal Services RFP - Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.

Executive session was over at 4:40 P.M.

The Board received RFP's for legal services and after discussions, will make a decision on this matter at the next meeting.

INFORMATION ONLY

The next regular meeting is scheduled for Wednesday, April 12, 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 4:41 P.M.

Robert M. Trainor
Chairman

Ashley Stottlemyer
Secretary

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/01/23
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2023-420 Charles Town Utility Board Minutes - April 12, 2023

Charles Town Utility Board Minutes - April 12, 2023

ATTACHMENTS:

- 2023.04.12 UB MINUTES.pdf

Charles Town Utility Board
Regular Board Meeting
April 12, 2023

The Charles Town Utility Board held a regular meeting on April 12, 2023 at 4:00 P.M. Members of the Board present were Robert Trainor, Chairman; Duke Pierson, Vice Chairman; Tommy Stocks, Treasurer; Jeff Whitten, Board Member and Heidi Parker, Board Member. Also present were Kristen Stolipher, Utility Manager; April Shultz, Assistant Utility Manager; Ashley Stottlemyer, Secretary and Claire Ath, County Commission Liaison.

CALL TO ORDER

The Chairman called the meeting to order at 4:00 P.M.

APPROVAL OF MINUTES

Approval of March 22, 2023 Regular Meeting Minutes

The Chairman called for changes or corrections to the March 22, 2023 regular meeting minutes. Mr. Stocks suggested one correction.

Action: **With no objections from the Board, the minutes were unanimously approved as amended.**

PUBLIC COMMENT

The Board received a public comment from Elizabeth Ricketts and Jacqueline Milliron.

OLD BUSINESS

Legal Services RFP - Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.

Action: **This item was moved to the end of the meeting.**

NEW BUSINESS

Renewal and Replacement Project Resolution No. 6 – Contractor Pay Application No. 6

Mrs. Stolipher provided the contractor submitted an application for payment no. 6 in the amount of $498,898.59 for work completed. She clarified the amount of $498,183.42 that was referenced in a public comment earlier in the meeting was for a change order approved by the Board in February.

Action: **Motion made by Mr. Pierson, second by Mr. Stocks, the Board unanimously approved the Contractor Pay Application No. 6.**

Resolution 2023-03 – FY 2023 Budget Revisions

Mrs. Shultz briefed the Board on the minor revisions to the FY 2023 water and sewer operating budgets. Due to several new accounting regulations, certain expenses were reclassed to separate line items. Expenses increased in certain areas, but others decreased due to supply chain issues and staff shortages. She provided the overall budget revisions for FY 2023 were not significant. The Board provided discussion on the revisions.

Action: **Motion made by Mr. Whitten, second by Mr. Pierson, the Board unanimously approved Resolution 2023-03 – FY 2023 Budget Revisions.**

Charles Town Digester Re-Conditioning

Mrs. Stolipher provided that as part of the Renewal and Replacement Project, significant upgrades were included to the digester to properly digest the sludge. Mid-Atlantic Storage Systems, Inc. has provided a proposal with numerous options for interior/exterior repairs to the tank not to exceed $75,000.00. Mrs. Stolipher suggested Mid-Atlantic do an on-site evaluation of the tank and authorize the repairs they propose.

Action: **Motion made by Mr. Pierson, second by Mr. Whitten, the Board unanimously approved the proposal by Mid-Atlantic Storage Systems including the 7 options, not to exceed $75,000.00.**

Tuscawilla Golf Course Ponds

Mrs. Stolipher mentioned that CTUB has a contractual agreement with the Locust Hill Golf Course to provide the effluent from the Tuscawilla wastewater treatment plant to the ponds. CTUB is also responsible for a pump at one of the ponds that pumps flow to other ponds within the golf course. Mrs. Stolipher provided that over the past several years, there have been algae issues causing issues with the pond pumps. She found a company, Water IQ Technologies, that uses ultrasound technology for non-chemical algae control. This information has been shared with the owners of the Golf Course and Locust Hill HOA. Mrs. Stolipher believed it is mutually beneficial to agree between the three parties to share the costs and installation of this program. The Board provided discussion and directed Mrs. Stolipher to gather more information to address Board questions.

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

Draft FY 2024 Budget Review

Mrs. Shultz highlighted the changes for the draft FY 2024 water and sewer budgets. The water & sewer department revenues were increased based on the analysis of the actual revenues to date and anticipated growth in certain areas. Expenses increased in total to account for various items approved by the Board, price increases from vendors, and anticipated increases in the future. Mrs. Shultz provided the FY 2024 capital budget includes estimates for the implementation costs for new billing and accounting software and also the addition of asset management program fees. The Board provided discussions. Mrs. Shultz also mentioned the class cost of service study for water should be available for Board review soon. The final draft of the FY 2024 budget will be brought back next meeting for Board approval.

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

Water System Valve Inventory and Assessment - Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.

Action: **This item was moved to the end of the meeting.**

MANAGER REPORTS

Utility Manager Report

Mrs. Stolipher briefed the Board on this month's sewer and water efforts including lead and copper inventory, meter testing and certifications, VFD installation at the raw water intake, hydrant flushing and updates on the Renewal and Replacement project and the Collection Systems project.

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

Chairman Report

The Chairman had no updates to report.

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

APPROVAL OF BILLS

April 12, 2023

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

EXECUTIVE SESSION

Action: **Motion by Mr. Whitten, second by Mr. Pierson, the Board unanimously approved convening into Executive Session at 5:16 P.M. to discuss the following items:**

- Legal Services RFP - Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.
- Water System Valve Inventory and Assessment - Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.

Executive session was over at 5:34 P.M.

Action: **Motion made by Mr. Pierson, second by Mr. Whitten, the Board unanimously approved the hiring of Steptoe & Johnson, PLLC as legal counsel for environmental, bonds, human resource and personnel matters and the hiring of Kay Casto and Chaney, PLLC as legal counsel for legal matters.**

Action: **Motion made by Mr. Whitten, second by Mr. Pierson, the Board unanimously approved the Dewberry Engineering water system valve inventory and assessment proposal.**

INFORMATION ONLY

The next regular meeting is scheduled for Wednesday, April 26, 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 5:36 P.M.

Robert M. Trainor
Chairman

Ashley Stottlemyer
Secretary