

**STATE OF WEST VIRGINIA, COUNTY OF UPSHUR, CITY OF BUCKHANNON, TO WIT:**

A regular meeting of the Buckhannon City Council was held on Thursday, January 20, 2022, at 7:00pm in City Hall. The following were in attendance (GTM – GoToMeeting):

Mayor	Robbie Skinner	Present
City Recorder	Randy Sanders	Present
Council Member	Pam Bucklew	Present – by phone
Council Member	Shelia Lewis-Sines	Present
Council Member	Jack Reger	Present – by phone
Council Member	CJ Rylands	Present
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present – by GTM
BPD	Chief Matthew Gregory	Present
Director of Public Works	Jerry Arnold	Present
Channel 3	Dennis Cortes	Present
Channel 3	Rodney Irvin	Present
MyBuckhannon.com	Katie Kuba	Present - by phone
MyBuckhannon.com	Beth Broschart	Absent
Record Delta	Macie Queen	Present - by phone

Guests: Laura Ward, Country Roads Transit-Executive Director by GTM; Jennifer Tanner-Bostian, Executive Director of the Upshur County Development Authority and Luther Bostian; Dixie Green, City Horticulturist; Timothy Reese-by GTM; and, Ken Ward.

*To participate in a City Council meeting participants were invited to contact us at 304-472-1651 for the GoToMeeting link/access.*

CITY COUNCIL OF BUCKHANNON – 7:00 PM IN COUNCIL CHAMBERS  
MEETING AGENDA FOR THURSDAY, JANUARY 20, 2022

- A. Call to Order**
  - A.1 Moment of Silence
  - A.2 Pledge to the Flag of the United States of America
  - A.3 Mayor’s State of the City Address
- B. Recognized Guests**
  - B.1 Country Roads Transit-Executive Director Laura Ward
  - B.2 Upshur County Development Authority-Executive Director Jennifer M. Tanner-Bostian, MBA
  - B.3 City Horticulturist Dixie Green
- C. Department & Board Reports**
  - C.1 Public Works Director- Jerry Arnold
  - C.2 Finance Director- Amberle Jenkins
  - C.3 Police Chief- Matthew Gregory
  - C.4 City Attorney- Tom O’Neill
- D. Correspondence & Information**
  - D.1 Notice/Update from Altice USA RE: Suddenlink/Nexstar Local Cable Programming Negotiations
  - D.2 Charles Gibson Library Director’s Report January 2022
- E. Consent Agenda**
  - E.1 Approval of Minutes -Regular Meeting 01/06/22
  - E.2 Approval of Building and Wiring Permits
  - E.3 Approval of Payment of the Bills
- F. Strategic Issues for Discussion and/or Vote**
  - F.1 Country Roads Transit-Annual Report & Request Continued Funding
  - F.2 UCDA Request Letter of Support for Grant Application to the State of WV Broadband Investment Plans “ Major Broadband Project Strategies” Program
  - F.3 Approval to Accept Agreement with PublicWorks1-Municipal Pavement/ Street Assessment Management Solutions
  - F.4 Approval to Accept the Recommendation from the Technology Committee to select Suddenlink as Fiber Internet Provider
  - F.5 Upshur County Firefighters Association Invitation to Attend Meeting on 01/26/22
  - F.6 Discussion/Possible Action Draft Ordinance No. 454 Parade Route Parking Plan
  - F.7 Discussion/Possible Action Property Purchase 10 East Lincoln Street
  - F.8 Approval Ordinance No. 455 Cuppari Property Purchase 1<sup>st</sup> Reading
- G. Comments and Announcements**
  - G.1 Pamela Bucklew
  - G.2 C J Rylands
  - G.3 David Thomas
  - G.4 Jack Reger
  - G.5 Shelia Lewis-Sines
  - G.6 Randall Sanders

## H. Mayor's Comments and Announcements

### I. Adjournment

Posted 01/14/2022

Next Regular Scheduled City Council Meeting Thursday, February 3, 2022

**A. Call to Order** - Mayor Robbie Skinner called the regular meeting of the Buckhannon City Council for Thursday, January 20, 2022 to order announcing that he will waive the call for the Moment of Silence at this time (to be held during A.3 Mayor's State of the City Address) and then led all those in attendance in the Pledge to the Flag of the United States of America.

**A.3 Mayor's State of the City Address** - Mayor Robbie Skinner delivered the following State of The City Address to City Council and the citizens of Buckhannon:

*Members of City Council, department directors, administration, staff, business owners, and residents of our City of Buckhannon: Good evening, and thank you for joining us as we highlight this evening the many accomplishments we've celebrated over the past year together, and share excitement for future plans and goals we have in store for our City.*

*I've had the honor and privilege of serving as Mayor of the City of Buckhannon since July 1, 2020, and although I've shared a number of good times with you, we cannot deny that these past few years have been incredibly difficult for our community, nation, and world. When I filed to run for office in January 2020, a global, public health crisis was not on our radar screen. For many, the coming of the year 2020 represented positivity and hope – that the start of a new decade was going to represent growth and prosperity. Instead, by March 15, we were staring down what no one could ever imagine: businesses and schools closing, our annual Strawberry Festival, and just about every other community event was canceled, people being required to stay home, inter-state, national, and worldwide travel restrictions, borders closed, mask requirements, social distancing, losing connection with our families, neighbors, and communities. Those were dark times. We're certainly not out of the woods yet by any stretch of the imagination. We've made progress. Vaccinations have been developed, and I want to personally thank everyone who has been vaccinated and boosted, and I sincerely hope that if you have not, you will consider it, if not for yourself, for your neighbors, family members, and community.*

*This pandemic has hit our City Council particularly hard, when one year ago, we almost lost our very own Jack Reger, but we are grateful that he is with us, and able to serve our community. Our health is not something we should ever take for granted. We've also experienced scares from C.J. Rylands, Pam Bucklew, David Thomas, and former Council lady Mary Albaugh, whom we miss very much.*

*It's true, this pandemic has tried everything possible to cripple us, but our City of Buckhannon has proven to be no match for it. Neighbors have made sure neighbors have had what they need when they've become ill. Our school system delivered lunches to students at their homes because the classroom doors closed for months at a time. Our healthcare workers never gave up, and they continue to give us their all each and every day, and for that, we are grateful. Our business community rallied to support each other, helping to pay one another's rent or utility bills when times got tough, and also cover shifts in each other's stores for employees and business owners who tested positive to make sure important sales weren't missed. Our police and fire departments participated in drive through birthday and anniversary celebrations, and Santa Claus was escorted through our streets during the holiday season, bringing joy to our community; delivering small glimmers of normalcy among trying times.*

*Though many positives have taken place, we mourn the loss of many Buckhannon and Upshur County residents who contracted this terrible virus, but sadly, are no longer with us today. I would ask that you join me for a brief moment of silence as we think about those we've lost, and their family members left to carry on... Thank you.*

*As we embarked on 2021, we saw glimmers of hope. We enjoyed a scaled down, but very well-orchestrated West Virginia Strawberry Festival, the return of Festival Fridays in Jawbone Park, mask mandates and travel restrictions dropped, and spectators allowed back in to cheer on our Buccaneers. We welcomed new businesses to Downtown including Caroline & Company, Mountain Mama Marketplace, Evolution Bar & Grill, Argo Books, the Blaxsmith Shop and the Infamous Art Collective, Klie Law Offices, Blades'n Fades, Renee Preston Photography, Oink's Barbecue, and continued expansion at Community Care of West Virginia. We've also made significant progress completing the Colonial Theater project, which should open very soon as a fully renovated, state-of-the-art public entertainment space adding yet another amazing asset to our beautiful Downtown.*

*Although we are saddened that he's leaving the Main Street business neighborhood, we also want to extend congratulations and well wishes to long-time businessman, Jake Andregg, owner of Andregg Jewelers on Main Street. Jake is the consummate gentleman who always operated under the principle of service above self; putting what was best for our community first and foremost. This world needs many more Jake Andreggs.*

*In October, disrupting our positive momentum, we saw tragedy. A fire ripped through 23 East Main Street, destroying four businesses, displacing a dozen residents from ruined apartments. In the midst of this devastation, however, our community did what it does best. Everyone pitched in, business owners helping business owners in neighboring structures carry out valuables, our Chamber of Commerce, Convention & Visitors Bureau, Office of Emergency Management, and many Downtown neighbors supplied drinking water for our firefighters, and Domino's Pizza donated dinner that night for all of the firefighters once the fire was out. Our water plant put all hands on deck to ensure the water pressure would remain high the entire time. Our street and police departments closed streets and provided traffic control to keep everyone safe.*

*I can tell you that, as Mayor of my hometown that was a heartbreaking day. I love this City beyond words, and a significant fire Downtown has always been my worst nightmare. It hurt, and it still hurts, but it will not take us down. We saw our worst that day, but more so, our best. Hopefully soon, the eyesore will be removed, to allow for new growth!*

*I want to provide updates from several internal city departments; highlighting what has been accomplished, and some of the goals we have as we look to our future:*

**CITY POLICE DEPARTMENT:**

*Chief Gregory and his officers most notably achieved full CALEA Accreditation (that is the Commission on Accreditation for Law Enforcement Agencies). This is a HUGE honor, we could not be more proud of our officers for all their hard work and dedication to seeing this process through, and continuing to maintain this status. Councilman C.J. Rylands introduced CALEA to the department a few years ago, Chief Gregory embraced it, and working with myself, Recorder Randy Sanders, Councilman Rylands, Finance Director Amby Jenkins, City Attorney Tom O'Neil, and Fire Chief J.B. Kimble, we received the good news in July 2021. We extend congratulations on a job well-done once again!*

*Additionally, we added three new police cruisers to our fleet, and upgraded both the body and patrol car camera system so that both cameras would synchronize with one another. Work has continued with the Mountain Lakes Dog and Violent Crimes Taskforce, which connects our department to other law enforcement agencies within our region. Our partnership with West Virginia Wesleyan College continues as the department hosts interns and volunteers from campus throughout the year. The VIPS organization (Volunteers in Police Service) also played an integral part in our department gaining accreditation – committing over 2,000 volunteer hours for a wide variety of events, saving the City \$52,000. Finally, who could forget AROS! We now have a K-9 officer under the care of Patrolman Will Courtney. He's been a welcomed addition to our department. The department looks forward to improving staffing numbers and continued training and development in 2022.*

**CITY FIRE DEPARTMENT:**

*The Buckhannon Fire Department responded to 1,293 calls for service in 2021. Under the leadership of Chief J.B. Kimble and Captain Joey Baxa, they continue to progress on their own accreditation, CFAI, or the Commission on Fire Accreditation International. This process is quite a bit different than CALEA, because the base layer of the accreditation process is collecting three years of consistent data. Training is also a very large part of the fire department's everyday work. This year alone, 3,787 training hours were logged. Station coverage by volunteers was also extremely high. A total of 5,648 hours of coverage were provided to our community by the volunteer members. Additionally, the total number of incidents responded to by our volunteer members was 2,740 that average to over 144 calls per volunteer member.*

*Our fire department does more than just fight fire. Our staff were involved in four return of spontaneous circulation (ROSC) events. These incidents are cardiac arrest incidents where individuals are resuscitated – usually with by-stander CPR and fast in the field medical treatment. This type of incident is part of our organization becoming a Heartsafe Community.*

*Some of the goals Chief Kimble has for our City fire department include: Continuing the accreditation process of improving our services to our community. The Insurance Service Organization (ISO) will be here in 2022 to evaluate our fire department, our water system and County 911 center. The lower the score we achieve (scale of 1-10), the lower insurance premium payments will be for residents and business owners. We receive points to lower our score by improved staffing, which we have done by authorizing the hire of three additional, full time firefighters, including our city's first female firefighter. We also always need to be working to add and improve equipment. Our new engine will be here very soon, and we are beginning the process of constructing our very own training facility.*

*Fire departments always work best when we engage with our community. That is why we are always looking to recruit new volunteer members, continue to nurture our relationships with both West Virginia Wesleyan College, Upshur County Schools, and all other fire departments in Upshur County, the local firefighters association, law enforcement, and Upshur County EMS.*

**CITY SANITATION DEPARTMENT:**

*We welcome new Sanitation Department Director Ethan Crosten! Ethan and his two crews are already busy! Current projects include:*

*33 West Extensions: During the past year, the sanitary department was able to complete the extension along US 33. This project provided sanitary sewer service to residents and business owners on the North side all the way to the Smitty's Suzuki location, and many new potential customers on the South side.*

*North Spring Street: This was a major upgrade project that was long overdue. The storm and sanitary sewers ran together all the way to the treatment plant. The old clay tile in the street had failed allowing sediment and infiltration in the system. This project installed a brand-new storm sewer system and an upgraded sanitary system from Main Street all the way down North Spring Street.*

*Generators: Through grants, the sewer department had transfer switches installed at all pump stations. This allows a portable generator to power the pump station so in any emergency the stations can operate, allowing sewage to always get to the treatment plant. New generators will also be installed at the plant and major pump stations to allow there to be no down time in the transfer of power in the event of an emergency.*

*Maintenance Work: Those being the two major projects, the department has also been busy maintaining the existing system. It is a top priority of the sewer department to respond to each sewer call and make every attempt to address the issue. We have made many small repairs improving the overall integrity of our system and plan to continue to do so.*

*Future projects include an overhaul of the Taylor Street stormwater system, improvements to the East Main Street and Florence Street intersection, Swisher Street, and Shawnee Drive sanitation system reconstruction.*

#### **CITY WATER DEPARTMENT:**

*Chief Operator Kelly Arnold and his crews have also been working hard to make improvements to both the plant and our water system in general. Specifically, they've installed an early warning water quality monitoring system that will alert the plant from upstream in the Buckhannon River if there are contaminants headed toward our intake valve. New lighting has been installed in the basement of the plant, as well as mission boards have been updated. Variable Frequency Drivers (VFDs) finished at high service pumps, and the intake pump motor and pump have been rebuilt. Out on the streets, the water line in front of Feola's Flowers was replaced with PVC, and abandoned 500' of 4" cast iron pipe. Services on Spring Street were transferred over to 18" water main, and 530' of 4" cast iron was abandoned.*

*Some of the goals for the department include: installing meters at Valley Green Apartments, install new carbon feeder, install new filter media, install a new Tennerton Booster Station, rehabilitate the Tennerton Water Storage Tank near the high school, and replace the Island Avenue line.*

#### **CITY STREET DEPARTMENT:**

*Our Public Works Director Jerry Arnold and Street Superintendent Brad Hawkins led our transition as we purchased a new, state-of-the-art street garage facility across from our Waste Transfer Station on Mudlick Road, and left our outgrown facility on Factory Street. Our new facility is over five acres, and has over 40,000 sq. ft. of space under roof allowing for the expansion of the Street Department activities, and accommodating the Waste Collection Departments truck shop with a shared welding shop. Street crews completed about 5,200' of new ADA compliant sidewalks on West Main Street, Smithfield Street, North Spring Street, and North Kanawha Street. Seven residential and commercial structures were also razed to create opportunity for new growth.*

*New street signage continues to be a priority. We have installed brown, historic-looking signs throughout our Central Residential Historic District. All other street signs throughout the city will also receive a facelift. We continue to create and improve upon public space on Main Street. We are also currently working on the construction of a new 30' x 130' city greenhouse, constructing our salt shed at the new location, and completing the organization and storage of materials from the move to the new facility.*

*Jerry and Brad's goals over the next construction season will be to complete both the North Kanawha and North Spring Street corridors with new sidewalks, allowing for parking on both sides of North Kanawha Street, and the installation of period street lighting – similar to the lights that are on Main Street. Although the North side of the Gateway West project has been completed, we will begin working on the South side of West Main Street, mirroring the new sidewalks, and period lighting that already exists across the street. We will be conducting street assessments in the Spring months for additional paving after July 1. In the Jawbone Run area, we are working with our consulting engineers to complete a hydrology study of the drainage way to formulate a plan to minimize flooding during major rains. We will be moving our Waste Garage to facilitate the creation of a fire training facility. We have applied for grants from the WVDOH for sidewalk projects on Morton Avenue from Route 20 North to First Street and along Route 20 North from Morton Avenue to Lowe's.*

*We chose to contract out street paving this year. Although we have been able to complete a few of the streets outlined in the priority list, Cooper Asphalt still needs to complete Latham Street, North Spring Street, North Kanawha Street, and a few areas in North Buckhannon, and over on Upper and Lower Drive.*

#### **STOCKERT YOUTH AND COMMUNITY CENTER:**

*We continue to make advances at the Stockert Youth and Community Center, as we now have a rendering of what the potential new multipurpose center will look like situated on East Main Street. Deborah Brockleman and her team do a fantastic job with Stockert programming. We're looking forward to more exciting news ahead for the new facility project.*

#### **FINAL THOUGHTS:**

*In addition to the department heads listed above, Finance Director Amby Jenkins, City Attorney Tom O'Neil, City Engineer Jay Hollen, and Building Code and Enforcement Officer Vincent Smith all play integral roles in taking our projects from initial discussions to finished products. Our team includes nearly 100 men and women who come to work all for one goal: to serve our community.*

*As you can see, we have been extremely busy, but we wouldn't want it any other way! Myself, and our City Council cannot thank our directors, administration, staff, and crews enough for all of the hard work put in for the citizens and business owners each and every day!*

*Over the next year, one of my main goals is to comprehensively look at our city parks, and make some much needed improvements. We have done a great job developing the Jawbone Park area, but our City Park on Park Street, and our other five public parks also need our attention. The good news is, our Planning Commission, led by Dr. Susan Aloï, is already making public recreation a priority, and I'm excited to be a part of the discussions!*

*Finally tonight, I am thankful for my colleagues on this City Council. C.J. Rylands is the Executive Director of Create Buckhannon, and should be credited for much of our Downtown area's success over the years. Pam Bucklew is a longtime businesswoman, and helps lead our Downtown decorating committees each year. Jack Reger has an eye for our facilities, and has helped us prioritize the maintenance and upkeep of City infrastructure. Dave Thomas brings financial stability and oversight to Council. We have much less expensive health insurance for our employees thanks to his efforts. Shelia Lewis-Sines is brand new to our team, replacing long-time Councilwoman Mary Albaugh. We're excited to have her join us, and appreciate her perspective on City projects. Randy Sanders, our City Recorder, is an invaluable asset to our City Council. From relocating the Miss West Virginia USA Pageant to Buckhannon, to applying for, and landing the World Association of Marching Show Bands Competition, coming to Buckhannon in July 2023, Randy is always looking for opportunities to put our City on the map!*

*As you can see, each member brings a wealth of knowledge and unique perspective to the table. No, we don't always see eye-to-eye, but I wouldn't want it any other way. Our community is a better place because of the discussions held here, and the diverse opinions and backgrounds that guide us forward. To quote Councilman Rylands, "healthy communities have to be willing to have tough conversations in order to continue on the path of ascension."*

*And so, to the citizens and business owners of this wonderful community, I am proud to report that the State of our City is strong. We are well-positioned for the future, and I am confident we will continue to be one of "America's Best Small Towns!" It is truly my honor to serve the City of Buckhannon as your Mayor, and I cannot thank you enough for your support, your prayers, and your encouragement. Thank you so much!*

*Sincerely,  
Robbie Skinner  
Mayor, City of Buckhannon  
(304) 472-1651*

## **B. Recognized Guests**

**B.1 Country Roads Transit-Executive Director Laura Ward** - Mayor Skinner recognized the Country Roads Transit Executive Director, Laura Ward, who provided an overview of the services that has been provided by Country Roads Transit including the adjustments that have had to be made due to COVID. Director Ward also provided an overview of goals for the upcoming year and examples of how Country Roads Transit has helped specific individuals of the community. She also noted that she will follow up with a letter of request to the Buckhannon City Council that will put in writing her request for an additional \$5,000 be added to the annual \$10,000 continuation of funding for the Country Roads Transit.

Without objection the Chair moved *F.1 Country Roads Transit-Annual Report & Request Continued Funding* to the table for Discussion and/or Vote.

**Motion to approve the total request of \$15,000, which includes the \$10,000 annual contribution that has been previously made and an additional \$5,000 for the upcoming operational year for Country Roads Transit was made by Thomas/Lewis-Sines. Motion carried.**

**B.2 Upshur County Development Authority-Executive Director Jennifer M. Tanner-Bostian, MBA** - Motor Skinner recognized Upshur County Development Authority, Executive Director Jennifer Bostian who presented a request for the City Council to provide a letter of support for the Micrologic Grant Application that is being submitted to the State of WV Broadband Investment Plans "Major Broadband Project Strategies" Program. She explained just how important having the successful implementation of broadband systems for our area is and that by providing reliable, affordable high speed broadband to our citizens, we will all be better positioned for the future.

Without objection *F.2 UCDA Request Letter of Support for Grant Application to the State of WV Broadband Investment Plans "Major Broadband Project Strategies" Program* was moved to the table for discussion and/or a vote.

**Motion to approve the UCDA request for a letter of support for the Micrologic Grant Application to the State of WV Broadband Investment Plans "Major Broadband Project Strategies" Program was made by Rylands/Thomas. Motion carried.**

January 10, 2022

Emiel Butcher, President  
Micrologic, Inc.  
P.O. Box 328  
Buckhannon, West Virginia 26201

Dear Mr. Butcher,

On behalf of the citizens and business owners of the City of Buckhannon, West Virginia, I am writing to you today to pledge our full support for your grant application to the State of West Virginia Broadband Investment Plan's "Major Broadband Project Strategies" program. Expanding broadband access throughout Upshur County is very important to us, and we appreciate your interest and investment in our community.

Prior to the turn of the century, basic utility services were thought to be water, electricity, natural gas, sanitary, and waste collection. For the past twenty years or so, we have added broadband connectivity to this list. Truly, it is as crucial as running water and power. In order for our state to be in a position of growth and development, we must be able to provide high speed connectivity to all who wish to locate here. Whether it be for the purpose of working remotely, educating our children, or simply staying in touch with friends and family, it is our hope that all 25,000 residents of our community have access to fast and reliable broadband connectivity.

Thank you again, on behalf of the citizens and business owners of the City of Buckhannon, West Virginia, for seeking this grant to expand desperately needed broadband access in our community. If you have any questions, need additional information, or if we can be of further assistance, please do not hesitate to let me know. We wish you all the best on a successful grant application.

Sincerely,

Robert Neal Skinner, III  
Mayor,  
City of Buckhannon

**B.3 City Horticulturist Dixie Green** - Mayor Skinner recognized City Horticulturist Dixie Green who provided a comprehensive overview of her department's preparation for the 2022 Flower Program and she thanked Create Buckhannon for their assistance in obtaining the new flower containers that have a reservoir component, which should help extend the longevity of the flowers. A Q&A regarding the flower program and the need for new and additional trees in Jawbone Park and the Safety Complex. Council member Dave Thomas led a discussion on reactivating the memorialization program where citizens could provide funding for a tree in memory of a person.

## **C. Department & Board Reports**

**C.1 Public Works Director - Jerry Arnold** – Mr. Arnold was recognized and presented the following:

**Buckhannon City Council Public Works Director Report January 20, 2022**

### **Director:**

- We met with consulting engineers yesterday, and they will be starting on the hydrology study of the Jawbone Run drainage way.

### **Street:**

- The crews have been working on snow removal.

### **Sewer:**

- Nothing new to report.

### **Water:**

- The crew is working on abandoning the water service at the Foster building.

### **Waste:**

- Nothing new to report.

### **Engineer:**

- Gateway West Phase III Construction – The revised MOU detailing the work to be performed by the City in exchange for the property at the bottom of Amalia Drive was presented to the parties of the Dioceses associated with the Project. Once the City acquires the property, it will be turned over to the WVDOH for incorporation into their roadway system. The City held a site meeting with the WVDOH at the bottom of Amalia Drive on January 10, 2022 to discuss the existing storm sewer system and to discuss possible remediation / upgrades to

the system. Various departments from the WVDOH were there and appear to “be on board” with the proposed joint effort between the WVDOH and the City to address the drainage Issue along the bottom section of Amalia Drive that fronts the Church’s property.

Council member CJ Rylands led a Q&A and discussion regarding the City Parks and the idea that is being discussed about establishing the position of a Parks & Recreations Director for the City of Buckhannon. Mr. Arnold provided historical insight to how the City has cared for the parks in the past followed by an extensive discussion on the future of the City Parks. Mayor Skinner suggested that City Council invite the Planning Commission to meet with one line item on the agenda and that being the discussion of the future of Parks and Recreations in the City.

**Without objection *F.3 Approval to Accept Agreement with PublicWorks1-Municipal Pavement/ Street Assessment Management Solutions*** was moved to the table for discussion and/or a vote. Mr. Arnold provided an overview of what is needed to upgrade the efficiency and historical collection of information for the street reporting in the City by securing the PublicWorks1-Municipal Pavement/ Street Assessment Management Solutions. He recommended Council approve the proposed agreement from PublicWorks1 at a cost of \$10,650.

**From:** Troy Rolle <[trolle@publicworks1.com](mailto:trolle@publicworks1.com)>  
**Date:** January 11, 2022 at 5:03:43 PM EST  
**To:** [jarnold.buckhannon@gmail.com](mailto:jarnold.buckhannon@gmail.com)  
**Subject:** Service Agreement for BUCKHANNON, WV

Hello Jerry,

As promised here is the Service Agreement for you and your colleagues to look over. Thanks for the call today. I’ve attached the agreement for the pavement assessment and imaging with some other information.

Some quick notes from our meeting:

- Unlimited users, free tech support and training, and free updates
- The data issue with work orders being stuck to the wrong assets and some asset duplication due to that would not be an issue in iWorQ. Work orders can be independently detached or allocated, and asset records can have their data adjusted and they can be moved geographically.
- Street layer view directly accessible inside software for everybody to use.
- Everything can be geographically connected
  - We will collect GIS data shapefiles for pavements, and signs.
- Road assessment data will be put into your hands
- Asset management all in one place
- Calculating cost for the best roads to fix

We look forward to getting things stated for you all this week. Please reach out to me if you need anything else.

**Troy Rolle**  
**Client Sales Executive**  
**| Public Works 1**

**Motion to approve the agreement with PublicWorks1-Municipal Pavement/Street Assessment Management Solutions, at a one-time expenditure of \$10,650, was made by Thomas/Lewis-Sines. Motion carried.**





Municipal Pavement & Asset Management Solutions



PublicWorks1 Agreement

For Asset & Data Tracking Services

Streamline Asset Management & Save Time

Public Works 1 helps local governments speed up asset management processes and cut costs by using computer vision technology. GIS departments in smaller local governments often consist of just one person who is tasked with everything from undertaking inventories to staying on top of street asset management. Time and money are usually limited, so cutting costs and streamlining processes can have a big impact on a small organization.

Visualize

Public Works 1 collects high-quality geo-tagged 360-degree, panoramic images of streets in local jurisdictions. Street imagery is captured with the Trimble MX7 system. Privacy of faces and license plates are automatically protected and blurred out, while map features ranging from traffic signs and line markings to lamp and utility poles are detected and positioned on the map.

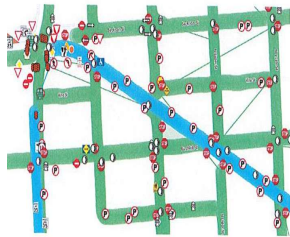
Manage

Municipalities analyze the imagery and access the comprehensive asset inventory through iWorQ's Asset Management software. Helping cities and counties manage and visualize asset conditions, conduct maintenance work, and monitor all costs and activities associated with public street assets.

Mapping

Street level imagery is a great basis for generating map data, it reveals the locations of signs, traffic signals, streets, bike lanes, manholes, hydrants, valves, crosswalks, bridges, etc. This information can be used for project planning, city council updates, maintenance, inspections and more.

Our team drives city and county roads collecting all asset data using computer vision technology, the data is configured to show an inventory of each asset along with other pertinent info. For example, sign data includes: GPS location, MUTCD and address.



This example shows signs, hydrants, traffic signals and manholes in the area selected.



Street level view outlines the assets and includes a picture of it.



Disaster Planning/Recovery  
Ask how we can help.

4. Billing:

PW 1 will invoice Customer after the collection team has come onsite and completed the data collection and/or assessment. The invoice will be sent to the address listed in Appendix A. Terms of the invoice are net 30 days. Any changes to the quote or cost will require that a new service agreement be signed by the customer.

Any additional costs imposed by the Customer including business licenses, fees, or taxes will be added to the Customer's invoice yearly.

5. TERMINATION:

Either party may terminate this agreement, after the initial 3-YEAR TERM, without cause if the terminating party gives the other party sixty (60) days written notice. Should Customer terminate any application(s) and or service(s) the remaining balance will immediately become due. Should Customer terminate any part of the application(s) and or service(s) a new Service(s) Agreement will need to be signed.

Termination will discontinue all application(s) and or service(s) under this Agreement; PW1 will provide customer with an electronic copy of all of Customer's data, if requested by the Customer. Backups will be completed within 3-5 business days.

During the term of the Agreement, the Customer may request a copy of all of Customer's data for a cost of no more than \$2500; and all provisions of this Agreement will continue.

6. CUSTOMER SUPPORT:

Customer support and training are FREE and available Monday-Friday, from 6:00 A.M. to 5:00 P.M. MST, for any authorized user with a login. iWorQ provides unlimited remote Customer training (through webinars), phone support, help files, and documentation. Basic support request is typically handled the same day. iWorQ provides "Service NOT Software".

7. ACCEPTABLE USE:

Customer represents and warrants that the applications and services will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, and policies, terms and procedures. iWorQ may restrict access to users upon misuse of applications and services.

8. MISCELLANEOUS PROVISIONS:

This Agreement will be governed by and construed in accordance with the laws of the State of Utah.

1. Data Tracking Services

PW 1 will send staff member(s) onsite to track requested street-level imagery, assets, and GPS data points utilizing our Trimble MX7 high resolution camera and / or a pavement condition assessment if requested. The price in Appendix A is based on the mileage provided by the Customer.

2. Customer Responsibility

Customer agrees to provide the time, resources, and personnel to assist in scheduling and completing the onsite assessment, and to implement iWorQ's service(s) and application(s). iWorQ will assign a senior account manager and an account management team to implement service(s) and application(s). Typical implementation will take less than 60 days. iWorQ account managers will call twice per week, provide remote training once per week, and send weekly summary emails to the implementation team. iWorQ can provide project management and implementation document upon request.

3. Customer Data & Software Terms of Access

Customer acknowledges that an iWorQ Service(s) Agreement is required in conjunction with this agreement for a term of 3 years, and that customer is authorized to access and track the converted PW 1 data in the associated iWorQ software applications.

Customer data will be stored on AWS GovCloud. iWorQ will use commercially reasonable efforts to backup, store and manage Customer data. iWorQ does backups twice per week and offsite backups twice per week. The subscription will renew each year on the anniversary date of this Agreement unless terminated (see 5. TERMINATION).

Customer can run reports and export data from iWorQ application(s) at any time.

Customer can pay iWorQ for additional data management service(s), onsite backups, application(s) and other service(s).

Street Level imagery is provided through iWorQ. Street Level imagery (360 Degree JPG) will not be downloadable through iWorQ. PW1 will make the imagery publicly available.

9. CUSTOMER IMPLEMENTATION INFORMATION:

Primary Implementation Contact \_\_\_\_\_ Title \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

Secondary Implementation Contact \_\_\_\_\_ Title \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

10. CUSTOMER BILLING INFORMATION:

Billing Contact \_\_\_\_\_ Title \_\_\_\_\_

Office Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

PO# \_\_\_\_\_ (if required) Tax Exempt ID # \_\_\_\_\_

11. ACCEPTANCE:

The effective date of this Agreement is listed below. Authorized representative of Customer and iWorQ have read the Agreement and agree and accept all the terms.

Signature \_\_\_\_\_ Effective Date: \_\_\_\_\_

Printed Name \_\_\_\_\_ Office Number: \_\_\_\_\_

Title \_\_\_\_\_ Cell Number: \_\_\_\_\_





PublicWorks1 Price Proposal

BUCKHANNON, WV	Centerline Miles: 23
70 East Main Street BUCKHANNON, WV 26201	Prepared by: Troy Rolle

Service & Travel Fees

PublicWorks1 Services	Package Price	Billing
<b>Imaging and Assessment Package</b> Data Collection and Asset Conversion Package includes: - Trimble MX7 Image Collection - Data Processing and Data Conversion - Pavement Condition Assessment  • A pavement distress identification based on remaining service life (RSL), and the SHRP distress (alligator, transverse, edge, patching and potholes, longitudinal). • A condition for each segment • A network pavement condition distribution • A recommended treatment for each pavement segment • A complete data set entered into the iWorQ Pavement Management application • The information and data required for budgeting and planning • 360-degree georeferenced imagery. • Collected images will be uploaded to image viewer within associated module. • GIS Layers provided at customer request. • Track and manage maintenance history • OpenStreetMap with point and line layers -Presented/Delivered Data Shapefile for the assets listed under note 4.	<del>\$10,000.00</del> \$10,650.00	One-time
<b>Travel expenses</b> - Flight, Hotel, Rental Vehicle, Fuel, etc. - Government Per Diem Rate for Meals/Incidentals	\$1,350.00	One-time
<b>Services Total (This amount will be invoiced once)</b>	\$1,352.00	

One-Time Setup, GIS integration, and Data Conversion Fees

Service(s)	Full Price Cost	Package Price	Billing
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NOTES & SERVICE(S) DESCRIPTION

- I. Invoice for the Service(s) will be sent out 2 weeks after the field work has been completed
- II. This Agreement has been provided at the Customer's request and is valid for 30 days
- III. This cost proposal cannot be disclosed or used to compete with other companies.

C.2 Finance Director - Amberle Jenkins – Mayor Skinner recognized Amberle Jenkins, who provided the following report:

Amby report 1-20-22

Balances in the Enterprise Funds December 31, 2021

Waste Collection Board	mm/cking	\$980,802.	cd/sav \$58,536.
			Plus a letter of credit for \$64,000
Water Board	mm/cking	\$414,131	work/capital& savings \$871,842
Sanitary Board	mm/cking	\$670,232	work/capital \$457,191
Storm water Fund	mm/cking	\$150,095.	

Filing for the office for two Council seats and the Recorder ends Saturday January 29<sup>th</sup>. City Hall will be open from 8:30 am to noon that day.

I am soliciting for financing of a \$72,000 mini excavator for the Sanitary Department.

The 4<sup>th</sup> Quarter Sales Tax revenue is being distributed by the WV Treasurers office in the amount of \$497,482.

Mrs. Jenkins also mentioned that tomorrow will be Buckhannon Police Chief Gregory’s 25th year with the City. Council joined Mrs. Jenkins in thanking Chief Gregory for his years of service.

Without objection Mayor Skinner moved **F.4 Approval to Accept the Recommendation from the Technology Committee to select Suddenlink as Fiber Internet Provider** to the table for discussion

and/or vote. Mrs. Jenkins explained the work that the Technology Committee and our IT Director has done in securing bids for a fiber internet provider. The bids submitted are outlined in the packet. Mrs. Jenkins recommended that Council accept the bid from Suddenlink.

**Motion to select Suddenlink as the City’s Fiber Internet Provider and accept the Suddenlink bid as presented was made by Sanders/Thomas. Motion carried with Council member Sheila Lewis-Sines abstaining as her husband is employed by Suddenlink/Altice.**

Technology Committee:  
The Technology Committee review proposals for fiber service from the following vendors:  
CityNet \$900 per month  
Cannot provide service at the transfer station.

Suddenlink \$850.00 per month for fiber only  
Can provide at backup coax connection for \$130 per month  
Can provide service at the transfer station, but at additional cost to installation.

Segra (formerly Lumos) \$734.00 per month for fiber only  
Can provide a service at the transfer station for \$130.00 per month.

The Technology upon review and discussion of the proposals recommends staying with Suddenlink. The proposals were very close in cost. They have provided service for the City with very little disruption for several years. There will be less technical work required by our IT vendor to continue to use Suddenlink. They have the ability to expand more direct internet service to the transfer station.  
Suddenlink have donated back to the community, such as computers and service to the youth center.

To Whom It May Concern,

The City of Buckhannon Technology Committee is seeking proposals from fiber-providers in our area to provide fiber-optic data service to the City. We will be evaluating service package proposals put-together for the City based on the following criteria (and weights):

**Proposal Details and Weights**

- 1.) Ability to provide 1GB synchronous fiber to Buckhannon City Hall - 60% weight
- 2.) Costs (both for installation and ongoing) of 1GB synchronous fiber installation at City Hall - 20% weight
- 3.) Term of service contract at rates provided in #2 - 5% weight
- 4.) Ability to provide service to the new Buckhannon City Waste Transfer Station complex on Mud Lick Rd in Buckhannon (can be fiber, cable, etc.), minimum of 100/10 connection required, can be connected to a local service location with LoS to complex as we can do fixed-wireless - 5% weight
- 5.) Ability to provide a "backup" connection method of at least 100/10 to City Hall (cable, fixed wireless, copper, etc) - 5% weight
- 6.) SLA terms and conditions - 5% weight

IF, not all requested items above can be met, please remit as many items as your firm can address successfully in-house (no partnerships or sub contracts please) and remit the proposal accordingly.

**Proposal Remittance:**

*Proposals are due, in return format to the following email addresses:* [shoffman@ravenrocknetworks.com](mailto:shoffman@ravenrocknetworks.com) & [amby.j@buckhannonwv.org](mailto:amby.j@buckhannonwv.org)

Date/Time Due:

Monday, Dec. 6, 2021 - 17:00

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Thank you,  
  
Seth Hoffman - Operations Director

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Raven Rock Networks, Inc.  
P.O. Box 2020  
Buckhannon, WV. 26201  
  
866.261.0710 | [www.ravenrocknetworks.com](http://www.ravenrocknetworks.com)  
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POLICE ACTIVITIES

MONTH: December

YEAR: 2021

ACTIVITIES:

Parking Tickets Issued:

By Parking Enforcement Officer: 20

By Officers: 0

TOTAL ISSUED: 20

Citations Issued: 14

Misdemeanor Arrests: 31

Felony Arrests: 6

Calls Answered: 378

Complaint Reports: 56

Accidents Investigated: 9

Community Policing Hours: 13

Patrol Mileage: 7,171

MONTHLY ACTIVITY REPORT  
December 2021

	301	302	303	304	305	306	307	308	309	310	311		TOTAL
Calls Answered	4	58	54	76	26	57		45		33	25		378
Community Policing		5			1					7			13
Road Patrol		57	76	79	45	132		49		59	108		605
Traffic Hours	1	4	49							27			81
Criminal Inv.	3	38	21	33	36	59	180	70		39	12		491
Court Hours										2			2
Report Writing	12	90	12	16	4	4		37		33	5		213
Other Hours	86	2	4	48	4	2		33		23	4		206
Miles													7,171
Accidents - Prop.		2	1			1		2		1	2		9
Injury													
Fatality													
Parking Tickets													
Criminal Reports		10	10	8	2	1	1	9		9	6		56
Reports Cleared		1	9	0	0	0	1	5		8	3		27
Clearance Rate		10%	90%	0%	0%	0%	100%	56%		89%	50%		48%

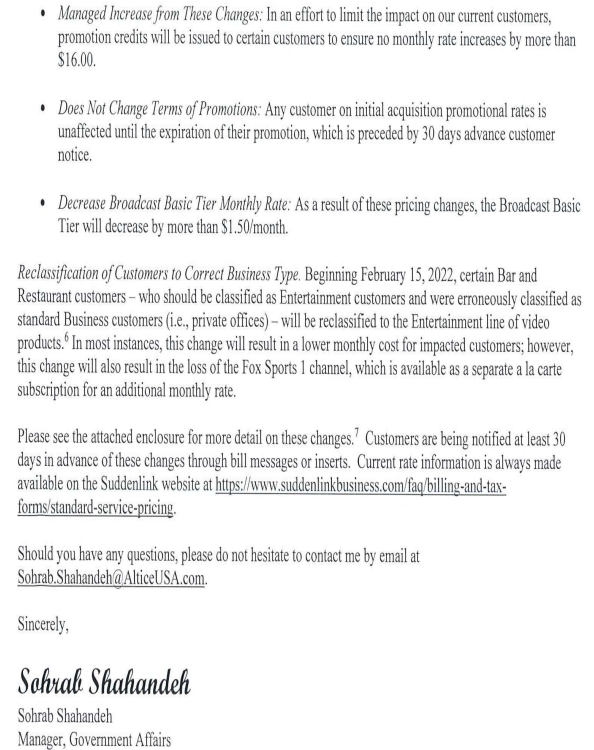
TRAFFIC CITATIONS - December 2021

	Gregory	Loudin	Posey	Stewart	Courtney	Hissam	O'Connor	McCauley		Fisher	Garrison		TOTAL
DRIVING REVOK/SUSP								1		1			2
EXPIRED MVI STICKER										4			4
EXPIRED REGISTRATION										1			1
NO INSURANCE						1				1			2
NO INSURANCE CARRIED								1					1
NO OPERATORS										1			1
SPEEDING								2		1			3
TOTAL TRAFFIC CITATIONS	0	0	0	0	0	0	1	0	4	9	0		14

Report #	Date Of Crash	Time Of Day	Day Of Week	Street	Intersecting Street	Other Location	Manner Of Collision	Officer Name	
1	12/1/2021 0:00	1409	Wednesday	N. LOCUST	MAIN ST.	MAIN ST.	Rear End	LT. DOUGLAS N. LOUDIN	
2	12/7/2021 0:00	1724	Tuesday	RT 33	BRUSHY FORK		Rear End	THOMAS POSEY	
3	12/8/2021 0:00	630	Wednesday	E MAIN	E MAIN		Single Vehicle Crash	J GARRISON	
4	12/19/2021 0:00	710	Sunday	33 W EXIT RAMP			Rear End	JAMES FISHER	
5	12/25/2021 0:00	1209	Saturday	RT 33			Rear End	MCCAULEY	
6	12/28/2021 0:00	1213	Tuesday	ROUTE 20 NORTH	BUCKHANNOX CROSSING	IN FRONT OF SHEETZ	Angle (Front to Side) Opposite D	LT. DOUGLAS N. LOUDIN	
7	12/29/2021 0:00	2004	Wednesday		BRUSHY FORK CROSSING		Angle (Front to Side) Opposite D	SGT DK HISSAM	
8	12/31/2021 0:00	1225	Friday	MARION STREET	CAMDEN AVE		Right Angle	MCCAULEY	
9	12/31/2021 0:00	1621	Friday	CROSSROADS	WALMART PARKING LOT		Angle (Front to Side) Opposite D	PTLMN GARRISON	
		* = Injury							
		# = Alcohol / Drug Related							
		~ = Fatality							

**C.4 City Attorney- Tom O'Neill** - Mr. O'Neill deferred until the Strategic Issues for Discussion and/or Vote part of the Agenda.

## D.1 Notice/Update from Altice USA RE: Suddenlink/Nexstar Local Cable Programming Negotiations



January 14, 2022

Re: Business Customers -- Pricing Changes/Standardization

To Whom it May Concern:

Altice USA, Inc. ("Altice" or "the Company") hereby notifies your office of the following non-promotional video pricing changes for business customers.<sup>1</sup> Altice also provides certain broadband pricing changes for business customers, for informational purposes only.<sup>2</sup>

No residential customers' rates are being impacted by these changes. Further, the rates of government customers who elect to purchase service through these packages are not affected by these actions.<sup>3</sup>

*Embedding Fees Into Standard Video and Broadband Tier Prices.* In an effort to simplify customer bills, beginning February 15, 2022, the Company will incorporate fees that were previously listed separately on the customer bill within Suddenlink's standard video and broadband tier rates.<sup>4</sup> (For customers currently on initial acquisition promotional rates, these fees will be embedded into their video and broadband tier pricing when their promotion expires).<sup>5</sup>

**Adjustments to Standard Pricing for Certain Suddenlink Video and Broadband Packages.** The monthly price for certain standard video and broadband tiers is being adjusted as indicated below and in the attachment. Changes to video pricing are primarily driven by the rising cost of securing programming – including sports and broadcast channels (the amounts vary by package, but standard pricing for the Broadcast Basic Tier will decrease by more than \$1.50/mo.) These new rates will go into effect beginning February 15, 2022, and existing customers will receive 30 days advance notice of any change to their monthly price (unless the customer elects to make a change to his or her service or package, in which case the adjustments will be disclosed at the time the customer requests the change). Please note the following:

<sup>3</sup> Alice offers a variety of promotions and does not have long term contracts or early termination fees. Current customers may cancel or downgrade their service at any time.

<sup>4</sup> Certain subjects discussed in this filing pertain to non-jurisdictional products and services. Nothing in this document is intended as a waiver or concession of any of the Company's rights to raise jurisdictional or other legal arguments.

<sup>5</sup> Alice provides free service to a variety of government entities, including municipalities, schools and libraries, including pursuant to its cable franchise agreements. These changes have no impact on such entities.

<sup>6</sup> Specifically, the Broadcast Transmission Surcharge (\$16.72/mo.) and Network Access Surcharge (\$3.50/mo.) will be embedded with the Suddenlink video and broadband monthly tier charges, exclusive of government fees and taxes.

<sup>7</sup> As we previously advised, this simplification of video fees has already occurred on the bills of residential customers. See my letter of August 13, 2021.

Altice USA  
One Court Square West  
Long Island City, NY 11101  
516-803-2300  
alticeusa.com

Enclosure

Customers impacted by this reclassification who are currently subscribed to the Business Choice package will be transitioned to the Entertainment Value package – with no increase to their current monthly rate – as the Company currently does not offer an Entertainment Choice package. This specific scenario will impact fewer than 10 subscribers in the entire Suddenlink footprint.

<sup>7</sup> As indicated above: (1) these new rates will now incorporate the video and broadband fees that are currently listed as separate line items; and (2) credits will be applied to the bills of existing customers in order to limit any changes to the customer's monthly pricing to \$16.00 or less.

Altice USA  
One Court Square West  
Long Island City, NY 11101  
516-803-2300  
alticeusa.com



Changes effective beginning February 15, 2022 for new and existing non-promotional business customers.  
All impacted customers will receive 30 days advance notice of changes to their monthly rate.

New Standard Video Pricing			
TV Packages	Current Monthly Rate Standard Pricing	Current Monthly Rate Standard Pricing With Video Fees*	New Monthly Rate Standard Pricing, Incorporating Video Fees**
Business Basic	\$45.95	\$62.67	\$60.95
Business Choice	\$58.99	\$75.71	\$75.99
Business Value	\$98.90	\$115.62	\$115.90
Business Preferred	\$118.85	\$135.57	\$140.85
Entertainment Basic	\$45.99	\$62.71	\$60.99
Entertainment Value	\$84.99	\$101.71	\$109.99
Entertainment Preferred	\$94.99	\$111.71	\$129.99

New Standard Commercial Data Pricing				
Data Tier	Speed (Download)	Current Monthly Rate Standard Pricing	Current Monthly Rate Standard Pricing With Fees*	New Monthly Rate Standard Pricing, Incorporating Video Fees**
Tier 0 Gig/400/Pre-Gig	50/50/20	\$94.90	\$98.40	\$104.90
Tier 1 Gig/400/Pre-Gig	100/50/50	\$104.90	\$108.40	\$139.90
Tier 2 Gig/400/Pre-Gig	300/200/100	\$154.90	\$158.40	\$189.90
Tier 3 Gig/400/Pre-Gig	500/400/150	\$219.90	\$223.40	\$239.90
Tier 4 Gig/400/Pre-Gig	Gig/NA/NA	\$419.90	\$423.40	\$349.90
Limited Access	1 Mbps	\$66.95	\$70.45	\$65.95
Limited Access	3 Mbps	\$74.95	\$78.45	\$70.95
Limited Access	6 Mbps	\$79.95	\$83.45	\$75.95
Limited Access	15 Mbps	\$89.95	\$93.45	\$85.95



Limited Access	20 Mbps	\$139.95	\$143.45	\$135.95
Limited Access	30 Mbps	\$149.90	\$153.40	\$145.90
Limited Access	50 Mbps	\$214.90	\$218.40	\$210.90

Video Fees – Currently Listed as Separate Line Items	Monthly Rate
Broadcast Transmission Surcharge	\$16.72
Network Access Surcharge	\$3.50

\* Exclusive of cable franchise fees and other government taxes and fees.  
\*\* As previously noted, the Company will issue credits designed to ensure that the net change to the customer's standard monthly rate from these changes is no more than \$16.00. For a more detailed description, see attached letter.

On Fri, Jan 7, 2022 at 12:59 PM Brad Ayers <[Bradley.Ayers@alticeusa.com](mailto:Bradley.Ayers@alticeusa.com)> wrote:

Mayor:

You may have heard that Suddenlink cable customers may lose access to WBOY-ABC, WBOY-CBS, WBOY-Court TV Mystery, and WBOY-Laff TV because of a contract dispute over carriage of these channels on the Suddenlink lineup. I am reaching out just to let you know the current status.

It is regrettable that Nexstar Media Group has decided to threaten the removal of its channels while our negotiations are ongoing, as this action is anti-consumer. These channels remain available to Suddenlink customers at least through 4:59pm EST today (January 7<sup>th</sup>). In the vast majority of negotiations with programmers, such as Nexstar Media Group, these agreements are renewed or extended with no impact to customers, and we are working hard to renew or extend this agreement too. Unfortunately, Nexstar Media Group is seeking exorbitant fees from Suddenlink to continue to carry the programming, and these high programming fees put pressure on the cable bills paid by Suddenlink customers. Suddenlink has offered fair terms and has asked the station owners to leave the programming on while the companies continue to negotiate. Hopefully, Nexstar Media Group will agree to not harm customers by allowing Suddenlink to continue to carry the programming in the event the contract is not renewed by 4:59pm EST on January 7th.

We will advise you of key developments, but don't hesitate to contact me if you have any questions. We will also provide relevant information on <https://www.suddenlink.com/onyourside>.

Brad Ayers Senior Director, Government Affairs Altice USA 347-527-3424

D.2 Charles Gibson Library Director’s Report January 2022



JANUARY 2022 DIRECTOR’S REPORT

December Building Use Statistics

Last Year’s Nos.

Door Count		241 (11.5/day)	197
Public Computer Use		35	15
Reference Transactions	0		0
Curbside Pickup	0		0

December Circulation Statistics

I TYPE	OCTOBER		NOVEMBER		DECEMBER	
Adult Fiction	151	17.0%	146	17.2%	182	19.6%
Adult Non-Fiction	27	3.0%	26	3.1%	28	3.0%
Books on CD	8	0.9%	22	2.6%	16	1.7%
Easy Books	46	5.2%	16	1.9%	71	7.7%
eBooks (WVREADS)	177	20.0%	149	17.6%	181	19.5%
eMagazines (WVREADS)	0	0.0%	3	0.4%	1	0.1%
Juvenile Fiction	7	0.8%	54	6.4%	6	0.6%
Juvenile Non-Fiction	7	0.8%	0	0.0%	6	0.6%
Large Print	151	17.0%	133	15.7%	135	14.6%
New Books	223	25.1%	215	25.3%	194	20.9%
New Media	13	1.5%	0	0.0%	3	0.3%
Paperback	57	6.4%	74	8.7%	77	8.3%
Reference	0	0.0%	0	0.0%	0	0.0%
West Virginia Material	9	1.0%	0	0.0%	2	0.2%
Young Adult	11	1.2%	11	1.30%	17	1.8%
Young Adult Non-Fiction	0	0.0%	0	0.0%	8	0.9%
Total	887		849		927	

December Money Drawer Report (Entire Month)

Donations	Copies	Faxes	Book Sale	Billed Mats.	Total
\$54.19	\$29.10	\$43.55	\$29.00	\$0.00	\$155.84

Upcoming Dates

January 11	Board of Trustees Meeting
January 17	Library Closed - Martin Luther King, Jr. Day
February 8	Board of Trustees Meeting
March 7	Library Legislative Day
March 8	Board of Trustees Meeting
Trustee Training - Spring 2022 at UCPL - Topics, Dates & Times Needed	

E. Consent Agenda

- E.1 Approval of Minutes - Regular Meeting 01/06/22
- E.2 Approval of Building and Wiring Permits

					17,131.00	189.64								
													Group Total: 3	
Group: Residential Electrical Fee														
75393	THERION MICK	23 MEADOW ST		INSPECTION FOR RECONNECT OF ELECTRICAL SERVICE	0.00	100.00	B-3 Single Family Residential (Owner Work)			No	Zone AE	Yes- Elevation Cert. Not Required		
					0.00	100.00								
Group Total: 1														
Group: Zoning Application Fee														
75388	Carolyn Wilfong	7 Chestnut St		Screen in back porch & install interior bathroom	800.00	20.00			1/3/2022	No		No		
					800.00	20.00								
Group Total: 1														
					87,931.00	784.64								
Total Records: 7										1/19/2022				



Permit Fee Report  
#75388-#75393



01/06/2022 - 01/19/2022														
Permit #	Applicant Name	Applicant Address	Primary Contractor	Description	Project Cost	Fee Amount	Electrical Property Type	Asbestos Inspection	Zoning Approval Date	Historic Property	Flood Zone Area	Flood Zone /Elevation Certificate	FEMA Accessory Use	Permit Status
Group: Commercial-Industrial (nonresidential)														
75392	A&T Enterprises Aaron Harris	20 Raella Lane	Jimbo's Hands On	Phase III Interior Buildout-The Outpost & Event Center	70,000.00	455.00				No		No		Group
					70,000.00	455.00								
Group Total: 1														
Group: Demolition														
75389	Chester Chewning, Missy Drost	1 Third Street	SUPERIOR ENVIROMENTAL	Razing Trailer with roof	0.00	20.00		Yes -If yes attach report		No	Zone AE	Yes- Elevation Cert. Not Required		
					0.00	20.00								
Group Total: 1														
Group: Residential (non-commercial)														
75391	Renee Preston	21 Lincoln Way	Sunny Side Construction	Tile Bathroom Shower	5,500.00	60.50				No		No		
75390	Anthony Gum	47 Meade St	Bath Fitter Ohio Bath Solutions LLC	Bathroom Remodel	10,831.00	119.14				Yes		No		
75388	Carolyn Wilfong	7 Chestnut St		Screen in back porch & install interior bathroom	800.00	10.00			1/3/2022	No		No		

E.3 Approval of Payment of the Bills

Vendor	Amount	Account #	Description
A F Wendling	\$ 45.48	001-907-341-00	paper towels
Airgas Usa, LLC	\$ 191.00	001-750-341-00	cylinder lease for shop
Allen Wrench LLC	\$ 300.00	001-706-343-00	labor on engine 1
Badzik Printing Service, Inc.	\$ 106.21	001-409-341-00	disbursement checks
Central Supply Co	\$ 780.00	001-753-341-00	6 bin block for salt & mix
Comfortech, LLC	\$ 1,030.25	001-440-216-00	2022 annual maintenance agreement for city hall hvac
Comfortech, LLC	\$ 1,090.80	001-907-216-00	2022 yearly service plan for sycc
Commercial Builders, Inc.	\$ 31,585.84	001-906-459-00	labor at theatre
Community Care of WV	\$ 20.00	001-700-341-00	pre-employment drug screen- Corey Moore
Sherrard, LLC (Cooper Asphalt)	\$ 3,882.00	001-750-461-00	milling & paving Smithfield St
Crites Electrical Supply, Inc.	\$ 15.12	001-440-216-00	receptacles & boxes for council chambers
Duncan Parnell, Inc.	\$ 137.50	001-750-341-00	R2 Hardware & Firmware
Environmental Systems Research Institute, Inc (ESRI)	\$ 300.00	001-439-459-00	ArcGIS desktop maintenance
ESO Solutions, Inc.	\$ 3,629.40	001-706-459-00	EMS software & mapping
Fisher Auto Parts	\$ 352.03	001-750-343-00	oil pan & plug for s-10
Fubar Enterprises	\$ 74.51	001-700-343-00	repair to mobile radio
George L. Wilson, Inc.	\$ 5,760.00	001-906-450-01	door jambs for theatre
Harper Lumber & Building Supplies	\$ 5,524.20	001-906-450-01	dry wall, screws, insulation, joint compound & tape for theatre
Heritage Fire Equipment	\$ 977.10	001-706-343-00	air compressor & auto pump
Industrial/Organizational Solutions, Inc.	\$ 131.00	001-706-341-00	captain test - Linn Baxa
Insight Training, LLC	\$ 850.00	001-706-221-00	four hour burn & learn class
Interstate Rescue	\$ 94.11	001-706-345-00	firewrap grip kit
Lowes	\$ 108.56	001-706-341-00	furing strips; rebar
Lowes	\$ 1,227.90	001-750-341-00	framing boards for shop floor
Micrologic, Inc.	\$ 100.00	001-700-233-00	security system labor
Napa	\$ 489.44	001-750-343-00	primer & paint for S-10
Napa	\$ 14.16	001-750-343-00	battery cable for s-19
Record-Delta Newspaper	\$ 130.83	001-906-216-00	ad- hiring managing director
Record-Delta Newspaper	\$ 13.48	001-750-341-00	ad- skid steer & bucket bids
Record-Delta Newspaper	\$ 93.77	001-706-341-00	ad- fire civil service accepting applications

Richard Trent CPA	\$ 8,260.00	001-409-223-00	year end closing & psc reports
Rite-Way Heating & Plumbing	\$ 8.46	001-907-216-00	supplies for toilet repairs
Staples Advantage	\$ 4.58	001-700-341-00	batteries
Stericycle, Inc.	\$ 78.84	001-700-341-00	hazmat pick up
Rozelle Enterprises DBA Tradeworx	\$ 15,300.00	001-440-459-00	city hall door/ stucco/ foundation repairs
Travelers Insurance	\$ 17.50	001-409-223-00	summons Laura Foulks
Walmart	\$ 256.63	001-907-361-00	after school supplies
Walmart	\$ 27.33	001-440-341-00	city hall cleaning supplies
Walmart	\$ 7.54	001-907-341-00	gorilla glue
WVNet	\$ 42.80	001-409-341-00	domain name renewal & web hosting

**Motion to approve the Consent Agenda items E.2 and E.3 was made by Sanders/Thomas. Motion carried.**

**F. Strategic Issues for Discussion and/or Vote**

**F.1 County Roads Transit-Annual Report & Request Continued Funding** - Action taken earlier in the meeting.

**F.2 UCDA Request Letter of Support for Grant Application to the State of WV Broadband Investment Plans“ Major Broadband Project Strategies” Program** - Action taken earlier in the meeting.

**F.3 Approval to Accept Agreement with PublicWorks1-Municipal Pavement/ Street Assessment Management Solutions** - Action taken earlier in the meeting.

**F.4 Approval to Accept the Recommendation from the Technology Committee to select Suddenlink as Fiber Internet Provider** - Action taken earlier in the meeting.

**F.5 Upshur County Firefighters Association Invitation to Attend Meeting on 01/26/22** - Mayor Skinner reviewed the request and mentioned that he planned to attend the meeting. He invited other members of Council to consider noting that we could not have four or more members as that would be a considered quorum at that meeting. No further action was necessary.

Upshur County Firefighters Association

Date: January 3, 2022

To: Upshur County Commission, Mayor and Council of the City of Buckhannon

Reference: Meeting of January 26, 2022

Happy New Year Wishes to All,

The Upshur County Firefighters Association would like to inform you that our first meeting in the New Year will be January 26, 2022. The Officers of the Association hereby extend an invitation for representatives from both the County Commission and the Buckhannon City Council to attend the meeting. It is the desire of the Association to begin discussions on the priorities and concerns within the fire service community of Upshur County. Topics that have been discussed at previous meetings include: funding, community expectations, staffing, training and a training facility.

We look forward to having truly positive dialogue focused on how we all can plan for improving our services to the citizens of Upshur County.

*John Roly*  
President

**F.6 Discussion/Possible Action Draft Ordinance No. 454 Parade Route Parking Plan** - Mayor Skinner provided an overview of the reason for the Parade Route Parking Plan and noted it was being for forth in the interest of public safety. He then recognized City Attorney O'Neill who presented the Draft Ordinance to Council by caption. Mr. O'Neill provided a complete overview of the intent of the ordinance. Discussion took place regarding enforcement and areas of the parade route, specifically the lineup areas. Mayor Skinner recommended that we move forward with the approval of the first reading of the Ordinance and offer any amendments before the second reading.

**ORDINANCE NO. 454 OF THE CITY OF BUCKHANNON, PROVIDING FOR THE PROHIBITION OF  
MOTOR VEHICLE PARKING DURING CERTAIN TIMES ALONG ROUTES OF AUTHORIZED  
PARADES WITHIN THE CITY OF BUCKHANNON**

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WHEREAS, pursuant to Chapter 8, Article 12, Section 5 of the West Virginia Code, as amended, municipalities are granted plenary power and authority to regulate streets, avenues, roads, ways, sidewalks, crosswalks and public spaces belonging to the municipality and to regulate the conditions under which they may be made within the corporate limits; and,

WHEREAS, the Council of the City of Buckhannon has deemed it to be reasonable and appropriate to amend its ordinances regulating the enforcement of its parking ordinances, with respect to the practice of on-street motor vehicle parking during authorized parades within the corporate limits; and,

WHEREAS, the Council of the City of Buckhannon, in the interest of public safety during parades taking place within the corporate limits, wishes to exercise enforcement powers in the prohibition and clearing of motor vehicles parked on-street along designated parade routes during certain designated times; and,

WHEREAS, the Council of the City of Buckhannon deems it to be reasonable and appropriate to clarify the authority of its parking enforcement officer to enforce certain on-street parking prohibitions during parades, to include the use of third-party towing of motor vehicles which are in violation of this ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

That the provisions of Ordinance No. 409 (also known as Ordinance No. 2016-008), Ordinance No. 422, Ordinance No. 435, and Ordinance No. 447 are deemed amended and reenacted as follows:

**ARTICLE I – ON-STREET PARKING PROHIBITED AT CERTAIN TIMES**

(a) No motor vehicle shall be parked on-street along any street, way, alley, or route which is designated as a parade or procession route, or designated as a public or private event venue, by either the City Council or the Consolidated Public Works Board.

(b) The prohibition contained in subsection (a) of this Article shall only be in effect during the time beginning one hour prior to the scheduled commencement of a parade, procession, or event approved or permitted by the City Council or Consolidated Public Works Board, and ending upon the later of the scheduled or actual time at which such parade, procession, or event concludes at the location where the on-street parking takes place.

(c) No violation of this Ordinance, or any other Ordinance amended hereby, shall be punishable by any term of imprisonment or incarceration.

**ARTICLE II – VIOLATIONS**

(a) Violations of this Ordinance are punishable by such fine as may be established in Ordinance No. 447 for violations of the City's ordinances with respect to parking within the municipal limits. Any citation issued under this ordinance shall be served upon the owner or operator of the motor vehicle as provided for in Ordinance No. 447.

(b) The Mayor, or his or her designee, including any authorized member of the Buckhannon Police Department, may immediately remove any motor vehicle parked on-street in violation of Article I of this Ordinance, including through the use of third-party towing services. The make, model, color, state license number, or other identifying information, together with the identity of any person or firm who shall have towed the vehicle pursuant to this subsection, shall be recorded to facilitate the return of any towed vehicle to its rightful owner. The owner of the towed vehicle, and not the City of Buckhannon, shall be responsible for the payment of any towing or impoundment fees charged for the relocation of the violating motor vehicle.

(c) A Certificate of Service executed by the Parking Enforcement Officer, or other duly appointed enforcement official, including an authorized member of the Buckhannon Police Department, and included within the citation file shall be sufficient evidence of service upon the violator.

ARTICLE III – EFFECT UPON OTHER MUNICIPAL ORDINANCES:

The provisions of any ordinance not amended hereby, or particular terms thereof not modified by the terms of this Ordinance, shall otherwise remain in full force and legal effect.

ARTICLE IV – SEVERABILITY:

In the event that any section(s) or provision(s) of this Ordinance is determined to be in violation of state or federal statute or court ruling, unconstitutional, invalid or otherwise unenforceable by a Court of competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the sections and provisions thereof which are not specifically held to be in violation of state or federal statute or court ruling, unconstitutional, invalid or otherwise unenforceable.

ARTICLE V – EFFECTIVE DATE:

This Ordinance shall be deemed effective thirty (30) days following the third (3<sup>rd</sup>) reading, passage and adoption by the Council of the City of Buckhannon, i.e., March 19, 2022.

FIRST READING: January 20, 2022

SECOND READING, February 3, 2022

THIRD READING,  
PASSAGE AND ADOPTION: February 17, 2022

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 454 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on February 17, 2022.

Randall H. Sanders, City Recorder

**Motion to approve the Draft Ordinance No. 454 Parade Route Parking Plan on its first reading was made by Sanders/Lewis-Sines. Motion carried.**

**F.7 Discussion/Possible Action Property Purchase 10 East Lincoln Street** - Mayor Skinner provided an overview of the proposed purchase of a section of the property at 10 East Lincoln Street. Mr. O'Neill stated that there were still items that needed to be completed prior to presenting this item to Council for action.

**F.8 Approval Ordinance No. 455 Cuppari Property Purchase 1st Reading** - Mr. O'Neill presented Ordinance No. 455 Cuppari Property Purchase for its 1st Reading, noting that we will need to hold a Special Council meeting for the purpose of its 2nd Reading prior to the closing date of January 27, 2022.

**ORDINANCE NO. 455 OF THE CITY OF BUCKHANNON, AN ORDINANCE APPROVING THE PURCHASE OF ALL OF THAT LOT OR PARCEL OF LAND, AND ALL THE BUILDINGS AND APPURTENANCES THEREUPON AND THEREUNTO BELONGING, SITUATED FRONTING ON THE SOUTH SIDE OF EAST MAIN STREET, WITH A COMMONLY KNOWN ADDRESS OF 61 EAST MAIN STREET, PRESENTLY TITLED IN THE NAME OF CATHERINE CUPPARI, AND SPECIFICALLY AUTHORIZING THE NET EXPENDITURE OF  
\$150,000 OF MUNICIPAL FUNDS FOR SAID PURCHASE**

WHEREAS, the Council of the City of Buckhannon has determined that the Central Commercial Business District is an area deserving of particular attention as the City strives to develop and maintain a thriving central downtown core and Jawbone Park area; and,

WHEREAS, the Council of the City of Buckhannon has determined that the expansion and enhancement of the City's STOCKERT YOUTH AND COMMUNITY CENTER is an important part of providing municipal services to residents of the City of Buckhannon, and a key component of enhancing a growing and active downtown commercial core; and,

WHEREAS, the captioned property is located adjacent to the aforesaid STOCKERT YOUTH AND COMMUNITY CENTER and is identified as the location upon which a planned expansion of the Center's physical plant will be constructed; and,



WHEREAS, the Council has determined that the acquisition of the captioned property, being situate at 61 East Main Street, and described upon the real property tax rolls of Corporation District, Upshur County, West Virginia as Map 4, Parcels 361 & 363, will further accomplish the Council’s municipal purpose of promoting the enhancing the offerings of the Stockert Youth and Community Center as well as the Central Commercial Business District; and,

WHEREAS, the captioned property has been offered for sale to The City of Buckhannon by its present owner, who has agreed to grant and convey said property to the City for the sum of One Hundred Fifty Thousand Dollars (\$150,000.00); and,

WHEREAS, the real property tax assessment of the captioned property supports and validates its value to be in excess of the purchase price; and,

WHEREAS, the Council now deems the purchase price of One Hundred Fifty Thousand Dollars (\$150,000.00) to be a fair, just and equitable amount for the City to pay for the acquisition of the captioned property; and,

WHEREAS, the City possesses funds to fund this acquisition; and,

WHEREAS, Chapter 8, Article 12, Section 1 of the Code of West Virginia, 1931, as Amended, empowers The City of Buckhannon to purchase real property for any municipal purpose, and Chapter 8, Article 11, Section 3, Subsection (6) of said Code requires that the purchase of private property by a municipality shall be by ordinance; and,

WHEREAS, the Council of The City of Buckhannon desires in all respects to comply with the statutes of the State of West Virginia insofar as the acquisition and purchase of the captioned property is concerned.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – FINDINGS OF COUNCIL: The Council of the City of Buckhannon hereby makes the following findings:

It is necessary for the expansion of the physical plant and programmatic offerings of the City’s Stockert Youth and Community Center to acquire the captioned property, which is located adjacent to the Center;

It is further reasonable and necessary for the development and maintenance of the vibrancy of the Central Commercial Business District, and the development and protection of the Jawbone Park area, as a consequence of the physical and programming expansion of the Stockert Youth and Community Center, that the City of Buckhannon assumes ownership of the captioned property;

The captioned property shall be used for the municipal purpose of the construction and use of an extension of the physical plant of the Stockert Youth and Community Center, the details of which will be determined by the Council upon due deliberation and dialogue with the citizens of the City of Buckhannon and other stakeholders;

The agreed-upon sum of One Hundred Fifty Thousand Dollars represents a fair and reasonable consideration for the captioned property;

The Council of The City of Buckhannon now desires to formally, and in all respects does, approve and endorse the City’s acquisition and purchase of the captioned property for the aforesaid purchase money amount; and

The Mayor of the City of Buckhannon, Robert N. Skinner, III, is expressly authorized and empowered to execute, acknowledge, and deliver on behalf of The City of Buckhannon any and all agreements or other documents as may be deemed reasonable or necessary to realize the City’s acquisition of the captioned property, and further to accept on the City’s behalf the delivery of a good and sufficient deed of conveyance from the said CATHERINE CUPPARI, to evidence the City’s purchase and acquisition of the captioned property.

ARTICLE II – EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2<sup>nd</sup>) reading, passage and adoption by the Council of the City of Buckhannon.

FIRST READING January 20, 2022

SECOND READING, PASSAGE AND ADOPTION January 27, 2022

Robert N. Skinner, III, Mayor

CERTIFICATE OF PASSAGE AND ENACTMENT



I, Randall H. Sanders, Recorder of the City of Buckhannon, a West Virginia municipal corporation, do hereby certify that the foregoing Ordinance No. 455 was lawfully ordained and enacted by the Council of the City of Buckhannon during a regular meeting of the City Council on January 27, 2022.

Randall H. Sanders, City Recorder

**Motion to approve Ordinance No. 455 Cuppari Property Purchase on its 1st Reading was made by Rylands/Lewis-Sines. Motion carried.**

**G. Comments and Announcements**

- **Council Member Bucklew** – Mrs. Bucklew noted that she has tested positive for COVID and that she was feeling okay. She discussed the process she went through in testing several times.
- **Council Member Reger** – Mr. Reger thanked the Mayor for his State of the City Address and noted that he was proud of the City of Buckhannon and its citizens.
- **Council Member Rylands** – Mr. Rylands had nothing further.
- **Council Member Thomas** – Mr. Thomas thanked the Mayor for his State of the City Address and recommended that we consider a plan for the use of future proceeds from the Sales Tax. He also suggested that we plan to meet with the County once or twice a year to discuss mutually beneficial projects for the area.
- **Council Member Sines** – Mrs. Lewis-Sines thanked the Mayor for his State of the City Address and also noted her confidence in the City and its residents.
- **City Recorder Sanders** – Mr. Sanders thanked the Mayor for his State of the City Address and recognized UCDA Director Bostian, thanking her for her leadership in the community.

**H. Mayor’s Comments and Announcements** – Mayor Skinner thanked all for their contributions to the meeting and the City.

**I. Adjournment**

**Motion to adjourn at 9:10 PM was made by Thomas/Rylands. Motion carried.**

**Mayor Robert N. Skinner III** \_\_\_\_\_

**City Recorder Randall H. Sanders** \_\_\_\_\_