

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

A regular meeting of the Buckhannon City Council was held on Thursday, April 04, 2024, at 7:00 p.m., in the Council Chambers of City Hall. The following individuals were in attendance (GTM – GoToMeeting):

Mayor	Robbie Skinner	Present
City Recorder	Randy Sanders	Present
Council Member	Pam Bucklew	Absent
Council Member	David McCauley	Present
Council Member	Jack Reger	Present
Council Member	CJ Rylands	Absent
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present
Buckhannon Fire Department	Chief JB Kimble	Present
Director of Public Works	Jerry Arnold	Absent
Mayor's Office	Barbara Hinkle	Present
Channel 3	Rodney Irvin	Present
MyBuckhannon.com	Katie Kuba	Present
Record Delta	Noah Jeffries	Present

Guests: Jay Hollen, City Engineer; Willard Scott; Meredith Cottrell, WVWC; Jacob Hyre; Bryan Shaw

*City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, April 04, 2024*

A. Call to Order

- A.1 Moment of Silence
- A.2 Pledge to the Flag of the United States of America

B. Recognized Guests

- B.1

C. Department & Board Reports

- C.1 Public Works Director- Jerry Arnold
- C.2 Finance Director- Amberle Jenkins
- C.3 Fire Chief- JB Kimble
- C.4 City Attorney- Tom O'Neill

D. Correspondence & Information

- D.1 Mayor's Proclamation-Max Adams' Day
- D.2 Notice Special City Council Lay the Levy on Tuesday, April 16, 2024, at 9:00 AM
- D.3 Report of Cat & Dog Activity –Upshur County Commission-February 2024
- D.4 Notice City Council Meeting Date of May 16, 2024, has been canceled due to conflict with the WVSF

E. Consent Agenda

- E.1 Approval of Minutes Regular Meeting 03/05/24, 03/21/24, Special Budget Work Sessions 02/14/24; 03/12/24, Joint Meeting Council & Planning Commission 01/11/24
- 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 Approval Ordinance No. 467 Increasing the City's Fire Protection Service Fees-1st Reading
- F.2 Approval Ordinance No. 468 Increasing the City's Police Protection Service Fees -1st Reading
- F.3 FEMA Flood Mitigation Assistance Swift Current Program

G. Comments and Announcements

- G.1 Pamela Bucklew
- G.2 David McCauley
- G.3 Jack Reger
- G.4 David Thomas
- G.6 CJ Rylands
- G.7 Randall Sanders

H. Mayor's Comments and Announcements

I. Adjournment

Posted 04/01/2024

A. Call to Order: Mayor Robbie Skinner called the April 4, 2024, regular meeting of the Buckhannon City Council to order, followed by a moment of silence and pledge to the flag.

B. Recognized Guests: Mayor Skinner recognized Jacob Hyre and Bryan Shaw, who requested to address the City Council. They spoke of the need for more recovery houses in the Buckhannon area. They explained the assistance that recovering addicts need and the challenges that they face.

A discussion with the City Council took place.

B.1 West Virginia Wesleyan College Student Senate Meredith Cottrell-Greetings & Campus News – Meredith provided the following updates from WVWC to the City Council:

Good evening!

- We are in the home stretch to finals and graduation, with lots of events scheduled, including the Spring Football Orange and Black Game on April 19th.
- Greek Week and its festivities will begin next week and last for parts of two weeks, culminating in Spring Sing on April 20th.
- There is a Young Alumni Reunion on April 20th - so we hope to have many guests in town visiting.
- The Athletics Hall of Fame Induction is on April 20th as well.
- While this meeting is happening, students are gathered for a roundtable discussion about Adverse Childhood Experiences. Many of the students in attendance are volunteers in schools and early childhood education centers throughout the county. We believe that by learning more, we can be better volunteers for our youth.
- The WE LEAD Poverty Reduction team partnered with Heather Schneider from Free Meals Appalachia to educate and raise awareness about the harmful practices behind dollar stores and how they affect the communities and community members they target.
- The WE LEAD Human Rights team hosted an instructive letter-writing workshop, empowering students with the skills to engage in legislative advocacy and prompting active involvement in shaping policies on issues they care about, resulting in 10 letters being mailed and providing digital resources for further letter-writing.
- Students will be working on two upcoming community events: the Upshur County Public Library Ramp Dinner and the Literacy Volunteers Book Sale. We hope you will support these local organizations alongside our students!
- The WE LEAD High Tunnel on campus is growing actively. They host work days where participants relieve stress by moving dirt, planting plants, sowing seeds, and more. Music was always playing, and there were occasional offerings of free food and merchandise. The items grown in the High Tunnel will provide fresh produce for the Upshur Parish House.
- Concert Chorale will be hosting a Chorale Alumni event with a performance on April 27th.
- Please see our website for the dates of all spring athletic contests and support our student-athletes.
- The 2024-2025 academic calendar is posted on the college's website. Businesses may want to consult the website for important events, like orientation and homecoming dates.

WEST VIRGINIA WESLEYAN COLLEGE 2024-2025 ACADEMIC CALENDAR

2024 Fall Semester			
August	12-13	Mon-Tues	New Faculty Orientation
	12	Monday	Faculty/Staff Community Day
	17	Saturday	Orientation for new students
	18	Sunday	Residence halls open for returning students (2 p.m.)
	18	Sunday	Registration
	19	Monday	Classes begin (8 a.m.)
	23	Friday	Deadline: Schedule changes and late registration; Deadline: Pass/Fail application
September	2	Monday	Labor Day recess (no classes)
	12	Thursday	Deadline: Withdrawing from first quarter classes
	23	Monday	Incomplete grades from summer & spring semester due in Registrar's Office by 3 p.m.
	25	Wednesday	Progress reports due in Registrar's Office by 3 p.m.
October	4	Friday	First quarter classes end
	7	Monday	Second quarter classes begin
	11	Friday	Deadline: Adding/dropping Second quarter classes
	11	Friday	Founders Day (3 p.m. classes canceled, all other classes meet)
	11-13	Fri-Sun	Homecoming
	17-18	Thu-Fri	Fall Recess (classes dismissed)
November	1	Friday	Deadline: Withdrawing from second quarter classes
	11	Monday	Deadline: Withdrawing from full-semester classes
	22	Friday	Thanksgiving Break begins (5 p.m.)
December	1	Sunday	Residence halls open (12 p.m.)
	2	Monday	Classes resume (8 a.m.)
	4	Wednesday	Last day of classes
	5	Thursday	Reading Day
	6-7	Fri-Sat	Final examinations
	9-10	Mon-Tues	Final examinations
	10	Tuesday	Residence halls close (7 p.m.)
	12	Thursday	Final grades due in Registrar's Office by 3 p.m.
2025 Spring Semester			
January	12	Sunday	Residence halls open (12 p.m.)
	13	Monday	Registration & Classes begin (8 a.m.)
	17	Friday	Deadline: Schedule changes and late registration; Deadline: Pass/Fail application
	20	Monday	Martin Luther King Holiday observance (classes dismissed)
February	6	Thursday	Deadline: Withdrawing from first quarter classes
	12	Wednesday	Incomplete grades from fall semester due in Registrar's Office by 3 p.m.
	17	Monday	Progress reports due in Registrar's Office
	28	Friday	First quarter classes end
	28	Friday	Spring Break begins (5 p.m.)
March	9	Sunday	Residence Halls open (12 p.m.)
	10	Monday	Classes resume (8 a.m.)
	10	Monday	Second quarter classes begin
	14	Friday	Deadline: Adding/dropping Second quarter classes
April	2	Wednesday	Deadline: Withdrawing from second quarter classes
	14	Monday	Deadline: Withdrawing from full-semester classes
	17-18	Thu-Fri	Easter Recess (classes dismissed)
	18	Friday	Good Friday Holiday
	TBD		Spring Weekend
	25	Friday	Admissions New Student course registration event
	26	Saturday	Academic Leadership Awards Convocation
	30	Wednesday	Last day of classes
May	1	Thursday	Reading Day
	2-3	Fri-Sat	Final examinations
	5-6	Mon-Tues	Final examinations
	6	Tuesday	Residence halls close for non-graduating students (5 p.m.)
	9	Friday	Baccalaureate
	10	Saturday	Commencement (Residence halls close for graduating seniors by 5 p.m.)
	12	Monday	Final grades due in Registrar's Office for 2 nd semester by 3 p.m.
2025 Summer Session I (4 weeks for on-campus courses; 3 weeks for international travel courses)			
May	14	Wednesday	Registration; residence halls open (2 p.m.)
	14	Wednesday	Graduate and undergraduate classes begin
June	12	Thursday	Final examinations
2025 Summer Session II (4 weeks)			
June	17	Tuesday	Registration; classes begin
July	17	Thursday	Final examinations

Calendar subject to modification in the interest of the total College program.

1/3/2024

A Q&A with the City Council took place.

C. Department & Board Reports

C.1 Public Works Director- Jerry Arnold - Mayor Skinner noted that Mr. Arnold was absent and had filed no report. Mayor Skinner reported on the progress that is being made during the redesign of the City Park. He also reported that potholes are being repaired, and he asked all residents to sweep the salt from their sidewalks into the streets so that the City's Street Sweeper may clean those.

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

Amby report 4/4/24

Balances *March 2024*

General Fund mm checking	\$692,199	CD \$86,550
Historic Landmark savings	\$3,030	
Stockert Youth Center Capitol Campaign	\$445,398 + 12,000 pledge = \$457,398	
Coal Tax	\$47,755	
Municipal Stabilization Fund	\$924,215	
Flood Control Acct	\$78,339	
Consolidated Public Works Board	\$151,404	Cem CD \$235,333
Sales Tax	\$1,809,052	
American Rescue Plan Acct	\$434,527	
Opioid Account	\$113,226	

March 2024 General Fund – revenues and expenditures

Revenues \$462,231. Expenses \$529,205

Stockert Activity is attached. Approximately 1800 attendees throughout the month.

CAC – Two events were held. BU Middle School Theatre Club held 4 small shows on March 22, 23, 24 for a total of about 180 people attending.

BU High School Choir, Jazz and Orchestra held a fundraiser for one evening. 80 audience and about 40 students attended.

3/14/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	54
3/14/2024	4:00 PM	6:00 PM	Violin Lessons	Workout room upstairs	3
3/14/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Megan	Playhouse room	3
3/14/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	11
3/14/2024	6:30 PM	8:30 PM	Senshi Martial Arts	Gym	7
3/15/2024	1:00 PM	2:30 PM	Special Olympics	Gym	11
3/15/2024	3:00 PM	6:00 PM	Violin Lessons - Violin Lessons	Workout room upstairs	3
3/15/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	46
3/15/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Megan	Playhouse room	3
3/16/2024	2:00 PM	4:00 PM	Party Rental-Jenkins	Gym, lounge and game room	13
3/16/2024	5:00 PM	8:00 PM	Party Rental-Malcolm	Gym, lounge and game room	20
3/18/2024	12:00 PM	2:30 PM	Open Gym	Gym	5
3/18/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	57
3/18/2024	5:30 PM	6:30 PM	Karate Cubs	Gym	2
3/18/2024	6:30 PM	8:30 PM	Senshi Martial Arts	Gym	10
3/19/2024	5:30 PM	6:30 PM	Kickboxing	Gym	9
3/20/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	60
3/21/2024	12:00 PM	2:00 PM	Guitar Lessons	Gym	7
3/21/2024	2:00 PM	4:00 PM	Violin Lessons	Workout room upstairs	3
3/21/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	57
3/21/2024	4:00 PM	6:00 PM	Violin Lessons	Workout room upstairs	3
3/21/2024	4:30 PM	5:30 PM	Fred Brooks Garden Club Kids Craft	Cafeteria	25
3/21/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Megan	Playhouse room	3
3/21/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	11
3/21/2024	6:30 PM	8:30 PM	Senshi Martial Arts	Gym	7
3/22/2024	3:00 PM	6:00 PM	Violin Lessons	Workout room upstairs	3
3/22/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	57
3/22/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Megan	Playhouse room	3
3/23/2024	12:00 PM	2:00 PM	Party Rental-Tenney	Gym, lounge and game room	17
3/23/2024	3:00 PM	6:00 PM	Party Rental-Brittany	Gym, lounge and game room	52
3/24/2024	1:00 PM	3:00 PM	Party Rental-Rolenson	Gym, lounge and game room	27
3/24/2024	4:00 PM	7:00 PM	Party Rental-Gillum	Gym, lounge and game room	25
3/25/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	58
3/25/2024	5:30 PM	6:30 PM	Karate Cubs	Gym	4
3/25/2024	6:30 PM	8:30 PM	Senshi Martial Arts	Gym	10
3/26/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	60
3/26/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Andrea	Playhouse room	3

3/2024	5:30 PM	6:30 PM	Kickboxing	Gym	6
7/2024	10:00 AM	11:00 AM	FRN Grand families Meeting	Lounge	7
7/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	60
7/2024	6:00 PM	7:00 PM	4-H Meeting	Cafeteria	13
7/2024	6:30 PM	8:30 PM	Building Rental-Warner	Gym, lounge and game room	20
3/2024	2:00 PM	4:00 PM	Violin Lessons	Workout room upstairs	3
3/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	60
3/2024	4:00 PM	6:00 PM	Violin Lessons	Workout room upstairs	3
3/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Megan	Playhouse room	3
3/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	12
3/2024	6:30 PM	8:30 PM	Senshi Martial Arts	Gym	6
3/2024	3:00 PM	6:00 PM	Violin Lessons	Workout room upstairs	3
3/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole building	60
3/2024	4:30 PM	7:00 PM	Infinite Learning-Tutoring-Megan	Playhouse room	3
1/2024	8:00 AM	3:30 PM	Craft Sale-Jackie Fisher	Gym	153

C.3 Fire Chief – JB Kimble - Mayor Skinner recognized Chief Kimble, who provided the following reports:

Buckhannon Fire Department

Gap Analysis

90th Percentiles

A-Shift call taking times:

- First Due Fires: 1 minute 6 seconds or 66 seconds
- First Due MVA with injuries: 1 minute 40 seconds or 100 seconds
- 2nd Due MVA with injuries: 1 minute 37 seconds or 97 seconds
- City MVA with injuries: 1 minute 36 seconds or 96 seconds
- Unconscious/unresponsive: city limits 1 minute 51 seconds (111) seconds

A-Shift dispatch to response times:

- First Due Fires: 2 minutes 34 seconds or 154 seconds
- First Due MVA with injuries: 2 minutes 20 seconds or 140 seconds
- 2nd Due MVA with injuries: 5 minutes 29 seconds or 329 seconds
- City MVA with injuries: 1 minute 56 seconds or 116 seconds
- Unconscious/unresponsive: city limits 2 minutes 9 seconds (129) seconds

A-Shift responses to on scene:

- First Due Fires: 9 minutes and 29 seconds or 569 seconds, total response 11 minutes 33 sec.
- First Due MVA with injuries: 5 minutes 50 seconds or 350 seconds, total time 8 min 47 seconds
- 2nd Due MVA with injuries: 13 minutes or 780 seconds, total response 19 min 55 sec.
- City MVA with injuries: 3 minutes 17 seconds or 197 seconds, total time 6 min 43 sec
- Unconscious/unresponsive: city limits 2 minutes 44 seconds (164) second, total time 5 minutes 31 seconds

B-Shift call taking times:

- First Due Fires: 3 minutes 8 seconds or 188 seconds
- First Due MVA with injuries: 2 minutes 25 seconds or 145 seconds
- 2nd Due MVA with injuries: 1 minute 56 seconds or 116 seconds
- City MVA with injuries: 2 minute 57 seconds or 177 seconds
- Unconscious/unresponsive: city limits 1 minute 31 seconds (91) seconds

B-Shift dispatch to response times:

- First Due Fires: 3 minutes or 180 seconds
- First Due MVA with injuries: 1 minute 57 seconds or 117 seconds
- 2nd Due MVA with injuries: 3 minutes 46 seconds or 226 seconds
- City MVA with injuries: 1 minutes 31 second or 91 seconds

- Unconscious/unresponsive: city limits 1 minute 40 seconds (100) seconds

B-Shift responses to on scene:

- First Due Fires: 4 minutes 32 seconds or 272 seconds, total response 8 minutes 59 sec.
- First Due MVA with injuries: 6 minutes 41 seconds or 401 seconds, total time 10 min 20 seconds or 620 seconds
- 2nd Due MVA with injuries: 8 minutes 28 seconds or 520 seconds, total time 13 min. 25 sec.
- City MVA with injuries: 2 minutes 34 seconds or 154 seconds, total time 4 min 34 sec
- Unconscious/unresponsive: city limits 3 minutes 29 seconds (209) seconds, total time 5 minutes 15 seconds

C-Shift call taking times:

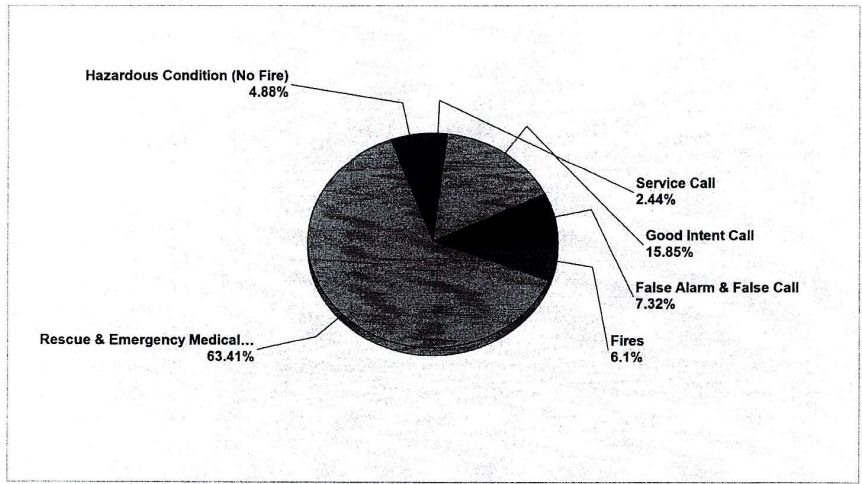
- First Due Fires: 1 minute 30 seconds or 90 seconds
- First Due MVA with injuries: 1 minute 55 seconds or 115 seconds
- 2nd Due MVA with injuries: 1 minute 20 seconds or 80 seconds
- City MVA with injuries: 2 minute 8 seconds or 128 seconds
- Unconscious/unresponsive: city limits 1 minute 52 seconds (112) seconds

C-Shift dispatch to response times:

- First Due Fires: 2 minutes 57 seconds or 177 seconds
- First Due MVA with injuries: 1 minute 42 seconds or 102 seconds
- 2nd Due MVA with injuries: 2 minutes 27 seconds or 147 seconds
- City MVA with injuries: 2 minutes 29 second or 149 seconds
- Unconscious/unresponsive: city limits 1 minute 42 seconds (102) seconds

C-Shift responses to on scene:

- First Due Fires: 8 minutes 2 seconds or 482 seconds, total response time 12 min. 10 sec
- First Due MVA with injuries: 7 minutes 7 seconds or 427 second, total time 9 min 56 sec
- 2nd Due MVA with injuries: 9 minutes 8 seconds or 548 seconds, total time 12 min 55 sec
- City MVA with injuries: 4 minutes 56 seconds or 296 seconds total time 9 min 13 sec
- Unconscious/unresponsive: city limits 1 minute 56 seconds (116) seconds, total time 4 minutes 42 seconds



Category	Count	Percentage
Fires	5	6.1%
Rescue & Emergency Medical Service	52	63.41%
Hazardous Condition (No Fire)	4	4.88%
Service Call	2	2.44%
Good Intent Call	13	15.85%
False Alarm & False Call	6	7.32%
TOTAL	82	100%

Chief Kimble also reported WV state legislative actions that benefit the smaller Volunteer Fire Departments but do not benefit the larger Volunteer Fire Departments. He asked that Council Members review this item. A general Q&A took place.

C.4 City Attorney - Tom O'Neill: The City Attorney was recognized by Mayor Skinner who reported on a zoning matter regarding R-1 Single Family Residential District to include Airbnb Rentals; there has been a continuance request for the zoning case before the courts regarding the College Avenue appeal; the city received guidance from the Ethics Commission on Executives Session and from what he has reviewed, there are no deficiencies in how we are handling them; he updated us on how best we can meet with local governmental agencies; and he provided a update to us on the WVWC property swap. A Q&A took place.

D. Correspondence & Information: – The Mayor reviewed the following with the Council:
D.1 Mayor’s Proclamation-Max Adams’ Day

MAYOR’S PROCLAMATION

- WHEREAS**, Max Adams was born on March 30, 1924 in Adrian, West Virginia; and
- WHEREAS**, Max has two children, four grandchildren and numerous great grandchildren; and
- WHEREAS**, Max loves to go camping in his motor home and he lives independently with some support. He still remains a social butterfly, he enjoys meeting up with friends and family at C.J. Maggie’s American Grill in Buckhannon and Muriale’s Italian Kitchen in Fairmont; and
- WHEREAS**, Max is a WWII Army Veteran and he has gotten to experience and participate in a Veterans Honor Flight trip, which gives veterans the opportunity to share the momentous occasion with other comrades, remember the fallen, and share their stories and experiences with other veterans; and
- WHEREAS**, Max serves as a member of the Franklin Lodge No. 7 in Buckhannon for over several decades; and
- WHEREAS**, Max Adams is turning 100 years old on March 30th;

NOW, THEREFORE, I, Robert N. Skinner III, Mayor of the City of Buckhannon, in the State of West Virginia, do hereby proclaim March 30, 2024, in Buckhannon, West Virginia as

MAX ADAMS’ DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the City of Buckhannon, in the State of West Virginia, to be affixed at Buckhannon, West Virginia, this 23rd day of March in the year two thousand twenty- four.

Robert N. Skinner III, Mayor
 City of Buckhannon

D.2 Notice Special City Council Lay the Levy on Tuesday, April 16, 2024, at 9:00 AM

Per WV Code § 11-8-10a: The purpose of the meeting is to lay the levy of the property tax rates for the next fiscal year 2024/2025 and to hear any objections.

D.3 Report of Cat & Dog Activity –Upshur County Commission-February 2024

- Cats brought in by City Trapper 0
- Cats brought in by Animal Control Officer 1
- Cats brought in by County Residents 10
- Dogs brought by Animal Control Officer 9
- Dogs brought in by County Residents 16

D.4 Notice City Council Meeting Date of May 16, 2024, has been canceled due to conflict with the WVSF Events

E. Consent Agenda - Mayor Skinner presented an overview of the following agenda items to the Council and asked for action, first on E.1 and E.3:

E.1 Approval of Minutes Regular Meeting 03/05/24, 03/21/24, Special Budget Work Sessions 02/14/24; 03/12/24, Joint Meeting Council & Planning Commission 01/11/24

E.2 Approval of Building and Wiring Permits



**Permit Fee Report #76156-#76168
03/21/2024 - 04/03/2024**

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
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Group: Commercial-Industrial (nonresidential)

76167	ST. JOSEPHS HOSPITAL	1 AMALIA DR	CENTIMARK CORP	REROOF	189,517.00	1,042.34		Yes -If yes attach report		No	N/A	No	No
76165	BENJAMIN FARLEY	117 S KANAWHA ST	APPALACHIAN ROOFING & SHEET METAL	ROOF OVERLAY	19,350.00	164.48		No		No	N/A	No	No
76161	CENTRAL WV CENTER PREGNANCY CARE	8 MEADOWS ST		4 WINDOW INSTALLATION	3,986.72	37.87		No	3/29/2024	No	Zone AE	Yes-Elevation Cert. Not Required	
76162	SBA Towers III LLC	311 Leggett Additon Rd	SBA NETWORK SERVICES LLC	On Existing Tower, Install 3 T-Mobile Antennas	10,000.00	85.00			3/27/2024	No	N/A	No	
76163	KEITH CARR	88 RANDOLPH ST	B & C CONSTRUCTION	BOX IN EAVES (SOFFIT AND FASCIA), CLOSET IN KITCHEN, KITCHEN REMODEL	6,000.00	57.00		No		No	N/A	No	No
76157	ERASMO RIZO	57 E MAIN ST		DRYWALL, PAINTING, ENERGY EFFICIENT WINDOWS, HVAC SYSTEM	15,000.00	127.50		No		Yes	N/A	No	No
					243,853.72	1,514.19							

Group Total: 6

Group: No Charge

76166	ROBERT KENT	10 SHAWN EEDR		ADA RAMP	0.00	0.00		No	4/3/2024	No	N/A	No	No
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					0.00	0.00								
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Group Total: 1

Group: Residential (non-commercial)

76168	BILL DURANTI	156 CAMEN AVE	RELIABLE ROOFING & SHEET METAL	REROOF	16,321.00	179.53		Yes -If yes attach report		No	N/A	No	No
76160	RODNEY NESELROADE	90 SMITHFIELD ST	ULTIMATE ROOFING WV LLC	RE ROOF SHINGLES OF HOUSE	18,205.00	200.26		No	3/29/2024	Yes	N/A	No	No
76159	Bart Waddell	100 Chestnut St	REGER COMPANIES, LLC	Curb Cut/Sidewalk Cut French Drain Install	999.00	10.00				No	N/A	No	
76158	DARRELL BOYLES	172 FAYETTE		FRONT PORCH FLOOR BOARD REPAIRS AND SOFFIT REAR PORCH REPAIR/REPLACE STEPS SAME SIZE	500.00	10.00		No		No	N/A	No	No
76156	MICHAEL HOUSE	22 REGER AVE	RELIABLE ROOFING & SHEET METAL	REROOF-SHINGLE REPLACEMENT	7,700.00	84.70		Yes -If yes attach report	3/22/2024	No	N/A	No	No
					43,725.00	484.49							

Group Total: 5

Group: Residential Electrical Fee

76164	MARY LIPPS	102 WOOD ST	LET THERE BE LIGHT, LLC	UPDATE ELECTRICAL	1,335.00	100.00	B2 Single Family Residential (500 sq ft)	No	4/1/2024	No	Zone AE	Yes-Elevation Cert. Not Required	
					1,335.00	100.00							

Group Total: 1

Group: Zoning Application Fee

76162	SBA Towers III LLC	311 Leggett Additon Rd	SBA NETWORK SERVICES LLC	On Existing Tower, Install 3 T-Mobile Antennas	10,000.00	20.00			3/27/2024	No	N/A	No	
					10,000.00	20.00							

Group Total: 1

					298,913.72	2,118.68							
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E.3 Approval of Payment of the Bills

MARCH 1-19-2024 GENERAL FUND PAYMENT OF BILLS

\$7,001.45– STRYKER FLEX FINANCIAL – LIFE PACK LEASE

\$12,251.00 – CAPITAL ELECTRIC – GATEWAY WEST STREET LIGHT PROJECT

\$4,300.00 – DAVID HARTLEY – PROJECTOR & LIGHTS FOR CAC

\$3,384.52 – WEBSTAIRANTSTORE- OVEN REPLACEMENT AT SYCC

04-02-2024 02:41 PM DISBURSEMENTS 03-20-24 to 03-31-24 PAGE: 1

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
MAYOR'S OFFICE	RALSTON PRESS INC	409-341-00	MAYOR'S SUPPLIES & M	1000 FEMA LETTR & MAP	530.43
	RECORD-DELTA NEWSPAPER	409-341-00	MAYOR'S SUPPLIES & M	CLERICAL POSITION AD	168.00
	REGION VII PLANNING PDC	409-341-00	MAYOR'S SUPPLIES & M	REVIEW ARCHIVE PROJECT	65.00
	JAY HOLLEN	409-341-00	MAYOR'S SUPPLIES & M	REIMB MEAL	26.10
	LEAF	409-341-00	MAYOR'S SUPPLIES & M	MAR 2024 CITY HALL COPIER	136.87
	INTERNATIONAL MUN LAWYERS AS	409-341-00	MAYOR'S SUPPLIES & M	MEMBERSHIP 5-24 TO 4-25	504.00
	INTER MOUNTAIN	409-220-00	MAYOR'S LEGAL PUBLIC	PLANNING COMMISSION MEETTIN	22.01
	WV PUBLIC EMPLOYEES RETIREME	409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	102.88
		409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	85.10
		409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	76.64
		409-106-00	MAYOR'S RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	18.01
	PAYROLL ACCOUNT (ALL DEPTS)	409-341-00	MAYOR'S SUPPLIES & M	FEB 2024 AA FEES	195.55
	EMPLOYTEST	409-341-00	MAYOR'S SUPPLIES & M	PCRD-CLERICAL SKILLS TEST	49.75
	WALMART STORES INC -BUCKHANN	409-341-00	MAYOR'S SUPPLIES & M	PCRD-HDMI CORDS	8.24
		409-341-00	MAYOR'S SUPPLIES & M	PCRD-TV POWER CORD	2.47
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	52.79
		409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	12.34
	AMAZON.COM	409-341-00	MAYOR'S SUPPLIES & M	PCRD-OFFICE SUPPLIES	34.17
		409-341-00	MAYOR'S SUPPLIES & M	PCRD-TYPEWRITER RIBBON	4.01
	DOLLAR TREE STORES #2028	409-341-00	MAYOR'S SUPPLIES & M	PCRD-OFFICE SUPPLIES	15.00
	AT&T MOBILITY	409-211-00	MAYOR'S TELEPHONE	PCRD-JAN CELL PHN & GEO TA	51.23
	JEREMY DRENNEN, CPA	409-223-00	PROFESSIONAL SERVICE	FY 23 & 24 FINANCIAL	2,625.00
	COLLECTION ACCOUNT 2	409-341-00	MAYOR'S SUPPLIES & M	RECDESK CC CHGBK ARIANNA W	160.00
	AUTHORIZE.NET	409-341-00	MAYOR'S SUPPLIES & M	PCRD-FEB 2024 RECDESK CC F	12.80
	FRONTIER	409-211-00	MAYOR'S TELEPHONE	472-1651-101515-4 CITY HAL	75.09
		409-211-00	MAYOR'S TELEPHONE	304-003-2273-060600-4	24.18

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ND: GENERAL FUND

PARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	851.53
				TOTAL:	5,909.19
UNCIL	WV PUBLIC EMPLOYEES RETIREME	410-106-00	COUNCIL'S RETIREMENT	WV RETIREMENT CONTRIBUTION	18.00
	THOMAS J O'NEILL	410-223-00	PROFESSIONAL (LEGAL)	THOMAS ONEIL 3-29-24	1,250.00
				TOTAL:	1,268.00
CORDER	WV PUBLIC EMPLOYEES RETIREME	411-106-00	RECORDER'S RETIREMEN	WV RETIRE TIER2 CONTRIBUTI	17.29
				TOTAL:	17.29
EASURER	WV PUBLIC EMPLOYEES RETIREME	413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	28.19
		413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	28.19
		413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	28.19
	DAVID L HOWELL CPA	413-224-00	AUDIT	23 AUDIT 2ND BILL	1,957.75
	INTERNAL REVENUE SERVICE	413-104-00	TREASURER'S F.I.C.A.	FICA WITHHELD AND MATCHED	19.42
		413-104-00	TREASURER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	4.54
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	313.18
				TOTAL:	2,379.46
TY ENGINEER	WV PUBLIC EMPLOYEES RETIREME	420-106-00	CITY ENGINEER RETIRE	WV RETIREMENT CONTRIBUTION	74.10
		420-106-00	CITY ENGINEER RETIRE	WV RETIREMENT CONTRIBUTION	74.10
		420-106-00	CITY ENGINEER RETIRE	WV RETIREMENT CONTRIBUTION	74.10
	INTERNAL REVENUE SERVICE	420-104-00	CITY ENGINEER FICA T	FICA WITHHELD AND MATCHED	51.51
		420-104-00	CITY ENGINEER FICA T	MEDICARE WITHHELD & MATCHE	12.05
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	823.30
				TOTAL:	1,109.16
NING	RECORD-DELTA NEWSPAPER	437-341-00	ZONING SUPPLIES	ZBA ADD CITIZENS BANK	62.14
	WV PUBLIC EMPLOYEES RETIREME	437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	135.00
		437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	135.00
		437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	135.00
	INTERNAL REVENUE SERVICE	437-104-00	ZONING F.I.C.A.	FICA WITHHELD AND MATCHED	93.00
		437-104-00	ZONING F.I.C.A.	MEDICARE WITHHELD & MATCHE	21.75
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	1,500.00
				TOTAL:	2,081.89
TA PROCESSING	DELL BUSINESS CREDIT	439-459-00	DATA PROCESSING CAPI	PCRD-2 COMPUTERS	627.67
		439-459-00	DATA PROCESSING CAPI	PCRD-2 COMPUTERS	69.54
	FP FINANCE PROGRAM	439-230-00	DATA PROCESSING	MAR 2024 MAILER&INSTR PYMT	107.31
				TOTAL:	804.52
TY HALL	MON POWER	440-213-00	CITY HALL UTILITIES	110 088 782 062 70 E MAIN	1,075.38
	DODSON BROS EXTERMINATING CO	440-216-00	CITY HALL MAINTENANC	MAR CITY HALL PEST CNTRL	33.00
	WV PUBLIC EMPLOYEES RETIREME	440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	123.26
		440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	141.08
		440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	153.33
	WALMART STORES INC -BUCKHANN	440-341-00	CITY HALL SUPPLIES	CLEANING SUPPLIES	153.08
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	105.63
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	24.70

ND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	1,703.63
				TOTAL:	3,513.09
POLICE	WV PUBLIC EMPLOYEES RETIREME	700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,661.39
		700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,611.29
		700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,747.98
	MOTOROLA SOLUTIONS, INC.	700-459-00	POLICE DEPT.	NEW EQU REPAIR REPLACE	500.00
	TOSHIBA FINANCIAL SERVICES	700-341-00	POLICE DEPT. MAT & S	POLICE DEPT COPIER LEASE	154.24
	WV CONSOLIDATED PUBLIC RETIR	700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	1,293.55
		700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	979.10
		700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	979.83
	GO DADDY.COM	700-341-00	POLICE DEPT. MAT & S	PCRD-SSL RENEWAL	199.98
	CITIZENS BANK OF WV	700-459-00	POLICE DEPT. NEW EQU	MARCH POLICE RADIO PYMT	2,802.39
	INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,918.87
		700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	448.78
	AMAZON.COM	700-459-00	POLICE DEPT. NEW EQU	PCRD-MOUNTING KIT FOR MOBI	230.98
	RAM MOUNT	700-343-00	POLICE DEPT. AUTO SU	PCRD-COMPUTER MOUNT FOR CR	75.35
	AT&T MOBILITY	700-211-00	POLICE DEPT. TELEPHO	PCRD-JAN CELL PHN & GEO TA	1,256.16
	SYMBOL ARTS	700-341-00	POLICE DEPT. MAT & S	CHALLENGE COINS	1,310.50
	STAPLES ADVANTAGE	700-341-00	POLICE DEPT. MAT & S	TOILET PAPER	307.19
	FRONTIER	700-211-00	POLICE DEPT. TELEPHO	304-001-6194-111398-4 POL	133.42
	TRAVELERS INSURANCE	700-226-00	POLICE DEPT. INSURAN	POLICE RADIOS ADDED	65.00
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	30,949.61
				TOTAL:	48,625.61
RE	JP MORGAN EQUIPMENT FINANCE	706-459-00	FIRE DEPT. CAPITAL O	APRIL 2024 FIRE TRK PYMT	3,678.20
	J T MARTIN COMPANY INC	706-216-00	FIRE DEPT. MAINTENAN	SRVC FEE FIRE EXT INSPECT	138.75
		706-216-00	FIRE DEPT. MAINTENAN	RECHARGE EXTINGUISHER	796.05
	AUTO ZONE	706-343-00	FIRE DEPT. AUTO SUPP	DEF FLUID	95.94
	BOUND TREE MEDICAL	706-341-00	FIRE DEPT. MATERIAL	PCRD-SYRINGE BLOOD PRESSUR	214.72
	DODSON BROS EXTERMINATING CO	706-341-00	FIRE DEPT. MATERIAL	MAR 2024 FIRE DEPT PEST CN	42.00
	WV PUBLIC EMPLOYEES RETIREME	706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	816.34
		706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	706.89
		706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	698.75
	WV CONSOLIDATED PUBLIC RETIR	706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	1,355.83
		706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	1,223.08
		706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	1,183.55
	INTERNAL REVENUE SERVICE	706-104-00	FIRE DEPT. FICA TAX	FICA WITHHELD AND MATCHED	1,344.66
		706-104-00	FIRE DEPT. FICA TAX	MEDICARE WITHHELD & MATCHE	314.47
	AMAZON.COM	706-341-00	FIRE DEPT. MATERIAL	PCRD-COPIER PAPER	119.14
		706-216-00	FIRE DEPT. MAINTENAN	PCRD-24VOLT SOLENOID	59.50
	NATIONAL REGISTRY EMT	706-221-00	FIRE DEPT. TRAINING	PCRD-EMT RECERT APP FEE	25.00
	AT&T MOBILITY	706-211-00	FIRE DEPT. TELEPHONE	PCRD-JAN CELL PHN & GEO TA	190.28
	FRONTIER	706-211-00	FIRE DEPT. TELEPHONE	472-2868-101915-4 FIRE	99.83
	STRYKER FLEX FINANCIAL	706-459-00	FIRE DEPT. CAPITAL O	LIFE PACK LEASE	7,001.45
	DESERT DIAMOND INDUSTRIES IN	706-341-00	FIRE DEPT. MATERIAL	PCRD-SAFETY BLADE	297.00
	EASTERN FIRE EQUIPMENT SERVI	706-341-00	FIRE DEPT. MATERIAL	PCRD-16 INCH BULLET RAKER	297.51
	PUBLIC SAFETY STORE	706-341-00	FIRE DEPT. MATERIAL	PCRD-HELMET BRACKET	18.64
	FIRE LAW GROUP	706-221-00	FIRE DEPT. TRAINING	PCRD-FLSA BOOTCAMP CLASS	150.00

ND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	21,687.88
				TOTAL:	42,555.46
REET	AIRGAS USA, LLC	750-341-00	STREET DEPT. MAT & S	ARGON CYL LEASE	109.00
	CAPITAL ELECTRIC	750-458-08	GATEWAY WEST GRANT E	STREET LIGHT	11,902.66
		750-458-08	GATEWAY WEST GRANT E	STREET LIGHT	348.34
	NAPA-AMTOWER AUTO SUPPLY	750-343-00	STREET DEPT. AUTO SU	BELT TENSIONER FOR S-11	99.18
	MICROSOFT STORE	750-341-00	STREET DEPT. MAT & S	PCRD-MICROSOFT OFFICE RENE	160.49
	HARBOR FREIGHT TOOLS	750-343-00	STREET DEPT. AUTO SU	PCRD-WINCH JUMPER CABLES 2	544.95
		750-341-00	STREET DEPT. MAT & S	PCRD-TAPE MEASURES	21.30
	FIRST COMMUNITY BANK	750-459-00	STREET DEPT. CAPITAL	APRIL 2024 CONCRETE TRK PY	2,676.44
	WV PUBLIC EMPLOYEES RETIREME	750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,215.85
		750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,152.16
		750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,162.57
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	461.68
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	449.10
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	468.68
	SYLVESTER W. LOWTHER	750-343-00	STREET DEPT. AUTO SU	HYD HOSE FOR S-1	63.11
	USA BLUE BOOK/ HD SUPPLY FAC	750-458-05	STREET DEPT. PROJECTS	16X22X6 PULL BOX EXTENSIO	438.20
	CITIZENS BANK OF WV	750-459-00	STREET DEPT. CAPITAL	STREET EPT EXCAVATOR PYMT	2,736.13
	WALMART STORES INC -BUCKHANN	750-341-00	STREET DEPT. MAT & S	PCRD-CALCULATOR GORILLA GL	286.89
	BENNYS BOOT HILL	750-345-00	STREET DEPT. UNIFORM	BOOTS FOR BRAD H	206.96
	INTERNAL REVENUE SERVICE	750-104-00	STREET DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,126.66
		750-104-00	STREET DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	263.50
	AMAZON.COM	750-343-00	STREET DEPT. AUTO SU	PCRD-EQUIP JUMP STARTER PA	192.40
	CORRIDOR H TIRE INC	750-343-00	STREET DEPT. AUTO SU	TIRES FOR S-1 4X4 BACKHOE	1,792.00
	HINKLE TRUCKING, INC.	750-458-05	STREET DEPT. PROJECTS	HAULING BULK CEMENT	634.20
	AT&T MOBILITY	750-211-00	STREET DEPT. TELEPHO	PCRD-JAN CELL PHN & GEO TA	412.62
	FRONTIER	750-211-00	STREET DEPT. TELEPHO	472-5755-101615-4 STREET	99.36
	GILLWARE INC	750-341-00	STREET DEPT. MAT & S	PCRD-FIXED EXTERNAL HARD D	1,929.35
	CINTAS	750-341-00	STREET DEPT. MAT & S	HARD SURFACE DISINFECT	7.16
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	18,124.81
				TOTAL:	49,085.75
REET LIGHTS	MON POWER	751-213-00	STREET LIGHTS	110 088 782 484 E MAIN ST	123.57
		751-213-00	STREET LIGHTS	110 100 156 733 107 E MAIN	131.44
		751-213-00	STREET LIGHTS	110 158 087 939 MAIN ST CA	7.21
				TOTAL:	262.22
TS-THEATRE	DODSON BROS EXTERMINATING CO	906-216-00	THEATRE MAINTENANCE/	MAR 2024 COLTHEATRE PEST C	100.00
	WV PUBLIC EMPLOYEES RETIREME	906-106-00	CAC RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	127.91
		906-106-00	CAC RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	170.52
	INTERNAL REVENUE SERVICE	906-104-00	CAC FICA	FICA WITHHELD AND MATCHED	7.44
		906-104-00	CAC FICA	FICA WITHHELD AND MATCHED	205.51
		906-104-00	CAC FICA	MEDICARE WITHHELD & MATCHE	1.74
		906-104-00	CAC FICA	MEDICARE WITHHELD & MATCHE	48.06
	AMAZON.COM	906-341-00	CAC SUPPLIES & EXPEN	PCRD-THEATRE CANDY CONCESS	35.50
		906-341-00	CAC SUPPLIES & EXPEN	PCRD-REMOTE CNTRL LIGHT SO	28.99
	HARTLEY: DAVID	906-341-00	CAC SUPPLIES & EXPEN	PROJECTOR & LIGHTS @ CAC	4,300.00
	MATOULA HARTLEY	906-341-00	CAC SUPPLIES & EXPEN	EVENT CENTER 3-20-24 REIMB	24.51

JND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	3,434.62
				TOTAL:	8,484.80
POCKERT YOUTH CENTER	BUCKHANNON UTIL BOARDS	907-213-00	UTILITIES	PCRD-SYCC MISC WASTE	10.00
	MON POWER	907-213-00	UTILITIES	110 084 592 119 SYC	584.97
		907-213-00	UTILITIES	110 084 767 208 79 E MAIN	9.69
	MOUNTAINEER GAS COMPANY	907-213-00	UTILITIES	383925-483167 70 E MAIN ST	1,190.23
	ACE HARDWARE & CONTRACTOR SU	907-356-00	YOUTH BASKETBALL	PCRD-BASKETBALL SCOREBOARD	95.97
	WV PUBLIC EMPLOYEES RETIREME	907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	233.08
		907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	211.24
		907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	227.44
		907-106-00	GROUP RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	190.17
		907-106-00	GROUP RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	180.56
		907-106-00	GROUP RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	353.69
	CASEYEARL'S	907-356-00	YOUTH BASKETBALL	PCRD-T SHIRTS	121.00
	WEBSTAIRANTSTORE	907-459-00	CAPITAL OUTLAY	PCRD-OVEN REPLACEMENT	3,384.52
	WALMART STORES INC -BUCKHANN	907-361-00	AFTER SCHOOL SUPPLIE	SCHOOL SUPPLY	96.19
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	4.00
		907-361-00	AFTER SCHOOL SUPPLIE	CLEANIG SUPPLIES	19.89
		907-361-00	AFTER SCHOOL SUPPLIE	SCHOOL SNACKS	7.72
	INTERNAL REVENUE SERVICE	907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	549.69
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	128.56
	AMAZON.COM	907-356-00	YOUTH BASKETBALL	PCRD-BUZZER SCOREBOARD	14.95
		907-356-00	YOUTH BASKETBALL	PCRD-AIR HORN	24.99
		907-356-00	YOUTH BASKETBALL	PCRD-NEW SCOREBOARD	419.96
	BROUGHTON'S SPORTS&TROPHY	907-356-00	YOUTH BASKETBALL	PCRD-MEDALS & AWARDS FOR B	1,552.90
	AT&T MOBILITY	907-211-00	TELEPHONES	PCRD-JAN CELL PHN & GEO TA	38.85
	SAMS CLUB	907-356-00	YOUTH BASKETBALL	PCRD-BASKETBALL CONCESSION	99.90
		907-356-00	YOUTH BASKETBALL	PCRD-BASKETBALL CONCESSION	318.68
		907-361-00	AFTER SCHOOL SUPPLIE	PCRD-AFTER SCHOOL SNACKS	327.10
	FRONTIER	907-211-00	TELEPHONES	473-0145-042701-4 SYC	308.66
	**PAYROLL EXPENSES			3/20/2024 - 3/31/2024	8,866.14
				TOTAL:	19,570.74
VENTION CENTER	A F WENDLING INC	910-341-00	EVENT CENTER SUPPLIE	CREAMER COFFEE CUPS	115.10
	USDA, RURAL DEVLEOPMENT	910-457-00	CONFERENCE CENTER PA CONF	CENTER APRIL 2024	3,351.00
	WV PUBLIC EMPLOYEES RETIREME	910-106-00	EVENT CENTER RETIREM	WV RETIRE TIER2 CONTRIBUTI	14.18
		910-106-00	EVENT CENTER RETIREM	WV RETIRE TIER2 CONTRIBUTI	163.18
	AT&T MOBILITY	910-213-00	UTILITIES-ADJUTANT G	PCRD-JAN CELL PHN & GEO TA	50.73
	WV ALCOHOL BEVERAGE CONTROL	910-341-00	EVENT CENTER SUPPLIE	ALCOHOL LICENSE APPLICATIO	500.00
	IDENTOGO	910-341-00	EVENT CENTER SUPPLIE	BACKGROUND CK RANDY SANDER	47.25
		910-341-00	EVENT CENTER SUPPLIE	BACKGROUND CK MATOULA HART	47.25
				TOTAL:	4,288.69
BLIC SAFETY	MON POWER	976-213-00	SAFETY COMPLEX UTILI	110 088 783 078 22 S FLORI	1,087.14
	MOUNTAINEER GAS COMPANY	976-213-00	SAFETY COMPLEX UTILI	383931-483167 20 S FLORIDA	1,171.23
	DODSON BROS EXTERMINATING CO	976-216-00	SAFETY COMPLEX MAINT	MAR 2024 POLICE PEST CNTRL	47.00
	USA CONTAINERS LLC	976-459-01	PUBLIC SAFETY TRAINI	PCRD-CONTAINERS	3,280.45
				TOTAL:	5,585.82

Reger/Thomas motioned to approve E.1, Approval of Minutes Regular Meeting 03/05/24, 03/21/24, Special Budget Work Sessions 02/14/24; 03/12/24, Joint Meeting Council & Planning Commission 01/11/24, and E.3, Payment of the Bills as presented in the meeting packet. The motion carried unanimously.

As presented in the meeting packet, Sanders/Thomas motioned to approve E.2 Approval of Building and Wiring Permits. The motion carried with Mr. Reger abstaining due to a conflict of interest.

F. Strategic Issues for Discussion and/or Vote.

F.1 Approval Ordinance No. 467 Increasing the City's Fire Protection Service Fees-1st Reading – Mayor Skinner recognized City Attorney Tom O'Neill, who read the proposed Ordinance No. 467 Increasing the City's Fire Protection Service Fees-1st Reading and explained all changes to the existing Fire Protection Fees. Discussion took place.

ORDINANCE NO. 467 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 390 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S FIRE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024

WHEREAS, the Council of the City of Buckhannon beginning March 21, 1966 through the enactment of Ordinances No. 137, 222, 225, and 390 has provided for the imposition and collection of fees for the City's Fire Department providing fire protection services throughout Buckhannon's corporate limits; and,

WHEREAS, the City of Buckhannon is specifically authorized pursuant to Chapter 8, Article 13, Section 13(a) of the West Virginia Code, as amended, to provide emergency fire service protection within the corporate limits of the City of Buckhannon and to impose by ordinance upon the users of the service such reasonable rates, fees, and charges to be collected in the manner specified by ordinance; and,

WHEREAS, the Council heretofore now desires to enact this Ordinance to increase the fees so charged, in light of the increased costs associated with providing fire protection services since the last time the Council considered this issue.

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

ARTICLE I – TITLE OF ORDINANCE: This Ordinance shall be known as the City of Buckhannon’s Fire Protection Service Fee Ordinance.

ARTICLE II - FINDINGS OF COUNCIL: The Council of the City of Buckhannon hereby makes the following findings:

(A) The City of Buckhannon has operated a municipal fire department for many decades, however, the City Council has not increased its fire protection service fees in Buckhannon since July 1, 2015.

(B) The City’s costs and expenses in providing the reasonable and necessary personnel, training, vehicles, and equipment to offer fire protection service for the community have increased substantially since that time.

(C) Previously, and at all times since July 1, 2015, the City’s fire protection service fees have been established on a flat rate basis for all residential properties, and on a revenue generated basis for commercial properties.

(D) The City Council now believes that the continuation of the flat rate fire service protection fee approach for all residential properties, and on the revenue generated approach for commercial properties continues to be the fairest and most equitable to the residents and businesses of the City of Buckhannon versus any other fee model.

(E) The express purpose and intention of this ordinance is to substantially increase the total revenues realized by the City of Buckhannon for providing fire protection services within the corporate limits.

ARTICLE III – DEFINITIONS:

For the purposes of this article, the following terms shall have the meaning respectively designated unless it is clear from the context that a different meaning is intended:

(A) “Residential unit structure” means any structure or unit which is used or intended by the nature of its construction to be used as a single-family dwelling by persons for living or sleeping quarters, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms.

(B) “Dual residential unit structure” means any structure or unit which is used or intended by the nature of its construction to be used as a two (separate) family dwelling by persons for living or sleeping quarters, and having only two units within such structure, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms. Such structure shall include but not be limited to duplexes.

(C) "Multiple-family residential unit structure" means a residential unit structure having more than two family dwellings or units within such structure. Such structure shall include but not be limited to apartment buildings, condominiums, townhouses or boarding houses. Such structure shall exclude hotels, motels, tourist homes, etc.

(D) "Nonresidential unit structure". All other buildings not included within the definitions of "residential unit structure". Such structures shall include, but not be limited to all commercial establishments, schools, government buildings, etc. If a structure has multiple uses such as residential and commercial, it will be classified as a non-residential unit.

(E) "Director of Finance" means the duly appointed Buckhannon Director of Finance and Administration.

(F) "Owner" means the owner of record of any lot, tract, or parcel of real estate within the City of Buckhannon, as evidenced by the records maintained in the Office of the Clerk of the County Commission of Upshur County, West Virginia, but may also include the grantee or transferee of any interest in any real estate situated within the City by unrecorded deed, or by an owner-financed sale evidenced by written agreement, such as a "land contract", provided that the parties to any such transaction are required to mutually and timely notify the Director of Finance as to which party to any such transaction shall be responsible for payment of any fire service fees due and payable pursuant to this Ordinance. In absence of any such agreement, the owner of record pursuant to the County Clerk's records shall be responsible for payment of the fees and charges established by this Ordinance.

(G) "Buckhannon City Fire Department" means the paid Fire Department of the City of Buckhannon and all firefighters serving as volunteers within said Department.

ARTICLE IV – FEE RATES: The City's Fire Protection Service Fees shall be charged as follows:

(A) RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A Fire Protection Fee of \$7.50 per month shall be charged against each dwelling house, mobile home, and apartment in the City of Buckhannon, whether occupied or not.

(2) For purposes of this Ordinance, any separate garage, outbuilding, or other structure used as part of any dwelling house, mobile home, or apartment and not separately occupied or used by persons other than those occupying the primary dwelling house, mobile home, or apartment shall be considered as part of the dwelling house, mobile home, or apartment and shall not subject to any additional charges hereunder.

(3) If any building or other structure is used or commences to become used exclusively for fraternity house, sorority house, dormitory, rooming house, hospital, nursing home, or rest home purposes, then a flat monthly fee of \$50.00 shall be charged to the property owner of record, and each separate building or other structure then shall be charged with the flat monthly fee, whether occupied or not.

(B) COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND ALL OTHER NON-RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A monthly fee based upon annual, gross receipts shall be levied against each occupied office or other business or commercial facility used for business or commercial purposes and against each occupied building or part of an occupied building used solely for one business or commercial purpose, with the fee being determined as follows:

<u>ANNUAL GROSS RECEIPTS</u>	<u>MONTHLY FIRE FEE</u>
\$50,000 and less	\$13.00
\$50,001 to \$150,000	\$19.00
\$150,001 to \$250,000	\$25.00
\$250,001 to \$500,000	\$38.00
\$500,001 to \$1,000,000	\$63.00
\$1,000,001 to \$2,500,000	\$88.00
\$2,500,001 and more	\$188.00

(2) If any commercial building or other structure is or becomes unoccupied, vacant, or abandoned, a flat monthly fee of \$15.00 is assessed against and shall be charged to the property owner of record.

(3) If any building or other structure is used or commences to become used exclusively for religious, charitable, educational, governmental, or other non-profit purposes, other than those buildings or structures identified in Article IV(A)(3) above, then a flat monthly fee of \$10.00 shall be charged to the property owner of record, and each separate building or other structure shall be charged with the flat monthly fee.

(4) For purposes of this Ordinance, the fees imposed by this Ordinance specifically include any hospital, nursing home, motel, hotel, religious, charitable, educational, governmental or non-profit organization.

(5) The owner of any commercial, industrial, or other non-residential building or structure situated in the City of Buckhannon with a state certified sprinkler system shall receive a monthly twenty-five percent (25%) discount on the charges for the commercial, industrial, or other non-residential building or structure. The burden shall be upon the owner of any commercial, industrial, or other non-residential building or structure to provide documented certification that such building or structure is equipped with a state certified sprinkler system, and until such time as documentation is provided, such building or structure shall not be deemed eligible for the twenty-five percent (25%) discount.

ARTICLE V – MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS:

(A) The service of fire protection shall be continued, maintained and improved by the City of Buckhannon Fire Department and City of Buckhannon Volunteer Fire Department, in part, at the charge and expense of the owners of all residential dwellings and non-residential dwellings included but not limited to commercial and industrial businesses, hospital, nursing home, religious, charitable, educational, governmental or non-profit organizations within the City of Buckhannon which said owners are declared to be users and beneficiaries of such fire protection services. The Fire Protection Service

Fee with respect of such users and beneficiaries shall be imposed, assessed and collected as set out in this Ordinance by the City of Buckhannon.

(B) All fees and charges for fire protection services shall be billed and collected by the Treasurer and shall not be pro-rated for less than thirty days.

(C) Charges for the fire protection service shall be billed on a monthly basis as determined and in accordance by the utility billing cycle for each individual property owner or alternatively, the other utility user.

(D) All revenues collected for the collection of the Fire Protection Service Fee shall be dedicated exclusively by the City to defray the cost of the continuance, maintenance, or improvement of fire protection within the City of Buckhannon, and no part of such revenue shall be used for any other purpose whatsoever.

(E) The fees or charges provided for by this Ordinance shall be deemed to be a debt due to the City. The City may collect any such fee or charge and all accrued penalties by action against the owner of property against whom the service charges have been assessed by action instituted before the Magistrate Court or Circuit Court of Upshur County, West Virginia.

(F) It shall be the responsibility of the owner or owners of all buildings and structures within the City to notify the Director of Finance of any change in ownership and other items requested by the Director of Finance within thirty (30) days of such change.

(G) OWNER PROTESTS: The owner of any such building above aggrieved by a charge or fee for fire protection service may protest the same by giving written notice to the Director of Finance or designee thereof setting forth their objections on or before thirty (30) days after the billing date. The Director of Finance shall render a decision within a reasonable time, giving notice in writing of the decision to all parties concerned. The amount, if any due the City under such decisions shall be due and payable thirty (30) days after service of the decision. Any person aggrieved by such administrative decision may within thirty (30) days from service of the decision file a petition duly verified with the Circuit Court of Upshur County, West Virginia, requesting review by certiorari, but otherwise, such decision shall be deemed to be final and conclusive.

(H) ADMINISTRATION:

(1) The Director of Finance or the Director of Finance's duly authorized representative is hereby empowered to make such rules and regulations not in conflict with the provisions of this Ordinance relative to the offering and providing of fire protection services as are necessary to protect the property or the safety or health of the public, and no persons shall fail to comply with any such rule and regulation so promulgated.

(2) The Director of Finance shall administer all sections of this Ordinance dealing with financing, billing, collection, etc.

(3) The Director of Finance is hereby authorized to adjust, settle or cancel any charge or fee required or made under this Ordinance or any controversy which may arise in the administration of this article. However, such exercise of authority by the Director of Finance shall be in a

uniform manner, and not exercised in an arbitrary or capricious manner and a written or electronic record shall be kept of any and all such adjustments, settlements or cancellations.

ARTICLE VI - Penalty for Non-Payment of Fire Protection Service Fee:

(A) It shall be unlawful for any person to refuse to pay the Fire Protection Service Fee provided for herein. It shall be each user's responsibility to pay any and all reasonable court costs and fees, for the collection of delinquent accounts.

(B) Delinquent Charges Penalty. Any charge for service remaining unpaid after the billing date of the utility bill shall be deemed delinquent and a late payment penalty of ten percent (10%) of the unpaid charge for that billing shall be assessed. In the event that any such delinquent charge remains unpaid for a reasonable period of time not exceeding six months, the delinquent fee shall be pursued through a civil action instituted before either the Upshur County Magistrate Court or Circuit Court as may be appropriate under the circumstances.

(C) Pursuant to Chapter 8, Article 13, Section 13 of the West Virginia Code as amended, and to facilitate collection of any unpaid and delinquent fire protection service fees due under this Ordinance, the City of Buckhannon shall be hereby authorized to file a lien in the Office of the Clerk of the County Commission of Upshur County, West Virginia, upon real property after providing written notice to the property owner, return receipt requested, that the City intends to file the lien unless the delinquency is paid by a specified date set forth in the notice, and which lien shall be filed not less than ninety (90) days from the date the notice is mailed by the City. The property owner shall have the right to appeal the City's notice to the Upshur County Circuit Court, which appeal must be filed before the date provided for in the notice.

(D) Any person whomsoever who fraudulently files information required pursuant to this Ordinance, for which no other penalty is provided, shall upon conviction in the City of Buckhannon Municipal Court be guilty of a misdemeanor offense, and shall be fined not more than Five Hundred Dollars (\$500).

ARTICLE VII - SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof that are not specifically determined to be unconstitutional or invalid.

ARTICLE VIII - EFFECTIVE DATE: This Ordinance shall be deemed effective beginning July 1, 2024.

FIRST READING:	April 4, 2024
SECOND READING	April 18, 2024
THIRD READING, PASSAGE AND ADOPTION:	May 2, 2024

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 467 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on May 2, 2024.

Randall H. Sanders, City Recorder

Thomas/Reger motioned to approve Ordinance No. 467, Increasing the City's Fire Protection Service Fees on the 1st Reading. The motion carried unanimously.

F.2 Approval Ordinance No. 468 Increasing the City's Police Protection Service Fees -1st Reading - Mayor Skinner recognized City Attorney Tom O'Neill, who read the proposed Ordinance No. 468 Increasing the City's Police Protection Service Fees -1st Reading. He explained all changes to the existing Police Protection Fees. Discussion took place.

ORDINANCE NO. 468 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 224 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S POLICE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024

WHEREAS, the Council of the City of Buckhannon beginning April 1, 1983 through the enactment of Ordinances Nos. 221 and 224 has provided for the imposition and collection of fees for the City's Police Department providing police protection services throughout Buckhannon's corporate limits; and,

WHEREAS, the City of Buckhannon is specifically authorized pursuant to Chapter 8, Article 13, Section 13(a) of the West Virginia Code, as amended, to provide emergency police service protection within the corporate limits of the City of Buckhannon and to impose by ordinance upon the users of the service such reasonable rates, fees, and charges to be collected in the manner specified by ordinance; and,

WHEREAS, the Council heretofore now desires to enact this Ordinance to increase the fees so charged, in light of the increased costs associated with providing police protection services since the last time the Council considered this issue.

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

ARTICLE I – TITLE OF ORDINANCE: This Ordinance shall be known as the City of Buckhannon's Police Protection Service Fee Ordinance.

ARTICLE II - FINDINGS OF COUNCIL: The Council of the City of Buckhannon hereby makes the following findings:

(A) The City of Buckhannon has operated a municipal police department for many decades, however, the City Council has not increased its police protection service fees in Buckhannon since April 1, 1983.

(B) The City's costs and expenses in providing the reasonable and necessary personnel, training, vehicles, and equipment to offer police protection service for the community have increased substantially since that time.

(C) Previously, and at all times since April 1, 1983, the City's police protection service fees have been established on a flat rate basis for all residential properties, and on a revenue generated basis for commercial properties.

(D) The City Council now believes that the continuation of the flat rate police service protection fee approach for all residential properties, and on the revenue generated approach for commercial properties continues to be the fairest and most equitable to the residents and businesses of the City of Buckhannon versus any other fee model.

(E) The express purpose and intention of this ordinance is to substantially increase the total revenues realized by the City of Buckhannon for providing police protection services within the corporate limits.

ARTICLE III – DEFINITIONS:

For the purposes of this article, the following terms shall have the meaning respectively designated unless it is clear from the context that a different meaning is intended:

(A) "Residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a single-family dwelling by persons for living or sleeping quarters, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms.

(B) "Dual residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a two (separate) family dwelling by persons for living or sleeping quarters, and having only two units within such structure, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms. Such structure shall include but not be limited to duplexes.

(C) "Multiple-family residential unit structure" means a residential unit structure having more than two family dwellings or units within such structure. Such structure shall include but not be limited to apartment buildings, condominiums, townhouses or boarding houses. Such structure shall exclude hotels, motels, tourist homes, etc.

(D) "Nonresidential unit structure". All other buildings not included within the definitions of "residential unit structure". Such structures shall include, but not be limited to all commercial establishments, schools, government buildings, etc. If a structure has multiple uses such as residential and commercial, it will be classified as a non-residential unit.

(E) "Director of Finance" means the duly appointed Buckhannon Director of Finance and Administration.

(F) "Owner" means the owner of record of any lot, tract, or parcel of real estate within the City of Buckhannon, as evidenced by the records maintained in the Office of the Clerk of the County Commission of Upshur County, West Virginia, but may also include the grantee or transferee of any interest in any real estate situated within the City by unrecorded deed, or by an owner-financed sale evidenced by written agreement, such as a "land contract", provided that the parties to any such transaction are required to mutually and timely notify the Director of Finance as to which party to any such

transaction shall be responsible for payment of any police service fees due and payable pursuant to this Ordinance. In absence of any such agreement, the owner of record pursuant to the County Clerk's records shall be responsible for payment of the fees and charges established by this Ordinance.

(G) "Buckhannon City Police Department" means the paid Police Department of the City of Buckhannon.

ARTICLE IV – FEE RATES: The City's Police Protection Service Fees shall be charged as follows:

(A) RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A Police Protection Fee of \$5.00 per month shall be charged against each dwelling house, mobile home, and apartment in the City of Buckhannon, whether occupied or not.

(2) For purposes of this Ordinance, any separate garage, outbuilding, or other structure used as part of any dwelling house, mobile home, or apartment and not separately occupied or used by persons other than those occupying the primary dwelling house, mobile home, or apartment shall be considered as part of the dwelling house, mobile home, or apartment and shall not subject to any additional charges hereunder.

(3) If any building or other structure is used or commences to become used exclusively for fraternity house, sorority house, dormitory, rooming house, hospital, nursing home, or rest home purposes, then a flat monthly fee of \$50.00 shall be charged to the property owner of record, and each separate building or other structure then shall be charged with the flat monthly fee, whether occupied or not.

(B) COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND ALL OTHER NON-RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A monthly fee based upon annual, gross receipts shall be levied against each occupied office or other business or commercial facility used for business or commercial purposes and against each occupied building or part of an occupied building used solely for one business or commercial purpose, with the fee being determined as follows:

<u>ANNUAL GROSS RECEIPTS</u>	<u>MONTHLY POLICE FEE</u>
\$50,000 and less	\$8.00
\$50,001 to \$150,000	\$16.00
\$150,001 to \$250,000	\$20.00
\$250,001 to \$500,000	\$30.00
\$500,001 to \$1,000,000	\$40.00
\$1,000,001 to \$2,500,000	\$50.00
\$2,500,001 and more	\$167.00

(2) If any commercial building or other structure is or becomes unoccupied, vacant, or abandoned, a flat monthly fee of \$15.00 is assessed against and shall be charged to the property owner of record.

(3) If any building or other structure is used or commences to become used exclusively for religious, charitable, educational, governmental, or other non-profit purposes, other than those buildings or structures identified in Article IV(A)(3) above, then a flat monthly fee of \$10.00 shall be charged to the property owner of record, and each separate building or other structure shall be charged with the flat monthly fee.

(4) For purposes of this Ordinance, the fees imposed by this Ordinance specifically include any hospital, nursing home, motel, hotel, religious, charitable, educational, governmental or non-profit organization.

ARTICLE V – MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS:

(A) The service of police protection shall be continued, maintained and improved by the City of Buckhannon Police Department, in part, at the charge and expense of the owners of all residential dwellings and non-residential dwellings included but not limited to commercial and industrial businesses, hospital, nursing home, religious, charitable, educational, governmental or non-profit organizations within the City of Buckhannon which said owners are declared to be users and beneficiaries of such police protection services. The Police Protection Service Fee with respect of such users and beneficiaries shall be imposed, assessed and collected as set out in this Ordinance by the City of Buckhannon.

(B) All fees and charges for police protection services shall be billed and collected by the Treasurer and shall not be pro-rated for less than thirty days.

(C) Charges for the police protection service shall be billed on a monthly basis as determined and in accordance by the utility billing cycle for each individual property owner or alternatively, the other utility user.

(D) All revenues collected for the collection of the Police Protection Service Fee shall be dedicated exclusively by the City to defray the cost of the continuance, maintenance, or improvement of police protection within the City of Buckhannon, and no part of such revenue shall be used for any other purpose whatsoever.

(E) The fees or charges provided for by this Ordinance shall be deemed to be a debt due to the City. The City may collect any such fee or charge and all accrued penalties by action against the owner of property against whom the service charges have been assessed by action instituted before the Magistrate Court or Circuit Court of Upshur County, West Virginia.

(F) It shall be the responsibility of the owner or owners of all buildings and structures within the City to notify the Director of Finance of any change in ownership and other items requested by the Director of Finance within thirty (30) days of such change.

(G) OWNER PROTESTS: The owner of any such building above aggrieved by a charge or fee for police protection service may protest the same by giving written notice to the Director of Finance or designee thereof setting forth their objections on or before thirty (30) days after the billing date. The Director of Finance shall render a decision within a reasonable time, giving notice in writing of the decision to all parties concerned. The amount, if any due the City under such decisions shall be due and payable thirty (30) days after service of the decision. Any person aggrieved by such administrative

decision may within thirty (30) days from service of the decision file a petition duly verified with the Circuit Court of Upshur County, West Virginia, requesting review by certiorari, but otherwise, such decision shall be deemed to be final and conclusive.

(H) ADMINISTRATION:

(1) The Director of Finance or the Director of Finance's duly authorized representative is hereby empowered to make such rules and regulations not in conflict with the provisions of this Ordinance relative to the offering and providing of police protection services as are necessary to protect the property or the safety or health of the public, and no persons shall fail to comply with any such rule and regulation so promulgated.

(2) The Director of Finance shall administer all sections of this Ordinance dealing with financing, billing, collection, etc.

(3) The Director of Finance is hereby authorized to adjust, settle or cancel any charge or fee required or made under this Ordinance or any controversy which may arise in the administration of this article. However, such exercise of authority by the Director of Finance shall be in a uniform manner, and not exercised in an arbitrary or capricious manner and a written or electronic record shall be kept of any and all such adjustments, settlements or cancellations.

ARTICLE VI - Penalty for Non-Payment of Police Protection Service Fee:

(A) It shall be unlawful for any person to refuse to pay the Police Protection Service Fee provided for herein. It shall be each user's responsibility to pay any and all reasonable court costs and fees, for the collection of delinquent accounts.

(B) Delinquent Charges Penalty. Any charge for service remaining unpaid after the billing date of the utility bill shall be deemed delinquent and a late payment penalty of ten percent (10%) of the unpaid charge for that billing shall be assessed. In the event that any such delinquent charge remains unpaid for a reasonable period of time not exceeding six months, the delinquent fee shall be pursued through a civil action instituted before either the Upshur County Magistrate Court or Circuit Court as may be appropriate under the circumstances.

(C) Pursuant to Chapter 8, Article 13, Section 13 of the West Virginia Code as amended, and to facilitate collection of any unpaid and delinquent police protection service fees due under this Ordinance, the City of Buckhannon shall be hereby authorized to file a lien in the Office of the Clerk of the County Commission of Upshur County, West Virginia, upon real property after providing written notice to the property owner, return receipt requested, that the City intends to file the lien unless the delinquency is paid by a specified date set forth in the notice, and which lien shall be filed not less than ninety (90) days from the date the notice is mailed by the City. The property owner shall have the right to appeal the City's notice to the Upshur County Circuit Court, which appeal must be filed before the date provided for in the notice.

(D) Any person whomsoever who fraudulently files information required pursuant to this Ordinance, for which no other penalty is provided, shall upon conviction in the City of Buckhannon

Municipal Court be guilty of a misdemeanor offense, and shall be fined not more than Five Hundred Dollars (\$500).

ARTICLE VII - SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof that are not specifically determined to be unconstitutional or invalid.

ARTICLE VIII - EFFECTIVE DATE: This Ordinance shall be deemed effective beginning July 1, 2024.

FIRST READING:	April 4, 2024
SECOND READING	April 18, 2024
THIRD READING, PASSAGE AND ADOPTION:	May 2, 2024

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 468 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on May 2, 2024.

Randall H. Sanders, City Recorder

Thomas/Sanders motioned to approve Ordinance No. 468, Increasing the City’s Police Protection Service Fees, on the first Reading with the appropriate changes by the City Attorney on Page 6, section 5. The motion carried unanimously.

F.3 FEMA Flood Mitigation Assistance Swift Current Program—Mayor Skinner recognized City Engineer Jay Hollen, who provided an overview of the FEMA Flood Mitigation Assistance Swift Current Program. All information is included in the meeting packet. Discussion took place, and it was determined to table the matter so that some clarification on how FEMA and the City of Buckhannon will handle the funding could be provided.

Swift Current

The Flood Mitigation Assistance Swift Current (Swift Current) effort provides funding to mitigate buildings insured through the [National Flood Insurance Program \(NFIP\)](#) after a major disaster declaration following a flood-related disaster event to reduce risk against future flood damage.

The full funding opportunity announcement is available on [Grants.gov](#).

Funds will be made available to states, territories, and federally recognized tribal governments that receive a major disaster declaration following a flood-related disaster event and meet all other eligibility criteria. Swift Current is not available to all property owners and aims to provide flood mitigation funding for buildings with a current contract for flood insurance under the National Flood Insurance Program (NFIP) and a history of repetitive or substantial damage from flooding.

The total funding available for Fiscal Year 2023 is \$300 million, which was made possible through an infusion of dollars by the Infrastructure Investment and Jobs Act (IIJA), better known as [Bipartisan Infrastructure Law \(BIL\)](#). The figure below provides an illustrative overview of the key steps in the Swift Current process.

Swift Current funds Individual Flood Mitigation Projects for Flood Mitigation Assistance and/or NFIP-defined Repetitive Loss (RL), Severe Repetitive Loss (SRL), or properties deemed Substantially Damaged after the applicant's disaster declaration incident period start date.

Eligible Individual Flood Mitigation Projects include the following project types which may be referenced in the [Hazard Mitigation Assistance Program and Policy Guide](#):

- Property acquisition and structure demolition/relocation
- Structure elevations
- Dry floodproofing of historic residential structures or non-residential structures
- Non-structural retrofitting of existing structures and facilities
- Mitigation reconstruction
- Structural retrofitting of existing structures

Structures included in Individual Flood Mitigation Project subapplications must be Flood Mitigation Assistance and/or NFIP-defined Severe Repetitive Loss properties, Repetitive Loss properties, or properties that were deemed Substantially Damaged after the applicant's disaster declaration incident period start date.

- Buildings identified in the subapplication must have a National Flood Insurance Program policy in effect at the application start date and must maintain it through completion of the flood hazard mitigation activity and for the life of the structure.
- Buildings included in Individual Flood Mitigation Project subapplications must be Flood Mitigation Assistance and/or NFIP-defined Severe Repetitive Loss properties, Repetitive Loss properties, or properties that were deemed Substantially Damaged after the applicant's disaster declaration incident period start date. Please see Table 2 below for applicable definitions.

Cost share is required for most subapplications funded under Swift Current. FEMA may contribute the federal cost share funding as indicated below. These are the definitions for Flood Mitigation Assistance and National Flood Insurance Program insured properties.

The Swift Current availability window refers to when FEMA will accept applications and differs from the application submission deadline. Applications can be submitted for major disaster declarations between June 1, 2023 – May 31, 2024.

- Availability window start date: Nov. 15, 2023
- Disaster Declaration Deadline: May 31, 2024; the application submission deadline will vary depending on the activation criteria met and disaster declaration date. Refer to [Table 1](#) for additional information.
- The eligibility period refers to the time that the applicant may submit subapplications to Swift Current. The eligibility period start date will vary by applicant. Refer to Table 1 for more information.

Upon Swift Current activation, the application deadline date will be provided to the applicant. All applications must be received by the deadline. Subapplicants should consult with their applicant agency to confirm subapplication deadlines.

McCauley/Reger motioned to table action \on the FEMA Flood Mitigation Assistance Swift Current Program. The motion carried unanimously.

G. Comments and Announcements

G.1 Pamela Bucklew: Mrs. Bucklew was absent.

G.2 David McCauley: Mr. McCauley reiterated that we take our action on the Fire and Police fees very seriously and that the action is to assist with a limited general budget.

G.3 Jack Reger: Mr. Reger had nothing further.

G.4 Dave Thomas: Mr. Thomas had nothing further.

G.5 CJ Rylands: Mr. Rylands was absent.

G.6 Randall Sanders: Mr. Sanders provided a review of recent news releases regarding regular mowing, keeping grass out of the streets, and regulations regarding swimming pools. He also spoke about the upcoming Upshur County project involving demolishing buildings.

The Upshur County Commission has contracted with Reclaim Company, LLC, to demolish the 3-story structure at 18 S Locust Street, Buckhannon, on Monday, April 8th, beginning at approximately 8:00 AM and continuing until 4:00 PM.

For public safety, the northbound lane of S Locust Street will be closed during demolition. Flaggers will be in place to alternate the traffic flow. Chancery Street will be closed in the area of the demolition. Franklin Street will be closed at S Locust Street. An alternate route north is S Kanawha Street to Main Street. Weather or other unforeseen conditions may cause the date or times to change.

VIPS and CERT volunteers will be assisting with traffic during the closure.

NIXLE alerts will go out to the community on Friday and Monday morning and be shown on the VIPS, CERT, and DHSEM Facebook pages.

H. Mayor's Comments and Announcements: Mayor Skinner spoke about the recently awarded contract for mowing city properties and noted that mowing will be commencing immediately. He also reported on the flooding and damaging weather patterns across our state and asked that we keep our friends and neighbors throughout West Virginia in our thoughts and prayers.

J. Adjournment

At 8:09 PM, Mayor Skinner adjourned the meeting.

Mayor Robert N. Skinner III

City Recorder Randall H. Sanders
