

AGENDA FOR THE REGULAR MEETING OF  
PARKERSBURG CITY COUNCIL FOR TUESDAY,  
JULY 22, 2014, 7:30 PM, SECOND FLOOR  
COUNCIL CHAMBERS, MUNICIPAL BUILDING

PRAYER AND PLEDGE OF ALLEGIANCE

- I. CALL TO ORDER – Council President, John Rockhold
- II. ROLL CALL
- III. MINUTES – meeting held July 8, 2014
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. RESOLUTION
  1. Resolution stating that Council meetings in August shall be August 5<sup>th</sup> and August 26<sup>th</sup>, 2014. (Sponsored by all members of City Council)
  2. Resolution authorizing Mayor Robert Newell to submit a grant to the JAG Program in the amount of \$62,370.00 (\$20,713.00 will be used for the Wood County Sheriff's Department.) Sponsored by Councilmen Carpenter, Lynch, Rockhold, and Coram.)
- VIII. ORDINANCE, FINAL (OR SECOND) READING:
  3. (Second Reading) An ordinance authorizing the acquisition of vehicles and equipment of not more than \$1,000,000.00 in Waterworks and Sewerage System Revenue Bonds, Series 2014A. (Sponsored by the Finance Committee of City Council)
  4. An ordinance creating and establishing a multi-family dwelling construction and revitalization Business and Occupation Tax Credit Program. (Sponsored by the Finance Committee of City Council.)
  5. An ordinance amending and re-enacting Section 779.42, Vacant Building Revitalization Business and Occupation tax credit program of the City of Parkersburg. (Sponsored by the Finance Committee of City Council.)
  6. An ordinance reclassifying the Public Safety Tele-Communicator in the Police Department from H-6 to H-8. (Sponsored by all members of Council)

**IX. ORDINANCE, FIRST READING:**

7. An ordinance amending Section 2, Membership; Vacancies, of Article 165, City Tree Commission to change the membership to eight (8) members. (Sponsored by Councilmen Coram, Rockhold, Lynch, Reed and Reynolds)

8. An ordinance amending the City's Personnel Policy and Procedure Manual, Section X, paragraph (f) changing the rate the City pays to the WV Consolidated Public Retirement System to fourteen (14)%; and for civil service employees hired on or after January 1, 2010, they will deduct 9 ½% for the Firemen's and Policemen's Pension Funds, pursuant to West Virginia Code. (Sponsored by the Personnel Committee)

**X. MISCELLANEOUS**

9. Communication from the Mid Ohio Valley Health Department documenting the Clinical and Oral Health Fee increases. (receive and file)

**XI. ADJOURNMENT**

**NOTE – our next Council meeting will be Tuesday, August 5, 2014 at 6:30 PM.**

The Council of the City of Parkersburg met in regular session Tuesday, July 8, 2014, at 7:30 PM in the Council Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg, WV 26101. Councilman John Kelly led the Lord's Prayer and Pledge of Allegiance prior to the beginning of the meeting. All attending participated in a moment of silence for safety to our citizens during the rain and wind storm this afternoon.

The meeting was called to order by Council President, John Rockhold, who presided over the meeting. The clerk noted the attendance and those present included Councilmen Nancy Wilcox, Sharon Lynch, Roger Brown, Kim Coram, JR Carpenter, John Kelly, Jim Reed, and John Rockhold. Councilman Mike Reynolds was absent.

MINUTES – Mr. Reed moved, seconded by Mr. Carpenter, to dispense with the reading of the journal and approve the minutes from the meeting held June 24, 2014, and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Councilwoman Sharon Lynch reported that the Personnel Committee met this evening prior to Council and sent forth two items on the agenda this evening concerning our deferred compensation plan, and the reclassification of our tele-communicator in the police department from H-6 to H-8.

MESSAGE FROM THE EXECUTIVE – Mayor Robert Newell updated City Council on plans and projects the first six months of 2014. Today we had a storm come through our city leaving trees down and electricity out for parts of our City. Our day shift was out and he called in the night shift early, but it will be a few days before everything is back to normal. We did have an injury in the City Park, and one person has died. 15,000 are without electric in our surrounding area and 57,000 state-wide, he said.

The second phase of the baseball study has been delayed because of another possible site for the field on Lee's Hill off Rt. 47; the Home Rule Committee in Charleston will consider Parkersburg's proposal for Home Rule on August 11<sup>th</sup> in Wheeling; the WV Port Authority will meet in July and approve our area as a provisional authority, and he will ask Council to approve an agreement later on; he is also trying to get Parkersburg a transitional boat dock at Point Park; the Viet Nam traveling wall is coming back to City Park over Labor Day week-end, with Greg Smith leading that committee; he met with the National Guard about demolitions, and the Housing Development Fund; we have \$275,000.00 to be reused from CDBG; the funding for the Pond Run Bridge has been approved and will come to City Council later; we have been approved for \$220,000.00 for Avery Street Enhancement from 7<sup>th</sup> to 13<sup>th</sup> Street; our bike trail is about 75% finished; Highmark granted \$10,000.00 for educational gardens at Point Park Market Place and also a green house; the 36 unit high rise on Emerson Avenue will start soon, Union Trust Bank started construction on the first floor.

PUBLIC FORUM – Ms. Cindy Carpenter, 2405 27<sup>th</sup> Avenue, told Council she was in support of doing something with abandoned houses in our City. There is a house at 2404 27<sup>th</sup> Avenue that has been empty for five years, and there weeds and trees and limbs out of control. This is decreasing the value of other properties, and not good for people who want to move into our area.

Ms. Lynch thanked Ms. Carpenter for coming this evening. She said she had pictures of that area on 27<sup>th</sup> Avenue and the other houses are well-kept with the exception of 2404.

Attorney John Stump, representing the Parkersburg Utility Board, appeared concerning the third reading of the \$13,700,000.00 bond ordinance on the agenda this evening. He told them the next step would be a supplemental resolution which would come to Council in August or September. No further increases are required, he said.

#### RESOLUTION

The clerk presented a resolution amending the City's Nationwide 457 Deferred Compensation Plan to add a loan program provision.

MOTION – Mr. Reed moved, seconded by Mr. Carpenter, to adopt the resolution, and the motion was adopted by unanimous vote.

#### RESOLUTION

#### RESOLUTION CHANGING THE SCOPE OF ACTIVITIES FOR GRANT FOR THE PARKERSBURG ART CENTER

WHEREAS, on June 11, 2013, Parkersburg City Council adopted a resolution authorizing Mayor Robert Newell to sign a grant agreement from the West Virginia Development Office for a Community Participation Grant in the amount of \$9,000.00 for the Parkersburg Art Center; and

WHEREAS, the purpose of the grant was to upgrade the ventilation system in the Clay Lab and to rehab the men's restroom on the 3<sup>rd</sup> floor to make it ADA compliant; and

WHEREAS, those funds have been expended and those projects completed, with \$700.00 remaining; and

WHEREAS, the Parkersburg Art Center desires to purchase a carpet cleaner with that remaining \$700.00 and is requesting a time extension for a scope/activity change;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City of Parkersburg request this Renewal of Contract for Project #13LEDA0744, and authorizes Mayor Robert D. Newell to sign any required contract amendment.

MOTION – Mr. Kelly moved, seconded by Ms. Wilcox to adopt the resolution, and the motion was adopted by unanimous vote

CASTO & HUNTER, INC., SPENCER, WV REG-ORDER NO. 12275-13

**RESOLUTION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Mr. George B. Zivkovich, 26 Willowbrook Drive, Parkersburg, WV be re-appointed as an Administrative Law Judge for the City of Parkersburg for a term to end June 10, 2017.

MOTION – Mr. Carpenter moved, seconded by Ms. Wilcox, to adopt the resolution, and the motion was adopted by unanimous vote.

**RESOLUTION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Finance Director be authorized to revise the Adopted Budget for FY 2014-15 to reflect the budgeted for Contributions from Capital Reserve for salaries for the sidewalk project.

**GENERAL FUND**

REVENUES			DEBIT	CREDIT
Fund	Account	Description	Decrease	Increase
001 369	000-000	Contribution – Cap Reserve		\$70,000.00
		Net Increase/(Decrease) Revenues		\$70,000.00

**EXPENDITURES**

Fund	Dept.	Account	Description	Increase	Decrease
001 750	Streets	103-315	Salaries Other	\$70,000.00	
			Net Increase/(Decrease) Expenditures	\$70,000.00	

MOTION – Ms. Wilcox moved, seconded by Mr. Reed, to adopt the resolution, and the motion was adopted by unanimous vote.

**ORDINANCE, FINAL READING:**

**THE CITY OF PARKERSBURG**

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING SEWERAGE PORTION OF THE COMBINED WATERWORKS AND SEWERAGE SYSTEM OF THE CITY OF PARKERSBURG AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE BY THE CITY OF PARKERSBURG OF NOT MORE THAN \$13,700,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2014 B (WEST VIRGINIA INFRASTRUCTURE FUND); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A LOAN AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PARKERSBURG:

**ARTICLE I**

**STATUTORY AUTHORITY, FINDINGS AND DEFINITIONS**

Section 1.01. Authority for this Ordinance. This Ordinance (together with any ordinance, order or resolution supplemental hereto or amendatory hereof, the "Bond Legislation") is enacted pursuant to the provisions of Chapter 8, Article 20 and Chapter 31, Article 15A of the West Virginia Code of 1931, as amended (collectively, the "Act"), and other applicable provisions of law.

Section 1.02. Findings. It is hereby found, determined and declared that:

A. The City of Parkersburg (the "Issuer") is a municipal corporation and political subdivision of the State of West Virginia in Wood County of said State.

B. The Issuer presently owns and operates, through the City of Parkersburg Utility Board (the "Board") a combined municipal waterworks and sewerage system. However, it is deemed necessary and desirable for the health and welfare of the inhabitants of the Issuer that there be acquired and constructed certain additions, betterments and improvements to the existing sewerage portion of the System of the Issuer, consisting of additional grit washing, modifications to the existing primary clarifiers and new primary sludge pumping; additional primary effluent pumping; a new 105-foot diameter secondary clarifier with direct suction sludge removal; additional centrifugal return activated sludge pumping; a new aerobic digestion/waste activated sludge ("WAS") storage tank with medium bubble membrane diffusers and submersible mixing; additional WAS/thickened WAS pumping; a positive displacement aerobic digester blower; modifications to the existing anaerobic digesters, including the addition of linear motion mixing; digester gas piping replacement and new digester gas handling equipment; a new digester gas burning boiler; a new submersible process drainage pumping station; a new compressed air system; a new vector truck dump station with integral submersible pumping station, demolition of the existing gravity thickeners, rotating biological contactors ("RBC"), RBC clarifiers, primary sludge pumping equipment, generators, and digester gas piping and conditioning equipment, together with all necessary appurtenances (collectively, the "Project") (the existing combined waterworks and sewerage system of the Issuer, the Project and any further additions, betterments and improvements thereto are herein called the "System"), in accordance with the plans and specifications prepared by the Consulting Engineers, which plans and specifications have heretofore been filed with the Issuer.

C. The Issuer intends to permanently finance the costs of acquisition and construction of the Project through the issuance of its revenue bonds to the West Virginia Water Development Authority (the "Authority"), which administers the West Virginia Infrastructure Fund (the "Infrastructure Fund") for the West Virginia Infrastructure and Jobs Development Council (the "Council"), all pursuant to the Act.

D. It is deemed necessary for the Issuer to issue its Combined Waterworks and Sewerage System Revenue Bonds, in the total aggregate principal amount of not more than \$13,700,000 in one or more series initially planned to be the Combined Waterworks and Sewerage System Revenue Bonds, Series 2014 B (West Virginia Infrastructure Fund) in the aggregate principal amount of not more than \$13,700,000 (the "Series 2014 B

NOTE: Pages 26-30 ARE THE BOND ORD.  
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CASTO & HARRIS, INC., SPENCER, WV REG-ORDER NO. 12275-13

AMOUNT	DATE	AMOUNT	DATE
(1) \$	(19)		
(2)	(20)		
(3)	(21)		
(4)	(22)		
(5)	(23)		
(6)	(24)		
(7)	(25)		
(8)	(26)		
(9)	(27)		
(10)	(28)		
(11)	(29)		
(12)	(30)		
(13)	(31)		
(14)	(32)		
(15)	(33)		
(16)	(34)		
(17)	(35)		
(18)	(36)		

MOTION – Mr. Reed moved, seconded by Mr. Kelly, to adopt the ordinance on third and final reading.

PUBLIC HEARING – Council President Rockhold opened the floor for a public hearing on this ordinance at 7:50 PM. No one appeared, and the hearing was closed at 7:51 PM.

VOTE – the motion was adopted by unanimous vote.

**ORDINANCE, FIRST READING:**

AN ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE COMBINED SYSTEM OF THE CITY OF PARKERSBURG AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$1,000,000.00 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2014A, PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS, AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; AND AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO

MOTION – Mr. Reed moved, seconded by Ms. Coram, to adopt the ordinance on first reading, and the motion was adopted by unanimous vote.

**ORDINANCE, FIRST READING:**

AN ORDINANCE CREATING AND ESTABLISHING A MULTI-FAMILY DWELLING CONSTRUCTION AND REVITALIZATION BUSINESS AND OCCUPATION TAX CREDIT PROGRAM

MOTION – Mr. Kelly moved, seconded by Mr. Reed, to adopt the ordinance on first reading, and the motion was adopted by unanimous vote.

**ORDINANCE, FIRST READING:**

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 779.42, VACANT BUILDING REVITALIZATION BUSINESS AND OCCUPATION TAX CREDIT PROGRAM OF THE CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG

MOTION – Mr. Carpenter moved, seconded by Mr. Kelly, to adopt the ordinance on first reading, and the motion was adopted by unanimous vote.

## ORDINANCE, FIRST READING:

AN ORDINANCE AMENDING AND RE-ENACTING  
THE CITY OF PARKERSBURG PERSONNEL  
POLICY AND PROCEDURE MANUAL

MOTION – Ms. Lynch moved, seconded by Mr. Reed, to adopt the ordinance on first reading, and the motion was adopted by unanimous vote.

## ORDINANCE, FIRST READING:

AN ORDINANCE AMENDING AND RE-ENACTING SECTIONS  
335.03, 373.06 AND 373.13 OF THE CODIFIED ORDINANCES  
OF THE CITY OF PARKERSBURG  
(bicycles)

MOTION – Ms. Coram moved, seconded by Mr. Reed, to adopt the ordinance on first reading.

City Attorney, Joe Santer, distributed a more detailed section of 373.06 for Council's consideration.

MOTION TO REFER – Mr. Kelly moved, seconded by Mr. Brown, to refer the ordinance to the public works committee. The motion was adopted by majority vote with all members voting "yes" with the exception of Ms. Coram, Mr. Carpenter and Mr. Rockhold, who voted "no".

The meeting adjourned at 7:55 PM.

  
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council President

## RESOLUTION

WHEREAS, the City of Parkersburg is a member of the West Virginia Municipal League with three voting members on the Board of Directors; and

WHEREAS, the annual conference for the League meeting this year begins with committee meetings on Tuesday evening, August 12, 2014, our scheduled meeting night;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Council meetings for August shall be August 5, 2014 and August 26, 2014. (The August 5th meeting will be 6:30 PM.)

Sponsored by Councilmen Rockhold, Reed, Lynch, Kelly,

## RESOLUTION

WHEREAS, the Byrne Justice Assistance Grant (JAG) Program assists local governments to enhance law enforcement capabilities; and

WHEREAS, the JAG Program helps to fund a variety of efforts to ensure that local communities have the tools and equipment necessary to build safer communities; and

WHEREAS, the City of Parkersburg has been allocated a direct award of \$62,370.00 from the JAG Program for FY 2014.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Parkersburg that Mayor Robert D. Newell be and hereby is authorized to submit a grant to the JAG Program for the purchase of a Morpho Trak Live Scan System, and a Radio Communication Repeater for the City of Parkersburg. While, \$20,713.00 will be used to purchase Taser Handles, Holsters, Battery Packs, and Cartridges for the Wood County Sherriff's Department.

Sponsored by: Councilmen Carpenter, Lynch, Rockhold, and Coram.

**BOND ORDINANCE**

**THE CITY OF PARKERSBURG**

ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE COMBINED SYSTEM OF THE CITY OF PARKERSBURG AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$1,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2014 A; PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; AND AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PARKERSBURG:

**ARTICLE I**

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Section 1.01. Authority for this Ordinance. This Ordinance (together with any ordinance, order or resolution supplemental hereto or amendatory hereof, the "Bond Legislation") is enacted pursuant to the provisions of Chapter 8, Article 20 of the West Virginia Code of 1931, as amended (collectively, the "Act"), and other applicable provisions of law.

Section 1.02. Findings. It is hereby found, determined and declared that:

A. The City of Parkersburg (the "Issuer") is a municipal corporation and political subdivision of the State of West Virginia in Wood County of said State.

B. The Issuer presently owns and operates through the Parkersburg Utility Board (the "Board") a public combined waterworks and sewerage system. It is deemed necessary and desirable for the health and welfare of the inhabitants of the Issuer that there be acquired pickup trucks, dump truck, jet/vac truck, backhoes, and other rolling stock and equipment to be utilized for the operation and maintenance of the combined waterworks and sewerage system, (collectively, the "Project"), (the existing public combined waterworks and sewerage system of the Issuer, the Project and any further additions, betterments and improvements thereto are herein called the "System").

*53 PAGE DOCUMENT,  
REVIEW IN CLERKS OFFICE.*

**An Ordinance Creating and Establishing a Multi-Family Dwelling Construction and Revitalization Business and Occupation Tax Credit Program**



Whereas the City of Parkersburg wishes to create and establish a Business and Occupation Tax Credit Program for the purpose of encouraging the new construction and rehabilitation and revitalization of existing multi-family dwellings within the City; and

Whereas such a program is intended to both promote the growth of business and provide new as well as revitalize and rehabilitate existing multi-family dwellings within the City.

Now Therefore Be It Ordained By the Council of the City of Parkersburg that a Multi-Family Dwelling Construction and Revitalization Business and Occupation Tax Credit Program be and it is hereby created and established as follows:

See Program attached hereto and made a part hereof

Sponsored by Councilmen:

MULTI – FAMILY DWELLING CONSTRUCTION AND REVITALIZING BUSINESS AND OCCUPATION TAX CREDIT PROGRAM

(a) Purpose. The purpose of this program is to encourage the new construction and rehabilitation or revitalization of existing multi-family dwellings in the City of Parkersburg and is intended as an incentive to new occupancies and business growth through a business and occupation tax credit.

(b) Definition.

(1) A multi-family dwelling means a residential building designed for occupancy by two families in separate dwelling units, each having separate kitchen and restroom facilities;

(2) Construction, rehabilitation and revitalization means capital investment in a multi-family dwelling to newly construct or to improve or modernize such dwelling and which new construction, improvement or modernization has a useful life of at least five (5) years at the time it is placed into service or use.

(c) Qualifying Requirements and Amount of Credit.

(1) A business shall be deemed eligible which newly constructs a multi-family dwelling or rehabilitates and revitalizes an existing multi-family dwelling and which multi-family dwelling is located within the City of Parkersburg. There is specifically excepted from this program any existing single family dwelling that is later converted to a multi-family dwelling.

(2) The tax credit may only be taken when an otherwise qualifying business files the required business and occupation tax return on or before the required due date. If said return is not filed timely then the credit will be disallowed for the time period in which the return is delinquent.

(3) The maximum credit allowed shall not exceed the total cost of the capital investment made in the construction, rehabilitation, revitalization or modernization of the multi-family dwelling

(4) The qualifying business shall submit an application to the Finance Director of the City for preliminary approval prior to the completion of its construction, rehabilitation or revitalization project. Further said qualifying business shall provide such written documentation of the actual capital investment made and as may be needed and requested by the Finance Director for his or her approval prior to said business receiving any such permitted tax credit.

(5) The Finance Director shall have full authority and discretion to grant or deny an application made pursuant to the provisions of this section.

(6) The qualifying business will be permitted a tax credit up to one hundred percent (100%) of its business and occupation tax liability annually for a period of five (5) consecutive years from and after such capital improvement is completed, but in no event shall said credit exceed the total cost of its actual expended capital investment in said building.

An Ordinance Amending and Re-Enacting, Section 779.42, Vacant Building  
Revitalization Business and Occupation Tax Credit Program of the  
Codified Ordinances of the City of Parkersburg

 The Council of the City of Parkersburg Hereby Ordains that Section 779.42 of the  
Codified Ordinances of the City of Parkersburg be hereby amended and re-enacted to  
include residential buildings and to shorten the period from two (2) years to one (1) year  
for a qualifying vacancy as follows:

Attached hereto and made a part hereof is the proposed amended Section  
779.42.

Sponsored by Councilmen:

## **779.42 VACANT BUILDING REVITALIZATION BUSINESS AND OCCUPATION TAX CREDIT PROGRAM.**

(a) Purpose. The purpose of this program is to encourage the rehabilitation, revitalization, re-occupancy and use of vacant residential, commercial, and industrial buildings in the City of Parkersburg and is intended as an incentive to new occupancies and business growth through a business and occupation tax credit.

(b) Definitions.

(1) A building is a structure as set forth and defined in Section 1327.02 (81) of the City Code.

(2) A residential building is considered vacant if no person or persons actually lawfully resides, dwells, or lives in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupant(s), or tenants on a permanent, nontransient basis and such vacancy has continued for a period of at least one (1) year.

A commercial or industrial building is considered vacant unless at least twentyfive percent (25%) of the total square footage of the building is rented to and utilized by a lessee or sub-lessee to conduct its customary business or industrial operations and or is used by the property owner to conduct its customary business or industrial operations and such vacancy shall have continued for a period of at least one (1) year.

(3) A new building or one that is under construction or which has merely been vacated for the purpose of renovation or rehabilitation is not considered vacant.

(4) Rehabilitation and revitalization means capital investment in a vacant building to improve or modernize such existing and vacant building and which improvement or modernization has a useful life of at least five (5) years at the time it is placed into service or use.

(c) Qualifying Requirements and Amount of Credit.

(1) A business shall be deemed eligible which renovates, rehabilitates or revitalizes a vacant building for a residential, business or industrial use and which building is located within the City of Parkersburg.

(2) The tax credit may only be taken when an otherwise qualifying business files the required business and occupation tax return on or before the required due date. If said return is not filed timely then the credit will be disallowed for the time period in which the return is delinquent.

(3) The maximum credit allowed shall not exceed the total cost of the capital investment made in the rehabilitation, revitalization and modernization of the then vacant building.

(4) The qualifying business shall submit an application to the Finance Director of the City for preliminary approval prior to the completion of its rehabilitation and revitalization project. Further said qualifying business shall provide such written documentation of the actual capital investment made and as may be needed and requested by the Finance Director for his or her approval prior to said business receiving any such permitted tax credit.

(5) The Finance Director shall have full authority and discretion to grant or deny an application made pursuant to the provisions of this section.

(6) The qualifying business will be permitted a tax credit up to one hundred percent (100%) of its business and occupation tax liability annually for a period of five (5)

consecutive years from and after such capital improvement is placed into service or the building is occupied, whichever first occurs, but in no event shall said credit exceed the total cost of its actual expended capital investment in said building.

AN ORDINANCE AMENDING AND RE-ENACTING  
THE CITY OF PARKERSBURG  
PERSONNEL POLICY AND PROCEDURE MANUAL



BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that effective upon passage of this ordinance that the Compensation Plan contained in Section VII of the City of Parkersburg Personnel Policy and Procedure Manual be, and hereby is, amended and re-enacted to reflect the following re-classification:

Public Safety Tele-Communicator (TAC)	<u>Grade</u> H-8
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(previously a grade H-6)

Sponsored by Councilpersons: Brown, Carpenter, Coram, Kelly, Lynch, Reed, Reynolds, Rockhold and Wilcox.

Q5/CS

**AN ORDINANCE AMENDING SECTION 2, MEMBERSHIP;  
VACANCIES, OF ARTICLE 165, CITY TREE COMMISSION, OF  
THE CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG**

The Council of the City of Parkersburg Hereby Ordains that Section 2, Membership; Vacancies, of Article 165, City Tree Commission, of the Codified Ordinances of the City of Parkersburg be amended and re-enacted as follows:

**165.02 MEMBERSHIP; VACANCIES.**

The City Tree Commission shall consist of eight members, all of whom shall have interest in enhancing the city's urban tree canopy and contributing to City of Parkersburg beautification efforts. One member of the Tree Commission shall also be a member of Council and shall be selected by Council. The term of this member shall be coextensive with the term of office to which he or she has been elected, unless the Council, at the first regular meeting of each year, appoints another to serve as its representative. The member of Council selected to sit on the City Tree Commission may designate another member of Council to act on their behalf in the event of a Tree Commission meeting absence. One member shall be the Public Works Director. The term of this member shall be coextensive with the term of office to which he or she has been appointed. The Public Works Director may designate another City of Parkersburg, Public Works employee to act on their behalf in the event of a Tree Commission meeting absence. One member shall be the City Arborist. The remaining five members shall be nominated by the Mayor and confirmed by Council for terms of three years each, except that the terms of two of the members appointed to the first Commission shall be for one and two years respectively. Vacancies shall be filled by appointment in the same manner for the unexpired term only. Members of the Commission shall serve without compensation.

Sponsored by: City Tree Commission

Attached hereto is the modification of the original ordinance with removed language in strikethrough and new language underlined.

**ARTICLE 165**  
**City Tree Commission**

- 165.01 Establishment.**
- 165.02 Membership; vacancies.**
- 165.03 Meetings; rules of procedure; records.**
- 165.04 Powers and authority.**
- 165.05 Permit to plant, trim or remove.**
- 165.06 Tree maintenance, pruner or arborist's certification or license.**
- 165.99 Penalty.**

**CROSS REFERENCES**

Authority to establish - see CHTR. 2.205

Power to regulate - see W. Va. Code 8-12-5 (29)

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**165.01 ESTABLISHMENT.**

There is hereby established a **City Tree Commission**.  
(Ord. 0-889. Passed 8-11-98.)

**165.02 MEMBERSHIP; VACANCIES.**

The City Tree Commission shall consist of ~~seven~~eight members, all of whom shall ~~be residents of the City have interest in enhancing the city's urban tree canopy and contributing to City of Parkersburg beautification efforts~~. One member of the Tree Commission shall also be a member of Council and shall be selected by Council. The term of this member shall be coextensive with the term of office to which he or she has been elected, unless the Council, at the first regular meeting of each year, appoints another to serve as its representative. The member of Council selected to sit on the City Tree Commission may designate another member of Council to act on their behalf in the event of a Tree Commission meeting absence. One member shall be the Public Works Director. The term of this member shall be coextensive with the term of office to which he or she has been appointed. The Public Works Director may designate another City of Parkersburg, Public Works employee to act on their behalf in the event of a Tree Commission meeting absence. One member shall be the City Arborist. The remaining five members shall be nominated by the Mayor and confirmed by Council for terms of three years each, except that the terms of two of the members appointed to the first Commission shall be for one and two years respectively. Vacancies shall be filled by appointment in the same manner for the unexpired term only. Members of the Commission shall serve without compensation.

(Ord. 0-1136. Passed 6-22-04.)

### **165.03 MEETINGS; RULES OF PROCEDURE; RECORDS.**

The Commission shall choose its own officers consisting of a chairman and a secretary and such other officers as the Commission may deem necessary. The Commission shall adopt rules for its own procedure and shall keep a record of its proceedings. A majority of the members shall be a quorum. (Ord. 0-889. Passed 8-11-98.)

### **165.04 POWERS AND AUTHORITY.**

The Commission shall have power to study, investigate, plan, advise, report and recommend to Council, the Public Works Director and/or the Mayor any action, program, or plan of legislation which the Commission shall find or determine to be necessary or advisable for the care, preservation, trimming, planting, replanting, removal, or disposition of trees and shrubs in public ways, streets, alleys, and other public grounds. (Ord. 0-889. Passed 8-11-98.)

### **165.05 PERMIT TO PLANT, TRIM OR REMOVE.**

No person shall plant, trim or remove any tree or shrub upon any public right of way, street, alley, or other public grounds unless he or she shall have first obtained a permit from the Public Works Director or the Director's designee. The permit shall state the person who is to perform the actual work operations and, in the case of planting, said permit shall specify the size, type, species and location upon the public right of way, street or alley, of the tree or shrub so to be planted. (Ord. 0-993. Passed 6-26-01.)

### **165.06 TREE MAINTENANCE, PRUNER OR ARBORIST'S CERTIFICATION OR LICENSE.**

No person shall perform the work operations of planting, cutting, trimming, pruning, removing, spraying or otherwise treating any tree or shrub upon the public right of way, street, alley or other public grounds within the City, without first completing an approved maintenance course for tree care operations utilizing American National Standards Institute (ANSI) A300 or its equivalent or without first being certified or licensed as an arborist. The Commission may impose specific tests, licensing requirements, certification or other methods to determine the professional status of those individuals performing work on trees and shrubs within the City. (Ord. 0-913. Passed 4-13-99.)

### **165.99 PENALTY.**

Any person who violates any provision of this article shall be fined not more than one hundred dollars (\$100.00), and in addition shall pay all costs and expenses involved in the case. (Ord. 0-889. Passed 8-11-98.)

**AN ORDINANCE REVISING SECTION X.F  
OF THE PERSONNEL POLICIES & PROCEDURES MANUAL  
OF THE CITY OF PARKERSBURG**



BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Section X, Paragraph F of the City of Parkersburg Personnel Policy and Procedure Manual be, and hereby is, amended and re-enacted to the following:

**F. RETIREMENT PLANS**

The City of Parkersburg participates in the West Virginia Consolidated Public Retirement Board (Public Employees Retirement System). Four and one-half percent (4.5%) of gross earnings is deducted from all full-time employees gross earnings each pay period. For each employee the City contributes a percentage of the employee's gross earnings that is subject to change pursuant to West Virginia Code. As of July 1, 2014, the current contribution rate for the City is fourteen (14%) percent.

Fire Civil Service and Police Civil Service employees participate in the Firemen's and Policemen's Pension Funds. For fire & police Civil Service employees hired prior to 1/1/2010, seven percent (7%) of gross earnings is deducted each pay period. For fire and police Civil Service employees hired on or after 1/1/2010, nine and one-half percent (9.5%) of gross earnings is deducted each pay period. The City contributes funds based upon the actuarial study. Percentages are subject to change pursuant to West Virginia State Code.

**SPONSORED BY THE PERSONNEL COMMITTEE OF CITY COUNCIL**

## CURRENT

### F. RETIREMENT PLANS

The City of Parkersburg participates in the West Virginia Consolidated Public Retirement Board (Public Employees Retirement System). Four and one-half (4-1/2) percent of gross earnings is deducted from all full-time employees each pay period. For each employee the City contributes eleven (11) percent of the employees' gross earnings. Percentages are subject to change pursuant to West Virginia Code.

Fire Civil Service and Police Civil Service employees participate in the Firemen's and Policemen's Pension Funds. Seven (7%) percent of gross earnings is deducted from all fire and police civil service employees each pay period. The City contributes funds based upon the actuarial study. Percentages are subject to change pursuant to West Virginia State Code.

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## PROPOSED

### F. RETIREMENT PLANS

The City of Parkersburg participates in the West Virginia Consolidated Public Retirement Board (Public Employees Retirement System). Four and one-half percent (4.5%) of gross earnings is deducted from all full-time employees **gross earnings** each pay period. **For each employee the City contributes a percentage of the employee's gross earnings that is subject to change pursuant to West Virginia Code. As of July 1, 2014, the current contribution rate for the City is fourteen (14%) percent.**

Fire Civil Service and Police Civil Service employees participate in the Firemen's and Policemen's Pension Funds. **For fire & police Civil Service employees hired prior to 1/1/2010, seven percent (7%) of gross earnings is deducted each pay period. For fire and police Civil Service employees hired on or after 1/1/2010, nine and one-half percent (9.5%) of gross earnings is deducted each pay period.** The City contributes funds based upon the actuarial study. Percentages are subject to change pursuant to West Virginia State Code.

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## CHANGES OUTLINED

The City of Parkersburg participates in the West Virginia Consolidated Public Retirement Board (Public Employees Retirement System). Four and one-half ~~(4-1/2)~~ percent **(4.5%)** of gross earnings is deducted from all full-time employees **gross earnings** each pay period. For each employee the City contributes ~~eleven (11) percent~~ **a percentage** of the employees' gross earnings **that is subject to change**. ~~Percentages are subject to change pursuant to West Virginia Code. As of July 1, 2014, the current contribution rate for the City is fourteen (14%) percent.~~

Fire Civil Service and Police Civil Service employees participate in the Firemen's and Policemen's Pension Funds. **For fire & police Civil Service employees hired prior to 1/1/2010, seven (7%) percent of gross earnings is deducted from all fire and police civil service employees each pay period. For fire and police Civil Service employees hired on or after 1/1/2010, nine-and-a-half (9.5%) percent of gross earnings is deducted each pay period.** The City contributes funds based upon the actuarial study. Percentages are subject to change pursuant to West Virginia State Code.

**Mid-Ohio Valley Health Department**

**211 Sixth Street**

**Parkersburg, WV 26101**

**Phone: (304) 420-1488**

**Fax: (304) 485-0137**

**DATE 7/9/2014 Total # of Pages: 20**

<b>To:</b>	<b>Dan or Connie</b>
<b>Company:</b>	<b>Wood Co Clerk of Courts</b>
<b>Phone:</b>	<b>304-424-8490</b>
<b>Fax:</b>	<b>304-424-8486</b>
<b>Re:</b>	<b>Filing of Clinical &amp; Oral Health Fee Increases</b>

**Dan or Connie,**

**Following is the approval and other documentation for the Clinical and Oral Health Fee increases. Please file and return the Book Number and Page Number where these are recorded to me.**

**Thank you!  
Cristy Riggs**

**Cristy.A.Riggs@wv.gov**

This is confidential information. The contents are privileged and may not be disclosed to any person other than the individual to whom it has been sent. If all pages are not received, or if you need additional clarification, please call: Mid-Ohio Valley Health Department: 304-420-1488

**MID-OHIO VALLEY HEALTH DEPARTMENT  
SERVICE FEES  
CLINICAL SERVICES**

PROCEDURE	Current Fee	Proposed Fee
Blood Pressure Check If referred for oral contraception clearance, charge FP Fee)	No Charge	
Adult/Travel Vaccines (*call for information)	Cost of Vaccine + \$25.00 administrative charge	\$36.00 Admin. Fee + Vaccine cost
B12 Injections	\$25.00	\$36.00
TB – PPD	\$20.00	
Flu Shots	\$20.00	\$25.00
Flu shots – High Dose (≥65 yrs)		\$30.00 (private pay)
Pneumonia Shots	\$25.00	\$36.00
Nurse Visit Charge	\$20.00	\$25.00
Sports Physicals	FP Fee; (or) HealthCheck Fee; (or) MOVHD office fee.	\$30.00 private pay
Work Physicals		\$50.00 private pay
*Glucose Finger stick (+ nurse visit charge)	\$5.00 + \$20.00	\$5.00 + \$25.00
*Hemoglobin Check (+nurse visit charge)	\$5.00 + \$20.00	\$5.00 + \$25.00
*Draw Fee/ Specimen Handling Fee (+ nurse visit charge)	\$10.00 + \$20.00	\$10.00 + \$25.00
Urine Pregnancy Testing (+ Nurse visit charge)	\$12.25 + \$20.00	\$12.25 + \$25.00
Pap Smear (Current Lab Fee set by lab)	\$25.00 + CURRENT LAB FEE	
Immunizations	\$25.00	1 shot \$19.85 2 or more shots \$36.00
Immunization /Travel Education Fee	\$35.00	
**Hepatitis B Titer + Nurse Fee + Draw Fee		\$90.00 + \$25.00 + \$10.00
**Varicella Titer + Nurse Fee + Draw Fee		\$90.00 + \$25.00 + \$10.00
**MMR Titer + Nurse Fee + Draw Fee		\$255.00 + \$25.00 + \$10.00

\*Employee Services; also for private pay Family Planning patients and private pay Children's Services patients.

\*\*Blood titers subject to increase based on current lab pricing.

SOME SERVICES ARE NOT AVAILABLE IN ALL COUNTY OFFICES

04/17/14 RS

**Mid-Ohio Valley Health Department  
Service Fees  
Oral Health (Smiles for Life)**

<b>Procedure</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
Initial Client Screening Fee	\$ 15.00	\$ 25.00
Follow-Up Screening Within 1 Year of Initial Client Screening Fee	\$ -	\$ 15.00