

**AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, OCTOBER 11, 2016, 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 September 27, 2016
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. RESOLUTIONS
 1. Budget revision - \$100,000.00 for a pledged donation reimbursement from a private foundation for City Park basketball and pickleball court renovations/upgrades. (sponsored by Finance Committee)
 2. Budget revision - \$504,775.00; (highlights – Finance computer upgrades; Development grant carryovers; street paving; park and pools upgrades; Fire dept. foundation work and consulting for new fire station; sign machine; wayfinding signs; retention pond on Mary Street; mulch at Southwood; upgrades to Cooper cabin; dog park; fencing at Southwood) (sponsored by finance committee)
 3. Budget revision - \$82,011 – line item adjustments in various departments for end of year purposes. (finance committee)
 4. Budget revision - \$420,000.00 – revise sales tax upward for needed repairs to our municipal building. (finance committee)
 5. Budget revision - \$250,000.00 – moving this amount out of the street department to its' own line item for storm water. (finance committee)
 6. Resolution stating that meetings for November shall be November 15th and 29th; and meetings for December shall be December 13th and 20th. (Sponsored by Councilmen Rockhold, Reed, Coram, Brown, and Wilcox)

VIII. ORDINANCE, FIRST READING:

7. An ordinance amending eight (8) sections in Article 1327 and 1351 to better define wreckers and towing services. (Sponsored by the Municipal Planning Commission.) (originally adopted September 2014. This ordinance corrects and clarifies those changes.)
8. An ordinance vacating a portion of a 20' unnamed alley south of 26th Street and west of Harrison Avenue, for 50'. (Municipal Planning Commission)
9. An ordinance vacating a portion of a 10' alley east of Lincoln Avenue and south of 25th Street. (Municipal Planning Commission.)

IX. ADJOURNMENT –

URA TO FOLLOW

CASTO & HARRIS, INC. SPENCER, WV RECORDER NO. 12715-13

The Council of the City of Parkersburg met in regular session Tuesday, September 27, 2016, at 7:30 PM in the Council Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg, WV 26101 and joined in the Lord's Prayer and Pledge of Allegiance.

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, Mike Reynolds, Warren Bigley, Jim Reed, and John Rockhold.

MINUTES – Mr. Reed moved, seconded by Mr. Bigley, to approve the minutes from the meeting held September 13, 2016 and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Council President Rockhold reported that during the last Roundtable meeting, they had a speaker and the discussion concerned new businesses and older businesses as the topic for the upcoming year.

MESSAGE FROM THE EXECUTIVE – Mayor Jimmy Colombo reported that he toured our new Marriott under renovation between 7th and 8th Streets, and Avery and Green. They expect to finalize in December, but there is still a lot of work to be done, since some designs were changed by Marriot. He also toured our new emergency room at Camden Clark, and said it had an area to fit approximately 80 beds with a good design between trauma and other emergencies.

Mayor Colombo also attended a celebration at Zion Baptist Church on 8th Street for their 150th year and said he enjoyed the music and scripture. He then thanked Police Chief, Joe Martin, and the department for their excellent work in catching a bank robber from an incident on Emerson Avenue a few days ago.

The Mayor said that he and Mr. Jiles, Finance Director, are available for whatever they need concerning the budget revisions on the agenda this evening.

PUBLIC FORUM – Ms. Sherry Dugan, #1 Wharton Drive, stated that she agreed with some of the recommendations concerning the carryover of funds from last fiscal year, but did not agree with the across the board raise for employees of 5%, stating that it would only widen the gap between the higher and lower paid employees. She said they needed more for infrastructure, and would like for the City to lower the police fee by \$1.00 per month to give relief to the citizens in light of fee increases over the last few years.

Ms. Sue Ellen Waybright, Division Street Extension, stated that the revision concerning the 5% increase was not to include department heads, but there are line items that state there are increases for department heads, and asked what else was buried that has not been explained.

Ms. Cathy Wermter, 2605 Capital Drive, had the same concerns about department heads not being included, and said several other things were incorrect. She asked that the revisions go to the Finance Committee and to allow for citizens comments.

Sharon Kesselring, 1004 25th Street, told Council she supports the \$30,000.00 proposed for wayfinding signs for our City. She said that signs are important for visual reasons to promote parking and activities, and imperative to grow downtown and showcase our City. Council was also given letters of support for this purpose from the Visitor's and Convention Bureau, and also Wendy Shriver, the executive Director for PKB.

Mr. Alan Hardway, 2486 Chesterville Road, Mineral Wells, appeared in favor of the wayfinding signs, representing the Visitor's Bureau as their Chairman of the Board. His board thinks that modern signs will help represent a positive image for our area. He said the signs will make it easy to move our visitors around the City, and there is no substitute for a good sign when you need one.

Under City Council comments, Ms. Coram said it was good to see so many people attending, including the manager of the bank that was recently robbed on Emerson Avenue. She thanked the Parkersburg Police Department for their quick response in catching the robber.

RESOLUTION – the clerk presented the first of six resolutions asking for budget revisions – this one in particular in the amount of \$303,377.00 for a 5% pay increase for City employees.

MOTION – Mr. Reed moved, seconded by Mr. Bigley, to adopt the resolution.

MOTION – Ms. Wilcox moved, seconded by Mr. Carpenter, to combine items 1-6 (to be sent to finance committee).

Mr. Bigley said he was not sure we wanted to send the basic revisions to committee concerning storm water going to its own line item and the standard adjustments.

In the past, Ms. Lynch said we have discussed employee raises in the Personnel Committee and have considered surveys for equal pay.

Mayor Colombo was concerned that we could not finalize a pay study with only three months left during our administration, and Ms. Lynch stated she has already done it.

Ms. Wilcox withdrew her motion to combine 1-6, and Mr. Carpenter withdrew his second.

MOTION – Ms. Lynch moved, seconded by Ms. Coram, to combine items 2-6, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Reynolds, who voted "no".

MOTION – Ms. Lynch moved, seconded by Ms. Coram, to refer the first resolution concerning the 5% pay increase for City employees to the Personnel Committee, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Reed, who voted "no".

MOTION – Mr. Bigley moved, seconded by Mr. Brown, to refer items 2-6 to the Finance Committee, and the motion was adopted by unanimous vote.

The Clerk presented the annual report of the Policemen's and Firemen's Pension and Relief Fund to the Municipal Oversight Board from July 1, 2015 – June 30, 2016.

MOTION – Mr. Bigley moved, seconded by Mr. Brown, to receive and file the report, and the motion was adopted by unanimous vote.

The meeting adjourned at 7:55 PM.

Cathy Griffin

City Clerk

Council President

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Years 2016-2017 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND

Fund	Account	Description	Revenue Increase/ (Decrease)	Expenditure Increase/ (Decrease)	Fund Source / Description
001	368-000-000	CONTRIB - OUTSIDE ENTITIES	100,000		CITY PARK DONATION
001	900-458-000	CAPITAL OUTLAY - OTHER IMP		100,000	CITY PARK EXPENDITURE
			<u>100,000</u>	<u>100,000</u>	

The above resolution proposes a revision to properly account for a pledged donation reimbursement up to \$100,000 from a private foundation for City Park basketball and pickleball court renovations/upgrades.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Years 2016-2017 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND

Fund	Account	Description	Revenue Increase/ (Decrease)	Expenditure Increase/ (Decrease)	Fund Source / Description
001	299-00	FUND BALANCE	462,105		FY16 FUND BALANCE C/O
001	366-000-000	STATE GRANTS	7,670		WVDOG CMAQ REIMB.
001	369-000-000	CONTRIBUTIONS/OTHER FUNDS	35,000		BLDG. CAP RES CONTRIB.
001	414-230-000	CONTRACTUAL SERVICES		4,465	TYLER TECH PO CARRYOVER
001	414-353-000	COMPUTER SOFTWARE		70,000	INCODE 10 UPGRADE
001	421-230-000	CONTRACTUAL SERVICES		3,500	WVRCG GRANT CARRYOVER
001	421-458-000	CAPITAL OUTLAY - OTHER		46,019	CMAQ GRANT CARRYOVER
001	444-566-036	CONTRIB - USER FEE FUND		51,791	ADDTL STREET PAVING
001	444-566-082	CONTRIB - PARKS & REC FUND		60,000	SW/CP PL CHAIRS, CP FENCE
001	706-230-000	CONTRACTUAL SERVICES		50,000	FIREHOUSE A&E/RESEARCH
001	706-458-000	CAPITAL OUTLAY - OTHER		35,000	STATION 5 FOUND. REHAB
001	756-230-000	CONTRACTUAL SERVICES		30,000	WAYFINDING SIGNAGE
001	756-459-000	CAPITAL OUTLAY - EQUIP		25,000	SIGN PRINTER
001	805-458-000	CAPITAL OUTLAY - OTHER		80,000	MARY ST RETENTION POND
001	900-230-000	CONTRACTUAL SERVICES		4,000	COOPER CABIN ASSESS.
001	900-341-000	DEPARTMENTAL SUPPLIES		16,000	REPLENISH SUPPLIES
001	900-458-000	CAPITAL OUTLAY - OTHER		29,000	DOG PARK/SW SB FENCE
			<u>504,775</u>	<u>504,775</u>	

The above resolution proposes an appropriation of the FY16 surplus balance in order to improve the City's need to accommodate current and future needs. The proposed appropriations are detailed by department below:

Finance: The \$4,465 contractual service carryover accounts for a contract in progress but not completed by June 30th. The \$70,000 proposal for an upgrade to the City's INCODE ERP system is critical to enable all departments of the City to gain efficiency in many daily and routine tasks. Specifically, this upgrade contains a web-based user interface to provide staff the ability to requisition goods and services online with real-time available budget monitoring and workflow routing of approvals. Additionally, employee portal services and increased data security will become available. This will eliminate a significant amount of paper processing and further enable the City to respond to procedural and documented control deficiencies.

Development: Included in the above is the carryover of the WVRCG and CMAQ grant expenditures in the amounts of \$3,500 and \$38,349, respectively, and the related state grant reimbursements in the amount of \$7,670.

Contributions to Other Funds: Included in the above is a contribution to the User Fee Fund in the amount of \$51,791 toward the next season's paving contract. A \$60,000 contribution to the Parks & Rec (Pools) Fund is for the replacement of lifeguard and lounge chairs at both pools and the replacement of the fence surrounding the City Park Pool, among other safety-related repairs at both pools.

Street Cleaning/Stormwater: The sign shop in the Street Cleaning department is in need a sign printer, estimated at \$25,000. Currently, the City does not have a functioning printer and is outsourcing the signs at a much higher costs. \$30,000 is proposed for Wayfinding Signage for government building, museums, and other public attractions in the Downtown area. Additionally, property on Mary Street is being donated to the City and demolition work is required to build a storm water retention pond and is estimated to cost \$80,000.

Parks: Mulch is needed to complete the Southwood Park playground and is estimated to cost approximately \$16,000. A structural assessment is required for Cooper Cabin in City Park and is expected to cost \$4,000. \$9,000 of previously appropriated funds is required to be carried over for the completion of the Dog Park on Southside. Finally, the Southwood Park softball field is in need of new fencing and is estimated to cost approximately \$20,000.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Years 2016-2017 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation

GENERAL FUND

Fund	Account	Description	Revenue Increase/ (Decrease)	Expenditure Increase/ (Decrease)	Fund Source / Description
001	299-00	FUND BALANCE (current proposed)	27,711		FY16 FUND BALANCE C/O
001	361-000-015	PROCESS FEES	15,000		COLLECTION BILLINGS
001	365-000-001	FEDERAL GRANTS - JAG	(500)		JAG REV. CORRECTION
001	376-000-000	GAMING INCOME - TABLES	350		REVENUE RECLASSIFICATION
001	376-001-000	GAMING INCOME - GREENBRIER	(350)		REVENUE RECLASSIFICATION
001	377-000-000	CAPITAL LEASE REVENUE	39,800		
001	409-211-000	TELEPHONE/COMM EXPENSE		500	WIRELESS DATA/IPAD
001	410-211-000	TELEPHONE/COMM EXPENSE		1,000	WIRELESS DATA/IPAD
001	414-229-000	COURT COSTS		12,000	BILLED COURT COSTS
001	415-212-000	OUTSIDE PRINTING		(3,000)	ORDINANCE CODIFICATION
001	415-220-000	ADVERTISING & LEGAL PUB		500	MISC LEGAL ADVERTISING
001	415-230-000	CONTRACTUAL SERVICES		6,000	ORDINANCE CODIFICATION
001	436-220-000	ADVERTISING & LEGAL PUB		3,200	DEMO LEGAL ADS
001	436-230-000	CONTRACTUAL SERVICES		(3,200)	DEMO LEGAL ADS
001	436-341-000	DEPARTMENTAL SUPPLIES		3,000	ICC CODE BOOKS/SOFTWARE
001	440-211-000	TELEPHONE/COMM EXPENSE		(572)	TELEPHONE ALLOCATION
001	440-219-000	EQUIPMENT RENTAL		(60,059)	EQUIP LEASE, TANK RENTAL
001	440-343-001	GASOLINE		(8,900)	REALLOCATION OF GASOLINE
001	566-343-001	GASOLINE		1,000	REALLOCATION OF GASOLINE
001	590-230-000	CONTRACTUAL SERVICES		570	PEST CONTROL SERVICE
001	700-214-000	TRAVEL		(10,000)	COUNTY PRISONER TRANS.
001	700-222-000	DUES & SUBSCRIPTIONS		4,065	CALEA DUES APPROP.
001	700-230-000	CONTRACTUAL SERVICES		10,000	COUNTY PRISONER TRANS.
001	700-459-000	CAPITAL OUTLAY - EQUIP		39,800	PD LEASE VALUE CORRECT.
001	700-459-001	CAPITAL OUTLAY - JAG GRANT		9,500	FY16 JAG CARRYOVER
001	706-226-000	AUTO & LIAB INSURANCE		(1,982)	REALLOCATION OF INS EXP
001	714-226-000	AUTO & LIAB INSURANCE		3,800	REALLOCATION OF INS EXP
001	714-230-000	CONTRACTUAL SERVICES		650	WIRE/FIRE EXT. SERVICE
001	714-343-001	GASOLINE		(1,100)	REALLOCATION OF GASOLINE
001	750-216-000	MAINT & REPAIR - EQUIP		6,300	TRACKHOE HAMMER REP.
001	751-219-000	EQUIPMENT RENTAL		300	MISC EQUIP RENTAL
001	754-213-200	UTILITIES - WATER/SEWER		1,412	WATER REALLOCATION
001	754-216-000	MAINT & REPAIR - EQUIP		1,500	EQUIP SERVICE/REPAIR
001	754-219-000	EQUIPMENT RENTAL		132	MONTHLY CYLINDER RENTAL
001	756-213-200	UTILITIES - WATER/SEWER		(1,412)	WATER REALLOCATION
001	756-345-000	UNIFORMS		550	UNIFORM EXP ADJUSTMENT
001	800-216-000	MAINT & REPAIR - EQUIP		6,000	SAN. EQUIP. REPAIR
001	800-217-000	MAINT & REPAIR - AUTOS		7,000	AUTO SERVICE/MAINT
001	800-220-000	ADVERTISING & LEGAL PUB		300	ADVERTISING REVISED EST.
001	800-226-000	AUTO & LIAB INSURANCE		(599)	REALLOCATION OF INS EXP

001	800-230-000	CONTRACTUAL SERVICES	(8,500)	LANDFILL SERVICE
001	800-341-000	DEPARTMENTAL SUPPLIES	(6,000)	SAN. EQUIP. REPAIR
001	805-458-000	CAPITAL OUTLAY (current proposed)	(6,300)	TRACKHOE HAMMER REP.
001	900-211-000	TELEPHONE/COMM EXPENSE	1,600	TELEPHONE ALLOCATION
001	900-212-000	OUTSIDE PRINTING	300	REQ BOOKS, ETC.
001	900-216-000	MAINT & REPAIR - EQUIP	3,000	REPLENISH LINE ITEM
001	900-219-000	EQUIPMENT RENTAL	61,875	MONTHLY CYLINDER RENTAL
001	900-226-000	AUTO & LIAB INSURANCE	(1,219)	EQUIP LEASE, TANK RENTAL
001	900-343-001	GASOLINE	9,000	REALLOCATION OF GASOLINE
			<u>82,011</u>	<u>82,011</u>

The above resolution proposes revisions to the various departmental budgets of the City to correct the original budget regarding allocations of expenditures, accommodate various unexpected repair and maintenance requirements, and anticipate the needs of the upcoming newly-elected Mayor and Council.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Years 2016-2017 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND

Fund	Account	Description	Revenue Increase/ (Decrease)	Expenditure Increase/ (Decrease)	Fund Source / Description
001	314-000-000	MUNICIPAL SALES TAX	420,000		REVISED FY17 ESTIMATE
001	440-458-000	CAPITAL OUTLAY - OTHER IMP		420,000	CITY BUILDING MAINT.
			<u>420,000</u>	<u>420,000</u>	

The above resolution proposes a revision to the Municipal Sales Tax estimate of revenue for the 2017 fiscal year, and appropriates the dollars toward significant deferred maintenance needs of the City Building.

The Municipal Building has reached a point where continued deferred maintenance will result in significant future losses to taxpayers. The highest priority involves the cleaning, sealing, caulking, and repair of the external panels and windows to protect the building's foundation. Currently, water damage is evidenced around the entire interior walls of the 1st floor. It is expected that the exterior maintenance, and repair of internal damage will cost approximately \$300,000 and will prevent further and more costly damage. The 1st and 2nd floor bathrooms are in need of update renovation and plumbing work to mitigate very prominent and unpleasant sewage odors. It is expected to cost approximately \$60,000 to renovate and repair the 6 bathrooms in question. The 2nd, 4th, and 5th floor are in need of new carpet for both appearance and safety reasons. It is expected to cost approximately \$60,000 to replace the carpeting.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Years 2016-2017 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND

Fund	Account	Description	Revenue Increase/ (Decrease)	Expenditure Increase/ (Decrease)	Fund Source / Description
STORMWATER MANAGEMENT					
001	750-458-001	CAPTIAL OUTLAY - STORMWATER		(250,000)	EST STMWTR EXP OBJECT
001	805-212-000	OUTSIDE PRINTING		5,000	EST STMWTR EXP OBJECT
001	805-214-000	TRAVEL EXPENSES		1,000	EST STMWTR EXP OBJECT
001	805-220-000	ADVERTISING & LEGAL PUB		1,000	EST STMWTR EXP OBJECT
001	805-221-000	TRAINING & EDUCATION		1,000	EST STMWTR EXP OBJECT
001	805-222-000	DUES & SUBSCRIPTIONS		500	EST STMWTR EXP OBJECT
001	805-228-000	FREIGHT		300	EST STMWTR EXP OBJECT
001	805-341-000	DEPARTMENTAL SUPPLIES		15,000	EST STMWTR EXP OBJECT
001	805-458-000	CAPITAL OUTLAY (current proposed)		226,200	EST STMWTR EXP OBJECT

The above resolution proposes a revision to properly account for Stormwater Management expenses. Currently, the expenditures are being recorded in the Street Department; however, the expenditure are properly classified as related to sanitation and are properly accounted for in cost center account number 805, Stormwater Management, and allocated between contractual services, commodities, and capital outlay.

RESOLUTION STATING DATES OF COUNCIL
MEETINGS FOR NOVEMBER AND DECEMBER 2016

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that meetings for the month of November shall be November 15th and 29th; and for December, meetings shall be December 13th and 20th.

Sponsored by Councilmen Rockhold, Reed, Brown, Coram, and Wilcox

8/25/15

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG ARTICLE 1327.02(277A), ARTICLE 1327.02(470), ARTICLE 1327.02(502), ARTICLE 1351.02(d)(3), ARTICLE 1351.02(d)(4), ARTICLE 1351.02(c)(3)M-5, ARTICLE 1351.03(d)(1)J, AND ARTICLE 1351.04(b)(5).

The Municipal Planning Commission of the City of Parkersburg has recommended that Article 1327.02(277A), Article 1327.02(470), Article 1327.02(502), Article 1351.02(d)(3), Article 1351.02(d)(4), Article 1351.02(c)(3)M-5, Article 1351.03(d)(1)J, and Article 1351.04(b)(5), be amended to reflect the following changes:

1. Article 1327.02 (277A) – New Definition
Amending section to include a definition for long-term disabled vehicle storage.

LONG-TERM DISABLED VEHICLE STORAGE – A business storing disabled vehicles inside or outside in an area surrounded by an 8’ opaque fence for a period not to exceed fourteen (14) days, whether said business is affiliated with a wrecker/towing service or not.

2. Article 1327.02 (470) – Delete Definition #470
3. Article 1327.02 (502) – New Definition
Amending section to define wrecker and towing services.

WRECKER/TOWING SERVICES – A business authorized and regulated as a common carrier by the Public Service Commission of West Virginia engaged in the business of towing, hauling or carrying wrecked or disabled vehicles and storing such vehicles inside or outside in an area surrounded by an 8’ opaque fence for a period not to exceed fourteen (14) days, all in accordance with PSC Rule 5.9a for Motor Carriers.

4. Article 1351.02(c)(3)M-5 – Delete Ordinance Text
Amending to remove wrecker services as a prohibited use in a M-1 Zone.
5. Article 1351.02(d)(3) – Changing Ordinance text for Principal Conditional Uses in M-1 Zone.
Amending to allow for wrecker and towing services and long-term disabled vehicle storage as a Principal Conditional Use in a M-1 Zone.

Automotive services, major and minor repair, including PSC authorized and regulated wrecker/towing services, but excluding junk yards and long-term disabled vehicle storage.

6. Article 1351.02(d)(4) – Re-sequence of original ordinance text
Moving original Article 1351.02(d)(3) to Article 1351.02(d)(4).

Any use specified in paragraphs (c)(3) and (c)(4) of this section, provided, however, that objectionable features can, in the opinion of the Board, be eliminated or controlled by mechanical or other devices which may be required pursuant to Section 1329.05 (b).

7. Article 1351.03(d)(1)J – Delete Ordinance Text
Amending to remove wrecker services in a M-2 Zone.
8. Article 1351.04(b)(5) – Delete Ordinance Text
Amending to remove wrecker services in a M-3 Zone.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS the amendment to the Codified Ordinances of the City of Parkersburg, Article 1327.02(277A), Article 1327.02(470), Article 1327.02(502), Article 1351.02(d)(3), Article 1351.02(d)(4), Article 1351.02(c)(3)M-5, Article 1351.03(d)(1)J, and Article 1351.04(b)(5), as presented.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG ARTICLE 1327.02.(277A), ARTICLE 1327.02.(470), ARTICLE 1327.02(502), ARTICLE 1351.02(d)(3), ARTICLE 1351.02(d)(4), ARTICLE 1351.02(c)(3)M-5, ARTICLE 1351.02(d)(1)J, AND ARTICLE 1351.04(b)(5).

The Municipal Planning Commission of the City of Parkersburg has recommended that Article 1327.02.(277A), Article 1327.02.(470), Article 1327.02(502), Article 1351.02(d)(3), Article 1351.02(d)(4), Article 1351.02(c)(3)M-5, Article 1351.02(d)(1)J, and Article 1351.04(b)(5), be amended to reflect the following changes:

1. Article 1327.02 (new 277A) Definitions
Amending section to include a definition for long-term disabled vehicle storage.
2. Article 1327.02 (470 and 502): Definitions (to be known as 502 only and deleting 470)
Amending section to define wrecker and towing services.
3. Article 1351.02(d)(3): (Providing for Principal Conditional Uses in M-1 zone)
Amending to allow for wrecker and towing services and long-term disabled vehicle storage as a principal conditional use in a M-1 zone.
4. Article 1351.02(d)(4): (re-sequence of original ordinance text)
Amending Article 1351.02(d)(3) as Article 1351.02(d)(4).
5. Article 1351.02(c)(3)M-5: (Providing for Prohibited Uses in M-1 zone)
Amending to remove wrecker services as a prohibited use.
6. Article 1351.02(d)(1)J: (Providing for Prohibited Uses in M-2 zone)
Amending to remove wrecker services as a prohibited use.
7. Article 1351.04(b)(5): (Providing for Permitted Uses in M-3 zone)
Amending to remove wrecker services as a prohibited use.

As shown in the attachments to this ordinance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS the amendment to the Codified Ordinances of the City of Parkersburg, Article 1327.02.(277A), Article 1327.02.(470), Article 1327.02(502), Article 1351.02(d)(3), Article 1351.02(d)(4), Article 1351.02(c)(3)M-5, Article 1351.02(d)(1)J, and Article

1351.04(b)(5), as presented.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

9/15/15

AN ORDINANCE VACATING A PORTION OF A TWENTY (20) FOOT WIDE UNNAMED ALLEY LOCATED ON PARKERSBURG CITY TAX MAP 58 (NORTH). THE PORTION OF THE ABANDONED UNNAMED ALLEY RUNS OFF 26TH STREET BETWEEN PARCELS 14 AND 28.

The Municipal Planning Commission of the City of Parkersburg has recommended that an Unnamed 20 Foot Wide Alley located off of 26th Street on City Tax Map 58, between Parcels 14 and 28 to be vacated;

WHEREAS, the City believes it proper to do so and,

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

Beginning at the northwesterly corner of lot 102 of Brookside Addition as recorded in Plat Book 3, page 62, in the office of the clerk of the county commission of Wood County, West Virginia; thence with the westerly line of said lot 102 in a southwesterly direction, 50 feet more or less to the southwesterly corner of said lot 102, thence with the southerly line of said lot 102 projected in a northwesterly direction, crossing said alley to be vacated, 20 feet more or less, to a point on the easterly line of lot 81 of the aforesaid addition, thence with the easterly line of said lot 81, in a northeasterly direction, 50 feet more or less, to the northeasterly corner of said lot 81, thence with the southerly line of 26th Street, in a southeasterly direction, 20 feet more or less to the point of beginning.

This description was prepared by Randy A. Sheppard, Professional Surveyor No. 860, and is based on instruments of record. Reference is being made to a plat attached hereto and made part of this description.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City shall retain a permanent easement for the benefit of the City of Parkersburg, the Parkersburg Utility Board, and all other public utility companies, for ingress and egress over, along and under said portion of right-of-way for the installation, maintenance, location, relocation and removal of public utilities of any kind, and

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the property owner of City Tax Map 58, Parcel 14 and Parcel 28 has twelve months to consolidate their portions of the vacated right-of-way with said lot,

Mayor James E. Colombo is accordingly authorized to execute a quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owners.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

Mayor James E. Colombo



CITY OF PARKERSBURG
ONE GOVERNMENT SQUARE
P.O. BOX 1627
PARKERSBURG, WV 26102

September 27, 2016

The Honorable James E. Colombo, Mayor
Members of City Council
One Government Square
Parkersburg, WV 26102

Re: Petition to abandon City's public right-of-way on a portion of a twenty (20) foot wide unnamed alley located at City Tax Map 58, off of 26th Street.

To the Honorable Mayor and City Council:

On September 16, 2016, the Municipal Planning Commission (MPC) held a public hearing to consider the following petition:

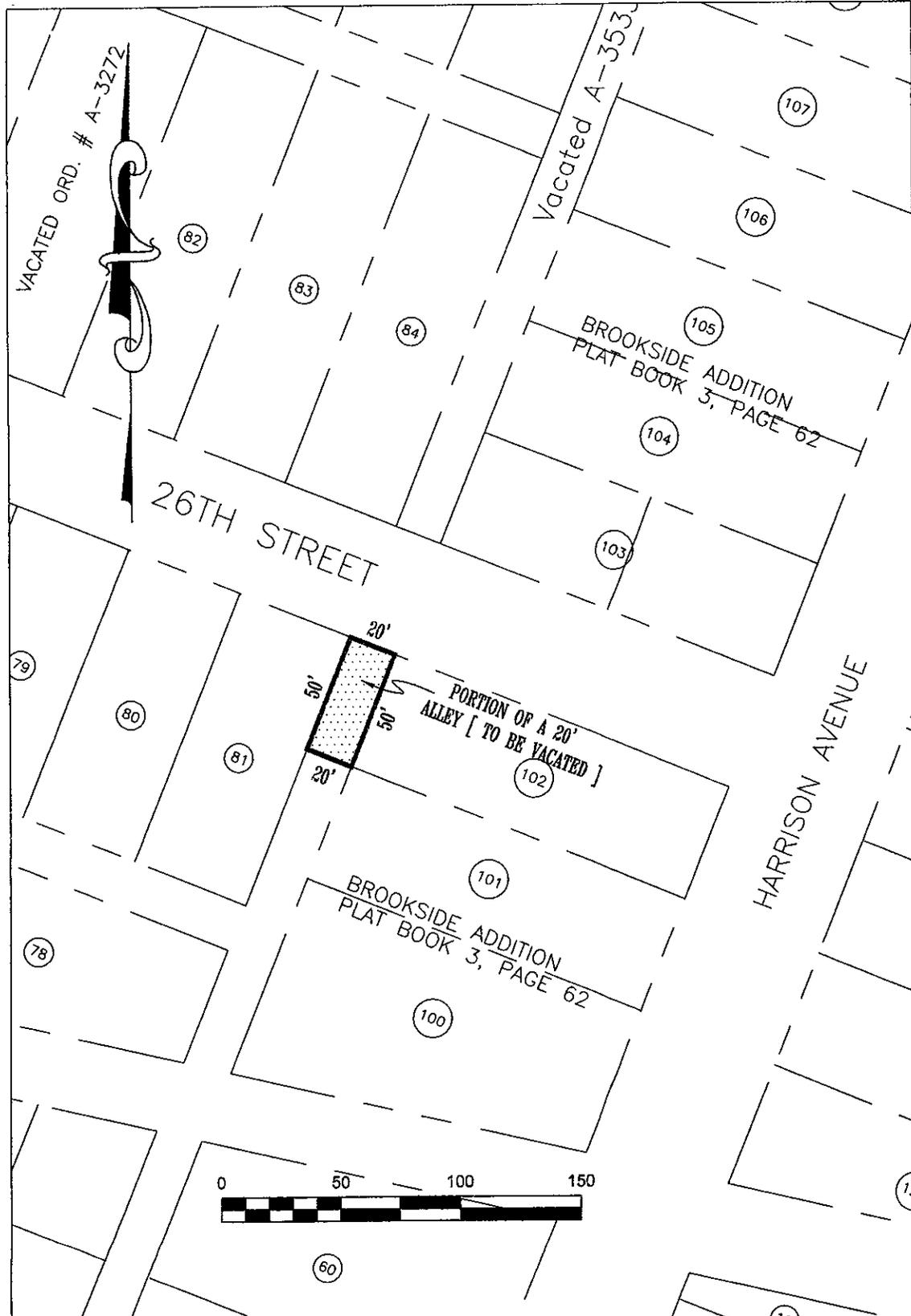
Proposed abandonment of a portion of an unnamed twenty (20) foot wide alley, lying between property shown on Tax Map 58, between Parcel 14 to the west, and Parcel 28 to the east.

After hearing all interested parties, the Municipal Planning Commission (MPC) unanimously approved the petition described above (11-0-0) with the amendment that within twelve (12) months, a consolidation survey be conducted and presented for a 3rd party deed and further recommended that Parkersburg City Council do the same. Please find enclosed a copy of the minutes from the public hearing, as well as a map of the proposed changes and the MPC's staff report.

If you have any questions, please contact me at 304.424.8558 or by email at samuel.tuten@parkersburgwv.gov.

Sincerely,

Sam Tuten
City Planner/MPC Staff



SCALE = 1 INCH = 50 FEET
 DATE: 09/16/16
 DRAWN BY: R.S.
 CHECKED BY:
 MAP P.C. 58
 PART OF BROOKSIDE ADDITION
 PLAT BOOK 3, PAGE 62

CITY OF PARKERSBURG, W.V.
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF ENGINEERING
 PLAT OF A PORTION OF A 20' ALLEY
 TO BE VACATED

**Description of a Portion of a 20 Foot Wide Alley
Lying South of 26th Street and West of Harrison Avenue
Parkersburg City Tax Map 58 (North)
To be Vacated**

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

Beginning at the northwesterly corner of lot 102 of Brookside Addition as recorded in Plat Book 3, page 62, in the office of the clerk of the county commission of Wood County, West Virginia; thence with the westerly line of said lot 102 in a southwesterly direction, 50 feet more or less to the southwesterly corner of said lot 102, thence with the southerly line of said lot 102 projected in a northwesterly direction, crossing said alley to be vacated, 20 feet more or less, to a point on the easterly line of lot 81 of the aforesaid addition, thence with the easterly line of said lot 81, in a northeasterly direction, 50 feet more or less, to the northeasterly corner of said lot 81, thence with the southerly line of 26th Street, in a southeasterly direction, 20 feet more or less to the point of beginning.

This description was prepared by Randy A. Sheppard, Professional Surveyor No. 860, and is based on instruments of record. Reference is being made to a plat attached hereto and made part of this description.



Municipal Planning Commission Staff Report

Municipal Building | Executive Conference Room | September 16, 2016 at 12:30pm

Planning Commission

President

Charlie Matthews

Vice-President

Eric Gumm

Council

Representative

Sharon Lynch

Members

Sean Andrews

Francis Angelos

Sherry Dugan

Tom Evans

James Greene II

Luke Peters

Eddie Staats

Harold Stockwell

Seldon Wigal

Sam Tuten

Vacant

Vacant

PROJECT: Petition to abandon a portion of an unnamed twenty (20) foot wide alley, lying between property shown on Tax Map 58, between Parcel 14 and 28, located off of 26th Street.

LOCATION: 2904 26th Street & 2908 26th Street

OWNER/APPLICANT: Judy Deem & Effie Ayers

PROJECT DESCRIPTION

- Applicants seek to abandon a portion of an alley that runs between their properties in order to stop people from parking along the alley and to stop other problems that occur with people using the alley at night.

ANALYSIS

The portion of alley to be abandoned is off of 26th Street and runs between 26th and 25th Street. Please see attached aerial map for reference. The alley also connects to another alley that runs parallel with 25th and 26th Street. The alley is all grass and well maintained by all of the abutting property owners.

An adjacent landowner responded to the applicant's petition with support. Please see the attached correspondence from Mikel Fowler. Mr. Fowler signed the application as an abutting property owner who supported the applicants. Mr. Fowler's property abuts the alley as well but he is located at the 25th Street entrance of the alley.

Another adjacent landowner responded to the applicant's petition with support. Please see the attached correspondence from James & Sheila Beaver. Mr. and Mrs. Beaver live across the street from the proposed abandonment.

While the City's 2020 Comprehensive Master Plan Update encourages infill redevelopment, it does not specifically address alley closures in the community.

DEPARTMENTAL REVIEW

The **Parkersburg Utility Board** had no issues with the proposed abandonment and gave approval.

The **Parkersburg Fire Department** had no issues with the proposed abandonment and gave approval.

Mon Power (First Energy) had no conflicts with the proposed abandonment and gave approval.

The **Public Works Department (Engineering Division)** gave a Conditional approval for the proposed abandonment with the comment that more than the proposed alley should be closed.

The following entities were notified of the applicant's petition and did not submit any comments; **Parkersburg Police Department, Dominion Hope and Frontier Communications.**

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends that the Municipal Planning Commission recommends approval of the abandonment.

LAND USE SUBCOMMITTEE RECOMMENDATION

The Land Use Subcommittee met on Tuesday, September 06, 2016 at the location to discuss the proposed abandonment. Members in attendance included Tom Evans, Harold Stockwell, and Seldon Wigal. Upon review of the abandonment, members noticed the presence of Dominion Hope pipeline within the alley. Although Dominion Hope didn't submit any comments about the proposed abandonment, Members didn't give any recommendation and asked Sam Tuten to reach out to Dominion Hope regarding any gas lines in the alley. Charlie Matthews was unable to make it to the location site for the meeting but came in to the Development Department to talk about the proposed abandonment. Mr. Matthews also didn't provide any recommendation until we heard back from Dominion Hope.

Parkersburg

Municipal Planning Commission

September 16, 2016

A regular meeting of the Municipal Planning Commission was held on Friday, September 16, 2016 in the Executive Conference Room 2nd Floor, Parkersburg, West Virginia, at 12:30 with Mr. Charlie Matthews presiding.

Members Present:

Mr. Francis Angelos

Mrs. Sherry Dugan

Mr. Tom Evans

Mr. Harold Stockwell

Mr. Eric Gumm

Mr. Sean Andrews

Mr. Sel Wigal

Mr. Eddie Staats

Mr. Luke Peters

Mr. Charlie Matthews

Members Absent:

Mrs. Sharon Lynch

Mr. Jim Greene

Staff Present:

Mr. Sam Tuten, City Planner

Mrs. Tammy Bunner, Development Secretary

Others Present:

See attached list

Roll Call

Tammy Bunner noted the roll call with 11 voting members present. A quorum was present.

Minutes

Mrs. Sherry Dugan made a motion to approve the minutes from July 29, 2016. Mr. Tom Evans seconded the motion. Motion passed (11-0-0).

President's Report

Mr. Matthews had nothing to report at this time.

Planning Administrator's Report

Mr. Sam Tuten announced to the members that the City can no longer sign off of the parking tickets.

Mr. Rickie Yeager stated that they are trying to get something set up to accommodate this issue.

Mr. Tuten stated that there will be a MPC meeting in October.

New Business

- A. Proposed abandonment of a portion of an unnamed twenty (20) foot wide alley, lying between property shown on Tax Map 58, between Parcel 14 to the west, and Parcel 28 to the east.

Applicant: Effie Ayers

Mr. Sam Tuten presented the staff report.

Mr. Matthews asked if there were any questions for the staff.

The Public Hearing began at 12:40 p.m.

In Favor

Ms. Effie Ayers of 2908 26th Street stated that she talked with the gas company last year and they said they would have no problem with this proposal and she saw no negative issues to have this closed.

In Opposition

No one was in opposition at this time.

Public hearing closed at 12:45 p.m.

Mr. Charlie Matthews asked if there were any criminal activity going on.

Mr. Tom Evans mentioned that people are parking in the dark there and they are having break in's across the street.

Mr. Harold Stockwell asked if there were plans to put up a fence.

Mrs. Ayers stated no. She mentioned that this was an elderly neighborhood and this was for security reason. There is no plan to have it closed off.

Mr. Evans mentioned that if something permanent was put in that the City can have it removed.

Mr. Evans stated they talked about setting a time to consolidate the lot, condition to approval.

Mrs. Ayers mentioned that no one in the area will be affected by the closure.

Mr. Luke Peters stated that he lives across the street and that the curb is cut and asked if that would be paved after the closure.

Mr. Justin Smith mentioned if there was a program it could happen.

Mrs. Sherry Dugan made a motion to accept the proposed abandonment of a portion of an unnamed twenty (20) foot wide alley, lying between property shown on Tax Map 58, between Parcel 14 to the west, and Parcel 28 to the east with the condition that it must incorporate the two lots into one parcel within 12 months. Mr. Tom Evans seconded the motion. Motion passed (11-0-0).

Mr. Tom Evans made a motion to amend that within 12 months, Mrs. Deem and Mrs. Ayers have a lot consolidation survey conducted and have it presented with a 3rd party deed. The amendment was accepted by Mrs. Dugan.

B. Proposed abandonment of a portion of an unnamed ten (10) foot wide alley, lying between property shown on Tax Map 59, between Parcel 59 to the south, and Parcels 9, 10, 11 and 12 to the north.

Applicant: Jeremy LeMasters

Mr. Sam Tuten presented the staff report.

Mr. Matthews asked if there were any questions for the staff.

Mr. Matthews asked who owned the garage.

Mr. Tuten stated that it belonged to Mr. Britton.

The Public Hearing began at 1:00 p.m.

In Favor

Mr. Jeremy LeMasters was present but no one spoke in favor of the alley closure.

Opposed

Mr. Roy Fike of 2418 Lincoln Avenue stated that his property adjoins 21st Street from Gant and west to Mr. Jeremy LeMasters property. He stated that if the alley is cut off then he would not have access to his property on Gant Street. He mentioned that he wasn't opposed to the closing of the alley but he didn't want to take away access to his property.

Mr. Fike stated that he spoke to Jeremy about giving him a piece of his property in his backyard to have access to his property (garage).

Mr. Eric Gumm asked Mr. Fike if he did not have access to his property without going through the alley.

Mr. Fike stated he did. He stated that he would have to go around to Gant Street in order to get to his property.

Mr. Gumm stated that it was a matter of convenience not necessity.

Mr. LeMasters stated that he will never block Mr. Fike off and stop him from going through the alley and would be more than happy to give him a right of way.

Mr. Matthews explained that he could do a private right of way.

Mr. Tuten explained to Mr. Fike that if the alley were to be closed that Mr. LeMasters and Mr. Britton could give him a right of way access to his property.

Mr. Eric Gumm stated that doing the closure affects no one and that it is just an inconvenience.

Mr. Fike and Mr. Tebay had a discussion about the closure. Mr. Tebay explained to Mr. Fike that Mr. LeMasters could give him private access to his property if the alley were to be closed and that he couldn't do what Mr. Fike mentioned earlier about the getting access from the back of Mr. LeMasters' property.

Public Hearing closed at 1:15 p.m.

Mrs. Sherry Dugan made a motion to accept the proposed abandonment of a portion of an unnamed ten (10) foot wide alley, lying between property shown on Tax Map 59, between Parcel 59 to the south, and Parcels 9, 10, 11 and 12 to the north. Mr. Evans seconded the motion. Motion passed (11-0-0).

Mr. Tebay mentioned that Mr. Britton needs to join in the Quit Claim Deed.

Old Business

There was no old business at this time to discuss.

Adjournment

The meeting adjourned at 1:20 p.m.

Respectfully submitted by:

Tammy Bunner
Development Secretary

AN ORDINANCE VACATING A PORTION OF A TEN (10) FOOT WIDE UNNAMED ALLEY LOCATED ON PARKERSBURG CITY TAX MAP 59 (NORTH). THE PORTION OF THE ABANDONED UNNAMED ALLEY RUNS OFF LINCOLN AVENUE BETWEEN PARCEL 59 AND PARCELS 9, 10, 11 & 12.

The Municipal Planning Commission of the City of Parkersburg has recommended that an Unnamed 10 Foot Wide Alley located off of Lincoln Avenue on City Tax Map 59, between Parcel 59 and Parcels 9, 10, 11 and 12 to be vacated;

WHEREAS, the City believes it proper to do so and,

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

Beginning at the southwesterly corner of lot 77 of Franklin Place Addition No. 1 as recorded in Plat Book 3, page 38, in the office of the clerk of the county commission of Wood County, West Virginia; thence with the southerly lines of lots 77 through 80 inclusive of the aforesaid addition, in a southeasterly direction, to the southeasterly corner of said lot 80, thence crossing said alley to be vacated, in a southwesterly direction, 10 feet more or less, to the northeasterly corner of lot 85 of the aforesaid addition, thence with the northerly line of said lot 85, in a northwesterly direction, to the northwesterly corner of said lot 85, thence with the easterly line of Lincoln Avenue, in a northeasterly direction, 10 feet more or less, to the point of beginning.

This description was prepared by Randy A. Sheppard, Professional Surveyor No. 860, and is based on instruments of record. Reference is being made to a plat attached hereto and made part of this description.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City shall retain a permanent easement for the benefit of the City of Parkersburg, the Parkersburg Utility Board, and all other public utility companies, for ingress and egress over, along and under said portion of right-of-way for the installation, maintenance, location, relocation and removal of public utilities of any kind.

Mayor James E. Colombo is accordingly authorized to execute a

quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owners.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

Mayor James E. Colombo



CITY OF PARKERSBURG
ONE GOVERNMENT SQUARE
P.O. BOX 1627
PARKERSBURG, WV 26102

September 27, 2016

The Honorable James E. Colombo, Mayor
Members of City Council
One Government Square
Parkersburg, WV 26102

Re: Petition to abandon City's public right-of-way on a portion of a ten (10) foot wide unnamed alley at Lincoln Ave.

To the Honorable Mayor and City Council:

On September 16, 2016, the Municipal Planning Commission (MPC) held a public hearing to consider the following petition:

Proposed abandonment of a portion of an unnamed ten (10) foot wide alley, lying between property shown on Tax Map 59, between Parcel 59 to the south, and Parcels 9, 10, 11 and 12 to the north.

After hearing all interested parties, the Municipal Planning Commission (MPC) unanimously approved the petition described above (11-0-0) on September 16, 2016 and further recommended that Parkersburg City Council do the same. Please find enclosed a copy of the minutes from the public hearing, as well as a map of the proposed changes and the MPC's staff report,

If you have any questions, please contact me at 304.424.8558 or by email at samuel.tuten@parkersburgwv.gov.

Sincerely,

Sam Tuten
City Planner/MPC Staff



25TH STREET

LINCOLN AVENUE

GANT AVENUE

FRANKLIN PLACE ADDN. NO. 1
PLAT BOOK 3 PAGE 38

PORTION OF A 10' ALLEY [TO BE VACATED]



SCALE = 1 INCH = 50 FEET
 DATE: 09/16/16
 DRAWN BY: R.S.
 CHECKED BY:
 MAP P.C. 59
 PART OF FRANKLIN PLACE
 ADDITION NO. 1
 PLAT BOOK 3, PAGE 38

CITY OF PARKERSBURG, W.V.
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF ENGINEERING
 PLAT OF A PORTION OF A 10' ALLEY
 TO BE VACATED

**Description of a Portion of a 10 Foot Wide Alley
Lying East of Lincoln Avenue and South of 25th Street
Parkersburg City Tax Map 59 (North)
To be Vacated**

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

Beginning at the southwesterly corner of lot 77 of Franklin Place Addition No. 1 as recorded in Plat Book 3, page 38, in the office of the clerk of the county commission of Wood County, West Virginia; thence with the southerly lines of lots 77 through 80 inclusive of the aforesaid addition, in a southeasterly direction, to the southeasterly corner of said lot 80, thence crossing said alley to be vacated, in a southwesterly direction, 10 feet more or less, to the northeasterly corner of lot 85 of the aforesaid addition, thence with the northerly line of said lot 85, in a northwesterly direction, to the northwesterly corner of said lot 85, thence with the easterly line of Lincoln Avenue, in a northeasterly direction, 10 feet more or less, to the point of beginning.

This description was prepared by Randy A. Sheppard, Professional Surveyor No. 860, and is based on instruments of record. Reference is being made to a plat attached hereto and made part of this description.



Municipal Planning Commission Staff Report

Municipal Building | Executive Conference Room | September 16, 2016 at 12:30pm

Planning Commission

President

Charlie Matthews

Vice-President

Eric Gumm

Council

Representative

Sharon Lynch

Members

Sean Andrews

Francis Angelos

Sherry Dugan

Tom Evans

James Greene II

Luke Peters

Eddie Staats

Harold Stockwell

Seldon Wigal

Sam Tuten

Vacant

Vacant

PROJECT: Petition to abandon a portion of an unnamed ten (10) foot wide alley, lying between property shown on Tax Map 59, between Parcel 59 and Parcels 9, 10, 11 & 12 located off of Lincoln Ave.

LOCATION: 2420 Lincoln Ave.

OWNER/APPLICANT: Jeremy LeMasters

PROJECT DESCRIPTION

- Applicants seek to abandon a portion of an alley that runs alongside his property. The applicant would then like to consolidate the alley with his property and hopefully consolidate a portion of his neighbor's property after his neighbor subdivides the property.

ANALYSIS

The portion of alley to be abandoned is off of Lincoln Avenue and runs between Lincoln and Gant Ave. Please see attached aerial map for reference. The alley is all grass and well maintained by all of the abutting property owners.

Prior to this application for thoroughfare abandonment being turned in to the Development Department, I met with the adjacent property owner Mr. Britton about subdividing this property. Mr. Britton spoke about subdividing his property and wanted to sell that subdivision to Mr. LeMasters on the other side of the alley. After looking at the proposed subdivision, it was determine that the new lot would be non-conforming. A plan was proposed that if the alley would be closed and deeded to Mr. LeMasters, then the proposed subdivision, if approved, could be consolidated with the rest of Mr. LeMasters's property and the closed alley.

While the City's 2020 Comprehensive Master Plan Update encourages infill redevelopment, it does not specifically address alley closures in the community.

DEPARTMENTAL REVIEW

The **Parkersburg Utility Board** had no issues with the proposed abandonment and gave approval.

The **Parkersburg Fire Department** had no issues with the proposed abandonment and gave approval.

Mon Power (First Energy) had no conflicts with the proposed abandonment and gave approval.

The **Public Works Department (Engineering Division)** gave approval for the proposed abandonment with the comment because Mr. LeMasters has a plan for the alley closure.

The following entities were notified of the applicant's petition and did not submit any comments; **Parkersburg Police Department, Dominion Hope and Frontier Communications.**

PLANNING DIVISION RECCOMENDATION

The Planning Division recommends that the Municipal Planning Commission recommends approval of the abandonment.

LAND USE SUBCOMMITTEE RECOMMENDATION

The Land Use Subcommittee met on Tuesday, September 06, 2016 at the location to discuss the proposed abandonment. Members in attendance included Tom Evans, Harold Stockwell, and Seldon Wigal. Upon review of the abandonment, members gave a recommendation that the proposed abandonment be approved. Charlie Matthews was unable to make it to the location site for the meeting but instead came in to the Development Department to talk about the proposed abandonment. He also gave a recommendation that the proposed abandonment be approved.

Parkersburg

Municipal Planning Commission

September 16, 2016

A regular meeting of the Municipal Planning Commission was held on Friday, September 16, 2016 in the Executive Conference Room 2nd Floor, Parkersburg, West Virginia, at 12:30 with Mr. Charlie Matthews presiding.

Members Present:

Mr. Francis Angelos
Mrs. Sherry Dugan
Mr. Tom Evans
Mr. Harold Stockwell
Mr. Eric Gumm
Mr. Sean Andrews
Mr. Sel Wigal
Mr. Eddie Staats
Mr. Luke Peters
Mr. Charlie Matthews

Members Absent:

Mrs. Sharon Lynch
Mr. Jim Greene

Staff Present:

Mr. Sam Tuten, City Planner
Mrs. Tammy Bunner, Development Secretary

Others Present:

See attached list

Roll Call

Tammy Bunner noted the roll call with 11 voting members present. A quorum was present.

Minutes

Mrs. Sherry Dugan made a motion to approve the minutes from July 29, 2016. Mr. Tom Evans seconded the motion. Motion passed (11-0-0).

President's Report

Mr. Matthews had nothing to report at this time.

Planning Administrator's Report

Mr. Sam Tuten announced to the members that the City can no longer sign off of the parking tickets.

Mr. Rickie Yeager stated that they are trying to get something set up to accommodate this issue.

Mr. Tuten stated that there will be a MPC meeting in October.

New Business

- A. Proposed abandonment of a portion of an unnamed twenty (20) foot wide alley, lying between property shown on Tax Map 58, between Parcel 14 to the west, and Parcel 28 to the east.

Applicant: Effie Ayers

Mr. Sam Tuten presented the staff report.

Mr. Matthews asked if there were any questions for the staff.

The Public Hearing began at 12:40 p.m.

In Favor

Ms. Effie Ayers of 2908 26th Street stated that she talked with the gas company last year and they said they would have no problem with this proposal and she saw no negative issues to have this closed.

In Opposition

No one was in opposition at this time.

Public hearing closed at 12:45 p.m.

Mr. Charlie Matthews asked if there were any criminal activity going on.

Mr. Tom Evans mentioned that people are parking in the dark there and they are having break in's across the street.

Mr. Harold Stockwell asked if there were plans to put up a fence.

Mrs. Ayers stated no. She mentioned that this was an elderly neighborhood and this was for security reason. There is no plan to have it closed off.

Mr. Evans mentioned that if something permanent was put in that the City can have it removed.

Mr. Evans stated they talked about setting a time to consolidate the lot, condition to approval.

Mrs. Ayers mentioned that no one in the area will be affected by the closure.

Mr. Luke Peters stated that he lives across the street and that the curb is cut and asked if that would be paved after the closure.

Mr. Justin Smith mentioned if there was a program it could happen.

Mrs. Sherry Dugan made a motion to accept the proposed abandonment of a portion of an unnamed twenty (20) foot wide alley, lying between property shown on Tax Map 58, between Parcel 14 to the west, and Parcel 28 to the east with the condition that it must incorporate the two lots into one parcel within 12 months. Mr. Tom Evans seconded the motion. Motion passed (11-0-0).

Mr. Tom Evans made a motion to amend that within 12 months, Mrs. Deem and Mrs. Ayers have a lot consolidation survey conducted and have it presented with a 3rd party deed. The amendment was accepted by Mrs. Dugan.

B. Proposed abandonment of a portion of an unnamed ten (10) foot wide alley, lying between property shown on Tax Map 59, between Parcel 59 to the south, and Parcels 9, 10, 11 and 12 to the north.

Applicant: Jeremy LeMasters

Mr. Sam Tuten presented the staff report.

Mr. Matthews asked if there were any questions for the staff.

Mr. Matthews asked who owned the garage.

Mr. Tuten stated that it belonged to Mr. Britton.

The Public Hearing began at 1:00 p.m.

In Favor

Mr. Jeremy LeMasters was present but no one spoke in favor of the alley closure.

Opposed

Mr. Roy Fike of 2418 Lincoln Avenue stated that his property adjoins 21st Street from Gant and west to Mr. Jeremy LeMasters property. He stated that if the alley is cut off then he would not have access to his property on Gant Street. He mentioned that he wasn't opposed to the closing of the alley but he didn't want to take away access to his property.

Mr. Fike stated that he spoke to Jeremy about giving him a piece of his property in his backyard to have access to his property (garage).

Mr. Eric Gumm asked Mr. Fike if he did not have access to his property without going through the alley.

Mr. Fike stated he did. He stated that he would have to go around to Gant Street in order to get to his property.

Mr. Gumm stated that it was a matter of convenience not necessity.

Mr. LeMasters stated that he will never block Mr. Fike off and stop him from going through the alley and would be more than happy to give him a right of way.

Mr. Matthews explained that he could do a private right of way.

Mr. Tuten explained to Mr. Fike that if the alley were to be closed that Mr. LeMasters and Mr. Britton could give him a right of way access to his property.

Mr. Eric Gumm stated that doing the closure affects no one and that it is just an inconvenience.

Mr. Fike and Mr. Tebay had a discussion about the closure. Mr. Tebay explained to Mr. Fike that Mr. LeMasters could give him private access to his property if the alley were to be closed and that he couldn't do what Mr. Fike mentioned earlier about the getting access from the back of Mr. LeMasters' property.

Public Hearing closed at 1:15 p.m.

Mrs. Sherry Dugan made a motion to accept the proposed abandonment of a portion of an unnamed ten (10) foot wide alley, lying between property shown on Tax Map 59, between Parcel 59 to the south, and Parcels 9, 10, 11 and 12 to the north. Mr. Evans seconded the motion. Motion passed (11-0-0).

Mr. Tebay mentioned that Mr. Britton needs to join in the Quit Claim Deed.

Old Business

There was no old business at this time to discuss.

Adjournment

The meeting adjourned at 1:20 p.m.

Respectfully submitted by:

Tammy Bunner
Development Secretary

