

AGENDA FOR THE REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 26, 2016, 7:30 PM
COUNCIL CHAMBERS, SECOND FLOOR,
MUNICIPAL BUILDING

PRAYER AND PLEDGE OF ALLEGIANCE

- I. CALL TO ORDER – Councilman John Rockhold III, President
- II. ROLL CALL
- III. MINUTES – Council meeting January 12, 2016
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
 1. Mayor Colombo – comments on the State of the City.
 2. Communication from Mayor Jimmy Colombo reappointing Ms. Belinda Fetty, 824 Lakeview Avenue; and Mr. Bill McClure, 1911 Covert Street, to the Mid-Ohio Valley Transit Authority for 3 year terms to expire November 2018 (Fetty) and January 2019 (McClure)
- VI. PUBLIC FORUM
- VII. RESOLUTIONS
 3. Resolution authorizing Mayor Jimmy Colombo to sign a lease modification agreement with the WVU-P regarding the use of the parking lot at 7th and Juliana Streets. (Sponsored by Councilmen Wilcox, Reynolds, Lynch, and Rockhold.)
- VII. ORDINANCE, FIRST READING
 4. An ordinance amending and re-enacting the Personnel Policy and Procedure Manual to reflect position additions for a Fleet maintenance Coordinator (H-5); Sanitation Supervisor (S-1); and Street Supervisor (S-1). (Sponsored by the Personnel Committee of City Council.)
 5. An ordinance amending and re-enacting the Personnel Policy and Procedure Manual by adding a Public Works Training Rate at \$1.00 per hour less than the full base rate for the positions of caretaker, craftsman, grounds and maintenance technician, medium equipment operator, and heavy equipment operator. (Sponsored by the Personnel Committee of City Council.)
 6. An ordinance amending and re-enacting the Personnel Policy and Procedure Manual to reclassify the Information Technology (IT) Coordinator at an S-6A grade, base salary \$49,500.00. (Personnel Committee)
 7. An ordinance amending and re-enacting the Personnel Policy and Procedure Manual by removing our current smoking abatement policy and replacing it with the new tobacco-free workplace policy. (Personnel Committee.)
- X. ADJOURNMENT

CASTO & HARRIS, INC., SPENCER, WV RECORDER NO. 12275-13

The Council of the City of Parkersburg met in regular session Tuesday, January 12, 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 Ms. Wilcox, to approve the minutes from the meeting held December 8, 2015 and December 15, 2015, and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Council President Rockhold announced his committees for 2016 as follows:

**CITY COUNCIL COMMITTEES
2016**

Council President, John Rockhold III
Vice President, Roger Brown

FINANCE COMMITTEE

Nancy Wilcox, Chairman
Jim Reed, Vice Chairman
Warren Bigley
Roger Brown
John Rockhold

PERSONNEL COMMITTEE

Sharon Lynch, Chairman
Mike Reynolds, Vice Chairman
Roger Brown
Jim Reed
John Rockhold

PUBLIC WORKS COMMITTEE

Jim Reed, Chairman
JR Carpenter, Vice Chairman
Nancy Wilcox
Kim Coram
Sharon Lynch

Area Roundtable – Warren Bigley
Wood County Recreation – Roger Brown
Municipal Planning Commission – Sharon Lynch
Municipal Tree Commission – Mike Reynolds
Downtown Façade – JR Carpenter
Holiday in the Park – Nancy Wilcox
PKB – John Rockhold
URA – Mike Reynolds, Chairman
URA – Warren Bigley, Vice Chairman
Bicycle Committee – JR Carpenter

STORMWATER COMMITTEE

John Rockhold, Eric Bennett, Justin Smith
Greg Herrick, Ed Glasser, Jim Province, Paul Hoblitzell

President Rockhold thanked past President, JR Carpenter for his time and effort during 2015, and also thanked the committees and their chairmen for their dedication, and all those who gave extra time for our City.

MESSAGE FROM THE EXECUTIVE

Mayor Jimmy Colombo told Council that he would present a State of the City message on January 26, 2016. He also introduced Boy Scout Seth McHenry, 93 Wyndham Knob, Parkersburg, WV, who is from Troop 12 working on his citizenship in the community badge, attending with his father, Sean. Seth assisted the Mayor with introductions of the members of the Board for the Mid-Ohio Valley Transit Authority, who were attending this evening. Mayor Colombo stated that the Transit Authority has done a great job over the past several years.

Mayor Colombo presented him with a City pin and we all wished him well.

The Mayor also commended our Police Chief, Joe Martin, for doing a great job with the department, and drugs in particular. He also commended the Fire Chief, Eric Taylor, and told a story about our firemen being called to one of our schools recently for a medical situation with one of the teachers... One of the five-year old children was frightened to see ambulances and fire trucks, and one of our firemen talked with him and explained the situation at the child's level so he could understand and be comforted. The class then made this experience a project and turned the negative situation into a positive one.

With that, the Mayor then nominated Mr. Tim Penn, 1800 Market Street, to the Mid-Ohio Valley Transit Authority Board for a term to expire January 12, 2019.

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

PUBLIC FORUM – Mr. Bill McClure from the Transit Authority Board, who has served for 17 years, stated that they represent City Council, and for Council to let them or management know if there are any problems, and they will take care of them.

Ms. Coram thanked the Board members for their free air service for bicycles at their new garage. Her friend had to stop by there, and she told them they made a difference to our community.

Mr. Larry Butcher, homeless, said he would like to see that the people who pay the user fee know that they can take tires to the recycling center for free of charge. Public Works Director, Rick Lemley, stated that City residents could take 10 per year to the center.

Councilwoman Coram then spoke of her past year as Chairman of the Finance Committee, and their responsibility. She expanded by stating from the modern language version of the U. S. Declaration of Independence saying in part that whenever any form of government becomes destructive, it is the right of the people to alter or to abolish it and institute new government....it is their right and duty to throw off such government and provide new guards for the future, she said. She added that their finance committee reviewed the responsibilities of that committee together, and encouraged everyone to read the City's Constitution about how City government is supposed to work. *SEE PAGE 269 FOR ENTIRE SPEECH*

RESOLUTION

AN ORDER AUTHORIZING AN ELECTION FOR RENEWAL OF AN EXISTING LEVY
UNDER THE PROVISIONS OF WEST VIRGINIA CODE
CHAPTER 11, ARTICLE 8, SECTION 16, TO
PROVIDE FOR THE CONTINUED OPERATION OF THE
MASS TRANSPORTATION (BUS) SYSTEM

IT IS HEREBY RESOLVED AND ORDERED by the City Council of the City of Parkersburg:

Section 1:

The Council of the City of Parkersburg, West Virginia, is of the opinion and does hereby find:

- (a) That the existing mass transportation system operated by the Mid-Ohio Valley Transit Authority is funded for operations in the municipalities of Parkersburg and Vienna only in an amount which will permit operation of said system until June 30, 2017.
- (b) That for the existing mass transportation system to be operated beyond June 30, 2017, additional revenues are needed.
- (c) That for the good of the public welfare it is necessary that an existing additional levy be renewed, extended and utilized to fund the operation of the mass transportation system in the future.

Section 2:

The purpose for which the renewal of the existing additional levy funds are needed is to continue the operation of the mass transit (bus) system in the cities of Parkersburg and Vienna, West Virginia, at a total cost of approximately \$2,688,117.61 per year for two (2) years, of which the sum of \$1,881,672.80 per year for two (2) years would be derived from the City of Parkersburg.

Section 3:

The total amount of funds needed for the purpose above stated is approximately \$2,688,117.61 per year for two (2) years, of which \$1,881,672.80 per year for two (2) years would be funded by the City of Parkersburg. These funds will be used to provide for the continued operation of the mass transit (bus) system in the cities of Parkersburg and Vienna, West Virginia, provided, however, that in the event the additional levy is approved by the voters of the City of Parkersburg, but disapproved by the voters of the City of Vienna, funds obtained from the levy may be used for the operation of the mass transit (bus) system for routes which originate or terminate within the geographical confines of the City of Parkersburg. Any surplus funds received by the City of Parkersburg may be utilized for the same purposes during the fiscal year so received. In the event any funds may be obtained from the United States of America, the State of West Virginia, or any other legal source, by gift, grant or otherwise, in aid of furtherance of the aforesaid purposes, the City of Parkersburg is authorized to match such funds from the proceeds of the additional levy.

Section 4:

The separate and aggregate assessed valuation of each class of taxable property within the City of Parkersburg as shown by the records of the Assessor as of May 27, 2015, for State, County and City taxation is as follows:

Class I \$ -0-
Class II 434,136,220.00
Class IV 535,841,940.00
Total \$969,978,160.00

Section 5:

CASTO & HARRIS, INC., SPENCER, WV REC-ORDER NO. 12275-13

The proposed additional rate of renewal levy in cents on each One Hundred Dollars (\$100.00) assessed valuation of taxable property in the City of Parkersburg is as follows:

Upon Class I Properties \$0.06248

Upon Class II properties \$0.12496

Upon Class IV properties \$0.24992

Said rates may be reduced for all classes of property for each levy tax year so as to cause such rate of special levy to produce no more than approximately \$1,881,672.80.

Section 6:

The proposed years to which the renewed additional levy shall apply are the two (2) fiscal years beginning July 1, 2017, and July 1, 2018.

Section 7:

The City of Parkersburg shall not issue bonds for the purposes set forth in this order.

Section 8:

The question of laying such renewal of existing additional levy shall be submitted to the voters of the City of Parkersburg at a special election to be held in said City on the 10th day of May, 2016, in accordance with the election laws of the State of West Virginia.

Section 9:

The registration of voters and the use of registration books shall be governed by the permanent registration law of the State of West Virginia and the registration lists of Wood County, West Virginia, as amended and corrected according to law, shall be the official registration list for such special election. It appears that the provisions of West Virginia Code,

Chapter 3, Article 3, relating to absentee and early voting are clearly adaptable to this special election. Except to the extent expressly herein provided, this special election shall be governed by the general election laws of the State of West Virginia.

Section 10:

The Notice calling such election shall be given by publication of this Ordinance as a Class II-0 legal advertisement in compliance with provisions of Article 3 of Chapter 49 of the Code of West Virginia of 1931, as amended, being published once a week for two (2) successive weeks prior to the date of the election in two (2) newspapers, of opposite politics, and of general circulation in Wood County, West Virginia.

Section 11:

The form of the ballot for such election shall be as follows:

Special election to authorize the renewal of existing additional the fiscal years beginning July 1, 2017, and July 1, 2018, for the purpose of providing for the continued operation of the mass transit (bus) system in the cities of Parkersburg and Vienna, West Virginia, according to the Order of the Council of the City of Parkersburg adopted on the 12th day of January, 2016. In the event renewal of existing additional levies are approved by the voters of the City of Parkersburg but disapproved by the voters of the City of Vienna, the funds from said additional levy may be used for the operation of the mass transit (bus) system for routes which originate and terminate within the geographical limits of the City of Parkersburg. The renewal of the existing additional levy per \$100.00 valuation shall be on Class I property, \$0.06248; on Class II property, \$0.12496; and on Class IV property, \$0.24992. Said rates may be reduced for each levy year so that the proceeds of the additional levy shall be approximately \$1,881,672.80 per year.

() Yes, for renewal of levy for continued mass transit (bus) service

() No, against renewal of levy for continued mass transit (bus) service

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

RESOLUTION

RESOLUTION AUTHORIZING MAYOR COLOMBO TO SUBMIT
LETTERS OF INTENT FOR TRANSPORTATION
ENHANCEMENT PROJECTS THROUGH THE
WEST VIRGINIA DIVISION OF HIGHWAYS – FY 2016
TRANSPORTATION ALTERNATIVES PROGRAM

WHEREAS, the City of Parkersburg desires to improve its roadway infrastructure and encourage alternative modes of transportation, and

WHEREAS, many neighborhoods in South Parkersburg do not have an integrated network of sidewalks that connect residents to major destinations, and

WHEREAS, working with members of Parkersburg City Council, the Administration has identified and prioritized the following projects:

1. Repair, replace and/or install new sidewalks, curbs, ADA handicap ramps and drainage on the northerly side of Rayon Drive, between Pike Street and 14th Avenue, so as to provide students walking to Edison Middle School or Martin Elementary School with a safer route to school.
2. Repair, replace and/or install new sidewalks, curbs, ADA handicap ramps and drainage on the southerly side of Gihon Road, between Belmont Avenue and David Lee Drive, and on the easterly side of Belmont Avenue, between Gihon Road and Delaware Street, so as to provide students with a safer route to school.

3. Improve the line site for motorists and pedestrians on Stewart Avenue, between 15th and 16th Avenue, by widening the northerly portion of the roadway and building a retaining wall, and

WHEREAS, the City of Parkersburg will be responsible for providing a 20 percent, cash and/or in-kind match, should one or more of the aforementioned projects be approved and asked to submit a formal application to the West Virginia Division of Highways.

NOWTHEREFORE BE IT RESOLVED, that Mayor James E. Colombo is hereby authorized by the Council of the City of Parkersburg, to submit a Letter of Intent for the projects described here in, to the West Virginia Division of Highways – FY 2016 Transportation Alternatives Program.

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

Mr. Brown inquired about the 20% match, and Mr. Yeager stated that if we are approved for these funds, they will come back to Council for allocation.

VOTE – the motion was adopted by unanimous vote.

The meeting adjourned at 7:55 PM.

Connie Shroyer
City Clerk

Council President

CASTO & HARRIS, INC., SPENCER, WV, RE-ORDER NO. 12275-13

(continued from page one, Kim Coram's speech, inserted at her request)

Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. ... it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—

That is a quote from the "modern language version" of the declaration of independence.

It basically says that when the government created by the people becomes destructive, it is citizen's duty and right to throw it out!

In yesterday's newspaper, the following was printed:

Rockhold said he thinks "the Finance Committee needs to do the Finance Committee's job." He said council rules give the Personnel Committee the responsibility to review and update the charter, something discussed in Finance last year.

The Charter is the constitution for the city of Parkersburg. The constitution was written by the citizens and defines how we, as elected officials are required by law to do our job. To do the job we were elected to do as servants to our citizens.

To state it is not the Finance Committee's job to read and understands its responsibilities according to the constitution is a statement so alarming and absurd, I can only think it was said in an attempt to "mess with people's minds."

This is THE document that guides us as councilors. It explains in explicit detail how we are to do the job we were hired/elected to do. Never once, have I been officially trained on the charter. It was handed to me upon taking office and that was it. Upon being assigned as Finance Chair, I reviewed my responsibilities and those of my committee in regards to ensuring we upheld the Charter. We reviewed those responsibilities together as a committee and noted issues. The most notable issues were we discovered violations in compliance with our constitution's requirements.

To hear our newly elected president say it was not our job to know and comply with our constitution is alarming. It instantly brought to mind the statement in the Declaration of Independence stating, "It is my right, my duty to throw out such governments.

Let's talk about what resulted from the Finance Committee's review last year.

1. The budget was brought into compliance with the charter regarding the funds listed. The city's constitution requires that council be presented with ALL financial information when being given the budget. This was being violated.
2. The Capital Improvement plan has been done as required by the city's constitution. Prior to the review, the Mayor and council had violated the law requiring its development, public notice and public hearing.
3. Noting objections from councilors about the charter review in finance meetings, I sent an email on February 25, 2015 and asked our city attorney if there was another forum the finance committee could use to review the constitution together, outside of the committee meeting itself. His response, and I quote, "There is always an issue of meeting when there are more than four councilmen present as it creates a quorum and falls under open meetings and notice requirements." In that the only way to educate my committee on our responsibilities was in the meetings itself, and council's rules forbid this training, council's rules need rewritten.
4. I do not remember seeing the results of the personnel's committee review of the Charter. Can someone please send me that document?

There is not a day that goes by that I do not hear reference to our countries Constitution, to one of the amendments. I am using my rights under the first amendment to speak this evening. Instead of stating in the paper it is improper to talk about our city's constitution, I want my president to talk about it, sing it from the rooftops and encourage everyone to do the same. I appreciated President Carpenter's commitment to doing that, making our constitution first and foremost.

We need more conversation in our city, not less. In my 3 years on council I have watched citizen's insulted, criticized and intimidated by government representatives. Our citizens have a lot to say. We need to encourage conversation. The Point of Order Podcast held a town hall meeting last Thursday and you were invited. You didn't even give me the professional courtesy of a response. The meeting was fantastic. Citizens spoke freely and were encouraged. Great, positive ideas came out and not so great things were discussed and solutions were offered. It was wonderful.

I believe your opinion on not discussing or reviewing our constitution "effects my Safety and Happiness. ... it is my right, it is my duty, to throw off such Government, and to provide new Guards for their future security.—

Mayor James E. Colombo



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

January 20, 2016

Members of Parkersburg City Council
Parkersburg, WV 26101

Dear Council Members:

There are two members of the Mid-Ohio Valley Transit Board of Directors whose terms have expired, and they wish to be re-appointed.

I ask for your favorable consideration as I nominate Ms. Belinda Fetty, 824 Lakeview Drive for a term to expire November, 2018; and also for Mr. Bill McClure, 1911 Covert Street for a term to expire January, 2019. If you have any questions, please call me at 424-8420.

Thank you.

Sincerely,


Jimmy Colombo

Mayor

**RESOLUTION AUTHORIZING MAYOR COLOMBO TO
SIGN LEASE MODIFICATION AGREEMENT WITH
WEST VIRGINIA UNIVERSITY AT PARKERSBURG
REGARDING THE PARKING LOT AT 7th AND JULIANA
STREET**

WHEREAS, a lease agreement between the City of Parkersburg, the “Leasee” and the West Virginia University at Parkersburg Board of Governors, the “Lessor” was executed on July 8, 2013 regarding property at 7th and Juliana Street, and

WHEREAS, the Lessor recognized that the Leasee had the capacity to build and manage a short term parking lot on said property in Downtown Parkersburg, and

WHEREAS, Leasee developed a surface parking lot on said property for the purpose of making short-term parking available to West Virginia University at Parkersburg’s Downtown Campus and the immediate area, and

WHEREAS, the parking lot is underutilized at the present time and is not generating sufficient revenues to operate and maintain the facility, and

WHEREAS, demand for monthly, off-street parking continues to grow as other surface parking lots are being repurposed and/or redeveloped, and

WHEREAS, the Leasee desires to accommodate this demand by making some and/or all of this said parking available for monthly parking,

THEREFORE BE IT RESOLVED, that Mayor James E. Colombo is hereby authorized to sign the lease modification agreement attached here to, with the West Virginia University at Parkersburg, regarding the use of parking lot at 7th and Juliana Street in downtown Parkersburg.

Lease Modification Agreement

WHEREAS, a lease agreement between the City of Parkersburg, the "Leasee" and the West Virginia University at Parkersburg Board of Governors, the "Lessor" was executed on July 8, 2013 regarding property at 7th and Juliana Street, and

WHEREAS, the Lessor recognized that the Leasee had the capacity to build and manage a short term parking lot on said property in Downtown Parkersburg, and

WHEREAS, Leasee developed a surface parking lot on said property for the purpose of making short-term parking available to West Virginia University at Parkersburg's Downtown Campus and the immediate area, and

WHEREAS, the parking lot is underutilized at the present time and is not generating sufficient revenues to operate and maintain the facility, and

WHEREAS, demand for monthly, off-street parking continues to grow as other surface parking lots are being repurposed and/or redeveloped, and

WHEREAS, the Leasee desires to accommodate this demand by making some and/or all of this said parking available for monthly parking,

IT IS THEREFORE AGREED by the parties, for and in consideration of mutual promises and covenants herein after contained, as follows:

1. Leasee shall be permitted to make any or all spaces, in said lot, available for monthly parking and set such rates as it deems proper.

WITNESS the following signatures and seals this ____ day of _____, 2016.

CITY OF PARKERSBURG

By: _____

Its: Mayor, James E. Colombo

WEST VIRGINIA UNIVERSITY AT
PARKERSBURG BOARD OF
GOVERNORS

By: _____

Its: _____

STATE OF WEST VIRGINIA,

COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before the undersigned authority by James E. Colombo, Mayor of the City of Parkersburg, this ____ day of _____, 2016.

My commission expires: _____

NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before the undersigned authority by Jeff Matheny, President of the West Virginia University Board of Governors, this ____ day of _____, 2016.

My commission expires: _____

NOTARY PUBLIC

**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 position additions:

	<u>Grade</u>
Fleet Maintenance Coordinator	H-5
Sanitation Supervisor	S-1
Street Supervisor	S-1

Sponsored by the Personnel Committee.

**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, Table I of 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 addition:

Public Works Training Rate –

For the following positions within Public Works, employees will be hired in at a Training Rate of \$1.00/hour less than the full base rate for the position:

- Caretaker – Parks (nights & weekends)
- Craftsman
- Grounds & Maintenance Technician
- Medium Equipment Operator
- Heavy Equipment Operator

Upon satisfactory completion of the employee's 6-month probationary period, during which they've demonstrated proficiency on all of the tasks required by their position, the employee will be moved to the full base rate.

The Training Rate may be waived (with the approval of the Public Works Director and Personnel Director) if the employee has demonstrated work experience to make them fully competent in the position from the beginning of their employment.

For internal employees, if their base rate is already at or above the base rate for the new position, the training rate will be waived.

SPONSORED BY THE PERSONNEL COMMITTEE OF CITY COUNCIL

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 the first of the next pay period after 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:

Information Technology (IT) Coordinator	<u>Grade</u> S-6A
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Be It Further Ordained that said Grade S-6A shall have an annual base salary of \$49,500.00 and the Personnel Committee will re-evaluate the classification in January 2017.

SPONSORED BY THE PERSONNEL COMMITTEE OF CITY COUNCIL

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, Section IV.I of the City of Parkersburg Personnel Policy and Procedure Manual be, and hereby is, amended and re-enacted to reflect the following policy change:

- Repealing the “Smoking Abatement Policy” and replace it with the new “Tobacco-Free Workplace Policy” attached hereto and made a part hereof.

SPONSORED BY THE PERSONNEL COMMITTEE OF CITY COUNCIL



I. SMOKING ABATEMENT POLICY

Policy Philosophy:

The City of Parkersburg is committed to providing all employees a safe, healthy and productive work environment. The City is also concerned about infringing on the right of each employee in regards to smoking or not smoking.

However, extensive studies by the National Center for Disease Control, American Cancer Society and other organizations strongly indicate that smoking is a leading cause of cancer, heart disease and other illness. Further studies indicate that non-smokers that work and/or live around smokers are subject to these same illnesses and diseases.

Therefore, in the interest of all employees, the City is instituting the following Smoking Abatement Policy.

Policy:

It is the policy of the City of Parkersburg that the smoking of cigarettes, cigars, pipes and other smoking paraphernalia and/or the use of any tobacco products is prohibited in all City owned property.

City Owned or Leased Vehicles:

Smoking in the cabs of City owned or leased vehicles is permitted. However, when there are two or more occupants of the vehicle, preference will be given to the non-smoker.

Policy Disciplinary Measures:

Progressive disciplinary measures as outlined in the City's Personnel Policy and Procedure Manual shall be applied to any employee not observing this policy.



New

PERSONNEL POLICIES & PROCEDURES

SUBJECT
TOBACCO-FREE WORKPLACE POLICY

EFFECTIVE DATE
01/15/2016

REPLACES

PAGE
1 of 1

I. STATEMENT OF POLICY

The City of Parkersburg is committed to providing all employees a safe, healthy and productive work environment.

II. ELIGIBILITY:

This policy applies to:

- All employees
- Elected officials of the City of Parkersburg
- Volunteers
- Interns

III. MAJOR PROVISIONS:

The use of tobacco products (smoking of cigarettes, electronic cigarettes, cigars, pipes and other smoking paraphernalia; snuff; chewing tobacco; etc.) is prohibited:

- In all City owned property, including all City owned buildings and vehicles.
- In all City owned outdoor areas (parks, training areas, etc.) by an employee while working.
- By employees at all times when working and on non-City property (streets, alleys, citizens homes, businesses, etc.).

Tobacco use is permitted outside of City buildings, however the person must be 15 feet or more from any entrance door.

All cigarette butts, etc., must be disposed of properly.

Violation of this policy will result in disciplinary action.