

AGENDA FOR THE REGULAR CITY COUNCIL MEETING
TUESDAY, MARCH 8, 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 February 23, 2016
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. RESOLUTIONS
 1. Resolution authorizing Mayor Colombo to submit Letter of Intent to WV Division of Economic Opportunity for 2016 Emergency Solutions Grant for Family Crisis Intervention Center. (Sponsored by Councilmen Coram, Rockhold, Lynch, Reed, and Wilcox)
 2. Resolution re-appointing the following members to the Municipal Tree Commission: Mr. Turner Sharp, 2407 33rd Street; through August 25, 2019; Ms. Betty Camp, 1718 Market Street through August 25, 2018; and Ms. Pamela, 1109 7th Street through July 31, 2019. (Sponsored by Councilmen Coram, Bigley, Wilcox, and Lynch)
 3. Resolution amending Council's Rules and Regulations in Rule X, Reading of Minutes, by removing the second paragraph involving the destruction or disposal of any tape, cd or other recording device. (Sponsored by Councilmen Coram, Brown, and Carpenter.)
- X. ADJOURNMENT

REMINDER – public hearing on budget Wednesday, March 9th, 6:00 PM

PARKERSBURG, W. VA., February 23, 2016

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

The Council of the City of Parkersburg met in regular session Tuesday, February 23, 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 – Ms. Wilcox moved, seconded by Mr. Brown, to approve the minutes from the meeting held February 9, 2016, and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Ms. Wilcox reported that the Finance Committee met February 16th and recommended the \$2,000,000 budget revision this evening, as well as the creation of the Stabilization Fund. Mr. Reed reported that the Public Works Committee met February 16th with a recommendation on the agenda this evening concerning Point Park Marketplace.

MESSAGE FROM THE EXECUTIVE – Mayor Colombo greeted all attending with no formal message.

PUBLIC FORUM –

Mr. Jeff Fox, 3315 Clement Avenue, spoke concerning Point Park Market Place and said he wanted to see future success there, but thinks the City owes it to the taxpayers and vendors to seek new ideas. For it to be successful, it must offer uniqueness and variety, he said, and create one of a kind experience for people to seek them out. He asked the City to find money for a manager to grow the market, as the manager should not be a vendor nor in another business to compete. Downtown merchants are paying much more per square feet, plus parking etc. than they are paying at the Market Place.

Ms. Kathy Wermtter, 2605 Capital Drive, stated that there was not enough information made available about the proposal for Point Park Market. She asked them to be good stewards of our tax money.

Mr. Clyde Way, 1006 Avery Street, said the market was not a farmer's market, and the rent is ridiculously low. He said he has paid more for space at a flea market. If we are going to be fiscally responsible, either sell it or put it on the market. The money spent there has been obscene, he said. He thinks it is more of a retail store, and has noticed between 8-15 people there on a regular basis, but more for special events.

Mr. Way said he has seen such a divide on City Council that he thinks concerned people should step up. He does not know how we will get past this, but asked them to leave their personal agendas at home. He mentioned negative statements on Facebook, and said that was not helpful. We need to look at the topics and do what is best for the City.

Ms. Michele Wright, Power Avenue, asked President Rockhold to make sure emails are being read. She said we need more communication with the public. The face book attacks are no different than what they hear during Council meetings, she said. She said she would appreciate a response from the Mayor on an earlier email, and respect from City Council.

Mr. Al Collins, City Council District #3, said he did not see Council listening to the citizens and asked them to listen to the spirit of the City and its' citizens. He said they were supposed to be moving forward, but they are breaking City Charter laws, but he does not think they know better. He asked them to learn the rules the citizens put out there to follow, and he said he wished Council would show the same respect.

Sharyn Tallman, 501 13th Street, said she did not know exactly what was in the lease proposed for Point Park Market and that is not fair to the citizens, and also that a five year lease is not fair. That amount of time takes the decision away from the next Mayor and Council. She thinks it should be a lease from year to year – at least until next year, but five years would skip a whole term, she said.

Mr. Gary Turner, 809 Chestnut Street, asked about Rule #14 of Council's Rules and Regulations, and thought it said that anyone else has to ask for permission to speak, and Mr. Santer said that did not apply to the public forum.

President Rockhold asked the Clerk to read a communication that had been hand-delivered to her office late today, as follows:

Connie Shaffer, Clerk
City of Parkersburg
One Government Square
P.O. Box 1627
Parkersburg, WV 26102
VIA HAND DELIVERY

Dear Connie:

Please accept this letter as my response to the request of the Parkersburg City Council pursuant to its' November 17, 2015 resolution.

This office has reviewed the following reports from Perry & Associates:

1. Consulting Report Background Observations of the Coal Severance Fund and Recommendations for Improvement:
2. Agreed-upon procedures Report dated September 8, 2015;

While the reports prepared by Perry and Associates detailed certain instances of non-compliance, these actions did not rise to the level of violations of the criminal statutes of the State of West Virginia.

As you know, this office does not represent the City of Parkersburg with regard to providing legal advice. Therefore, this letter only addresses whether or not there were prosecutable criminal offenses identified in the audit reports referenced herein.

I would request that you provide copies of this response to the members of council, Mayor Colombo, and City Attorney Joe Santer.

Signed by Jason Wharton,
Wood County Prosecuting Attorney

There was no action taken on the communication.

RESOLUTION

WHEREAS the purpose of the Transportation Alternatives Program is to provide infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and safe routes to school projects; and

WHEREAS the City of Parkersburg recognizes the need to help foster a healthy lifestyle for everyone, while making streets safer for pedestrians; and

WHEREAS, the City of Parkersburg will be responsible for providing a 20 percent, cash and/or in-kind match (pending approval) after submission of a grant application to the West Virginia Department of Transportation, Division of Highways - FY 2016 Transportation Alternatives Program.

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

\$26,269.00 (cash match) to 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. Total project cost will be \$131,844.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Parkersburg the Mayor James E. Colombo be hereby authorized to submit a Transportation Alternatives Program Grant Application to the West Virginia Department of Transportation, Divisions of Highways in the amounts of:

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

Ms. Wilcox stated that she thought \$131,844.00 was a lot of money to improve that site. There is a sidewalk on the other side of the street, and she sees no reason to put that much money in a wall.

Mr. Brown said that the property owner has donated the 10' needed to improve this line site for motorists and pedestrians with the understanding that he does not have to mow the area. It would allow two buses to pass at the same time. Mr. Carpenter asked if this match was in-kind and Mr. Yeager said it was a cash match, and the estimates were prepared by our engineering department.

Mr. Reed asked if this limited the amount of sidewalks we were going to do, and Mr. Yeager said this is not part of the sidewalk program and it does not affect the sidewalk program.

There was money we secured for sidewalks from the Department of Highways, Ms. Lynch stated, and there are a lot of kids that need the sidewalks, and now we have the money.

We have not secured any funds, Mr. Yeager stated. This is just to proceed with the application. The Department of Highways reviewed our Letters of Intent, and we need to be able to show we can pay for it. Mr. Yeager stated that he thought it was highly unlikely that we will get all three of these projects. We are providing the match with these resolutions tonight, and the deadline is March 15th, he said. Ms. Lynch stated that safety for the children is number one under this grant.

Ms. Lynch stated that she had asked Mr. Yeager to apply for money, but at the time widening the street was not part of it. If we spend more on widening, we may run out of money for the kids, she said.

We will try for all three, but Mr. Yeager said it is up to the State. This is just the next step – previously there were two pots of money, and now there is one, he said.

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For the last seven years, Ms. Wilcox said she had begged for sidewalks, and even asked for CDBG funds. We have done other projects on 5th Street, but we have traffic problems in her district, and when she asked for money, we didn't have it. She started asking the State and was told there was \$1,400,000.00 for sidewalks on Gihon and Rayon. She wanted to go at least to 12th Avenue and it has been cut to 14th Avenue. The State told her she had to go through our development director, and she did, and now they are widening a street on Stewart for someone who doesn't want to mow. Kids walk in the ditch and on the bank, she said. We have found the money, but she does not like where it is going.

VOTE – the motion was adopted by majority vote with all members voting “yes” with the exception of Ms. Wilcox, Ms. Lynch, and Mr. Rockhold, who voted “no”.

RESOLUTION

WHEREAS the purpose of the Transportation Alternatives Program is to provide infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and safe routes to school projects; and

WHEREAS the City of Parkersburg recognizes the need to help foster a healthy lifestyle for everyone, while making streets safer for pedestrians; and

WHEREAS, the City of Parkersburg will be responsible for providing a 20 percent, cash and/or in-kind match (pending approval) after submission of a grant application to the West Virginia Department of Transportation, Division of Highways - FY 2016 Transportation Alternatives Program.

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

\$60,000.00 (cash match) to 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. Total project cost will be \$300,000.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Parkersburg the Mayor James E. Colombo be hereby authorized to submit a Transportation Alternatives Program Grant Application to the West Virginia Department of Transportation, Divisions of Highways in the amounts of:

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

MOTION TO AMEND – Ms. Wilcox moved, seconded by Ms. Lynch, to amend the resolution that the area be from Pike Street to 12th Avenue (not to 14th Avenue), and the amendment was adopted by unanimous vote.

Mr. Carpenter asked if this amendment would affect our application, and Mr. Yeager said we could change the scope of work, and we could look at CD funds, or during the budget. CD funds are restricted on where they can be used.

VOTE, AS AMENDED – the motion was adopted, as amended, by unanimous vote.

RESOLUTION

WHEREAS the purpose of the Transportation Alternatives Program is to provide infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and safe routes to school projects; and

WHEREAS the City of Parkersburg recognizes the need to help foster a healthy lifestyle for everyone, while making streets safer for pedestrians; and

WHEREAS, the City of Parkersburg will be responsible for providing a 20 percent, cash and/or in-kind match (pending approval) after submission of a grant application to the West Virginia Department of Transportation, Division of Highways - FY 2016 Transportation Alternatives Program.

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

\$16,230.00 (cash match) to replace and/or install new sidewalks, curbs, ADA handicap ramps and drainage on the southerly side of Gihon Road, between Hugh Street and David Lee Drive, and on the easterly side of David Lee Drive, between Gihon Road and Capital Drive, so as to provide students with a safer route to school. Total project cost will be \$81,150.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Parkersburg the Mayor James E. Colombo be hereby authorized to submit a Transportation Alternatives Program Grant Application to the West Virginia Department of Transportation, Divisions of Highways in the amounts of:

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

Ms. Lynch asked if we could use CDBG funds for this project, and Mr. Yeager said the only part that would qualify is south of Gihon, and not north of Gihon.

VOTE – the motion was adopted by unanimous vote.

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 2015-2016 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	301-002-000	PROPERTY TAX - PRIOR YEAR	12,976.00		Estimate of FYE revenue
001	303-001-000	GAS & OIL TAX STATE OF WV	38,494.00		Estimate of FYE revenue
001	305-000-000	BUSINESS & OCCUATION TAXES	265,422.00		Estimate of FYE revenue
001	306-000-000	WINE & LIQUOR TAX	26,889.00		Estimate of FYE revenue
001	308-000-000	HOTEL OCCUPANCY TAX	37,000.00		Estimate of FYE revenue
001	314-000-000	MUNICIPAL SALES TAX	1,250,961.00		Estimate of FYE revenue
001	320-000-000	FINES, FEES & COURT COSTS	80,000.00		Estimate of FYE revenue
001	325-000-000	LICENSES	(30,000.00)		Estimate of FYE revenue
001	326-000-000	BUILDING PERMIT FEES	15,000.00		Estimate of FYE revenue
001	330-000-000	IRP TRUCK FEES	162,356.00		Estimate of FYE revenue
001	350-000-000	SANITATION FEES	37,000.00		Estimate of FYE revenue
001	351-000-000	POLICE PROTECTION FEES	(49,000.00)		Estimate of FYE revenue
001	352-000-000	FIRE PROTECTION FEES	110,532.00		Estimate of FYE revenue
001	361-000-010	FEE PENALTIES & INTEREST	115,200.00		Estimate of FYE revenue
001	366-000-000	STATE GRANTS	14,500.00		Estimate of FYE revenue
001	368-000-000	CONTRIBUTIONS FROM OTHER ENTITIES	(23,990.00)		Estimate of FYE revenue
001	377-000-000	CAPITAL LEASE REVENUE	273,926.00		Estimate of FYE revenue
001	380-000-000	INTEREST EARNED ON INVESTMENTS	2,024.00		Estimate of FYE revenue
001	381-000-001	REIMBURSEMENTS - WVSBDG	13,322.00		Estimate of FYE revenue
001	381-000-002	REIMBURSEMENTS - WVHDF	200,000.00		Estimate of FYE revenue
001	381-706-000	REIMBURSEMENTS - FIRE OFF-DUTY	1,000.00		Estimate of FYE revenue
001	383-000-000	SALE OF FIXED ASSETS	5,000.00		Estimate of FYE revenue
001	386-000-000	INSURANCE CLAIMS	1,000.00		Estimate of FYE revenue
001	399-409-001	MISC REVENUE - PT PARK MARKET	27,732.00		Estimate of FYE revenue
001	399-436-000	MISC REVENUE - DEMO COST	2,000.00		Estimate of FYE revenue
001	399-436-005	GRASS & WEEDS CLEAN UP	188,812.00		Estimate of FYE revenue
001	399-436-010	GRASS & WEEDS DISCOUNTS	(3,800.00)		Estimate of FYE revenue
001	399-706-000	FIRE CLEAN UP	5,658.00		Estimate of FYE revenue
001	399-750-001	SIDEWALK PROJECT REVENUE	20,000.00		Estimate of FYE revenue
001	299-00	FUND BALANCE	(769,089.00)		FY15 Actual Surplus Adjustment
001	409-568-010	CONTRIBUTIONS - BLENNERHASST ISLAND		2,500.00	Contribution - Antenna
001	410-212-000	OUTSIDE PRINTING		2.00	Estimate of FYE Expenditure
001	414-111-005	OPEB - GENERAL GOVERNMENT		92,552.00	Estimate of FYE Expenditure
001	414-111-010	OPEB - PUBLIC SAFETY		252,566.00	Estimate of FYE Expenditure
001	414-111-015	OPEB - STREETS & TRANSPORTATION		71,319.00	Estimate of FYE Expenditure
001	414-111-020	OPEB - SANITATION		38,563.00	Estimate of FYE Expenditure
001	414-229-000	COURT COSTS		7,000.00	Estimate of FYE Expenditure
001	414-676-000	BAD DEBT EXPENSE		200,000.00	G&W & A/R W/O Estimate
001	416-211-000	TELEPHONE EXPENSE		125.00	Estimate of FYE Expenditure
001	416-230-000	CONTRACTUAL SERVICES		1,899.00	Estimate of FYE Expenditure

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001 417-229-000 COURT COSTS	750.00	Estimate of FYE Expenditure
001 420-211-000 TELEPHONE EXPENSE	350.00	Data Service Reclassification
001 420-216-000 MAINTENANCE & REPAIR	(2,100.00)	Rental Pmt Reclassification
001 420-219-000 BUILDING & EQUIPMENT RENTS	2,100.00	Rental Pmt Reclassification
001 420-230-000 CONTRACTUAL SERVICES	(350.00)	Data Service Reclassification
001 436-230-000 CONTRACTUAL SERVICES	200,000.00	Demolition Cost Estimate
001 436-345-000 UNIFORMS	700.00	Estimate of FYE Expenditure
001 436-567-000 CONTRIBUTIONS - OTHER GOVT	100,000.00	WVHDF Repayments
001 440-230-003 CONTRACTUAL SERVICES - MUSIC FEST	2,500.00	Estimate of FYE Expenditure
001 440-458-000 CAPITAL OUTLAY - OTHER IMPROVEMENTS	8,000.00	Estimated Dog Park Expense
001 444-566-005 CONTRIBUTIONS - PARKING FUND	95,494.00	Parking Bond Payoff Transfer
001 444-566-000 CONTRIBUTIONS - CAPITAL RESERVE	11,600.00	Capital Reserve Repayment
001 444-566-010 CONTRIBUTIONS - STABILIZATION FUND	540,897.00	Stabilization Fund Transfer
001 700-103-304 SALARY - LIEUTENANT	(10,000.00)	Civilian Fleet Mgr Position
001 700-103-315 OTHER SALARIES	10,000.00	Civilian Fleet Mgr Position
001 700-214-000 TRAVEL	7,000.00	Estimate of FYE Expenditure
001 700-217-000 MAINTANENCE & REPAIR - AUTOS	5,000.00	Estimate of FYE Expenditure
001 700-221-000 TRAINING & EDUCATION	5,000.00	Estimate of FYE Expenditure
001 700-222-000 DUES & SUBSCRIPTIONS	500.00	Estimate of FYE Expenditure
001 700-228-000 FREIGHT	1,000.00	Estimate of FYE Expenditure
001 700-341-000 DEPARTMENTAL SUPPLIES	3,500.00	Estimate of FYE Expenditure
001 700-341-412 DEPT SUPPLIES - TACTICAL	5,000.00	Estimate of FYE Expenditure
001 700-341-416 DEPT SUPPLIES - K9	3,000.00	Estimate of FYE Expenditure
001 700-343-001 AUTO SUPPLIES - GASOLINE	(50,000.00)	Departmental Reallocation
001 700-459-000 CAPITAL OUTLAY - EQUIPMENT	20,000.00	Unmarked Cruiser Replacement
001 714-345-000 UNIFORMS	500.00	Estimate of FYE Expenditure
001 750-220-000 ADVERTISING & LEGAL PUBLICATIONS	400.00	Estimate of FYE Expenditure
001 750-341-003 DEPARTMENTAL SUPPLIES - SIDEWALK	20,000.00	Sidewalk Program Exp Estimate
001 750-458-001 CAPITAL OUTLAY - STORMWATER	75,000.00	Draining Project Estimate
001 751-220-000 ADVERTISING & LEGAL PUBLICATIONS	100.00	Estimate of FYE Expenditure
001 751-345-000 UNIFORMS	800.00	Estimate of FYE Expenditure
001 754-230-000 CONTRACTUAL SERVICES	2,800.00	Estimate of FYE Expenditure
001 754-345-000 UNIFORMS	1,800.00	Estimate of FYE Expenditure
001 756-216-000 REPAIR & MAINTENANCE - EQUIP	2,000.00	Estimate of FYE Expenditure
001 756-345-000 UNIFORMS	2,000.00	Estimate of FYE Expenditure
001 800-103-008 OVERTIME EXPENSE	25,000.00	Overtime & Supplies Revision
001 800-216-000 REPAIR & MAINTENANCE - EQUIP	2,000.00	Overtime & Supplies Revision
001 800-230-000 CONTRACTUAL SERVICES	(20,000.00)	Overtime & Supplies Revision
001 800-341-000 SUPPLIES & MATERIALS	14,632.00	Overtime & Supplies Revision
001 800-343-001 AUTO SUPPLIES - GASOLINE	(15,000.00)	Overtime & Supplies Revision
001 800-459-000 CAPITAL OUTLAY - EQUIPMENT	273,926.00	Packer Truck Lease/Purchase
001 901-568-000 CONTRIBUTIONS - WCCVB	18,500.00	Estimate of FYE Expenditure
	<u>2,030,925.00</u>	<u>2,030,925.00</u>

MOTION -- Ms. Wilcox moved, seconded by Ms. Lynch, to adopt the resolution.

Councilman Brown asked City Attorney Santer if this revision had anything to do with a previous possible shortfall last year, and Mr. Santer answered that at that time he was concerned about a possible shortfall, but this is not those dollars. At the time, we did not have a finance director, he said.

MOTION TO AMEND -- Mr. Brown moved, seconded by Mr. Carpenter, to amend the resolution to remove \$200,000.00 of the demolition money; \$455,000.00 in the OPEB line items; \$200,000.00 from WV Housing Fund; another \$100,000.00 housing repayments; and \$20,000.00 for deductibles.

Mr. Brown asked why a dump truck from 2015 was in this revision, and Mr. Jiles said it was approved. Last year we bid it and the financing was approved. We received the money to pay the invoice. The payment was not considered, we have the cash on hand and we just need to pay it.

He asked about a police car for \$20,000.00, and why we couldn't wait, and Mr. Jiles stated that the Chief needs an unmarked cruiser. There has been no bid or contract. This will be a used vehicle, plus equipment.

Mr. Brown asked about the \$200,000.00 for the WV Housing loan. Mr. Jiles said it is due May 2017. We don't have that money setting in an account and we won't get it unless we draw it down. The City has to incur the

costs, then request reimbursements, he said. We should pay what we can when we can, he said, instead of paying it all in one year we are allowed to spread it over two years.

When Mr. Brown said we could collect interest on those funds, Mr. Jiles stated that the general fund would have to pay for the demolition. Development Director, Rickie Yeager, stated that \$155,000.00 has been approved by URA for demolition work. It needs to be in the 2015/2016 budget because we are ready to incur expenses.

Mayor Colombo stated that if we take those funds out, we cannot demolish 15 houses. He said he wanted to reflect that the \$155,000.00 for the demolitions was an oversight at a time when we had four people putting our budget together. Ms. Lynch added that we had a finance committee at that time also.

VOTE ON AMENDMENT – The amendment failed with all members voting “no” with the exception of Mr. Brown and Mr. Carpenter, who voted “yes”.

MOTION TO AMEND – Ms. Coram moved, seconded by Mr. Brown, that the City create an OPEB Trust Fund and transfer the \$455,000.00 to that fund.

Discussion continued for another fifteen minutes with Mayor Colombo, Mr. Jiles and Attorney Santer against the amendment. Mr. Jiles said that putting those funds in a trust would have no impact on the resolution before them. Mayor Colombo stated that no one can touch that money except City Council. We have contributed to OPEB for the past few years, he said, or the auditors would have written us up.

Ms. Lynch stated that some members of Council were in training in Bridgeport today with the State Auditor's office and OPEB was discussed. She said we would be breaking the law if we don't do what Mr. Jiles is recommending.

Ms. Coram wanted the money to make interest, as it would stay in the trust fund for a long term.

Mr. Santer said that the resolution creating the trust fund would be separate. The funds will stay in the general fund until when, and if, Council approves a trust fund. It is protected now. There is nothing on this agenda about an OPEB trust fund, and the amendment is not sufficient. He asked them to adopt the resolution as is, or not.

AMENDMENT WITHDRAWN – Ms. Coram withdrew her amendment, and did Mr. Brown his second.

Ms. Coram then asked about the parking fund, and when we pay the bonds off, will we have \$5,500.00 per month to allocate for other purposes. Mr. Santer stated that parking money would stay in the parking fund, which is an enterprise fund, and will always be separate from the general fund. Mayor Colombo stated that the parking department has employees who take care of our parking facilities and any funds in excess would still be used for parking related reasons.

VOTE – the motion to adopt the budget revision was adopted by majority vote with all members voting “yes” with the exception of Mr. Brown, Ms. Coram, and Mr. Carpenter, who voted “no”.

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 2015-2016 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	750-103-000	DEPARTMENT HEAD SALARY		11,748.00	STREET SUPERVISOR
001	750-106-000	RETIREMENT		1,586.00	STREET SUPERVISOR
001	750-104-000	FICA		8,987.00	STREET SUPERVISOR
001	750-226-005	WORKERS COMP		215.00	STREET SUPERVISOR
001	750-105-000	HEALTH INSURANCE		2,667.00	STREET SUPERVISOR
001	800-103-000	DEPARTMENT HEAD SALARY		11,748.00	SANITATION SUPERVISOR
001	800-106-000	RETIREMENT		1,586.00	SANITATION SUPERVISOR
001	800-104-000	FICA		8,987.00	SANITATION SUPERVISOR
001	800-226-005	WORKERS COMP		215.00	SANITATION SUPERVISOR
001	800-105-000	HEALTH INSURANCE		2,667.00	SANITATION SUPERVISOR
001	800-219-000	BUILDING & EQUIP RENTS/LEASE		(50,406.00)	

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

RESOLUTION CREATING AND
ESTABLISHING THE CITY OF PARKERSBURG
FINANCIAL STABILIZATION FUND

Whereas the City has determined that it should maintain a prudent level of financial resources to try to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls, unpredicted one-time expenditures or emergency situations; and

Whereas the creation, maintenance and use of a financial stabilization fund will provide the City with assistance to meet these challenges, as well as enable it to improve its financial management and practices.

Now Therefore Be It Resolved By The Council Of The City of Parkersburg that there be and it is hereby created and established the City of Parkersburg Financial Stabilization Fund in accord with West Virginia Code

§ 8-37-1 et seq.

Be It Further Resolved as follows:

(a) City Council may appropriate a sum to the Fund from any surplus in the general fund at the end of each fiscal year or from any other appropriation, gifts, grants and any other funds made available;

(b) The amount of money in the Fund may not exceed thirty (30) percent of the City's most recent general fund budget, as originally adopted. When the Fund exceeds the thirty (30) percent, Council shall transfer the excess to any fund it considers appropriate;

(c) City Council may invest the money in the Fund as it considers appropriate, with the earnings retained by the Fund; and

(d) City Council may appropriate money in the Financial Stabilization Fund upon a majority vote for the following purposes:

- (1) To cover a general fund shortfall; or
- (2) Any other purpose City Council considers appropriate.

MOTION – Ms. Wilcox moved, seconded by Mr. Reed, to adopt the resolution, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Brown and Mr. Carpenter, who voted "no".

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City of Parkersburg receive and accept the Point Park Marketplace management proposal of James Kincaid and Marvin Edwards, subject however to the negotiation of a lease acceptable to City Council.

BE IT FURTHER RESOLVED that the Mayor, James E. Colombo, enter into negotiations with the said Mr. Kincaid and Mr. Edwards for a five (5) year term and for a month lease payment and in accord with said proposal and which proposed lease shall thereafter be submitted to City Council for its consideration.

BE IT FURTHER RESOLVED that City Council's prior action by resolution adopted on February 11, 2014, authorizing the transfer of the ownership of said Point Park Marketplace property, identified as 113 Ann Street, from the City to the Parkersburg Building Commission be and it is hereby rescinded and held for naught.

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

Ms. Coram left the room due to a possible conflict, as did Mr. Brown, who had previously worked for Mr. Kincaid.

MOTION TO AMEND – Mr. Carpenter moved, seconded by Mr. Reynolds, to amend the resolution that the lease term shall be one year, not five years, but the amendment failed with all members voting "no" with the exception of Mr. Carpenter and Mr. Reynolds, who voted "yes".

VOTE – the motion to adopt the resolution was adopted by majority vote with all members voting "yes" with the exception of Mr. Carpenter and Mr. Reynolds, who voted "no".

Ms. Coram and Mr. Brown returned to the Chambers.

RESOLUTION

NOW BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Rule II, Informal Meetings, and Rule III, Meeting Times and Places Established, of the Rules and Regulations of Parkersburg City Council, be and they are hereby changed and amended as follows:

Repeal:

Rule II.

Informal Meetings

The Rule is repealed in its entirety and henceforth held for naught.

Amend:

Rule III, subsection (B)

(B) Special meetings may be called at any time, upon reasonable notice, by the Mayor or the President of the Council, and shall be so called by the President of the Council upon request of a majority of the Council. The requirements of reasonable notice of the time and place of the special meeting containing a brief statement of the purpose of the meeting in a method provided by law for the institution of a civil action shall be posted not less than two (2) business days before the time set for the meeting.

Rule III, Notices.

Regular Meetings. A notice shall be posted and maintained by the City Clerk at the front door or bulletin board of the Parkersburg Municipal Building of the date, time and place fixed and entered of record by Council for the holding of regularly scheduled meetings. In addition, a copy of the agenda for each regularly scheduled meeting shall be posted at the same location by the City Clerk not less than three (3) business days before such regular meeting is to be held. If a particular regularly scheduled meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted at the same location as soon as feasible after such cancellation or postponement has been determined. Special Meetings. A notice shall be posted by the City Clerk at the front door or bulletin board of the Parkersburg Municipal Building not less than two (2) business days before a specially scheduled meeting is to be held, stating the date, time, place and purpose for which such special meeting shall be held. If the special meeting is cancelled, a notice of such cancellation shall be posted at the same location as soon as feasible after such cancellation has been determined.

These changes are being done to bring the Rules into compliance with the West Virginia Open Meetings Law.

A copy of Rule II and Rule III as presently written is attached for your review and comparison.

MOTION – Mr. Reynolds moved, seconded by Ms. Coram, to adopt the resolution.

Ms. Wilcox stated that the Open Meetings Law says that Council can come together and talk over items, but they cannot make decisions. We have not used the Pre Council rule for many years, but if they ever needed it, they can't, if this is repealed. Before we met as committees, that is how items were discussed. They met, but no decisions were made.

City Attorney, Joe Santer, said we have not used the pre council meetings for 15 years because they were not proper. Meeting that way is leading up to a decision by providing information. It now serves no purpose, and the proper venue for discussion is on the floor. He thinks it could open them up to a violation of the Open Meetings Law, and it has no purpose. Ms. Coram asked for the amendment, and he prepared the resolution.

Concerning the notice for meetings, Mr. Santer said our rules did not allow for proper notice.

VOTE – the motion was adopted by majority vote with all members voting "yes" with the exception of Ms. Wilcox, Ms. Lynch, and Mr. Rockhold, who voted "no".

RESOLUTION AUTHORIZING MAYOR COLOMBO TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE ROSS INNOVATIVE EMPLOYMENT SOLUTIONS CORPORATION AND THE CITY OF PARKERSBURG

WHEREAS, having an well-educated, trained and highly skilled workforce is critical to future economic growth and development, and

WHEREAS, Workforce West Virginia provides a variety of services to the general public that help people find and prepare for employment opportunities, and

WHEREAS, one such program, the Career Advantage Program, provides participates with life skills and career preparation, and

WHEREAS, the Ross Innovative Employment Solutions Corporation would like to continue to contract with and administer this program through Workforce West Virginia, and

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

WHEREAS, the Memorandum of Understanding attached hereto does not endorse the ROSS Innovative Employment Solutions Corporation or preclude the City of Parkersburg from supporting other private entities from providing this service to the community through Workforce West Virginia,

THEREFORE, BE IT RESOLVED that Mayor James E. Colombo is hereby authorized to sign a Memorandum of Understanding between the Ross Innovative Employment Solutions Corporation (ROSS IESC) and the City of Parkersburg, attached hereto, for the purpose of supporting the Career Advantage Program and the ROSS IESC's efforts to manage the program.

MEMORANDUM OF UNDERSTANDING
BETWEEN

ROSS INNOVATIVE EMPLOYMENT SOLUTIONS CORPORATION
AND

City of Parkersburg

This Memorandum of Understanding serves to establish a collaboration between Ross Innovative Employment Solutions Corporation (Ross IESC), the operator of the Workforce WV One Stop System for the Workforce Development Board of the Mid- Ohio Valley, and City of Parkersburg for the operation of the Career Advantage program.

For the purpose of this MOU, it is understood that Ross IESC and City of Parkersburg share a vested interest in the development of our Career Advantage participants in both life skills and career preparation.

Therefore, Ross IESC, and City of Parkersburg agree to provide opportunity for participants with the interest of occupational exploration, career guidance and skills development.

Both parties agree to provide/support the provision of the development of skills, interest, and knowledge through:

- Job Shadowing
- On the Job Training (when appropriate)
- Skills Workshops
- Career Workshops
- Leadership Opportunities
- Mentoring

Ross IESC and our local employers agree to identify and coordinate other occupational growth opportunities for our Career Advantage participants.

Community Representative (Signature)
Community Representative Name (Print)

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

ORDINANCE, FINAL READING:

AN ORDINANCE AUTHORIZING THE
LEASE PURCHASE FINANCING FOR
TWO PACKER TRUCKS FOR THE
SANITATION DEPARTMENT

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that the City enter into that certain Lease Purchase Agreement with Branch Banking and Trust Company (BB& T) for financing for the lease/purchase of two new packer trucks for the Sanitation Department; and

WHEREAS, the total amount financed is Two Hundred Seventy Three Thousand Nine Hundred Twenty Six Dollars and 60/cents (\$273,926.60) for three (3) years, and the amount per month is Seven Thousand Seven Hundred Ninety Five Dollars and 84/cents (\$7,795.84) at an interest rate of one point five eight (1.58%) percent. The total amount will be Two Hundred Eighty Thousand Six Hundred Fifty Dollars and 24/cents (\$280,650.24).

BE IT FURTHER ORDAINED that Mayor Jimmy Colombo, or his designee, is authorized to execute said Lease Purchase Agreement and any and all accompanying papers needed and necessary to effectuate said lease for and on behalf of the City.

Attached hereto and made a part hereof is a copy of the price quote page of the bid.

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

The meeting adjourned at 9:00 PM.



City Clerk

Council President

RESOLUTION AUTHORIZING MAYOR COLOMBO TO SUBMIT A LETTER OF INTENT TO THE WEST VIRGINIA DIVISION OF ECONOMIC OPPORTUNITY FOR A 2016 EMERGENCY SOLUTIONS GRANT

WHEREAS, the West Virginia Office of Economic Opportunity (WVOEO) administers the Emergency Solutions Grant (ESG) Program in the State of West of Virginia as a grantee of the U.S. Department of Housing and Urban Development, and

WHEREAS, the ESG Program is designed to facilitate strategic, community-wide policies, direct services and coordination with other resources that may be available to individuals and families that are experiencing homelessness, and

WHEREAS, the ESG Program is administered in accordance with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, and

WHEREAS, the City of Parkersburg intends to submit a 2016 ESG application to WVOEO to support the administration and operation of the Family Crisis Intervention Center.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG, that Mayor, James E. Colombo is hereby authorized to submit a Letter of Intent to the State of West Virginia Office of Economic Opportunity for a 2016 Emergency Solutions Grant, to be used by the Family Crisis Intervention Center for general operating expenses approved by the WVOEO.

Sponsored by Councilmen:

Coram, Rockhold, Lynch, Reed, Wilcox

RESOLUTON RE-APPOINTING MEMBERS
TO THE MUNICIPAL TREE COMMISSION

9/25

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that
three members of the Municipal Tree Commission be re-appointed, in accordance with
Article 165.02 of the City Code, as follows:

1. Turner Sharp, 2407 33rd Street through August 25, 1919
2. Betty Camp, 1718 Market Street through August 25, 2018
3. Pamela Lutz, 1109 7th Street through July 31, 1919

RESOLUTION

Be It Resolved By The Council of the City of Parkersburg that Rule X, Reading of Minutes, of Parkersburg City Council Rules and Regulations be and it is hereby amended by the removal of the second paragraph thereof and involving the destruction or disposal of any tape, cd or other recording medium.



RULE X. READING OF MINUTES

At each regular meeting of the Council, a journal of the proceedings of the last meeting shall be read, and corrected if erroneous, and signed by the presiding officer for the time being; provided, that the reading of the journal of the proceeding of the last meeting may be dispensed with by a majority vote by the governing body if the members thereof have received and examined a copy of the journal or a synopsis thereof prior to the meeting at which this journal is signed. Upon the call of any member the yeas and nays on any question shall be taken and recorded in this journal.

Any tape, CD, or other recording medium utilized to record a City Council meeting or City Council committee meeting shall be destroyed or otherwise disposed of thirty (30) days after the date the minutes/journal of such meeting has been approved.

Sponsored by Councilmen: Coram, Brown, and Carpenter

See Rule X attached the underlined portion of which is proposed for removal.