

**AGENDA FOR PARKERSBURG CITY COUNCIL,  
TUESDAY, DECEMBER 20, 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 December 13, 2016**
- IV. **REPORTS FROM STANDING OR SPECIAL COMMITTEES**
- V. **MESSAGE FROM THE EXECUTIVE**
- VI. **PUBLIC FORUM**
- VII. **RESOLUTIONS**
  1. **Resolution re-appointing Rebekah Mathis-Stump, 2000 Newberry Drive, as Administrative Law Judge for the City of Parkersburg through March 31, 2019; and re-appointing C. Blaine Myers, 1915 Foley Avenue, as Administrative Law Judge for the City of Parkersburg through September 30, 2019. (Sponsored by Councilmen Lynch, Reed, and Rockhold)**
  2. **Resolution committing matching funds in the amount of \$31,250.00 from the Capital Reserve Fund to extend the City's Multiuse Trail along the Ohio River from Point Park to the City's northern corporation limits. The WVDOT-DOH is willing to commit \$593,750.00. Provided they execute a cooperative agreement in 2017. (Sponsored by Councilmen Reynolds, Lynch, Rockhold, Carpenter, Brown, Coram, Bigley and Wilcox.)**
  3. **Resolution authorizing Mayor Colombo to sign a Memorandum of Agreement with the US Corp of Engineers to expedite and evaluate a permit application for extending the Multiuse Trail, as stated above, and allocating \$35,000.00 from the Capital Reserve Fund for the project. (Councilmen Reynolds, Lynch, Rockhold, Carpenter, Brown, Coram, Bigley, and Wilcox).**

4. Resolution requesting approval from the State Auditor's Office:
  - A. \$25,000.00 donation from Spartan to complete basketball/pickleball court at City Park; (Councilmen Reynolds, Rockhold, and Carpenter)
  - B. \$21,407.00 from insurance claims first half of 2017;
  - C. Various reallocations in Public Works for unexpected repairs and maintenance, and actual budgeted amounts for Police Department lease/purchase.
  - D. \$66,250.00 for the WV DOH contribution and also for the US Corps of Engineers – concerning the Multi-Use Trail Project. (Councilmen Wilcox, Lynch, Brown, Coram, Carpenter, Reynolds, Bigley, and Rockhold)
  - E. \$2,000.00 from the line item for funding from the Bicycle Board, moved to the funds for a new fire station. (Councilmen Coram, Reynolds, Carpenter, and Brown.
5. Resolution amending the CDBG budget by moving funds from the Administration line item in the amount of \$5,969.20 for minor and emergency home repair. (Sponsored by Councilmen Rockhold, Brown, and Reynolds)
6. Resolution authorizing the Mayor to submit a Transportation Alternatives Program Grant Application to the WV DOT DOH in the amount of \$105,475.00 (cash match \$26,369.00) to improve the line site for motorists on Stewart Avenue between 15<sup>th</sup> and 16<sup>th</sup> Avenues. (Councilmen Brown, Bigley, Coram, Carpenter, and Reynolds.)
7. Resolution appointing Warren Bigley, 2421 Harrison Avenue, to the Board of Zoning Appeals for a term to end April 12, 2019. (Councilmen Rockhold, Wilcox, Reynolds, and Lynch)
8. Resolution appointing Mr. Charlie Casto, 20<sup>th</sup> Street, Parkersburg, to the Mid Ohio Valley Board of Health for an unexpired term to end June 30, 2018. (Sponsored by Councilmen Rockhold, Brown, Bigley, and Reynolds)

#### VIII. ORDINANCE, FINAL READING

9. An ordinance authorizing the Mayor to submit an amendment to the Home Rule Board to allow the sale of alcohol beverages by Class "A" license holders beginning at 10:00 AM on Sundays. (Sponsored by Councilmen Reed, Coram, Carpenter, Reynolds, Bigley, Lynch, and Wilcox.) (21 page plan available in Clerk's Office.)

#### IX. ADJOURNMENT

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

The Council of the City of Parkersburg met in regular session Tuesday, December 13, 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, and John Rockhold. Councilman Jim Reed was absent.

MINUTES – Ms. Coram moved, seconded by Mr. Brown, to approve the minutes from the meeting held November 29, 2016 and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – the City Clerk reported that amendments to our City Code for 2016 are available, with an ordinance to follow in ninety (90) days.

MESSAGE FROM THE EXECUTIVE – Mayor Jimmy Colombo had earlier this evening distributed copies of the City's Five-Year Capital Improvement Plan. He said the plan will be on the website when it is adopted by City Council. Mayor Colombo also offered a silent prayer for Mr. Eddie Staats, Sr. who passed recently.

The Mayor thanked everyone involved in our recent Christmas parade and fireworks and winter fest, and Holiday in the Park. Anything that makes people feel joyful and good is good for everyone, he said.

Ms. Coram asked when the plan would be available to the public, and Mr. Jiles said it is only a draft until it is adopted by Council, but it is available at any time.

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

PUBLIC FORUM – no one from the public spoke this evening.

Councilman Brown stated that he was not in favor of the ordinance this evening to ask the Home Rule Board to allow the sale of alcohol beginning at 10:00 a.m. on Sundays. Drugs and alcohol run together and we are adding to the same problem, he said, with no benefit to adopt it. We pay the Police Department to keep our streets safe, he said.

Councilman Bigley said that he thought our winter fest this year was fantastic, and thanked everyone for a great job. It is good for the public to see our City at its' best, he said.

RESOLUTION – the clerk presented a resolution re-appointing Mr. Eddie Staats, Ms. Sherry Dugan, and Mr. Sean Andrews to the Municipal Planning Commission for terms to expire December 31, 2019.

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

WEST VIRGINIA RECYCLING ASSISTANCE  
GRANT PROGRAM, 2017 GRANT AGREEMENT  
RESOLUTION

WHEREAS, the City of Parkersburg recognizes the importance of promoting recycling in the community; and

WHEREAS, recycling helps to reduce the need for new landfills and extends the useful life of present landfills and allows the recycling of valuable materials; and

WHEREAS, the City of Parkersburg has been awarded a 2017 REAP Recycling Assistance Grant from the West Virginia Department of Environmental Protection in the amount of \$98,000; and

WHEREAS, these funds will be used to assist with the purchase of a skid steer loader, steel materials to build storage containers, plastic storage containers, asphalt to pave road to the recycling center and to update the recycling center's website.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG, that Mayor, James E. Colombo be and hereby is authorized to sign a grant agreement in the amount of \$98,000 to the West Virginia Department of Environmental Protection, Division of Land Restoration, for a Recycling Assistance Grant which requires no match.

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

ORDINANCE, FIRST READING:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PARKERSBURG  
TO SUBMIT AN AMENDMENT TO THE MUNICIPAL HOME RULE BOARD  
AMENDING THE CITY'S HOME RULE PLAN TO ALLOW THE SALE OF  
ALCOHOL BEVERAGES BY CERTAIN ALCOHOL BEVERAGE CONTROL  
ADMINISTRATION CLASS "A" LICENSE HOLDERS BEGINNING  
AT 10:00 A.M. ON SUNDAYS

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

PUBLIC HEARING – at 7:40 PM, President Rockhold declared a public hearing open to give the citizens an opportunity to voice their opinion on this ordinance.

Ms. Sharon Kuhl, 2624 Hugh Street, asked Council to vote against this ordinance. She said that we have five DUI's every day and over 1,800 per year. We don't need to do this, she said. It ties up our court system, and she is also thinking about the safety of our community. We can't stop the sale of alcohol, but we don't need to sell it earlier.

Mr. Joe Sims, 107 Wolf Run, Rockport, WV, agreed that we did not need to sell alcohol that early on Sundays.

Mr. Joe Roedersheimer, Emerson Avenue – North End Tavern – told Council that DUIs happen all the time, and you can get alcohol all the time. He is in business to create business, and he has a license to do that. Alcohol is a legal beverage, he said, and those three extra hours on Sunday would create more hours for his employees. He does not know if this will make a big difference, but it will make an economic difference. People are not going to Marietta, and they open at 8:00 a.m...

Mr. Robert Meadows, Emerson Avenue Hill House, said this would give his employees more money and hours to work. Their customers are leaving and going to Marietta. He said he respected what people say about DUIs, but he does not think this will make a difference. It will mean more sales for the businesses and more taxes for the city. A lot of businesses will benefit from this, he said.

Mr. Mark Lewis, Director for the Visitors and Convention Bureau, said he lobbied for this at the legislature. Fifteen (15) cities have applied to the Home Rule Board, and thirteen (13) cities have been approved. He said he respects people's convictions, but we would be giving them the starting time of what it is every other day of the week. Travelers look for these things, and it is a business friendly thing to do. With such freedoms there is responsibility, he said, and he does not think it will increase the problems we have now. This will put Parkersburg on an equal footing with other states and cities.

Ms. Debbie Hendershot, 4809 Emerson Avenue, said that she drives to church on Sundays and does not want to worry about people drinking alcohol at that time, possibly causing an accident.

Ms. Elizabeth Fordyce, Highland Avenue, Williamstown, said she was very much against increasing the time to sell alcohol. We have drug problems, and she does not see the argument that business cannot survive without it.

The Public hearing closed at 7:55 PM.

Mr. Rockhold asked the City Attorney, Joe Santer, to explain the ordinance. Mr. Santer said this ordinance is just to submit the application to the Home Rule Board after two readings, and then it will come back to Council for a vote.

Mr. Brown said he remembered the Blue Law where businesses were not open on Sundays, and now businesses are open all hours. To give an inch will take a mile, he said, and this will compound the Police Department's jobs.

Mr. Carpenter said he does not sell alcohol at his restaurant, and he does not work on Sunday. The consumer will judge the failure or success of this ordinance.

VOTE- the motion was adopted on first reading by majority vote with all members voting "yes" with the exception of Mr. Brown and Mr. Rockhold, who voted "no".

The clerk presented the Wood County Commissioner's Board of Canvassers' Certificate of Votes Cast for the General Election November 8, 2016.

MOTION – Ms. Wilcox moved, seconded by Mr. Bigley, to receive, file and approve the certificate, and the motion was adopted by unanimous vote.

The meeting adjourned at 8:00 PM.

*Coram Shaffer*  
\_\_\_\_\_  
City Clerk

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

## RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the following be re-appointed as Administrative Law Judges for the City of Parkersburg for a term identified below:

Rebekah Mathis-Stump  
2000 Newberry Drive  
Parkersburg WV  
Term ending 3/31/2019

C. Blaine Myers  
1915 Foley Avenue  
Parkersburg WV  
Term ending 9/30/201<sup>9</sup>~~6~~

Sponsored by Councilpersons: Sharon Lynch, Jim Reed & John Rockhold.

**RESOLUTION COMMITTING MATCHING FUNDS TO EXTEND THE CITY'S MULTIUSE TRAIL ALONG THE OHIO RIVER FROM POINT PARK TO THE CITY'S NORTHERN CORPORATION LIMITS**

WHEREAS, the City of Parkersburg is committed to providing areas residents with the best quality of life, and

WHEREAS, the City has already made significant investments in public infrastructure projects like the expansion of Riverfront Park in downtown Parkersburg, and

WHEREAS, this particular improvement resulted in the partial construction of a multiuse trail from Riverfront Park to the Pond Run Outfall, and

WHEREAS, the City desires to extend this multiuse trail over Pond Run to the City's northern corporation limits, and

Whereas, this project would allow residents to enjoy the City's waterfront by creating a 3.1 multiuse trail between the Ohio River and City's floodwall, and

WHEREAS, the extension of this trail is an integral to developing a larger trail network systems in Wood County and greater Mid-Ohio Valley, and

WHEREAS, the total project is estimated to cost \$625,000, and

WHEREAS, the West Virginia Department of Transportation – Division of Highways supports this projects and is willing to commit \$593,750 in Transportation Alternative and Recreational Trails funds to the project provided the City's provides a 5 percent cash match of \$31,250, and

WHEREAS, infrastructure projects like this are critical to retaining, attracting and foster economic growth and development,

NOWHEREFORE BE IT RESOLVED, that the City Council of the City of Parkersburg supports the Administration's efforts to extend the multiuse trail along the Ohio River to the City's northern corporations limits and hereby commits \$31,250 from the City's Capital Reserve Fund to the West Virginia Department of Transportation – Division of Highways, toward the project, provided WVDOT-DOH and the City execute a cooperative agreement in 2017.

Sponsored by: Reynolds, Lynch, Rockhold, Carpenter, Brown, Coram, Bigley, Wilcox

**RESOLUTION AUTHORIZING MAYOR COLOMBO TO SIGN A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES ARMY CORP OF ENGINEERS TO EXPEDITE AND EVALUATE A PERMIT APPLICATION PURSUANT TO 33 U.S.C. 408 FOR EXTENDING THE MULTIUSE TRAIL ALONG THE OHIO RIVER TO THE CITY'S NORTHERN CORPORATION LIMITS**

WHEREAS, the City of Parkersburg is working with the West Virginia Department of Transportation – Division of Highways to extend an existing multiuse trail from Point Park to the City's northern corporations limits, and

WHEREAS, the City Council of the City of Parkersburg has contributed a 5 percent match to WVDOT-DOH for the project, and

WHEREAS, this project also requires review and approval by the United States Army Corp. of Engineers (USACE) pursuant to U.S.C. 408 (Section 408), and

WHEREAS, USACE's priority review and analysis of the documentation and proposed project is currently estimated to be \$35,000, and

WHEREAS, this amount is an estimate subject to adjustment by USACE, after consultation with the City, and is not to be construed as the total financial responsibilities for the Section 408 review, and

WHEREAS, the City desires to complete the Section 408 review process in a timely manner,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Parkersburg hereby allocates \$35,000 from the City's Capital Reserve Fund for the project and hereby authorizes Mayor James E. Colombo to sign a Memorandum of Agreement (attached hereto) with the United States Army Corp. of Engineers to review of the City's Section 408 Permit Application regarding said multiuse trail.

Sponsored by: Reynolds, Lynch, Rockhold, Carpenter, Brown, Coram, Bigley, Wilcox

MEMORANDUM OF AGREEMENT  
BETWEEN  
THE DEPARTMENT OF THE ARMY  
AND  
THE CITY OF PARKERSBURG, WEST VIRGINIA

SUBJECT: Funding to expedite review and evaluation of permit application pursuant to 33 U.S.C. 408.

THIS AGREEMENT entered into this \_\_\_ day of \_\_\_\_\_, 2016, by and between the DEPARTMENT OF THE ARMY (hereinafter the "Corps") represented by the Huntington District Commander and the City of Parkersburg, West Virginia, (hereinafter the "CITY"), a non-federal public entity, represented by its Mayor.

WHEREAS, 33 U.S.C. 408 authorizes the Secretary of the Army to permit alterations/modifications to existing Corps of Engineers projects in certain circumstances; and

WHEREAS, The Secretary of the Army has delegated the approval authority to approve relatively minor, low impact alterations/modifications and in certain circumstances such authority has been further delegated to the District Engineer; and

WHEREAS, The CITY is constructing a project that may result in an alteration/modification of an existing Corps project, thereby requiring a permit under Section 408; and

WHEREAS, prior to approval and issuance of a Section 408 permit, the Corps must evaluate the proposed project and perform risk and engineering analyses to determine the level of impact on the existing Federal project; and

WHEREAS, the Corps is authorized, in accordance with Section 214 of the Water Resources Development Act of 2000 (P.L. 106-541), as amended, to accept and expend funds contributed by a non-federal public entity to expedite the evaluation certain permits under the jurisdiction of the Department of the Army; and

WHEREAS, The CITY has the full authority and capability to perform as hereinafter set forth and intends to provide funds for the required Corps analyses and evaluation required in accordance with the terms of this Agreement.

NOW, THEREFORE, the Parties agree as follows:

1. PURPOSE: This Memorandum of Agreement (MOA or Agreement) will serve as the document whereby the Parties jointly agree to establish procedures and commitments regarding the funding for expediting the processing of the Section 408 permit application package pursuant to 33 U.S.C. 408 ("Section 408").

2. CITY RESPONSIBILITIES:

a. Provide copies of all documentation required for review in accordance with the Section 408 procedure guidance found in EC 1165-2-216 and as requested by the Corps concerning the proposed modifications/repairs to the Pond Run Outfall that may impact the city of Parkersburg Floodwall.

b. Provide the funding for Corps' priority review and analysis of the documentation and proposed project, currently estimated to be \$35,000 (Thirty-Five Thousand dollars). This amount is an estimate subject to adjustment by the Government, after consultation with the City, and is not to be construed as the total financial responsibilities for the Section 408 review.

3. CORPS RESPONSIBILITIES:

CORPS, using the funds provided by the City agrees to:

a. Expedite evaluation of the submitted Section 408 permit application to include, but not limited to:

1. Technical analyses and writing;
2. Agency Technical Review;
3. Real estate evaluation;
4. Risk analysis;
5. Copying or other clerical support tasks;
6. Acquisition of data;
7. Site visits, including travel costs;
8. Coordination activities;
9. Additional required personnel;
10. Contracting for technical services (e.g., structural risk evaluation, geotechnical analysis, hydraulic and hydrological engineering review work);
11. Environmental documentation preparation and review.

b. Prepare documentation and submit to the District Counsel or Higher Headquarters, if necessary, for review and

determination of grant of approval for the proposed project modification.

c. Pursuant to EC 1165-2-216, prior to accepting the funds, the District Commander will provide public notice and make a determination that accepting the funds is appropriate.

#### 4. TERMS AND CONDITIONS;

a. The funds provided hereunder may not be used by the Corps to cover administrative expenses related to real property, including drafting, negotiating, or issuing any necessary real estate instruments where the provisions of 10 U.S.C. 2695 is otherwise available for purposes of accepting and expending Non-Federal funds.

b. No funds provided by a Federal agency to the CITY may be accepted by the Corps under Section 214 and this MOA unless the CITY forwards to the Corps a written confirmation from the Federal agency that the use of the funds to expedite the evaluation of Section 408 permit applications is authorized.

c. The CITY understands that Corps acceptance and expenditure of the funds provided under this Section 214 agreement will not impact the Corps' impartial decision-making with respect to evaluating the Section 408 permit applications, either substantially or procedurally. "Expedite" as used in this agreement means to promptly perform all necessary reviews and follow all required procedures in the evaluation of the Section 408 application. Nothing herein shall imply or require that any Corps policy, Procedure or requirement necessary for the complete review of the Section 408 application will be shortened or deleted during the review process.

d. To ensure the funds will not impact impartial decision-making, the following procedures will apply:

i. No funds received under this Section 214 agreement shall be expended for the District Commander's review and decision on the Section 408 permit application.

ii. All final permit decisions on the application will be made available on the Parkersburg District website.

iii. The Parkersburg District will not eliminate any procedures or decisions that would otherwise be

required for that type of project and permit application under consideration.

iv. The Parkersburg District will comply with all applicable laws and regulations.

v. Section 214 funds will only be expended to provide priority review of the participating non-federal entity's permit application.

5. REVIEW PROCEDURES AND TERMINATION

a. Any party to this MOA may withdraw from the Agreement 30 days after sending written notice to the other party stating the intent to withdraw and the reason for said action. In the event that either party elects to terminate this MOA, both parties shall conclude their activities relating to the Section 408 application and proceed to a final accounting of the funds provided and expended under this MOA. After final accounting and resolution of any outstanding obligations, any remaining funds shall be returned to the CITY.

b. Any termination of this Agreement or suspension of future performance under this Agreement in accordance with this Article shall not relieve the parties of liability for any obligation previously incurred.

c. This Agreement can be terminated as outlined above, or upon a determination by the Parties that the Section 408 application review is complete.

6. EFFECTIVE DATE OF AGREEMENT:

This Memorandum of Agreement is effective on the date of the last signature.

DEPARTMENT OF THE ARMY

CITY OF PARKERSBURG

By \_\_\_\_\_  
Philip M. Secrist III  
Colonel, Corps of Engineers  
District Commander  
Huntington District

By \_\_\_\_\_  
James Colombo  
Mayor  
City of Parkersburg, West Virginia

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

**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**

<b>Fund</b>	<b>Account</b>	<b>Description</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure Increase/ (Decrease)</b>	<b>Fund Source / Description</b>
001	368-000-000	CONTRIB - OUTSIDE ENTITIES	25,000.00		ADDTL SPARTAN DONATION
001	900-458-000	CAPITAL OUTLAY - OTHER IMP		25,000.00	ADDTL SPARTAN DONATION
			<u>25,000.00</u>	<u>25,000.00</u>	

The above resolution proposes a revision to the General Fund to reflect an additional donation from the Spartan Foundation, received on December 2, 2016, as additional support toward the completion of the basketball/pickleball court project at City Park.

**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**

<b>Fund</b>	<b>Account</b>	<b>Description</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure Increase/ (Decrease)</b>	<b>Fund Source / Description</b>
001	386-000-000	INSURANCE CLAIMS	21,407.00		INSURANCE CLAIM REV
001	706-341-000	DEPARTMENTAL SUPPLIES		250.00	SUPPLIES LINE REIMB.
001	700-459-000	CAPITAL OUTLAY - EQUIP		7,606.00	TOTAL VEH. REIMB.
001	751-459-000	CAPITAL OUTLAY - EQUIP		13,150.00	5TH & JULIANA POLE REIMB
001	751-341-000	DEPARTMENTAL SUPPLIES		401.00	DUDLEY POLE REIMB.
			<u>21,407.00</u>	<u>21,407.00</u>	

The above resolution proposes a revision to the General Fund to reflect insurance claim activity for the first half of the 2017 fiscal year.

**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**

<b>Fund</b>	<b>Account</b>	<b>Description</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure Increase/ (Decrease)</b>	<b>Fund Source / Description</b>
001	377-000-000	CAPITAL LEASE REVENUE	(10,836.00)		ADJ. TO ACTUAL - PD LEASE
001	700-458-000	CAPITAL OUTLAY - EQUIPMENT		(10,836.00)	ADJ. TO ACTUAL - PD LEASE
001	440-230-000	CONTRACTUAL SERVICES		(25,000.00)	MOVE TO 440-215-000
001	440-215-000	MAINT & REPAIR BUILDING		25,000.00	CITY BUILDING REPAIRS
001	440-230-000	CONTRACTUAL SERVICES		(3,000.00)	MOVE TO 440-103-008
001	440-103-008	OVERTIME EXPENSE		3,000.00	REVISED OVERTIME EST
001	440-106-000	RETIREMENT EXPENSE		375.00	REVISED OVERTIME EST
001	440-104-000	FICA EXPENSE		230.00	REVISED OVERTIME EST
001	440-226-005	W/C EXPENSE		25.00	REVISED OVERTIME EST
001	440-341-043	SUPPLIES - MOSQUITO CONTROL		(2,630.00)	MOVE TO 440-211/103-008
001	440-211-000	TELEPHONE/COMM EXPENSE		2,000.00	PAGER CONTRACT CORRECT.
001	750-219-000	BUILDING/EQUIPMENT RENTAL		(28,095.00)	PENDING LEASE GAINS
001	900-211-000	TELEPHONE/COMM EXPENSE		145.00	REVISED ESTIMATE
001	900-215-000	MAINT & REPAIR BUILDING		(2,000.00)	ESTIMATE REALLOCATION
001	900-216-000	MAINT & REPAIR EQUIPMENT		2,000.00	ESTIMATE REALLOCATION
001	800-216-000	MAINT & REPAIR EQUIPMENT		10,000.00	PACKER TRK EQUIP REPAIR
001	800-217-000	MAINT & REPAIR AUTO		10,000.00	PACKER TRUCK REPAIR
001	800-228-000	FREIGHT		150.00	REVISED ESTIMATE
001	751-217-000	MAINT & REPAIR AUTO		7,500.00	BUCKET TRUCK REPAIR
001	751-228-000	FREIGHT		300.00	REVISED ESTIMATE
			(10,836.00)	(10,836.00)	

The above resolution proposes a revision to the General Fund for Police Department capital lease actual vs. budgeted, as well as various Public Works Departmental reallocation of expenditures for unexpected repairs and maintenance.

**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**

<b>Fund</b>	<b>Account</b>	<b>Description</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure Increase/ (Decrease)</b>	<b>Fund Source / Description</b>
001	368-000-000	TRANSFERS IN - OTHER FUNDS	66,250.00		CAPITAL RESERVE XFER
001	424-567-000	CONTRIB - OTHER GOVT UNITS		31,250.00	WV DOH CONTRIB
001	424-567-000	CONTRIB - OTHER GOVT UNITS		35,000.00	US CORPS OF ENG. CONTRIB
			<u>66,250.00</u>	<u>66,250.00</u>	

The above resolution presents a revision to the General Fund related to the Ohio River Multi-Use Trail Project in collaboration with the West Virginia Department of Highways and the U.S. Corps of Engineers.

**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**

<b>Fund</b>	<b>Account</b>	<b>Description</b>	<b>Revenue Increase/ (Decrease)</b>	<b>Expenditure Increase/ (Decrease)</b>	<b>Fund Source / Description</b>
001	912-566-010	CONTRIB - BICYCLE		(2,000.00)	MOVE TO 444-566-001
001	444-566-001	CONTRIB - CAPITAL RESERVE		2,000.00	FIRE STATION EARMARK

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The above resolution proposes a revision to the General Fund to move the \$2,000 bicycle board funding to a contribution to the Capital Reserve Fund to build a new fire station, per the request of Councilperson Kim Coram.

## RESOLUTION

**Be it resolved by the City Council of the City of Parkersburg** that the City of Parkersburg's Community Development Block Grant (CDBG) Program Annual Action Plan and Budget for 2015 be hereby amended as follows:

<b>Activity</b>	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Change</b>
Minor Home Repair	\$30,000.00	\$31,485.00	\$1,485.00
Emergency Repair Housing	\$23,455.00	\$27,939.20	\$4,484.20
Administration	\$155,884.00	\$149,914.80	\$(5,969.20)
Totals	\$209,339.00	\$209,339.00	\$0.00

Sponsored by Council Members: Rockhold, Brown, and Reynolds

## 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 2017 Transportation Alternatives Program.

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

\$26,369.00 (cash match) to improve the line site for motorists and pedestrians on Stewart Avenue, between 15<sup>th</sup> and 16<sup>th</sup> 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 of the City of Parkersburg 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: \$105,475.00.

Sponsored by: Councilmen Roger Brown, Warren Bigley, Kimberly Coram, J.R. Carpenter, Mike Reynolds

## RESOLUTION

WHEREAS, there exists a vacancy on the Board of Zoning Appeals for the City of Parkersburg; and

WHEREAS, Warren Bigley has agreed and is willing to serve on this board effective January 2017;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Warren Bigley, 2421 Harrison Avenue, Parkersburg, WV, be appointed as a member to said board for this unexpired term to end April 12, 2019.

Sponsored by Councilmen Lynch, Rockhold, and Bigley

## RESOLUTION

WHEREAS, there is a vacancy on the Mid-Ohio Valley Board of Health due to the resignation of one of its' members; and

WHEREAS, the City of Parkersburg is allowed two members on this board;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Mr. Charles Casto, 1913 20<sup>th</sup> Street, Parkersburg, WV be appointed to serve as a member of the Board for the Mid Ohio Valley Board of Health for a term to expire June 30, 2018.

Sponsored by Councilmen Rockhold, Brown, Carpenter, and Reynolds

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PARKERSBURG TO SUBMIT AN AMENDMENT TO THE MUNICIPAL HOME RULE BOARD AMENDING THE CITY'S HOME RULE PLAN TO ALLOW THE SALE OF ALCOHOL BEVERAGES BY CERTAIN ALCOHOL BEVERAGE CONTROL ADMINISTRATION CLASS "A" LICENSE HOLDERS BEGINNING AT 10:00 A.M. ON SUNDAYS**

**WHEREAS**, the City of Parkersburg was selected to participate in the West Virginia Home Rule Pilot Program by the Municipal Home Rule Board in October 2014, and

**WHEREAS**, Senate Bill 298 was passed by the West Virginia Legislature on March 12, 2016 to allow county commissions to conduct a county option election on the question of whether to allow restaurants, private clubs, Class A retailers, wineries and wine serving entities to sell alcoholic liquors, wine and non-intoxicating beer as their licenses allow, and distilleries and mini-distilleries to offer complimentary samples of alcohol beginning at 10:00 a.m. on Sundays for on-premises consumption only, and

**WHEREAS**, this new legislation went into effect 90 days after it was passed by the West Virginia Legislature, and

**WHEREAS**, the City may propose to enact such legislation by amending its written plan with the West Virginia Municipal Home Rule Board in accordance with West Virginia State Code §8-1-5a, and

**WHEREAS**, the following amendment to the City of Parkersburg's Home Rule Application/Plan is attached hereto, and

**WHEREAS**, similar legislation has already been adopted by the fifteen communities in the State of West Virginia that participate in the Home Rule Pilot Program, and

**WHEREAS**, the City desires to give residents choices and its business establishments every opportunity to engage in lawful activities that may help grow their business, and

**WHEREAS**, allowing the sale of alcohol after 10 a.m. may create additional employment opportunities and enhance tourists/business travelers overall experience in the community,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKERESBURG, WEST VIRGINIA:**

That, James E. Colombo is hereby authorized to submit to the Municipal Home Rule Board a proposed amendment, attached hereto, to the City of Parkersburg's Municipal Home Rule Plan consistent with the West Virginia State Code § 8-1-5a, requesting approval to allow the sale of alcohol beverages by certain Alcohol Beverage Control Administration Class "A" License Holders beginning at 10:00 A.M. on Sundays.

Sponsored by: Reed, Coram, Carpenter, Reynolds, Bigley, Lynch and Wilcox

PUBLIC HEARING NOTICE  
CITY OF PARKERSBURG, WEST VIRGINA  
HOME RULE PLAN AMENDEMENT

Notice is hereby given by City Council of the City of Parkersburg, WV, that it will hold a public hearing on Tuesday, December 13, 2016 at 7:30 p.m. at the Parkersburg Municipal Building (City Council Chambers – 2<sup>nd</sup> Floor), located at One Government Square, Parkersburg, WV 26101. The purpose of this public hearing is to discuss a proposed amendment to the City of Parkersburg’s Home Rule Plan that would allow the sale of alcohol beverages by certain Alcohol Beverage Control Administration Class “A” license holders beginning at 10:00 A.M on Sundays.

The City of Parkersburg’s proposed amendment to its Home Rule written plan and application to the Municipal Home Rule Board will be made available for review 30 days prior to the public hearing, in the Office of the City Clerk and Development Department, located in the Parkersburg Municipal Building, One Government Square, Parkersburg, WV 26101, beginning November 11, 2016, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. as well as online at [www.parkersburgcity.com](http://www.parkersburgcity.com).

All interested citizens are invited to attend the public hearing scheduled on December 13, 2016 at 7:30 p.m. in the City Council Chambers to discuss the City’s written plan and application. Written comments may be addressed to the City Clerk of the City of Parkersburg, One Government Square, Parkersburg, WV 26101.

The first reading of the ordinance approving the proposed amendment and subsequent application to the Municipal Home Rule Board will be held at the Parkersburg City Council meeting on Tuesday, December 13, 2016 at 7:30 p.m. in the Parkersburg Municipal Building (City Council Chambers – 2<sup>nd</sup> Floor). A second reading on the City’s amendment and application will be held on December 20, 2016 at the same time and location.

PLEASE PUBLISH IN BOTH NEWSPAPERS AS A CLASS II LEGAL ADVERTISEMENT, ONCE EACH WEEK, FOR TWO CONSECUTIVE WEEKS, STARTING NOVEMBER 11, 2016. PLEASE SEND A COPY OF THE PUBLIC NOTICE AND INVOICE TO THE:

ATTN: RICKIE YEAGER  
DEVELOPMENT DEPARTMENT  
CITY OF PARKERSBURG  
ONE GOVERNMENT SQUARE  
PARKERSBURG, WV 26101.