

AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, JANUARY 8, 2019, 7:30 PM
SECOND FLOOR, COUNCIL CHAMBERS
MUNICIPAL BUILDING

- I. CALL TO ORDER – Council President, Mike Reynolds
- II. ROLL CALL
- III. MINUTES – December 11, 2018
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
 - A. Committee announcements for 2019
- V. MESSAGE FROM THE EXECUTIVE
 - B. Appointment and re-appointments to the Downtown Façade Committee: Mike Williams thru January 8, 2022; Sean Andrews through January 8, 2022; and Tim Utt through January 1, 2021, confirmations requested by Mayor Joyce.
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTIONS
 1. Resolution authorizing Mayor Tom Joyce to accept a REAP grant in the amount of \$119,000.00 to be used to assist with purchasing a recycling truck, bailing wire, feed conveyor belt, asphalt, shelter for tires, personnel, recycling bins, etc. No match required. (Sponsored by Councilmen Reynolds, Carpenter, and Reed.)
 2. Resolution applying to the Wood County Commission for permission to annex 1700 19th Avenue. (Sponsored by the Municipal Planning Comm.)
 3. Resolution requesting a budget revision within the CDBG budget for \$5,600.00 for a refinancing fee for Riverfront refinancing. (Sponsored by Councilmen Carpenter, Kuhl, and, McCrady)
 4. Resolution initiating a pilot program to aid real property owners in the removal of dangerous, deceased or damaged trees which are adjacent to their property and within the City right of way, 50/50 basis. (Sponsored by Councilmen Barber, Kuhl, and McCrady)
 5. Resolution initiating a pilot program to aid the property owners within the City's business district in the repair and relaying of sidewalks along City streets, 50/50 basis. (Councilmen Barber, Kuhl, and McCrady)
- IX. ADJOURNMENT

December 11, 2018

The Council of the City of Parkersburg met in regular session Tuesday, December 11, 2018 at 7:30 PM in the Council Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg.

The meeting was called to order by Council President, John Reed, who presided over the meeting.

The Clerk noted those members attending as Councilmen Dave McCrady, Sharon Kuhl, Eric Barber, JR Carpenter, Zach Stanley, Jeff Fox, and John Reed. Councilmen Bob Mercer and Mike Reynolds were absent.

MINUTES – minutes from the meetings held November 13, 2018 and November 27, 2018 were approved by unanimous vote, upon motion by Mr. Stanley and second by Mr. Fox.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – no reports.

MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce stated that he wanted to be clear that he does not think we should get in the practice of naming streets or alleys after individuals. The resolution this evening is to name a 20' alley, and is an example. He said he has received 15-20 similar requests and is not in favor of it.

The Clerk presented a communication from Mayor Tom Joyce appointing Mr. Mike Seebaugh, 1902 Nash Street, for a term on the Mid-Ohio Valley Transit Authority through January 1, 2022; and the re-appointment of Belinda Fetty, 824 Lakeview Drive through November, 2021.

MOTION – Ms. Kuhl moved, seconded by Mr. Stanley, to confirm the appointments, and the motion was adopted by unanimous vote.

PUBLIC FORUM – Kim VanRijn, 13th Street, stated that she read the ordinance proposed this evening about vicious dogs. She said she had been attacked two times, and both times the dogs were on the front porch and she was on the sidewalk, and was knocked down. Our leash law should hold owners responsible, she said. Her dog was restrained, and was timid because he was on a leash. The ordinance this evening is for punishment after someone or their dog has been attacked.

Jennifer Bryant, 1361 Market Street, told Council this would have been a good time to address a social media policy.

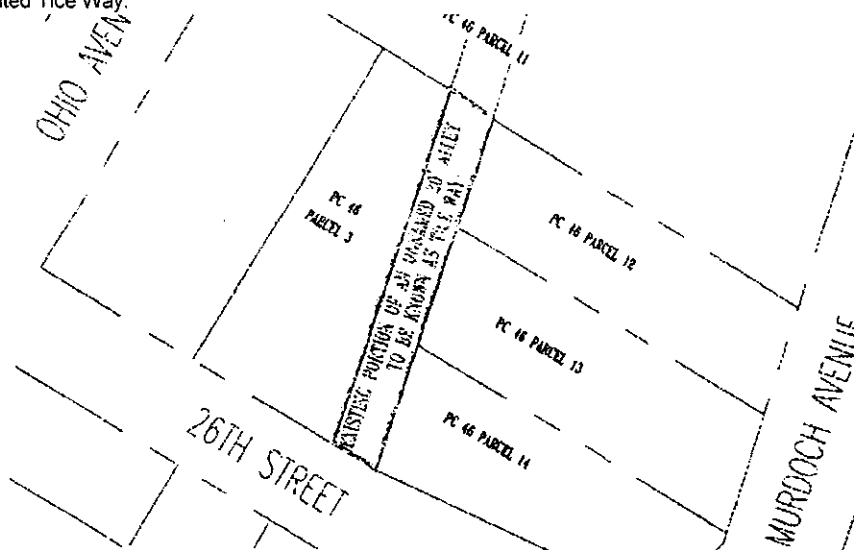
CITY COUNCIL FORUM – Ms. Kuhl thanked the Mayor, Chief Martin, the Ladybugs and citizens of Parkersburg for making the operation STAT project a success this year, our first year. She said she was proud that Parkersburg collected more items for veterans in hospitals than any other City in West Virginia. They plan to open a Chapter in Parkersburg, and hope to collect more next year.

RESOLUTION

Whereas there exists within the corporate boundaries of the City an unnamed 20' wide alley, lying west of Murdoch Avenue and east of Ohio Avenue,

Whereas the owner of the real properties abutting both on the westerly and the easterly sides of said unnamed alley desires that the City name this public right of way to help in identifying and distinguishing said real properties.

Now Therefore Be It Resolved by the Council of the City of Parkersburg that said 20' unnamed alley, as shown on the plat attached hereto and made a part hereof be and it is hereby named and designated Tice Way.



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

When Mr. Stanley asked why we were naming this alley, Mr. Reed explained that it was more of a street than an alley. Kentucky Fried Chicken put the street there at no cost to the City. He said there has been some confusion about 911 calls. In Wood County, every road is named. This alley is as wide as a street. From a 911 standpoint, they would appreciate it being named, he said, for quicker response.

Mr. Stanley said he did not see the need to name the alley. Mr. Carpenter said that Mr. Tice has that whole block.

Mayor Joyce said that without fail, EMS response is easier in the City than in the County. He does not want to name every alley – this is not a public safety problem, he said.

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

ODINANCE, FIRST READING:

AN ORDINANCE CONCERNING VICIOUS
DOGS, OWNERSHIP RESPONSIBILITIES
AND OBLIGATIONS

MOTION – Mr. Fox moved, seconded by Mr. McCrady, to adopt the ordinance on first reading.

Mr. Barber stated that he has reviewed our existing ordinances, noting that we have a leash law in article 505.09. He thinks this is just more regulation, and here is no need for new laws that are far-reaching.

Mr. Fox said he has received multiple complaints in his district. The majority of dog owners are responsible owners. This ordinance does not target any breed of dog, but not every pet owner is responsible. There seems to be a problem when a large dog attacks a small dog, and that happened in his district. There was a vet bill for \$1,000.00, and the people went through Court. The Court said for the bill to be paid, but the owner of the big dog did not have the money. With this ordinance, our Municipal Judge could rule.

Citizens think it is Council's job to make the community a better and safer place to live, Mr. Fox stated. We do not know about most incidents because they are taken care of by responsible owners. The dog could be found to be vicious by the Municipal Judge.

Mr. Stanley said he understood protecting the public, but who is to make sure that owners have the insurance, as stated in the ordinance. Mr. Santer said they are to provide the information to the City Clerk. If they don't have insurance, they have to go back to the Judge, and there can be fines up to \$100.00 per violation. Mr. Fox said they can get insurance under their homeowner's policy.

VOTE – the motion failed with Mr. McCrady, Mr. Carpenter, and Mr. Fox voting “yes”; and Ms. Kuhl, Mr. Barber, Mr. Stanley, and Mr. Reed voting “no”.

The meeting adjourned at 8:10 PM.

CAROL S. SHELTON
City Clerk

Council President

January 2, 2019

City of Parkersburg
Parkersburg City Council

Dear Councilmembers:

An appointment and two re-appointments are due on the Downtown Façade Committee, and the three (3) applicants have agreed to serve on this committee with the following expiration dates:

The appointment of Mr. Mike Williams from ITech, 326 5th Street, Parkersburg, for a term to expire January 8, 2022;

The re-appointment of Mr. Sean Andrews, 2603 26th Street, Parkersburg, for a term to expire January 8, 2022;

And, the re-appointment of Mr. Tim Utt, 1537 Willoughby Drive, Parkersburg, for a term to expire January 1, 2021.

I would appreciate your confirmation of these appointments when you meet on January 8, 2019. If you have any questions in the meantime, please do not hesitate to call me.

Thank you.

Sincerely,



Tom Joyce, Mayor
City of Parkersburg

TJ:cs

WEST VIRGINIA RECYCLING ASSISTANCT GRANT PROGRAM
2019 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 2019 REAP Recycling Assistance Grant from the West Virginia Department of Environmental Protection in the amount of \$119,000; and

WHEREAS, these funds will be used to assist with the purchase of a recycling truck, bailing wire, feed conveyor belt and pulley, asphalt for the recycling center, shelter for tire storage, personnel, 14 gallon recycling bins, conveyor repair, splicing tools and forklift tires.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG, that Mayor, Tom Joyce be and hereby is authorized to sign a grant agreement in the amount of \$119,000 to the West Virginia Department of Environmental Protection, Division of Land Restoration, for a Recycling Assistance Grant which requires no match.

Sponsored by:

RESOLUTION

WHEREAS, the City of Parkersburg desires to increase its boundaries by way of minor boundary adjustment so as to adequately reflect and encourage the fiscal and physical growth of the City; and

WHEREAS, the area to be annexed by said method include Tygart District Tax Map 63, Parcel 12 in North ½ of Lot #12 of Fletcher Heights Redivision No. 2 of W.A. Fletcher Addition, commonly known as 1700 19th Avenue; and

WHEREAS, the owner, Sandra Kay McPeck, of the aforementioned real estate filed a petition to annex their respective property into the corporation limits of the City of Parkersburg and therefore do not object to this annexation; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City of Parkersburg, by and through its governing body, under and by virtue of the provision of Chapter 8, Article 6, Section 5 of the Code of West Virginia, as amended, apply to the County Commission of Wood County, West Virginia, for permission to annex to the City of Parkersburg that certain territory situated in the Tygart District, Wood County, West Virginia, bounded and described on the legal description and plat, which attached hereto and incorporated herein by reference as Exhibit "A."

BE IT FURTHER RESOLVED that in conjunction with the foregoing, Mayor Tom Joyce, be and is hereby, authorized to execute a proper application and do all other acts necessary in connection with said annexation procedure.

SPONSORED BY: Municipal Planning Commission

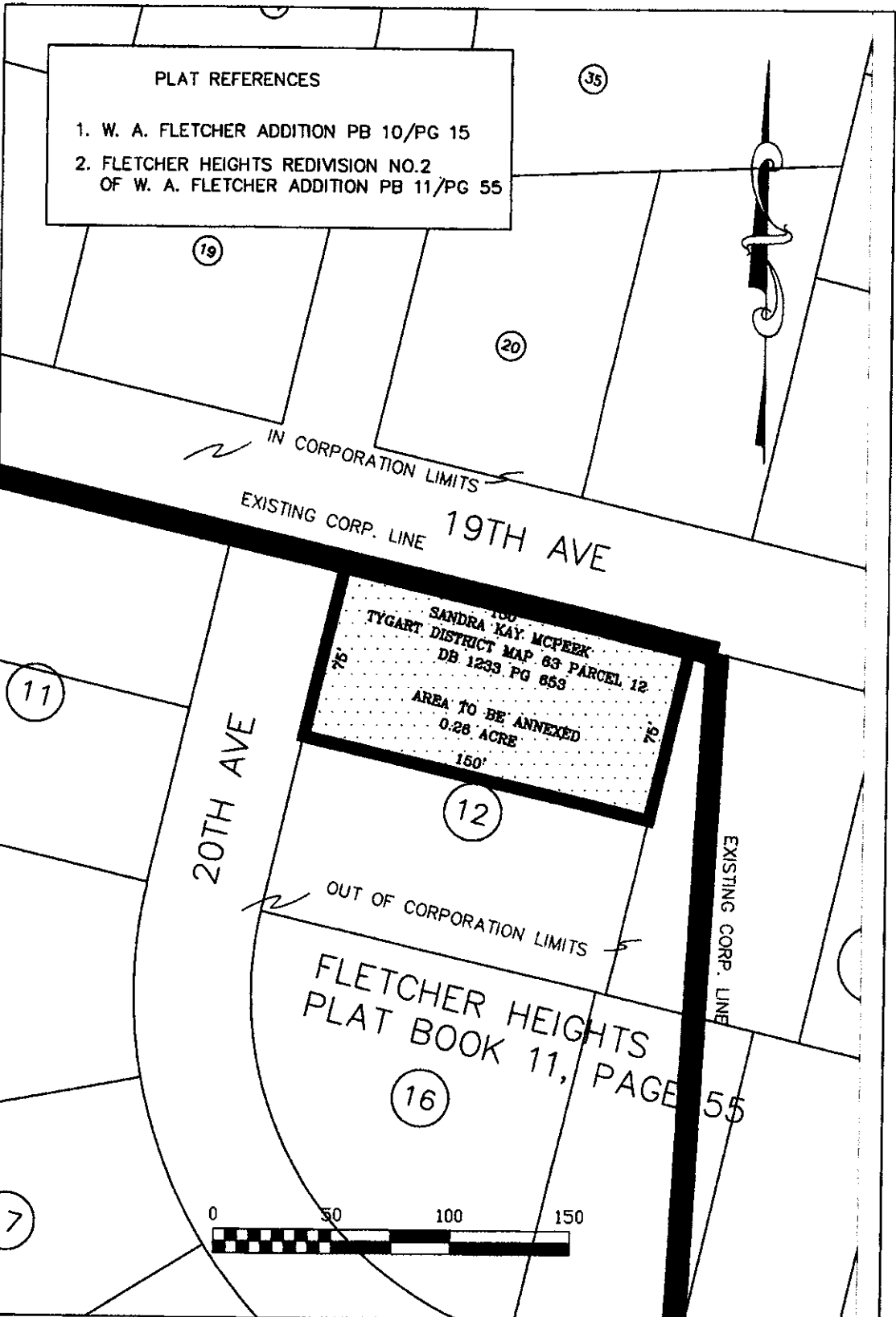
EXHIBIT A

The territory proposed to be annexed is located in the Magisterial District of Tygart District, Wood County, West Virginia, more particularly described as follows:

Beginning at a point on the existing corporation line of the City of Parkersburg, said point being at the southeasterly intersection of 19th and 20th Avenues, said point also being the northwesterly corner of Lot 12 of Fletcher Heights Redivision No. 2 of W.A. Fletcher Addition, as shown in Plat Book 11, Page 55, recorded in the office of the Clerk of the County Commission of Wood County, West Virginia; thence with the southerly line of 19th Avenue, and the said existing corporation line, in a southeasterly direction, to the northeasterly corner of said Lot 12; thence leaving 19th Avenue, and the said existing corporation line, and with the easterly line of said Lot 12, in a southwesterly direction, 75 feet more or less, to the midpoint of said Lot 12; thence with a line parallel to 19th Avenue, in a northwesterly direction, to the easterly line of 20th Avenue; thence with the easterly line of 20th Avenue, in a northeasterly direction, 75 feet more or less, to the place of beginning, being the northerly one half of Lot 12 of the aforesaid addition, containing 0.26 acre, more or less, as shown on a plat attached hereto and made part of this description.

This description was written by Randy A. Sheppard P.S. No. 860, and is based on instruments of record.





PLAT REFERENCES

1. W. A. FLETCHER ADDITION PB 10/PG 15
2. FLETCHER HEIGHTS REDIVISION NO.2 OF W. A. FLETCHER ADDITION PB 11/PG 55

SANDRA KAY MCPEEK
 TYGART DISTRICT MAP 63 PARCEL 12
 DB 1233 PG 653
 AREA TO BE ANNEXED
 0.28 ACRE
 150'

OUT OF CORPORATION LIMITS
 FLETCHER HEIGHTS
 PLAT BOOK 11, PAGE 55

SCALE = 1 INCH = 50 FEET
 DATE: 11/30/18
 DRAWN BY: R.S.
 TYGART DISTRICT MAP 63 PARCEL 12
 DB 1233 PG 653
 BEING THE NORTH 1/2 OF LOT 12 OF
 FLETCHER HEIGHTS REDIVISION NO. 2
 OF W.A. FLETCHER ADDITION
 PLAT BOOK 11 PAGE 55

CITY OF PARKERSBURG, W.V.
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF ENGINEERING
 PLAT OF PROPOSED ANNEXATION
 OF THE PROPERTY OF
 SANDRA KAY MCPEEK



Municipal Planning Commission Staff Report

Municipal Building | City Council Chambers | December 21, 2018

Planning Commission

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Charlie Matthews

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Representative

Dave McCrady

Members

Sean Andrews

Francis Angelos

Sherry Dugan

Tom Evans

James Greene II

Scot Heckert

Luke Peters

Joe Sams

Eddie Staats

Seldon Wigal

Rickie Yeager

Vacant

PROJECT: Petition for Annexation of Tygart Tax Map 63, Parcel 12 in North ½ of Lot #12 of Fletcher Heights Redivision No. 2 of W.A. Fletcher Addition, commonly known as 1700 19th Avenue, into the corporation limits of the City of Parkersburg, and

Proposed zoning of proposed annexation of Tygart Tax Map 63, Parcel 12 in North ½ of Lot #12 of Fletcher Heights Redivision No.2 of W.A. Fletcher Addition to a Residential (R-3) District.

LOCATION: 1700 19th Avenue

APPLICANTS: Sandra Kay McPeek

PROJECT DESCRIPTION

- Applicant is petitioning to annex the aforementioned property into the corporation limits of the City of Parkersburg by Minor Boundary Adjustment. A Minor Boundary Adjustment is one of three methods to annex property per WV State Code. See attached map.
- Note, this annexation request does not include or require additional right-of-way.
- Subsequent to the annexation, the aforementioned parcels need to be zoned. To be consistent with the adjoining properties already in the City's corporation limits, the most appropriate land use designation is Residential (R-3).

ANALYSIS

- The petitioner is seeking to join the City of Parkersburg to have better fire and police protection (faster service). In so doing, the petitioner understands that they will be responsible for paying the appropriate fees associated with municipal services.
- While the City's Future Land Use Map for 2020 does not specifically identify the Willoughby Drive Neighborhood or 19th Avenue for annexation, the Comprehensive Master Plan addresses the issue more generally. According to the CMP – Chapter 4 – Land Use Plan, *'Parkersburg has a limited amount of space*

within its borders, which constraints the potential for new development. However, annexation can be used to increase the land area of the City.'

- The proposed annexation would also help 'square up' the City's corporate boundaries and expand its tax base, especially since 19th Avenue is already a City right-of-way.

DEPARTMENTAL REVIEW

The **Parkersburg Utility Board** had no issues with the proposed annexation, as the property already receives water and sewer service from the Utility Board.

The **Public Works Department (Engineering and Sanitation Divisions)** had no issues and approved the application.

The **Parkersburg Police Department** had not provided a response at the time this report was draft. Any comments will be presented to the Commission at the public hearing on December 21, 2018.

ANNEXATION SUBCOMMITTEE RECOMMENDATION

Due to scheduling conflicts, no meeting was held prior to the public hearing. Therefore, there is no recommendation.

PLANNING DIVISION (STAFF) RECOMMENDATION

- Staff recommends that the proposed annexation be approved as presented.
- This request is consistent with and compliments the recent annexation request approved by the Municipal Planning Commission on November 16, 2018 for 18 properties in the Willoughby Drive Neighborhood.



Parkersburg Community Development Block Grant Budget Revision

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 the years 2018 be hereby amended as follows:

2018 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
Riverfront Park Section 108 Loan Refinance Fee	\$ -	\$ 5,690.00	\$ 5,690.00
Riverfront Park Section 108 Loan	\$ 70,030.00	\$ 64,340.00	\$ (5,690.00)
Totals	\$ 70,030.00	\$ 70,030.00	\$ -

Sponsored by:

Notes:

Please see next page for additional notes.

The purpose of this public notice is to inform affected citizens and invite public comments on the proposed changes to the Community Development Block Grant Program. As part of the City's Citizen Participation Plan, the City of Parkersburg will receive written comments on the amendment until January 21, 2019. Comments should be submitted to the Development Department, #1 Government Square, P.O. Box 1627, Parkersburg, WV 26102. The City will consider comments received and if appropriate, modify the proposed changes. Changes proposed and changes adopted by City Council are available for review during business hours at the Development Department, Fifth Floor, Municipal Building between the hours of 8 A.M. and 4:30 P.M. For further information, please contact Ryan Barber, Development Projects Administrator, at the above address or by calling (304) 424-8452.

Resolution

Whereas many trees within the City's rights of way are reaching their healthy life span;

Whereas all such trees are the responsibility of the adjacent real property owner;

Whereas the cost of the removal of such trees can be substantial and indeed burdensome; and

Whereas the City is desirous of initiating a pilot program to aid real property owners who have dangerous, deceased or damaged trees which are adjacent to their properties and within the City right of way.

Now Therefore Be It Resolved By The Council Of The City Of Parkersburg that the City initiate a pilot program to aid real property owners in the removal of dangerous, deceased or damaged trees which are adjacent to their property and within the City right of way as follows:

1. A licensed/certified arborist shall first determine that such tree is dangerous, deceased and or damaged to such a degree that it is a hazard, at risk of falling and in need of immediate removal;
2. The cost of the arborist's evaluation shall be the sole responsibility of the property owner.
3. If approved for removal, the cost of the tree's removal, down to the stumps, shall be divided equally between the participating property owner and the City.
4. The City will not be responsible for the grinding or removal of the tree's stump.
5. Such program shall be conducted by the City as a City project as, when and if funds become or are made available.

Resolution

Whereas many sidewalks within the business districts of the City of Parkersburg are in need of repair and relaying;

Whereas the cost of such repair and relaying can be substantial; and

Whereas the City is desirous of initiating a pilot program to aid the property owners in these areas in repairing and relaying the sidewalks along and abutting their properties:

Now Therefore Be It Resolved By The Council Of The City Of Parkersburg that the City initiate a pilot program to aid property owners within the City's business districts in the repair and relaying of sidewalks along City Streets within those districts of the City of Parkersburg.

Be It Further Resolved that such program shall conform with the following:

1. All property owners participating in such program shall be required to pay all costs of materials utilized in the repair or relaying of the sidewalks abutting their property;
2. All associated labor costs shall be shared between the property owner and the City of Parkersburg on a 50/50 basis;
3. Such program shall be conducted by the City as a City project as, when and if funds become or are made available.