AGENDA FOR THE REGULAR MEETING OF PARKERSBURG
CITY COUNCIL FOR TUESDAY, JUNE 12, 2012, 7:30 PM
SECOND FLOOR, COUNCIL CHAMBERS, MUNICIPAL BUILDING

I. CALL TO ORDER – Council President, Tom Joyce

II. PRAYER

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. MINUTES – Regular Council meeting held May 15, 2012
Regular Council meeting held May 22, 2012

VI. REPORTS FROM STANDING OR SPECIAL COMMITTEES

A. Board of Canvassers' Certificate of Votes Cast, Primary Election May 8, 2012 (receive, file, and approve)

VII. MESSAGE FROM THE EXECUTIVE

VIII. PUBLIC FORUM

IX. RESOLUTIONS

1. Request for a budget revision in the Fire Department for a Captain who is retiring, moving $15,600.00 out of Contingency to the salaries line item to cover payout for vacation and holiday time. (Councilmen Reed, Rockhold, Kimes, Wilcox, and Reynolds – and pending approval of the Finance Committee).

2. Request for a budget revision to move $62,550.00 from grants and donations to expend funds for the Johnson T. Janes Park bridge project , to the Building and Grounds Department. (Councilmen Reed, Rockhold, Kimes, Wilcox, and Reynolds – and pending approval of the Finance Committee).

3. Resolution authorizing Mayor Robert Newell to submit a grant application to the WV Development Office for funding for Parkersburg Homecoming for $1,000.00. (Councilmen Lynch, Joyce, Reed, Rockhold and Sandy)

4. Resolution authorizing Mayor Robert Newell to submit a grant application to the WV Development Office for $3,000.00 for the Boys and Girls Club. (Sponsored by Councilmen Joyce, Tallman, Lynch, Rockhold, and Reed.)

5. Resolution authorizing Mayor Robert Newell to accept the terms of a contract with the WV Development Office for a $5,000.00 grant for the Women's Center. (Councilmen Tallman, Reed, Rockhold, and Lynch)

X. ORDINANCE, FIRST READING

6. An ordinance suspending the operation of the longevity plan, Section VIII, the Compensation Plan of the Personnel Policies and Procedures Manual for 2011-2012 and 2012-2013. (Personnel and Finance Committees of City Council)

7. An ordinance granting all full time City employees a twenty cent ($0.20) increase in their base pay. (Sponsored by the Committee of the Whole.)

8. An ordinance prohibiting the use of an electronic communications device, driving without handheld features, definitions, exceptions, penalties while driving or operating a motor vehicle on a public street or highway. Effective July 1, 2012. (Councilmen Rockhold, Sandy, Reynolds, Wilcox, Reed, Lynch and Tallman)

XI. ADJOURNMENT

The Council of the City of Parkersburg met in regular session Tuesday, May 15, 2012, at 7:30 PM in the Council Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg, WV 26102.

The meeting was called to order by Council President, Tom Joyce, who presided over the meeting. Councilman Mike Reynolds led the Lord's Prayer and the Pledge of Allegiance, and the clerk noted that those attending included Councilmen Nancy Wilcox, Sharon Lynch, John Sandy, Sharyn Tallman, Mike Reynolds, John Rockhold, Jim Reed, and Tom Joyce. Councilman Brad Kimes was absent.

MINUTES – Mr. Reed moved, seconded by Mr. Sandy, to approve the minutes from the meeting held April 17, 2012, and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – the City Clerk announced that our City Code has been updated through January, 2012, and an ordinance will follow in 90 days.

Councilman Reynolds reported that the Downtown Task Force met today and discussed aesthetics and communication in our City. Councilman Jim Reed announced that the Finance Committee met this evening concerning budget revisions and an update on MPH Hotels, who are interested in local property for a hotel where our current Salvation Army is located.

MESSAGE FROM THE EXECUTIVE – Mayor Robert Newell introduced Mr. Dale Musgrave who is attending our Council meeting with Troop 16 Boy Scouts, who are working on their Community Badge. Mayor Newell said he was very pleased to have them at our meeting with a very good showing of scouts attending.

Mayor Newell and City Council then welcomed Coach Jackson and the Parkersburg South High School Wrestling Team. Coach Jackson said they were glad to be invited to our meeting and hoped they would bring pride to both sides of our river. They have won eight (8) titles in a row, and he presented the City with a plaque.

Mayor Newell stated that we know they have been here before, but this year is different. The reason is that Coach Paul Jackson is retiring after being 2010/2011 Coach of the Year in WW, and he won seven AAA Awards in the 1990's and 2000's, and has several other recognitions. May 16, 2012 has been declared Paul Jackson Day in the City of Parkersburg, and Council and all attending congratulated him, his team, and the program.

In another matter, Mayor Newell stated that during the budget hearings he asked for a committee on wages and reclassifications for some of the jobs and to look at the base pay for all positions, and then they would look at the longevity benefit. He asked President Joyce to assign that committee to work with him.

The clerk presented a communication from Mayor Newell re-appointing Mr. Tim Utt, 1537 Willoughby Drive and Mr. Sean Andrews, 2603 26th Street, to the Downtown Façade Committee for terms to expire January 1, 2015 and April 12, 2015.

MOTION – Ms. Tallman moved, seconded by Ms. Wilcox, to confirm the re-appointments, and the motion was adopted by unanimous vote.

The clerk presented a communication from Mayor Newell re-appointing Betty Modie, 1900 Washington Avenue through February 14, 2015; Debra Conner, 1902 Washington Avenue through February 14, 2014; and Jan Crego, 1624 Washington Avenue through February 14, 2015, to the Architectural Review Board.

MOTION – Mr. Reynolds moved, seconded by Mr. Rockhold, to confirm the re-appointments, and the motion was adopted by unanimous vote.

PUBLIC FORUM – no one appeared.

RESOLUTIONS

The clerk presented a resolution re-appointing Ms. Shirley Parks, 1000 Laird Avenue, to the Board of Zoning Appeals for a term to expire January 1, 2015.

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

The clerk presented a resolution authorizing Mayor Robert Newell to sign the grant program contract in the amount of $7,500.00 awarded through a 2012 Community Participation Program for the Boys and Girls Club.

MOTION – Mr. Reed moved, seconded by Mr. Sandy, to adopt the resolution, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Rockhold, who abstained.

The next resolution authorized Mayor Robert Newell to sign a contract agreement with the State of WV for a grant in the total amount of $80,000.00, with a local share of $40,000.00 (in-kind contribution) to be used to construct a restroom at Fort Neal Park.

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

Ms. Tallman inquired about the $40,000.00 in-kind contributed by the City. Ms. Conageski stated that it would be used for materials and our personnel salaries and benefits. She stated that we built the gazebo at Southwood Park that way. We use our labor and supervision, and we send that information to the State, she said. Ms. Tallman asked if there

CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 1635-08

would be any money left for paving at the park, and Ms. Conageski said we hoped there would be some money left over for the parking lot.

Mayor Newell stated that if there was any money left in the $250,000.00 that we allocated for paving this spring, he would like to pave First Avenue.

Ms. Tallman asked about security cameras at the skateboard park, and Ms. Conageski said there were two cameras there now for security, and we are trying to get more lighting.

Ms. Wilcox stated that the resolution was not clear to her that the total was $80,000.00. Mr. Santer explained that the total was $80,000.00, and we could break it down that $40,000.00 was for materials, and the remaining would be in-kind local share. When Ms. Tallman asked when we would begin work on the restrooms, Ms. Conageski said it would be about 1 ½ months, after we sign the documents then do a covenant, and after it is filed and sent to the State, then they send it back to us.

VOTE – the motion was adopted by unanimous vote.

The clerk presented a resolution amending the rules and regulations for the Parkersburg Police Department to remove some parts of Chapter 10 that are a duplication of the City of Parkersburg's policies concerning salaries and benefits, and are currently included in City policies or WV State Law or elsewhere.

MOTION – Mr. Rockhold 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 Ms. Tallman, who voted "no".

The meeting adjourned at 7:50 PM.

Connie Shaffer
City Clerk

Council President

JOURNAL OF THE CITY COUNCIL, NO. 53

PARKERSBURG, W. VA., May 22, 2012

The Council of the City of Parkersburg met in regular session Tuesday, May 22, 2012, at 7:30 PM in the Coun Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg, WV 26101.

The meeting was called to order by Council President, Tom Joyce, who presided over the meeting. Councilm John Rockhold led the Lord's Prayer and the Pledge of Allegiance, and the clerk noted the attendance, and those prese included Councilmen Nancy Wilcox, Sharon Lynch, John Sandy, Sharyn Tallman, Mike Reynolds, John Rockhold, and To Joyce. Councilmen Brad Kimes and Jim Reed were absent.

There were no minutes presented this evening.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – No reports this evening.

MESSAGE FROM THE EXECUTIVE – In place of Mayor Robert Newell, who was absent this evening, Councilm John Rockhold welcomed Coach Jim Parsons and the Parkersburg High School Archery Team, as State Champions for tl past four years. Mr. Rockhold said that Parkersburg was blessed to have outstanding youth in our City who are fi athletes and we are thankful for their talent. The members of the team introduced themselves and were warmly welcom by City Council and all attending. Coach Parsons stated that they have one senior leaving this year, and several will l back for next year, and four are on the All State Team.

PUBLIC FORUM – no one appeared.

The clerk presented a resolution re-appointing Mr. John Lutz, 1109 7th Street, to the Parkersburg Utility Board for four-year term to expire May 24, 2016.

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

The clerk presented a resolution requesting approval from the State of WV for year-end budget revisions in tl amount of $322,361.00.

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

The final resolution was consideration of a supplemental resolution providing as to principal amount, date, maturi date, redemption provision, interest rate, interest and principal payment dates, sale price and other terms of the combine waterworks and sewerage system revenue bonds, Series 2012, a (West Virginia SRF Program) of the City of Parkersbur approving and ratifying the loan agreement relating to such bonds and the sale and delivery of such bonds to the We Virginia Water Development Authority; designating a registrar, paying agent and depository bank; and making oth provisions as to the bonds.

MOTION – Mr. Rockhold moved, seconded by Ms. Tallman, to adopt the resolution, and the motion was adopted l unanimous vote.

MISCELLANEOUS – Council was presented with the Annual Report of the Policemen's and Firemen's Pension ar Relief Funds to the Municipal Oversight Board as required by WV Code 8-22-19(d)(1)(B) and 8-22-23a(a) through June 3 2011, for the Firemen's Pension.

MOTION – Mr. Rockhold moved, seconded by Mr. Reynolds, to receive and file the report, and the motion wa adopted by unanimous vote.

The meeting adjourned at 7:40 PM.

Connie Shafer
City Clerk

Council President

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG - MAYOR

Robert D. Newell	Received	One thousand three hundred and seventy (1,370) votes
Gerald E. Board	Received	One thousand two hundred and seventy one (1,271) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG - MAYOR

Sharyn Tallman	Received	One thousand three hundred and forty one (1,341) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

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Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT ONE

Nancy Wilcox	Received	One hundred and ninety six (196) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

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Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT ONE

Kenneth Ed Judy	Received	Seventy eight (78) votes
Dave Pasadyn	Received	Thirty four (34) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

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Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT TWO

Sharon Lynch Received Two hundred and fifty (250) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT TWO

James M. Richards	Received	Eighty one (81) votes
Jeremy Crites	Received	Eighty (80) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

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Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT THREE

Tandra Mays	Received	One hundred and thrity four (134) votes
Georgiana F. Atkinson	Received	One hundred and thirty one (131) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT THREE

Roger E. Brown Received One hundred and sixty two (162) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT FOUR

Jim Myers Received One hundred and twenty eight (128) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT FOUR

John R. Sandy	Received	Eighty nine (89) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT FIVE

J.R. Carpenter	Received	One hundred and eighteen (118) votes
Paul E. Miller	Received	Seventy seven (77) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT FIVE

No Candidate Filed Received Zero (0) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT SIX

No Candidate Filed Received Zero (0) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT SIX

Mike Reynolds Received One hundred and eighty nine (189) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT SEVEN

No Candidate Filed Received Zero (0) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT SEVEN

John R. Kelly	Received	Two hundred and eleven (211) votes
Scott Jarvis	Received	One hundred and thirty four (134) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT EIGHT

John W. Rockhold III Received Two hundred and thirty one (231) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT EIGHT

Jim Knapp	Received	One hundred and eighty (180) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Democrat - CITY OF PARKERSBURG – DISTRICT NINE

Julia Ann Monroe Received Two hundred and seventy six (276) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

Republican - CITY OF PARKERSBURG – DISTRICT NINE

W. James Reed Received Two hundred and seventeen (217) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Board of Canvassers' Certificate of Votes Cast
Primary Election
May 8, 2012

Office of the County Commission
Wood County, West Virginia

To: CITY OF PARKERSBURG

The Board of Canvassers of the County of Wood, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county, in each district thereof, on the 8th day of May, 2012, and do hereby certify that in said County for the office of:

CITY OF PARKERSBURG - MASS TRANSIT LEVY

Yes, for the renewal of the levy	Received	Three thousand six hundred and sixteen (3,616) votes
No, against the renewal of levy	Received	One thousand two hundred and nineteen (1,219) votes

Given under our hands this 24th day of May, 2012.

Board of Canvassers

Filed with the Clerk of the Wood County Commission, this the 24th day of May, 2012.

Clerk, Wood County Commission

Mayor Robert D. Newell

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

MEMORANDUM

TO: Mayor Newell and City of Parkersburg Finance Committee

FROM: Angie Smith, Finance Director

DATE: 6/4/2012

RE: Budget Revision to State

The attached budget revision is necessary due to an unexpected retirement in the Fire Department. Captain Dowler retired effective May 28, 2012, and had a significant payout for vacation and holiday time on the books.

In order to cover the deficiency in funds, I propose the attached budget revision to record this activity. Should you have questions, please don't hesitate to contact me.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Finance Director be authorized to request approval from the State Tax Commissioner for the following budget revision within the General Fund for fiscal year 2011-12 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists:

GENERAL FUND

EXPENDITURES

Fund		Dept	Account	Description	Decrease	Increase
001	699	Contingency	000-000	Contingency - Retire/Payout	$ 15,600	$ -
				Sub Totals	$ 15,600	$ -
				Net Increase / (Decrease) Revenues	$ 15,600	

EXPENDITURES

Fund		Dept	Account	Description	Decrease	Increase
001	706	Fire	103-303	Salaries - Captains		$ 15,600
				Sub Totals	$ -	$ 15,600
				Net Increase / (Decrease) Expenditures		$ 15,600
				Grand Totals	$ 15,600	$ 15,600

Mayor Robert D. Newell

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

MEMORANDUM

TO: Mayor Newell and City of Parkersburg Finance Committee

FROM: Angie Smith, Finance Director

DATE: 6/5/2012

RE: Budget Revision to State

The attached budget revision is necessary to expend funds received for the Johnson T. Janes Park bridge project. This project has received or will receive funds from Federal and State Grants as well as private donations.

I propose the attached budget revision be forwarded to the State.

RESOLUTION

9/15

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Finance Director be authorized to request approval from the State Tax Commissioner for the following budget revision within the General Fund for fiscal year 2011-12 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists:

GENERAL FUND

REVENUES

Fund		Account	Description	Increase	Decrease
001	365	000-000	Federal Grants	$ 2,500	
001	366	000-000	State Grants	$ 3,000	
001	368	000-000	Contributions/Donations	$ 55,500	
001	399	000-000	Misc. Revenue	$ 1,550	
			Sub Totals	$ 62,550	$ -
			Net Increase / (Decrease) Revenues	$ 62,550	

EXPENDITURES

Fund		Dept	Account	Description	Decrease	Increase
001	440	Buildings & Gr	230-005	Contractual - Johnson Janes Park		$ 62,550
				Sub Totals	$ -	$ 62,550
				Net Increase / (Decrease) Expenditures		$ 62,550
				Grand Totals	$ 62,550	$ 62,550

RESOLUTION

WHEREAS, the Parkersburg Homecoming Festival is a three day festival that provides free entertainment for the citizens of the Mid-Ohio Valley; and

WHEREAS, the Parkersburg Homecoming Festival sponsors various events during this three day festival such as a fireworks displays a dog show, a parade, pageants, carnival rides, arts and crafts and the half marathon; and

WHEREAS the State of West Virginia through the Community Participation grant Program is considering funding the Parkersburg Homecoming Festival in the amount of $1,000 for equipment, staging and promotion with a 10% match of $100.

NOW THERFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG THAT Mayor Robert D. Newell be and hereby is authorized to submit a grant application to the West Virginia Development Office for funding for the Parkersburg Homecoming Festival with the match requirement being met by the Parkersburg Homecoming Festival Committee.

Sponsored by: Councilmen Lynch, Joyce, Reed, Rockhold and Sandy

RESOLUTION

WHEREAS the Boys and Girls Club of Parkersburg has a long tradition of providing a safe and positive place for youth and has contributed towards the quality of life for citizens of the City of Parkersburg and the Mid-Ohio Valley; and

WHEREAS the State of West Virginia through the 2012 Community Participation Program has awarded the Boys and Girls Club of Parkersburg through the City of Parkersburg a grant for $3,000 which requires a 10% match of $300 which will be used to repair the blacktop around the facility; and

WHEREAS the 10% match will be provided by the Boys and Girls Club of Parkersburg.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG, that Mayor Robert D. Newell be and hereby is authorized to submit a grant application to the West Virginia Development Office on behalf of the Boys and Girls Club of Parkersburg.

Sponsored by: Councilmen Joyce, Tallman, Lynch and Rockhold

RESOLUTION

WHEREAS the Women's Care Center located on Dudley Avenue in Parkersburg is a Christian ministry for empowering individuals to make healthy life choices; and

WHEREAS the Women's Care Center provides comprehensive support during pregnancy; and

WHEREAS the State of West Virginia through the 2011 Community Participation Program has awarded the Women's Care Center through the City of Parkersburg a grant for $5,000 which requires a 10% match of $500 which will be used to pave their parking lot; and

WHEREAS the 10% match will be provided by the Women's Care Center.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG that the City accepts all the terms and conditions of the contract with the West Virginia Development Office and authorizes Mayor Robert D. Newell to sign the grant program contract; and

BE IT FURTHER RESOLVED that the Finance Director make the appropriate budget revisions.

Sponsored by Councilmen Tallman, Reed, Rockhold and Lynch

AN ORDINANCE SUSPENDING THE OPERATION OF THE LONGEVITY PLAN, SECTION VIII, THE COMPENSATION PLAN OF THE CITY OF PARKERSBURG PERSONNEL POLICIES AND PROCEDURES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the operation of the Longevity Plan, Section VIII, The Compensation Plan of the City of Parkersburg Personnel Policies and Procedures or as it may be set forth and contained elsewhere, be and it is hereby suspended and held for naught for the budget years 2011-2012 and 2012-2013 and which longevity pay is based upon such years, but not prior years' service credit.

Sponsored By The Personnel and Finance Committees

AN ORDINANCE GRANTING AN INCREASE
TO FULL TIME CITY EMPLOYEES
OF THE CITY OF PARKERSBURG

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that effective July 1, 2012, all full time City employees receive a twenty cent ($0.20) increase in their base pay.

Sponsored by the Committee of the Whole

AN ORDINANCE AMENDING THE CITY OF PARKERSBURG TO PROVIDE FOR THE PROHIBITED USE OF AN ELECTRONIC COMMUNICATIONS DEVICE, DRIVING WITHOUT HANDHELD FEATURES; DEFINITIONS; EXCEPTIONS; PENALTIES

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG, WEST VIRGINIA:

PROHIBITED USE OF AN ELECTRONIC COMMUNICATIONS DEVICE, DRIVING WITHOUT HANDHELD FEATURES; DEFINITIONS; EXCEPTIONS; PENALTIES.

(a) Except as provided in subsection (c) of this section, a person may not drive or operate a motor vehicle on a public street or highway while:

(1) Texting; or

(2) Using a cell phone or other electronic communications device, unless the use is accomplished by hands-free equipment.

(b) For purposes of this section, the following terms shall mean:

(1) "Cell phone" shall mean a cellular, analog, wireless or digital telephone.

(2) "Driving" or "operating a motor vehicle" means operating a motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays, but does not include operating a motor vehicle after the driver has moved the vehicle to the side of, or off, a highway and halted in a location where the vehicle can safely remain stationary.

(3) "Electronic communication device" means a cell telephone, personal digital assistant, electronic device with mobile data access, laptop computer, pager, broadband personal communication device, 2-way messaging device, electronic game, or portable computing device. For the purposes of this section, an "electronic communication device" does not include:

(A) Voice radios, mobile radios, land mobile radios, commercial mobile radios or two way radios with the capability to transmit and receive voice transmissions utilizing a push-to-talk or press-to-transmit function; or

(B) Other voice radios used by a law-enforcement officer, an emergency services provider, an employee or agent of public safety organizations, first responders, Amateur Radio Operators (HAM) licensed by the Federal Communications Commission and school bus operators.

(4) "Engaging in a call" means when a person talks into or listens on an electronic communication device, but shall not include when a person dials or enters a phone number on a pushpad or screen to initiate the call.

(5) "Hands-free electronic communication device" means an electronic communication device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such electronic communication device, by which a user engages in a call without the use of either hand or both hands.

(6) "Hands-free equipment" means the internal feature or function of a hands-free electronic communication device or the attachment or addition to a hands-free electronic communication device by which a user may engage in a call or text without the use of either hand or both hands.

(7) "Texting" means manually entering alphanumeric text into, or reading text from, an electronic communication device, and includes, but is not limited to, short message service, e-mailing, instant messaging, a command or request to access a World Wide Web page or engaging in any other form of electronic text retrieval or entry, for present or future communication. For purposes of this section, "texting" does not include the following actions:

(A) Reading, selecting or entering a telephone number, an extension number, or voicemail retrieval codes and commands into an electronic device by the pressing the device in order to initiate or receive a phone call or using voice commands to initiate or receive a telephone call;

(B) Inputting, selecting or reading information on a global positioning system or navigation system; or

(C) Using a device capable of performing multiple functions, including fleet management systems, dispatching devices, smart phones, citizens band radios or music players, for a purpose that is not otherwise prohibited in this section.

(8) "Using a cell phone or other electronic communication device" means holding in a person's hand or hands an electronic communication device while:

(A) Viewing or transmitting images or data;

(B) Playing games;

(C) Composing, sending, reading, viewing, accessing, browsing, transmitting, saving or retrieving e-mail, text messages or other electronic data; or

(D) Engaging in a call.

(c) Subsection (a) of this section shall not apply to:

(1) A law-enforcement officer, a firefighter, an emergency medical technician, a paramedic or the operator of an authorized emergency vehicle in the performance of their official duties;

(2) A person using an electronic communication device to report to appropriate authorities a fire, a traffic accident, a serious road hazard, or a medical or hazardous materials emergencies.

(3) The activation or deactivation of hands-free equipment or a function of hands-free equipment.

(d) This section does not supersede the provisions of section three-a, article two, chapter seventeen-b of the West Virginia Code or any more restrictive provisions for drivers of commercial motor vehicles prescribed by the provisions of chapter seventeen-e of the West Virginia Code or federal law or rule.

(e) Any person who violates the provisions of subsection (a) of this section is guilty of a traffic offense and, upon conviction thereof, shall for a first offense be fined $100; for a second offense be fined $200; and for a third or subsequent offense be fined $300. No court costs or other fees shall be assessed for a violation of subsection (a) of this section.

(f) Driving or operating a motor vehicle on a public street or highway while texting shall be enforced as a primary offense as of July 1, 2012. Driving or operating a motor vehicle on a public street or highway while using a cell phone or other electronic communication device without hands-free equipment shall be enforced as a secondary offense as of July 1, 2012, and as a primary offense as of July 1, 2013 for purposes of citation.

(g) Nothing contained in this section shall be construed to authorize seizure of a cell phone or electronic device by any law- enforcement agency.

Be it further ordained by the City Council of the City of Parkersburg that this Ordinance shall take effect on July 1, 2012.

INTRODUCED: _____

ADOPTED: _____

THE CITY OF PARKERSBURG
WEST VIRGINIA, a municipal corporation

By: _____
Robert D. Newell, Mayor

Attest:

_____
Connie Shaffer, City Clerk

4440086.1

Sponsored by Councilmen Rockhold, Sandy, Reynolds, Wilcox, Reed, Lynch, and Tallman