

**AGENDA FOR THE REGULAR MEETING OF PARKERSBURG
CITY COUNCIL FOR TUESDAY, JULY 27, 2010, 7:30 PM
SECOND FLOOR, COUNCIL CHAMBERS, MUNICIPAL BUILDING**

- I. CALL TO ORDER – Council President, John W. Rockhold III
- II. PRAYER - Please join us in the Lord's Prayer.
- III. PLEDGE OF ALLEGIANCE – Please join us in the Pledge of Allegiance
- IV. ROLL CALL – City Clerk
- V. MINUTES – Council meeting held July 13, 2010
- VI. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- VII. MESSAGE FROM THE EXECUTIVE
 - A. Communication from Camden-Clark Memorial Hospital appointing Mr. Daniel Wharton, Jr. to the Board of Trustees through June 30, 2016.
- VIII. PUBLIC FORUM
- IX. RESOLUTIONS
 - 1. Resolution amending the rules and regulations for Parkersburg City Parks by temporarily lifting the restriction to allow the possession and consumption of wine and beer within Bicentennial Park on September 24th and 25th, 2010 as part of “A Taste of Parkersburg” festival. (Sponsored by Councilmen Reed, Joyce, and Lynch.)
 - 2. Resolution expending \$15,000.00 from the Capital Reserve Fund to the River City Runners and Walkers Club for continued support of the Parkersburg News and Sentinel Half Marathon for the 2010 race. (Sponsored by Councilmen Joyce, Reed, and Rockhold.)
 - 3. Resolution authorizing the City of Parkersburg to enter into the WV Homeless Shelter Program, Emergency Shelter Grants Program, for the administration of a grant in the amount of \$19,000.00. (Sponsored by Councilmen Kimes, Joyce, Lynch, Sandy, Wilcox, and Reed.)
 - 4. Resolution calling for the defeat of the amendment to H.R. 4899 dealing with collective bargaining. (Sponsored by Councilmen Joyce, Reed, Tallman, and Rockhold.)

“next page”

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Council agenda for July 27, 2010

X. ORDINANCE, FINAL READING:

5. An ordinance to close an alley 20' x 316' north of WV State Rt. 95, south of 8th Avenue and west of Kemper Street. Planning Commission voted 10-0 to allow the closure. Business to be built on top of the existing alley, City is not to maintain an easement. (Sponsored by Municipal Planning Commission.)

6. An ordinance amending and re-enacting Chapter X of the Parkersburg Fire Department Rules and Regulations concerning eligibility for employment. (Sponsored by Councilmen Kimes, Wilcox, and Rockhold.)

XI . ORDINANCE, FIRST READING:

7. An ordinance amending and re-enacting Article 1511.01, of the Codified Ordinances, which automatically adopts updates in WV Code, Chapter 29-3-5, concerning NFPA standards for the Fire Department. (Sponsored by Councilmen Kimes, Reynolds, Lynch, and Tallman.)

XII. ADJOURNMENT

JOURNAL OF THE CITY COUNCIL, NO. 53

PARKERSBURG, W. VA., July 13, 2010

The Council of the City of Parkersburg met in regular session Tuesday, July 13, 2010, at 7:30 PM in the Council 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, John Rockhold III, who presided over the meeting. Councilwoman Nancy Wilcox led the Lord's Prayer and the Pledge of Allegiance, and the clerk noted the attendance as follows: Those attending included Councilmen Nancy Wilcox, Sharon Lynch, Brad Kimes, John Sandy, Sharyn Tallman, Mike Reynolds, Tom Joyce, Jim Reed, and John Rockhold III.

MINUTES – Mr. Reed moved, seconded by Mr. Joyce, to approve the minutes from the meeting held June 22, 2010, and the motion was adopted by unanimous vote.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Councilwoman Tallman reported from her latest meeting of the National League of Cities session in Riverside, California. She said they discussed the laws of Arizona, our current oil spill in the gulf, financing and dues for municipalities, and our discount prescription plan.

MESSAGE FROM THE EXECUTIVE – Mayor Robert Newell reported on the financial condition of our City at the beginning of our new fiscal year. He said our City is stable and we will end last fiscal year within 1-2% of our estimates. We have \$2,000,000.00 in reserves, and approximately \$1,000,000.00 available if we need it. Mayor Newell has stated that we will not depend on stimulus money and we need to tighten our belts and be conservative.

We had begun reductions of expenses already, he said, and Governor Manchin feels that 2012 will be worse for the economy. We are a full time government with police, fire and sanitation, and public works departments and the money we collect goes back into our City, he said. Government cannot continue to grow, and being conservative is the path to take. He said he would report in another two weeks or so when our figures are finalized for last fiscal year.

PUBLIC FORUM – several citizens attended the Council meeting concerning on-going code problems at 906 Lakeview, and 615 Pike Street. Three representatives, including Jean Grapes and Tandra Mays, from our homeless shelter, House to Home, approached Council requesting \$5,000.00 and said the need was great for these people who mainly stay at the Salvation Army at night, then go on to the streets.

Cheryl Sallee, 703 ½ Pike Street, spoke to Council about a disheartening experience she had with her blind child who tried to ride our bus, and said the employees at the transit office did not communicate well with them. Ms. Lynch and Ms. Tallman suggested she attend a Transit Authority Board meeting, as we have appointed a person specifically for this type of problem.

RESOLUTION

WHEREAS, the City of Parkersburg previously applied for a Justice Assistant Grant with the West Virginia Division of Criminal Justice Services, Department of Military Affairs and Public Safety;

WHEREAS, the Justice Assistance Grant Program helps to fund a variety of efforts to ensure that the local communities have the tools and equipment necessary to build safer communities; and

WHEREAS, the City of Parkersburg has been awarded a grant through the State of West Virginia from the Justice Assistance Grant in the amount of \$57,000.00 to fund officers' salaries and attend the Annual State PRO Conference.

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 accept the grant to the Justice Assistance Grant Program for funding for officers' salaries and for funds to attend the Annual State Pro Conference and to sign all the necessary award documents and that Finance Director, Doug Life, be authorized to make all necessary budget revisions.

MOTION – Ms. Tallman moved, seconded by Mr. Kimes, to adopt the resolution.

Mayor Newell and Doug Life explained that this resolution was for a benefit package. It is for two (2) PRO police officers. The State gives us the money for the salaries and the City pays for the benefits. Without the grants, we don't have the funds for the positions, Mayor Newell said.

VOTE – the motion was adopted by unanimous vote.

RESOLUTION

WHEREAS, the City of Parkersburg previously applied for a Justice Assistance Grant with the West Virginia Division of Criminal Justice Services, Department of Military Affairs and Public Safety;

WHEREAS, the Justice Assistance Grant Program helps to fund a variety of efforts to ensure that the local communities have the tools and equipment necessary to build safer communities; and

WHEREAS, the City of Parkersburg has been awarded a grant through the State of West Virginia from the Justice Assistance Grant in the amount of \$56,250.00 to fund officers' salaries and attend the Task Force Commander School.

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 accept the grant to the Justice Assistance Grant Program for funding officers' salaries and for funds to attend the Annual Task Force Commander School and to sign all the necessary award documents and that Finance Director, Doug Life, be authorized to make all necessary budget revisions.

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

JOURNAL OF THE CITY COUNCIL, NO. 53

PARKERSBURG, W. VA., July 13, 2010

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

A RESOLUTION APPROVING THE SELECTION OF TETRICK AND BARTLETT, PLLC AS AUDITORS FOR FISCAL YEAR 2009/2010

WHEREAS: The City of Parkersburg ("City") has previously been notified by the Office of the State Auditor of the State of West Virginia that the City is to form an Audit Committee to select an approved auditor for fiscal year 2009/2010.

WHEREAS: The City has, by action of Council on June 8, 2010, formed said committee consisting of: the Chairman of the Finance Committee, Brad Kimes; the Finance Director, Doug Life; the Assistant Finance Director, Angie Smith; the Development Director, Ann Conageski; and one to be appointed by the President of Council, John Rockhold.

WHEREAS: The President of Council, John Rockhold, did announce on June 22, 2010 his selection of Councilman Jim Reed to serve on said Committee.

WHEREAS: Said Committee met on June 24, 2010, reviewed all of the submissions, and unanimously selected Tetrick and Bartlett, PLLC, to perform an audit of the City for fiscal year 2009/2010.

NOW, THEREFORE BE IT RESOLVED that the City select Tetrick and Bartlett, PLLC to perform an audit of the City for fiscal year 2009/2010; and furthermore to authorize the Mayor, Robert Newell; and Finance Director, Doug Life to contract with Tetrick and Bartlett, PLLC for said audit.

City Clerk Connie Shaffer

Mayor Robert D. Newell

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

RESOLUTION

Whereas, the City of Parkersburg recognizes the threat that natural hazards pose to people and property; and

Whereas, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

Whereas, an adopted hazard mitigation plan is required as a condition of future grant funding for mitigation projects; and

Whereas, the City of Parkersburg participated jointly in the planning process with the other local units of government within the County to prepare the Wood County Hazard Mitigation Plan;

Now, therefore, be it resolved, that the City of Parkersburg Council, hereby adopts the Wood County Hazard Mitigation Plan as the official Plan for the City; and

Be it further resolved, that Mid-Ohio Valley Regional council will submit on behalf of the participating municipalities the adopted Hazard Mitigation Plan to Federal Emergency Management Agency officials for final review and approval.

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

(complete plan, reduced in size, in file #8223)

RESOLUTION

WHEREAS THE CITY OF PARKERSBURG is an entitlement community under the U. S. Department of Housing and Urban Development's Community Development Block Grant Program (CDBG); and

WHEREAS the CDBG Program charges the City of Parkersburg to meet three national objectives of providing decent housing, a suitable living environment and expanding economic opportunities when expending these funds; and

WHEREAS the City's Neighborhood Revitalization Project is a strategy which tries to meet all of these objectives by targeting a Census Block Group; and

WHEREAS the goal of this project is an effort to stabilize and increase home ownership; strengthen property values; and improve the physical appearance of the neighborhood; and

WHEREAS the Urban Renewal Authority of the City of Parkersburg is adding two additional targeted neighborhoods to this project which are Census Tract 7.02 Block Group 1 (7th Street to 13th Street and Plum Street to Market Street) and Census Tract 9.02, Block Group 1 (Neal Run to 4th Avenue and WV 95 to Lubeck Avenue).

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Parkersburg concurs with the Urban Renewal's Authority's designation of these targeted areas to be included in the Neighborhood Revitalization Project.

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

JOURNAL OF THE CITY COUNCIL, NO. 53

PARKERSBURG, W. VA., July 13, 2010

RESOLUTION

WHEREAS, the City of Parkersburg Urban Renewal Authority of the City of Parkersburg has received a Neighborhood Stabilization Program (NSP) Grant from the State of West Virginia in the amount of \$1,350,000; and

WHEREAS, these NSP funds will be used to purchase and/or rehabilitate eight (8) foreclosed and/or vacant properties and/or vacant and slum and blighted properties in the City's targeted neighborhood; and

WHEREAS, these funds were made available to the State of West Virginia from the Title II of Division B of the Housing and Economic Recovery Act of 2008, federal Public Law 110-289, with the City of Parkersburg being the designated "sub-recipient" thereof

NOW THEREFORE BE IT RESOLVED BY THE URBAN RENEWAL AUTHORITY OF THE CITY OF PARKERSBURG that the authority agrees to enter into an agreement with the City of Parkersburg for implementation of the NSP Grant which includes the transfer of grant funds and donation of support services from the City to the Authority,

BE IT FURTHER RESOLVED that the Authority shall agree to all the terms and conditions of the NSP Contract with the West Virginia Development Office and the City of Parkersburg and hereby authorizes its Chairman, Sharyn Tallman to sign such contract and all other documents necessary for such purpose.

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

ORDINANCE, FINAL READING:

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG, as follows:

WHEREAS, various ordinances of a general and permanent nature have been passed by City Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is presently before Council;

NOW, THEREFORE, BE IT ORDAINED that:

Section 1. The ordinances of the City of Parkersburg, West Virginia, of a general and permanent nature, as revised, codified, rearranged and consolidated into component codes, chapters, articles and sections within the 2010 replacement pages to the Codified Ordinances are hereby approved and adopted.

Section 2. Pursuant to Section 2.208 of the Charter and West Virginia Code 8-11-4(b):

- (a) Notice of the proposed adoption of the current supplement shall be given by publication as provided in West Virginia Code 8-11-4(a)(2);
- (b) This ordinance shall not be adopted until ninety days have elapsed following the date on which Council shall have noted in the official journal the availability of copies of the current supplement to the public.

Section 3. This Ordinance shall take effect as provided in Section 2.201 of the Charter.

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

ORDINANCE, FIRST READING:

AN ORDINANCE VACATING A 20' X 316' PORTION OF AN UNNAMED ALLEY LYING WEST OF KEMPER STREET AND NORTH OF WEST VIRGINIA ROUTE 95 PARKERSBURG CITY MAP 124

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

Ms. Wilcox asked if we knew there was a sewer line beneath this alley when we approve it, and Mayor Newell stated that several years ago it was filled in. The alley should have been closed years ago, he said, as there is no access to it.

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

ORDINANCE, FIRST READING:

AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER X OF THE PARKERSBURG FIRE DEPARTMENT RULES AND REGULATIONS, ELIGIBILITY FOR EMPLOYMENT

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

JOURNAL OF THE CITY COUNCIL, NO. 53

PARKERSBURG, W. VA., July 13, 2010

CASTO & HARRIS, INC., SPENCER, WV RE-ORDER NO. 1035-08

Mr. Sandy asked the personnel director if this amendment went through personnel, and Ms. Bayles said it did not. Mr. Santer stated the fire department rules do not go through the personnel department.

Ms. Lynch asked why we wanted to change the residency requirement that the new fireman would have 120 days to move into the county, and Chief Chichester said we could have someone apply from outside of the county, and this would give them time to look and find a place for their family. According to WV code, the Chief said they have a reasonable time to re-locate, and he thinks 120 days is reasonable.

Ms. Lynch asked about deleting the portion concerning the drug testing, and Chief Chichester said that was covered under NFPA compliance code. She also asked about extending the time from three years to four in section 1002 concerning the employee passing the emergency medical technician class within that time. Chief Chichester said the journeyman program was for three years, and you have to test after that and become certified, and that may take six weeks.

Ms. Tallman asked how we would know if they would give a false address, and the Chief said we follow up on it.

VOTE – the motion was adopted by unanimous vote.

The meeting adjourned at 8:30 PM.

Connie Shaffer

City Clerk

Council President



June 28, 2010

Connie Shaffer, City Clerk
City Council of Parkersburg
P.O. Box 1627
Parkersburg, WV 26102

Dear Mrs. Shaffer:

At the June 22, 2010, annual meeting of the Board of Trustees of Camden-Clark Memorial Hospital, the Board nominated the following individual for initial appointment to the Board of Trustees.

- 1) Daniel Wharton, Jr.
7/1/10 – 6/30/16

I am requesting that you please add this appointment to the next City Council agenda for confirmation. Please do not hesitate to contact me if you should have any questions.

Sincerely,

Michael A. King
President & CEO

MAK:mlm

**RESOLUTION AMENDING SECTION IX
SUBPART A OF THE RULES AND
REGUALTIONS FOR PARKERSBURG
CITY PARKS**

Whereas the Downtown Development task Force Tourism Committee in cooperation with the Parkersburg-Wood County Visitors and Convention Bureau is promoting and sponsoring "A Taste of Parkersburg", a two day festival for showcasing local restaurants, brewers, musicians and artisans;

Whereas this festival will feature several wineries and local brewers and which will allow for the tasting and enjoyment of such wines and locally brewed beers during this festival;

Whereas this event will be held on Friday, September 24, 2010 and Saturday, September 25, 2010 in Downtown Parkersburg in the area off Market Street, between 3rd Street and the Blennerhassett Hotel and including the City's Bicentennial Park;

Whereas the City has certain restrictions on the possession and consumption of alcoholic beverages within its City Parks; and

Whereas, for the purpose of said festival, the City wishes to grant a limited exception to such restriction for and during, "A Taste of Parkersburg" festival.

Now, Therefore Be It Resolved By the Council of the City of Parkersburg that the restriction contained in Section IX. Subpart A of the Rules and Regulations for the Parkersburg City Parks be amended by temporarily lifting said restriction to allow the possession and consumption of wine and beer within the Bicentennial Park on Friday, September 24, 2010 and Saturday, September 25, 2010 as part of and during the hours of "A Taste of Parkersburg" Festival.

Sponsored by Councilmen: Reed, Joyce and Lynch

RESOLUTION

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that \$15,000.00 be expended from the Capital Reserve Fund to the River City Runners and Walkers Club for continued support of the Parkersburg News and Sentinel Half Marathon for the 2010 race.

Sponsored by Councilmen Joyce, Reed, and Rockhold

**RESOLUTION AUTHORIZING THE CITY TO ENTER INTO
THE WEST VIRGINIA HOMELESS SHELTERS PROGRAM
EMERGENCY SHELTER GRANTS PROGRAM
CONTRACT BETWEEN
THE OFFICE OF ECONOMIC OPPORTUNITY
AND THE CITY OF PARKERSBURG**

WHEREAS, the State has elected to administer the emergency Shelter Grants Program as authorized by Part B of Title IV of the Stewart B. McKinney Homeless Assistance Act, as amended, subject to the regulations of the Department of Housing and Urban Development, 24 CFR Part 576, as amended, the Certifications and Assurances contained in the Grantee application, and subject to the scope of the State's Emergency Shelter Grants Program Guidelines, receipt of which is hereby acknowledged by the Grantee.

WHEREAS, the Grantee has identified Its Emergency Shelter Grants Program objectives for homeless persons and the activities to be undertaken to meet such needs.

WHEREAS, the Grantee has requested assistance from the State and has offered assurances that priority has been given to activities that will accomplish the purpose of the Emergency Shelter Grants Program.

WHEREAS, the State has obligated \$19,000 to the City of Parkersburg for the administration of the Emergency Shelter Grants Program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City enter into the West Virginia Homeless Shelters Program Emergency Shelter Grants Program and that Mayor Robert D. Newell be and is hereby authorized to sign the grant contract between the Office of Economic Opportunity and the City of Parkersburg.

SPONSORED BY COUNCILMEN: Kimes, Joyce, Lynch, Sandy, Wilcox and Reed

* A copy of the contract are attached hereto and made a part hereof.

NOTE – a copy of the 18 page standard contract may be viewed in the City Clerk's Office.

**RESOLUTION OF
THE CITY/ TOWN /VILLAGE OF**

**CALLING FOR THE DEFEAT OF AMENDMENT TO
H.R. 4899 DEALING WITH COLLECTIVE BARGAINING**

WHEREAS, H. R. 4899, the supplemental appropriations bill contains an amendment to include language from the Public Safety Employer – Employee Cooperation Act of 2009 which purportedly guarantees collective bargaining rights for every state and local police unit, firefighter unit, emergency medical technician unit, correctional officer unit and other first responder is before the United States Senate, the same having passed the United States House of Representatives, and

WHEREAS, the Legislation does not provide concurrent funds to deal with the increased costs of municipal service and attendant funds to assist in maintaining balanced budgets, nor does the t Legislation provide a new additional revenue source to deal with the same; and

WHEREAS, municipal services in general and first responder services such as police, fire, emergency medical services, correction officers, etc. in particular, are historically and traditionally left to the local units of government providing the same and funding their costs; and

WHEREAS, to enact legislation which singles out a particular group of a class of employees is discriminatory of the remaining members of the class; and, while first responder services are meritorious, none the less, to deny other employees of local units of government is constitutionally discriminatory in denying the remaining members of the class equal protection of the law; and

WHEREAS, in the State of West Virginia the subject of the right of collective bargaining, closed shop, strike, etc. does not exist with employees of government at the state, county or municipal level but such governmental employees have the right to join any association or labor organization of their own choosing and cannot be discriminated against because of membership. Further, “[t]he final determination of wages, hours, working conditions, and the like, rests with the particular governmental unit and cannot be delegated away” W.Va. Fifty First Reports of the Attorney General Opinions at page 689; and

WHEREAS, the Constitution and statutes of the State of West Virginia require that the budgets of the respective units of government be balanced and in such respect the authority therefore is jointly given over to the executive and legislative branches of government.

NOW, THEREFORE, BE IT RESOLVED BY the Council of _____, at their council meeting _____, 2010 as follows:

The City/Town/Village of _____ resolves and calls upon the United States Senate to find and determine that the issue of collective bargaining is a truly local issue that should be left to the wise determination of the local units of government most effected by the same, and in such respect, further prays that such United State Senate refuses to take up action on the same in this legislation.

Presented and passed unanimously by the Council of _____, _____, 2010.

Attest:

Mayor

Recorder

**Sponsored by Councilmen
Joyce, Reed, Tallman, and
Rockhold**

JIS

Mayor Robert D. Newell

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

q/s/c/s



July 7, 2010

The Honorable Robert D. Newell, Mayor
Members of City Council
One Government Square
Parkersburg, WV 26102

Re: Petition For Public Thoroughfare Abandonment (Alley Closure)

To the Honorable Mayor and City Council:

On June 18th 2010, the Municipal Planning Commission (MPC) held a public hearing to consider abandoning a 20' by 316' portion of public right-of-way (alley) situated north of WV State Route 95, south of 8th Avenue and west of Kemper Street, as platted in the Kemper Place Subdivision. After hearing all interested parties, the MPC voted unanimously (10-0-0) to recommend that the aforementioned section of right-of-way be abandoned and that the City not maintain an easement for the alley. A new Dollar General Store is to be built on top of the existing alley.

Please find the petition and minutes from the MPC meeting for your review.

Should you have any questions or concerns, please contact Rickie Yeager, Planning Administrator at (304) 424.8558 or by email at rmyeager@parkersburg-wv.com.

Sincerely,

Eric D. Gumm, President
Municipal Planning Commission
City of Parkersburg, West Virginia

EDG/rmy
Attachments



This page, and two more to follow for this ordinance.

**AN ORDINANCE VACATING A 20' BY 316' PORTION OF AN
UNNAMED ALLEY LYING WEST OF KEMPER STREET AND
NORTH OF WEST VIRGINIA ROUTE 95
PARKERSBURG CITY MAP 124**

The Municipal Planning Commission of the City of Parkersburg has recommended the portion of alley described hereinafter be vacated and that the City not retain a utility easement for the alley.

WHEREAS, the City believes it proper to do so, and;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF
PARKERSBURG HEREBY ORDAINS** that a 20' by 316' portion of
alley described hereinafter is hereby vacated and closed as a public
thoroughfare:

Being situated in the City of Parkersburg, Wood County, West
Virginia, and more particularly described as follows:

Vacating an unimproved variable width unnamed alley lying west
of Kemper Street, north of the northerly right-of-way line of West Virginia
Route #95, running in a northerly direction, approximately 316 feet, to the
southerly right-of-way, line of the first alley south, and parallel to 8th
Avenue, as platted in Kemper Place, recorded in Plat Book 2, Page 82, in
The County Commission of Wood County, West Virginia.

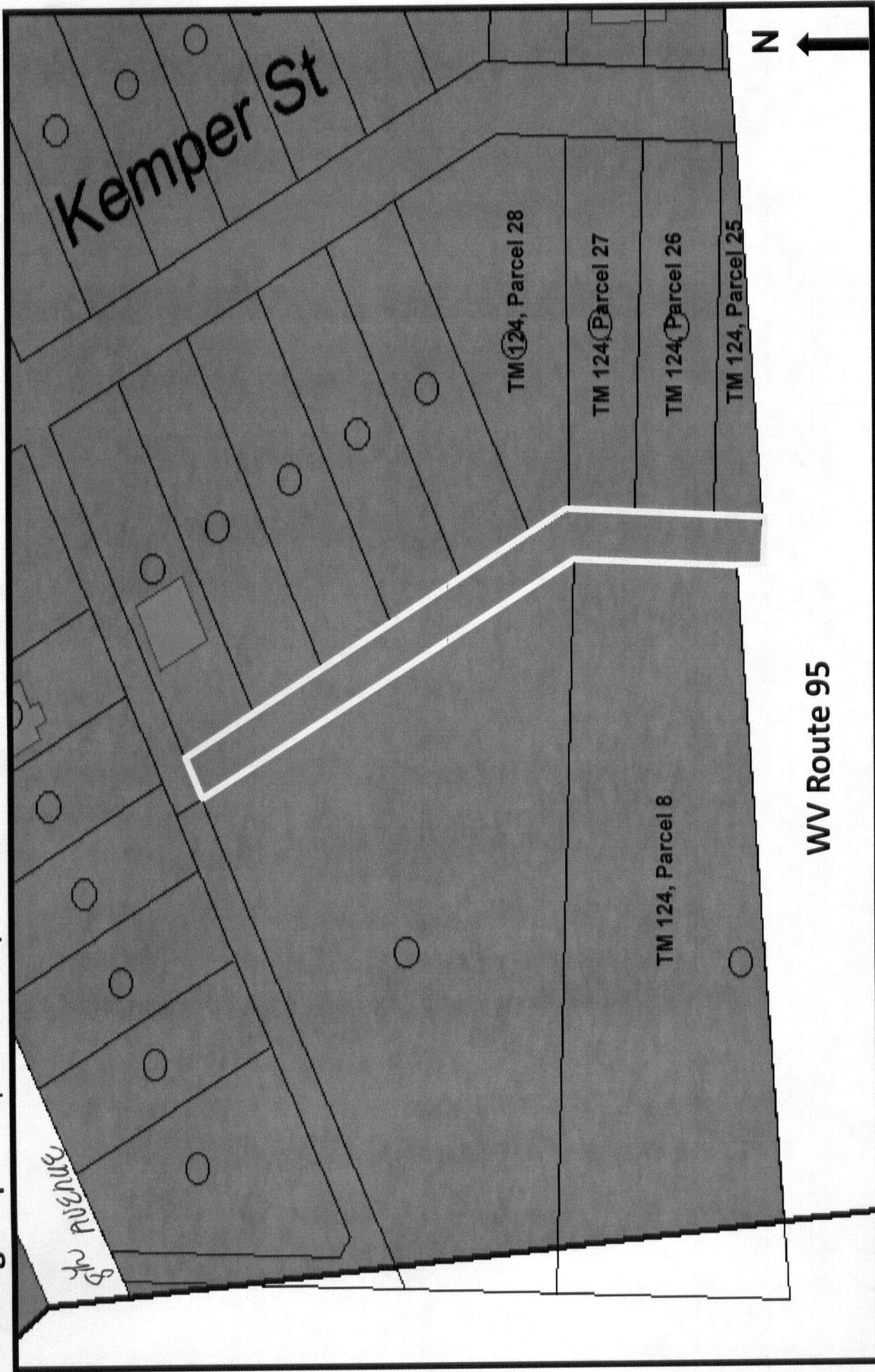
This description was prepared by Randy A. Sheppard, LLS No.
860, and based on instruments of record. Reference is made to a plat of
this description, which plat is attached hereto and made part of.

**BE IT FURTHER ORDAINED BY THE COUNCIL OF THE
CITY OF PARKERSBURG** the City shall not maintain a utility
easement for the vacated and closed public thoroughfare.

Mayor Robert D. Newell is accordingly authorized to execute a quit-claim
deed conveying the interest of the City of Parkersburg to the abutting
property owner(s).

Sponsored by: Municipal Planning Commission

Zoning Map: Proposed Alley Closure – South of 8th Avenue and North of WV Rt. 95



Portion of alley to be closed

B-2 District

AN ORDINANCE AMENDING AND RE-ENACTING
CHAPTER X OF THE PARKERSBURG FIRE
DEPARTMENT RULES AND REGULATIONS,
ELIGIBILITY FOR EMPLOYMENT

JPK/S

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS
that Chapter X of the Rules and Regulations for the Parkersburg Fire Department
are hereby amended and re-enacted, as follows:

(see attachment)

Sponsored by Councilmen Kimes, Wilcox, and Rockhold.

* NOTE – this page and two more to follow for this ordinance

**CHAPTER X
ELIGIBILITY FOR EMPLOYMENT**

- 1000 TO BE ELIGIBLE FOR APPOINTMENT AS A MEMBER OF THE PARKERSBURG FIRE DEPARTMENT, AN APPLICANT MUST:
- 1000.2 BE A CITIZEN OF THE UNITED STATES.
- 1000.4 BE BETWEEN THE AGES OF EIGHTEEN AND THIRTY-FIVE YEARS, PER WV STATE CODE 8-15-17.
- 1000.5 SUCCESSFULLY PASS THE WRITTEN EXAMINATION CONDUCTED BY THE PARKERSBURG FIRE CIVIL SERVICE COMMISSION AS WELL AS THE INITIAL AGILITY TEST.
- 1000.6 SUCCESSFULLY PASS THE PHYSICAL EXAMINATION STANDARDS OF THE PARKERSBURG FIRE DEPARTMENT PER NFPA, AND THE WV STATE CODE PENSION REQUIREMENTS.
- 1000.8 BE OF GOOD MORAL CHARACTER.
- 1000.14 APPLICANTS FOR APPOINTMENT TO THE PARKERSBURG FIRE DEPARTMENT SHALL BE RESIDENTS OF WOOD COUNTY WITH IN 120 DAYS OF DATE OF EMPLOYMENT AND SHALL MAINTAIN PERMANENT RESIDENCE IN WOOD COUNTY WEST VIRGINIA.
- 1000.16 SUCCESSFULLY PASS TWO ADDITIONAL PHYSICAL AGILITY TESTS WITHIN THE FIRST YEAR.
1002. APPOINTMENTS TO THE PARKERSBURG FIRE DEPARTMENT ARE FOR A PROBATIONARY PERIOD OF 12 MONTHS. CONTINUATION ON THE DEPARTMENT AFTER THE EXPIRATION OF THAT PERIOD IS CONSIDERED A PERMANENT APPOINTMENT, UNLESS THE EMPLOYEE FAILS TO PASS THE EMERGENCY MEDICAL TECHNICIAN CLASS WITHIN FOUR YEARS OF DATE OF EMPLOYMENT AND MAINTAIN EMT CERTIFICATION THROUGHOUT YOUR CAREER. IN ADDITION THE JOINT APPRENTICESHIP TRAINING PROGRAM AS REQUIRED BY WEST VIRGINIA STATE CODE, MUST BE COMPLETED WITHIN FOUR YEARS OF DATE OF EMPLOYMENT.
- 1 002.2 FAILURE TO PASS ANY OF THE REQUIREMENTS SET FORTH IN 1002 ABOVE WILL RESULT IN DISMISSAL.

I HAVE READ AND UNDERSTOOD THE REQUIREMENTS SET FORTH ABOVE FOR PERMANENT EMPLOYMENT TO THE PARKERSBURG FIRE DEPARTMENT.

CURRENT REGS.

CHAPTER X
ELIGIBILITY FOR APPOINTMENT

1000 TO BE ELIGIBLE FOR APPOINTMENT AS A MEMBER OF THE PARKERSBURG FIRE DEPARTMENT, AN APPLICANT MUST:

1000.2 BE A CITIZEN OF THE UNITED STATES.

1000.4 BE BETWEEN THE AGES OF EIGHTEEN AND THIRTY-FIVE YEARS.

1000.6 SUCCESSFULLY PASS THE PHYSICAL EXAMINATION STANDARDS OF THE PARKERSBURG FIRE DEPARTMENT PENSION BOARD AS DETERMINED BY QUALIFIED PHYSICIANS IN ACCORDANCE WITH PROVISIONS OF THE WEST VIRGINIA STATE CODE.

1000.8 BE OF GOOD MORAL CHARACTER.

1000.10 BE OF PHYSICAL HEALTH AND VIGOR AS DETERMINED BY SUCH EXAMINATION AS MAY BE PRESCRIBED.

1000.12 PASS SUCH MENTAL TEST AS MAY BE PRESCRIBED BY THE PARKERSBURG FIRE DEPARTMENT CIVIL SERVICE COMMISSION.

1000.14 APPLICANTS FOR APPOINTMENT TO THE PARKERSBURG FIRE DEPARTMENT WILL BE A RESIDENT OF WOOD COUNTY, WEST VIRGINIA, AND MAINTAIN A FULL TIME RESIDENCE IN THE COUNTY.

1000.16 SUCCESSFULLY PASS A PHYSICAL AGILITY AND DRUG TEST REQUIRED BY THE PARKERSBURG FIRE DEPARTMENT.

1002 APPOINTMENTS FOR PROBATIONARY PERIOD OF 12 MONTHS

APPOINTMENTS TO THE PARKERSBURG FIRE DEPARTMENT ARE FOR A PROBATIONARY PERIOD OF 12 MONTHS, CONTINUATION ON THE DEPARTMENT AFTER THE EXPIRATION OF THAT PERIOD BEING CONSIDERED A PERMANENT APPOINTMENT, UNLESS THEY FAIL TO PASS THE JOINT APPRENTICESHIP TRAINING PROGRAM AS REQUIRED BY WEST VIRGINIA STATE CODE AND PRO-BOARD TEST WITHIN A THREE (3) YEAR PERIOD AND SUCCESSFUL COMPLETION OF EMERGENCY MEDICAL TECHNICIAN CLASS AND MAINTAIN CERTIFICATION THROUGHOUT CAREER TIME.

1002.2 FAILURE TO PASS THE REQUIREMENTS SET FORTH IN 1002 ABOVE WILL RESULT IN AUTOMATIC DISMISSAL.

**AN ORDINANCE AMENDING ARTICLE 1511.01
OF THE CODIFIED ORDINANCES OF THE
CITY OF PARKERSBURG**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Article 1511.01 of the Codified Ordinances of the City of Parkersburg are hereby amended and re-enacted as follows:

1511.01 CODES ADOPTED; IDENTITY AND PURPOSE

There is hereby adopted, and incorporated by reference as if set out at length herein, for the purpose of prescribing rules and regulations to improve public safety by providing the control of fire hazards, regulating the installation, use and maintenance of equipment, regulating the use of structures, premises and open areas, and providing for the abatement of fire hazards, those certain codes known as the NFPA NATIONAL FIRE CODE, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION (but not including standards and requirements directed to the operation of local fire department, NFPA 5000, NFPA 900, NFPA 101A) and have the same force and effect as if set out verbatim in this rule and are hereby adopted and promulgated by the State Fire Commission as a part of the State Fire Code and as provided for in West Virginia Code Chapter 29-3-5.

KS

Sponsored by Councilmen Kimes, Reynolds, Lynch, and Tallman