

AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, APRIL 16, 2019, 7:30 PM
SECOND FLOOR, COUNCIL CHAMBERS
MUNICIPAL BUILDING

- I. CALL TO ORDER – Council President, Mike Reynolds
- II. ROLL CALL
- III. MINUTES – Budget meeting March 18, 2019
Regular Council meeting March 26, 2019
Special Council meeting April 2, 2019
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. OLD BUSINESS
 - 1. **To hear and consider objections** to the budget estimate for fiscal year 2019-2020
 - 2. To receive, file and approve the State Auditor's approval of the Levy Estimate
 - 3. To lay the levy rates
- IX. RESOLUTIONS
 - 1. Resolution initiating a pilot program to aid property owners in the City's business district in repair and relaying of sidewalks. (Property owners pay for all materials, 50% of the labor costs; program is a City project when funds are available; participants must not be delinquent in City taxes or fees) (Sponsored by the Finance Committee)
- X. ORDINANCE, FINAL READING:
 - 2. Ordinance amending Article 373, adding Section 373.17, Motorized Bicycle; and establishing a penalty in Section 373.99 (d) of not less than \$25.00 or more than \$100.00. (Amendment from City Council March 26, 2019)
 - 3. An ordinance establishing rates for the City of Parkersburg Swimming Pools, and includes the waterslide and splash pad. (Sponsored by the Public Works Committee)

PUBLIC HEARING

 - 4. An ordinance to approve current replacement pages to the City Code through February 2019. (Sponsored by Councilmen Reed, Kuhl, and Reynolds)
- XI. ADJOURNMENT

Note – meetings in May are 14th and 28th.

March 18, 2019

Vice President of Council, Zach Stanley, called the Committee of the Whole to order, out of recess from our meeting on March 13, 2019. The time was 6:00 PM Tuesday, March 18, 2019, and the meeting was held in the Council Chambers of the Municipal Building at One Government Square, Parkersburg, WV 26101.

Members present included Councilmen Dave McCrady, Sharon Kuhl, Bob Mercer, Eric Barber, JR Carpenter, John Reed, Jeff Fox, Mike Reynolds, and Zach Stanley.

MOTION – Mr. Reed moved, seconded by Ms. Kuhl, to adopt the budget as presented for fiscal year 2019-2020.

MOTION TO AMEND – Mr. Reed moved, seconded by Ms. Kuhl, to amend the budget as presented by Finance Director, Eric Jiles, proposing to move a net amount of \$117,442.00 from a valuation adjustment in property taxes.

PROPOSED FY20 AMENDMENTS						
FUND	ACCOUNT	DESCRIPTION	PROPOSED BUDGET	REVISION	AMENDED	SUMMARY DESCRIPTION
GENERAL FUND						
REVENUE						
001	301-001-000	PROPERTY TAXES - CURRENT	3,580,593	127,851	3,708,444	VALUATION ADJUST.
001	301-090-000	EXCESS LEVY - MASS TRANSIT	1,829,567	89,713	1,919,280	VALUATION ADJUST.
001	369-000-000	TRANSFERS IN - OTHER FUNDS	2,150,000	(117,442)	2,032,558	VALUATION ADJUST.
				100,122		
CODE ADMINISTRATION						
001	436-103-315	OTHER SALARIES & WAGES	213,648	11,400	225,048	PRISONER SUPERVISOR
001	436-104-000	FICA EXPENSE	20,327	872	21,199	PRISONER SUPERVISOR
001	436-226-005	WORKERS COMP PREMIUM	6,236	268	6,504	PRISONER SUPERVISOR
001	436-230-000	CONTRACTUAL SERVICES	85,000	(12,540)	72,460	PRISONER SUPERVISOR
TRANFERS TO OTHER FUNDS						
001	444-566-001	TRANSFER OUT - CAPITAL RES	501,538	(44,000)	457,538	REDUCE XFER TO CAP RES
POLICE DEPARTMENT						
001	700-341-000	DEPARTMENTAL SUPPLIES	75,000	6,000	81,000	SPEED CONTROL DEVICES
STREET DEPARTMENT						
001	750-230-000	CONTRACTUAL SERVICES	35,000	38,000	73,000	COMM SIDEWALK PROG
PUBLIC TRANSIT						
001	759-567-005	CONTRIB - MASS TRANSIT	1,829,567	89,713	1,919,280	VALUATION ADJUST.
PUBLIC LIBRARY						
001	916-568-015	CONTRIB - WOOD CO LIBRARY	227,164	10,409	237,573	VALUATION ADJUST.
GENERAL FUND TOTAL				100,122		
CAPITAL RESERVE FUND						
REVENUE						
033	369-000-000	TRANSFER IN - OTHER FUNDS	751,538	(44,000)	707,538	REDUCE GF XFER IN
CAPITAL OUTLAY - EQUIPMENT						
033	440-459-000	EQUIPMENT - MUNICIPAL BLDG	59,500	(30,000)	29,500	REV TENT COVER EST
001	900-459-000	EQUIPMENT - PARKS & REC	84,000	(14,000)	70,000	REV SKID STEER EST
				(44,000)		
CAPITAL RESERVE FUND TOTAL						
PROPOSED FY20 AMENDMENTS						
PROPOSED FUND	ACCOUNT	DESCRIPTION	SUMMARY BUDGET	REVISION	AMENDED	DESCRIPTION
USER FEE SPECIAL REVENUE FUND						

March 18, 2019

CAPITAL OUTLAY					
036	750-458-005 STREET IMPROVEMENTS	1,005,000	117,442	1,122,442	VALUATION ADJUST.
TRANSFERS TO OTHER FUNDS					
036	700-566-005 GF PD SUPPLEMENT	650,000	(58,721)	591,279	VALUATION ADJUST.
036	706-566-010 GF FD SUPPLEMENT	650,000	(58,721)	591,279	VALUATION ADJUST.
USER FEE FUND TOTAL			(117,442)		

The above amendments propose to modify the estimated General Fund ad valorem property tax revenues as a result of the FY20 Certificate of Valuation received from the County Assessor, reallocate contractual services in the Code Division for a part-time prisoner supervisor, and allocate additional resources to street rehabilitation in the User Fee Fund. Additionally, the amendments presented above reallocate funds from the Capital Reserve Fund as a result of revised estimates for the Bicentennial Park tent covers and the Parks Skid Steer to the General Fund Police Department and Street Department to fund the purchase of speed control devices and the commercial sidewalk program, respectively.

VOTE – the motion was defeated by majority vote, as follows:

VOTING 'YES'	VOTING 'NO'
Mr. McCrady	Mr. Barber
Ms. Kuhl	Mr. Carpenter
Mr. Mercer	Mr. Stanley
Mr. Reed	Mr. Fox
	Mr. Reynolds

MOTION – Mr. Fox moved, seconded by Mr. Carpenter, to move the \$117,442.00 to the contingency fund, page 56, and the motion was adopted by unanimous vote.

Other motions made in the Committee of the Whole:

- 3 equip. hauler pg 58, \$10,000 moved to street supplies pg 42, passed 7-2
- 4 move fire dept overtime \$10,000.00 to streets for sidewalk program for businesses failed 6-3
- 5 to move \$117,442.00 from contingency to pg 63 street improvements, no second to the motion;
- 6 to move \$150,000.00 from pg 30, stabilization fund, to URA, motion withdrawn;
- 7 to move \$50,000.00 from pg 58, capital outlay, train lighting, to water slide, 6-3
8. to move \$45,000.00 from pg 58, capital outlay, tent cover, to water slide, 6-3
9. to move \$70,000.00 from pg 58, capital outlay, from skid steer to water slide no second to motion;
10. move \$35,000.00 from pg 58, capital outlay, from skid steer to waterslide, 6-3;
11. move \$1,500.00 from pg 56, fairs and festivals to Homecoming, withdrawn.;
12. move \$4,000.00, pg 58 ,459-000 to Homecoming, failed 6-3;
13. move \$22,124.00 in dept head increases to pg 56, contingency fund, failed 7-2;
14. move \$12,540.00 from pg 56, contingency, for code dept supervisor for grass and weeds, 9-0;
- 15 move \$6,000.00 from pg 56, contingency, for speed control device in police 9-0;
- 16 previous question to vote on main motion 6-3

MOTION – Mr. Reed moved, seconded by Mr. Fox, to rise and report to Council that the budget is finalized, and the motion was adopted by unanimous vote.

MOTION – Mr. Reed moved, seconded by Mr. Fox, to adopt the budget for fiscal year 2019-2020, as amended, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Carpenter, who voted "no".

The meeting adjourned at 8:25 PM.

Colleen Spillner

City Clerk

Council Vice President

March 26, 2019

The Council of the City of Parkersburg met in regular session Tuesday, March 26, 2019 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, Mike Reynolds, who presided over the meeting.

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

MINUTES – the minutes for the meetings held March 7th, March 11th, March 13th, and March 12th, 2019 were approved as previously distributed with no additions or corrections.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – there were no reports.

MESSAGE FROM THE EXECUTIVE – Acting Mayor, Joseph Santer, told City Council that Governor Jim Justice has signed the Home Rule Bill for municipalities, and it now becomes permanent. Also, he stated that resolution #2 on the agenda will be replaced with an amended version due to a recent notification to us; and Mr. Santer is recommending that Council adopt the ordinance on first reading, concerning proposals going to the Home Rule Board, as presented, as the two items would have no effect until after two readings at a later time.

The Clerk then presented a communication from Mayor Joyce re appointing Mr. Sean Francisco, #4 South Lake Drive, to the Municipal Planning Commission for a term to expire March 26, 2022; and reappointing Seldon Wigal, Charlie Matthews, Luke Peters, Francis Angelos, and Eric Gumm, to the Planning Commission for terms to expire December 31, 2021.

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

At this time, Councilwoman Sharon Kuhl explained a recent fundraiser to purchase a new canine for the Parkersburg Police Department, and turned the floor over to Debbie Jeffries, who presented a check to the City for \$6,805.00. They are both members of the Ladyburgs, a group who volunteers at our Police Substation. She mentioned all the businesses who contributed to the bingo fundraiser and several other volunteers, including 66 donors. Chief Joe Martin told them that he and the department were very appreciative, as did Acting Mayor Santer.

PUBLIC FORUM – Kim VanRijn, 13th Street, spoke concerning the motorized bicycles;

Debbie Shahan, Plum Street, said she liked the police department having a bike patrol; she appreciates the work being done at Point Park clean-up; she does not like the idea of fencing around dumpsters because of possible assaults;

Jennifer Bryant, Market Street, stated that Parkersburg Pride is joining with others for a community clean-up, and invited all to help. They are concentrating on 7th Street this year. Concerning the fencing around dumpsters, she thinks we may not get the results we want as some fencing could be unsightly, also;

Rina Goins, Staunton Turnpike, supports the yard art, Yarn Bombing, around our City, with 45 local businesses supporting them. The art will be removed after Easter;

Andrew Lamb, 902 Lubeck Avenue, is not in favor of the fencing around the dumpsters as it could make another place for homeless to sleep. Fences will not fix the problem, he said;

CITY COUNCIL FORUM – Councilwoman Sharon Kuhl reported that she and husband, Joe Kuhl, participated in a Soap Box Derby this past weekend at the Grand Central Mall, and won the first place trophy. The City of Vienna had eight people participating, and the races were averaged for their times. She presented the trophy to Acting Mayor, Joseph Santer.

Mr. Carpenter announced a monthly neighborhood clean-up in his district for March 30th, beginning at 9:00 AM, and they will be working on the sidewalks on 16th Street and 19th Street.

Mr. McCrady recognized Public Works Director, Everett Shears, and Code Director, Bobby McClung, for their part in two buildings coming down safely in the 800 block of Market Street.

Mr. Fox stated that funding for the waterslide at the City Park had been reported incorrectly – that the funds were to come from capital outlay and capital reserve, not out of the public works budget or storm sewer funds.

Mr. Reed stated that he had received calls about the funding for the slide, but it was not about where the funds were coming from, but rather that Council gave pay increases and funding for street resurfacing was cut this year.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that City Council meetings for the month of April shall be Tuesday, April 2, 2019 and Tuesday, April 16, 2019.

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

RESOLUTION

A resolution was presented amending the CDBG budget \$21,231.38 for refinancing fees for the Section 108 Riverfront Loan.

MOTION – Mr. Reed moved, seconded by Mr. Barber, to amend the revision, as follows:

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 be hereby amended as follows:

2017 CDBG Adjustment of Funds

	Current	Proposed	Change
1082 Section 108 Loan Repayment - 2017	70,029.80	66,115.05	(3,914.75)
1124 Section 108 Loan Refinance Fee - Riverfront Park		3,914.75	3,914.75
Totals	70,029.80	70,029.80	

2018 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	
1124 Section 108 Loan Refinance Fee • Riverfront Park	5,690.00	5,772.26	
1123 Section 108 Loan Repayment - 2018	64,340.00	64,257.74	82.26
Totals	70,030.00	70,030.00	(0.00)

VOTE – the amendment was adopted by unanimous vote.

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

RESOLUTION:

RESOLUTION AUTHORIZING MAYOR JOYCE TO ACCEPT
A GRANT FROM THE UNITED STATES DEPARTMENT
OF HOMELAND SECURITY AND THE WV DIVISION
OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT FOR FISCAL YEAR 2018

WHEREAS, the Homeland Security Grant Program (HSGP) is to provide funds to eligible entities to support state, local, tribal, and territorial efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States; and

WHEREAS, the HSGP funds a variety of efforts to ensure that local communities have the tools and equipment necessary to build safer communities; and

WHEREAS, the City of Parkersburg's Police Department has been awarded \$31,000 from the HSGP for FY 2018 to make upgrades to S.W.A.T. team equipment.

NOW THEREFOR BE IT RESOLVED by the City Council of the City of Parkersburg that Mayor Tom Joyce be and hereby is authorized to accept and administer a grant from the HSGP to purchase 4 ballistic shields for the S.W.A.T. team.

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

ORDINANCE, FINAL READING:

AN ORDINANCE AMENDING ARTICLE 955,
SOLID WASTE DISPOSAL, OF THE CODIFIED
ORDINANCES OF THE CITY OF PARKERSBURG TO REQUIRE
DUMPSTERS TO BE FENCED OR SCREENED

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that Article 955, Solid Waste Disposal, be and it is hereby amended with the inclusion of Section 955.15a, Dumpster to be fenced or screened, as follows:

§955.15a Dumpster to be Fenced or Screened.

Where the property owner, person, business or other entity utilizes a dumpster as a trash and refuse collection container said dumpster shall be fenced, screened and surrounded so as to completely conceal its view. Such fence or screen shall consist of a continuous solid fence, landscape planting of sufficient density that is not affected by a seasonal change, a continuous wall, chain-link fence combined with commercially designed and manufactured fence slats rated at 90% plus sight obscuring or chain-link fence combined with commercially designed and manufactured privacy/windscreen material rated at 90% plus sight obscuring or combination thereof that is 6-feet in height that would effectively screen a property from public view in which it encloses. Any dead or dying portion of the hedge shall be replaced. Fencing and screening materials must be maintained in good repair or replaced if worn or damaged. All gates leading into the enclosed area must also effectively screen the property and be kept closed.

There is excepted from the fencing and screening requirements herein any dumpster that is so utilized as a temporary trash and refuse collection container for a period not to exceed fourteen (14) days.

In addition the fencing and screening requirements may be modified or waived by the Director of the Department of Public Works, with the approval of the City Planner, if such fencing and screening is determined to be impractical, unwarranted or unnecessary due to the configuration of the lot or the building, the attendant placement of the dumpster or when alternate and satisfactory means are employed to diminish and obstruct the dumpster from public view.

In all cases, with the exception of the use of a temporary dumpster (not exceeding 14 days), a dumpster shall be placed on a solid area surfaced with asphalt or cement binder.

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

MOTION TO AMEND – Mr. Reed moved, seconded by Ms. Kuhl, to amend the ordinance, as follows:

Where the property owner, person, business or other entity utilizes a dumpster as a trash and refuse collection container said dumpster shall be fenced, screened and surrounded so as to completely conceal its view, and the gate leading into the enclosed area shall be kept locked as well as closed. In addition, if the property owner upon which the dumpster is placed abuts or adjoins a residential property or a property utilized as a primary residence, the dumpster shall be set back a minimum of ten feet (10') from the said adjacent residential property, and shall be fenced or screened from view of the residential property.

VOTE ON AMENDMENT – the amendment failed with all members voting "no" with the exception of Ms. Kuhl and Mr. Reed, who voted "yes".

MOTION TO AMEND – Mr. Stanley moved, seconded by Mr. Fox, to amend the ordinance by removing all language except the first paragraph, and would read as follows:

Any property owner, person, business or other entity that utilized a dumpster to store or hold trash, refuse, garbage or solid waste for removal, whether by the City or a private collector, shall at all times keep such trash, refuse, garbage and solid waste contained therein and not allow the same to overflow, escape or be blown away.

VOTE ON AMENDMENT – the amendment was adopted by majority vote with all members voting "yes" with the exception of Mr. Reed, who voted "no".

VOTE ON MOTION, AS AMENDED – the amendment was adopted by majority vote with all members voting "yes" with the exception of Ms. Kuhl and Mr. Reed, who voted "no".

ORDINANCE, FIRST READING:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PARKERSBURG TO SUBMIT PROPOSALSS TO THE MUNICIPAL HOME RULE BOARD AMENDING THE CITY'S HOME RULE PLAN ALLOWING FOR IMPOUNDING OF MOTORIZED BICYCLES IN CERTAIN CIRCUMSTANCES AND AMENDING THE STATE BUILDING CODE PERMITTING ADDITIONAL REGULATION OF OPEN COLLECTION AND ACCUMULATION OF MATERIALS AND OBJECTS ON RESIDENTIAL PROPERTY

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

PUBLIC HEARING – at 8:40 PM, Council President Reynolds opened the floor for a public hearing concerning this ordinance.

Several citizens spoke concerning allowing motorized bicycles, with rules, included Kim VanRijn, 13th Street; Lara Petty, 1703 Spring Street; Rex Johnson, 1414 Hazel Street; Steven Ramsey, 2609 New York Avenue; Calvin Kirby, 818 15th Street; James Cornell, 646 Liberty Street, apt 2; Robert Dabbs, 1417 Lynn Street; Adam Roach, 1701 17th Street; Crystal Meeks, 1507 Lynn Street; Roger Sheppard, 481 Highland Meadows Road; Debbie Shahan, 2307 Plum Street.

March 26, 2019

Some of the concerns were that some of the bicyclists don't have a driver's license and can't afford a vehicle; that the fines were too much; the logistics of storing the bikes; the ordinance is too harsh on impounding; they did not like the portion about the "officer's discretion"; some bikers follow all the rules; a few had disabilities and it was difficult to ride a regular bike; fear their bikes will be auctioned; it appears they are against poor people; the penalty is taking away their transportation

Ms. Shahan, concerning trash accumulation, stated that there is a residence on New York Avenue and their front yard looks like a junk yard, but asks where this all stops.

The hearing was declared closed at 9:20 PM.

MOTION TO DIVIDE THE QUESTION – Mr. Barber moved, seconded by Mr. Carpenter, to divide the question and vote on these ordinances separately.

VOTE – the motion was adopted by majority vote as follows:

VOTING 'YES'	VOTING 'NO'
Mr. Mercer	Mr. McCrady
Mr. Barber	Ms. Kuhl
Mr. Carpenter	Mr. Reed
Mr. Stanley	Mr. Reynolds
Mr. Fox	

ORDINANCE, FIRST READING:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF
PARKERSBURG TO SUBMIT PROPOSALSS TO THE MUNICIPAL
HOME RULE BOARD AMENDING THE CITY'S HOME RULE PLAN ALLOWING
FOR IMPOUNDING OF MOTORIZED BICYCLES IN CERTAIN CIRCUMSTANCES

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

MOTION TO AMEND – Mr. Barber moved to strike 'electric' powered from the definitions, but there was no second to the motion.

MOTION TO AMEND – Mr. Carpenter moved, seconded by Mr. Fox, to eliminate article 373.99 Paragraph (2) concerning impounding, and the amendment was adopted by majority vote with all members voting "yes" with the exception of Mr. McCrady, Ms. Kuhl, and Mr. Reed, who voted "no".

VOTE ON MOTION AS AMENDED – the motion, as amended, was adopted by majority vote with all members voting "yes" with the exception of Mr. McCrady, Ms. Kuhl, and Mr. Reed, who voted "no".

ORDINANCE, FIRST READING:

AMENDING THE STATE BUILDING CODE PERMITTING ADDITIONAL
REGULATION OF OPEN COLLECTION AND ACCUMULATION OF MATERIALS AND
OBJECTS ON RESIDENTIAL PROPERTY


MOTION – Mr. Reed moved, seconded by Mr. Barber, to adopt the ordinance on first reading to submit the proposal to the Home Rule Board to amend the State Building Code permitting additional regulation of open collection and accumulation of materials and objects on residential property.

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

The meeting adjourned at 9:55 PM.



City Clerk



Council President

The Council of the City of Parkersburg met in regular session Tuesday, April 2, 2019 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, Mike Reynolds, who presided over the meeting.

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

There were no minutes for approval this evening.

There were no reports from standing or special committees.

MESSAGE FROM THE EXECUTIVE

At this time, Mayor Tom Joyce called forward for recognition members of Parkersburg South High School Wrestling Team, who have been State Champions for five years in a row. Their coach Smith introduced each of them saying they were an outstanding group of kids in the classroom and the community. With applause and a standing ovation, we welcomed the team and wished them well for the future.

The clerk read in full a Proclamation for Fair Housing Month for the month of April 2019, and with no objections it was received and will be filed.

PUBLIC FORUM – Mr. Clifton Reed, Jr., 130 Earnhardt Lane, told Council that he rides a motorcycle and has to have a license and insurance, and it does not seem fair to him that the motorized bikes to not have that requirement. If there would be an accident, the one with insurance would have to pay, he said.

Debbie Shahan, 2307 Plum Street, said she was concerned about the lower amount allocated in the budget for Parkersburg Homecoming, and that a lot of people look forward to that time. She also asked why we were not televising our Council meetings; she asked why the Code Department couldn't write more tickets, and they should have more teeth in their ordinances. She was also concerned about the ordinance going to the Home Rule Board and said we should concentrate on big trash problems as well as smaller problems.

Kim VanRijn, 13th Street, thanked Council for removing the provision to impound the motorized bikes. Concerning insurance for those bikes, she said those bikes shouldn't make much damage and would be similar to a regular bike. There have not been a lot of those accidents, but if there are, we should take a look at it at that time.

Jennifer Bryant, Market Street, reminded all of a community clean-up April 13th on 7th Street at the entrance to our City. She also asked Council to remember the high level of poverty in our City when they set the pool rates, and she does not want people priced out of something that Parkersburg has. The non-profits cannot afford the after-hour rental rates, she said. Ms. Bryant also asked why \$40,000.00 had been set aside for a bicentennial when there was a celebration in 1985 with a monument at Bicentennial Park. She was also interested in the Ladyburgs group meetings, as others may be interested in joining. In another matter, she said that Steven Smith would be having a meet and greet tomorrow at 6:00 PM – he's running for Governor. Still, there is no social media policy for the City, she said.

CITY COUNCIL FORUM – Ms. Kuhl stated that April 20th is the date set for the Fishing Derby at both of our parks, and will be our 39th year for the derby. Concerning the Ladyburgs group, they are a group of women who joined together to make improvements in our community and they are not part of City Council in any way.

Mr. Carpenter said the Avery Street Historic Group clean-up was a success, as they removed 60 bags of trash from 16th to 19th Streets. He thanked the Solid Waste Authority and the City for helping them, and said they would continue monthly. Mayor Joyce added that the Department of Correction employees helped with another 30 bags of trash.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2018-2019 Fiscal Year to reflect the following changes:

GENERAL FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
CODE ADMINISTRATION					
436-103-315	OTHER SALARIES & WAGES	213,394	4,750	218,144	PRISONER REALLOCATION SUPERVISOR
436-104-000	FICA EXPENSE	20,305	363	20,668	PRISONER REALLOCATION SUPERVISOR
436-226-005	WORKERS COMP PREMIUM	6,230	112	6,342	PRISONER REALLOCATION SUPERVISOR
436-230-000	CONTRACTUAL SERVICES	119,180	(5,225)	113,955	PRISONER REALLOCATION SUPERVISOR

April 2, 2019

The above resolution proposed to revise the FY 19 General Fund Code Administration Division budget to accommodate a part-time prisoner work detail supervisor for the spring 2019 season through June 30, 2019.

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

RESOLUTION – the clerk presented a resolution re-appointing Greg Herrick, 1711 Washington Avenue, Parkersburg, WV to the Parkersburg Utility Board for a term to end May 24, 2023.

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

ORDINANCE, FINAL READING:

AN ORDINANCE AMENDING ARTICLE 955,
SOLID WASTE DISPOSAL, OF THE CODIFIED
ORDINANCES OF THE CITY OF PARKERSBURG, TO REQUIRE
DUMPSTERS TO BE MAINTAINED

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that Article 955, Solid Waste Disposal, be and it is hereby amended with the inclusion of Section 955.15a; Dumpster to be maintained.

955.15a DUMPSTER TO BE MAINTAINED

Any property owner, person, business or other entity that utilized a dumpster to store or hold trash, refuse, garbage or solid waste for removal, whether by the City or a private collector, shall at all times keep such trash, refuse, garbage and solid waste contained therein and not allow the same to overflow, escape or be blown away.

MOTION – Ms. Kuhl moved, seconded by Mr. Stanley, to adopt the ordinance on final reading.

Mayor Joyce stated that at one of our last meetings, we had pictures of five different locations where the trash and other materials was taking over the property, and he said that all of those locations were owned by people out of town, or out of WV. In order to properly serve someone, the owner has to sign for it, and we can also use a process server, when we can find them. This is the number one complaint the Mayor receives, he said.

When Mr. Stanley asked if it would have been the same if we required them to have a fence or screen, Mayor Joyce said in that case we would not have to look at the accumulation of trash if there was a fence.

Mr. Fox said there is a difference in hauler to hauler. Some of them leave mattresses behind, and some don't. He asked if we could tell the haulers what we expect from them. Mr. Reed stated that the independent haulers are regulated by the Public Service Commission with their own rules, and municipalities are exempt from being under PSC.

Mr. Barber stated, and had stated earlier, that most of it is a property management problem.

Mr. McCrady asked if the independent haulers could charge extra, and Mr. Reed said the owners have 30 days to clean it up. Mr. Santer stated that you pay extra for overflows and it is the owner's responsibility.

VOTE - the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. McCrady, Ms. Kuhl, and Mr. Reed, who voted "no".

ORDINANCE, FINAL READING:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PARKERSBURG TO SUBMIT PROPOSALS TO THE MUNICIPAL HOME RULE BOARD AMENDING THE CITY'S HOME RULE PLAN, BY AMENDING THE STATE BUILDING CODE, PERMITTING ADDITIONAL REGULATION OF OPEN COLLECTION AND ACCUMULATION OF MATERIALS AND OBJECTS ON RESIDENTIAL PROPERTY

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

WHEREAS* the City is permitted to initiate certain innovative and novel legislation by amending its written plan with the West Virginia Home Rule Board in accordance with West Virginia Code Section §8-1-5a;

WHEREAS, the City of Parkersburg finds it necessary, proper and beneficial to the health, safety and welfare of its residents and visitors to further regulate and control the open collection and accumulation of materials and objects upon residential property in the City; and

WHEREAS, the City finds that in order to accomplish these objectives it is necessary to amend its Home Rule Plan.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG, WEST VIRGINIA, that, Mayor Tom Joyce is hereby authorized to submit to the West Virginia Home Rule Board the proposed amendment, attached hereto and made a part hereof, to the City of Parkersburg's Home Rule Plan all as consistent with West Virginia Code Section §8-1-5a, and requesting approval as follows:

An Ordinance amending the State Building Code (Property Maintenance Provisions) to allow for the further regulation and control of the open collection and accumulation of materials and objects on residential property in the City.

See also attached Section I: Application Information including the Executive Summary and Section II: Narrative (outline and explanation of proposal) of the City's offered Home Rule application.

MOTION -- Mr. Reed moved, seconded by Ms. Kuhl, to adopt the ordinance on final reading.

Mr. Stanley asked for clarification on page 2, paragraph 3 -- and said we are trying to make our City more pleasant, but we are allowing them to have a dump in their yard. This is not cleaning our City, it's just blocking it, he said.

Mr. Santer said it does not involve anything you can smell, but rather like furniture, and it does say "may". These will be on a case by case basis. Mayor Joyce stated this section is for the individual owner who has several washing machines, or lawn mowers, etc. that are taking over the yard. Regular trash is separate. This is for the things that are visual and a real blight to the neighborhoods. He knows there are people who can't sell their property because of this blight near their property, but if you can screen it, it will be out of view.

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

ORDINANCE, FIRST READING:

AN ORDINANCE AMENDING ARTICLE 373 OF THE CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG TO REGULATE THE OPERATION AND USE OF MOTORIZED BICYCLES

MOTION -- Mr. Carpenter moved, seconded by Mr. Stanley, to adopt the ordinance on first reading, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Reed, who voted "no".

ORDINANCE, FIRST READING:

AN ORDINANCE ESTABLISHING RATES FOR THE CITY OF PARKERSBURG SWIMMING POOLS AND INCLUDING THE WATERSLIDE AND SPLASH PAD


MOTION -- Mr. Reed moved, seconded by Mr. Carpenter, to adopt the ordinance on first reading, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Fox, who voted "no".

ORDINANCE, FIRST READING:

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

MOTION -- Mr. Reed moved, seconded by Ms. Kuhl, to adopt the ordinance on first reading, and the motion was adopted by unanimous vote.

The meeting adjourned at 8:20 PM.



City Clerk

Council President



State of West Virginia

John B. McCuskey

State Auditor

Office of the State Auditor
Local Government Services
153 West Main Street, Suite C
Clarksburg, West Virginia 26301

Toll Free: (877) 982-9148
Telephone: (304) 627-2415
Fax: (304) 627-2417
www.wvsao.gov

March 26, 2019

NOTICE OF APPROVAL OF THE LEVY ESTIMATE (BUDGET)

To: Municipality of Parkersburg

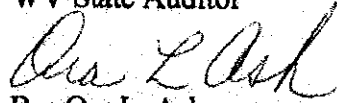
In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor of West Virginia hereby approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 2019.

I find that any levy rates to be imposed in excess of those prescribed by the West Virginia Constitution were legally authorized by a vote of the people.

With this written approval, the levying body shall meet on the third Tuesday in April (April 16) to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days of such meeting, shall prepare and forward to the State Auditor the officially adopted levy rates and levy order.

If you have any questions, please do not hesitate to contact me at 304-627-2415 or 1-877-982-9148 extension 5114, Shellie Humphrey extension 5119, Tiffany Hess extension 5118 or Emily Parsons extension 5101.

Sincerely,
John B. McCuskey
WV State Auditor


By: Ora L. Ash,
Deputy State Auditor
Local Government Services

**MUNICIPALITY OF PARKERSBURG, WEST VIRGINIA
LEVY ORDER AND RATE SHEET
2019 - 2020**

The following is a true copy from the record of orders entered by this entity on the 16th day of
April, 2019.

SIGNATURE:

Municipal Clerk or Recorder

	Column E Certificate of Valuation Assessed Value for Tax Purposes	Levy Rate/\$100	Taxes Levied
Current Year			
Class I			
Personal Property	\$ 0	12.340	\$ 0
Public Utility	0		0
Total Class I	\$ 0		\$ 0
Class II			
Real Estate	\$ 469,138,220	24.680	\$ 1,157,833
Personal Property	159,360		393
Total Class II	\$ 469,297,580		\$ 1,158,226
Class IV			
Real Estate	\$ 347,824,120	49.360	\$ 1,716,860
Personal Property	176,187,547		869,662
Public Utility	64,048,665		316,144
Total Class IV	\$ 588,060,332		\$ 2,902,666
Total Value & Projected Revenue	\$ 1,057,357,912		\$ 4,060,892
Less Delinquencies, Exonerations & Uncollectable Taxes		4.75%	192,892
Less Tax Discounts		2.00%	77,360
Less Allowance for Tax Increment Financing - see worksheet (Subtracted from regular current expense taxes levied only)			6,513
Total Projected Property Tax Collection			3,784,127
Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only)		2.00%	75,683
Net Amount to be Raised by Levy of Property Taxes For Budget Purposes			\$ 3,708,444

**MUNICIPALITY OF PARKERSBURG, WEST VIRGINIA
LEVY ORDER AND RATE SHEET SUPPLEMENT
MASS TRANSIT
2019 - 2020**

The following is a true copy from the record of orders entered by this entity on the 16th day of April, 2019.

SIGNATURE:

Municipal Clerk or Recorder

Column E


	Certificate of Valuation Assessed Value for Tax Purposes	Levy Rate/\$100	Taxes Levied
Current Year			
Class I			
Personal Property	\$ 0	6.248	\$ 0
Public Utility	0		0
Total Class I	\$ 0		\$ 0
Class II			
Real Estate	\$ 469,138,220	12.496	\$ 586,235
Personal Property	159,360		199
Total Class II	\$ 469,297,580		\$ 586,434
Class IV			
Real Estate	\$ 347,824,120	24.992	\$ 869,282
Personal Property	176,187,547		440,328
Public Utility	64,048,665		160,070
Total Class IV	\$ 588,060,332		\$ 1,469,680
Total Value & Projected Rev.	\$ 1,057,357,912		\$ 2,056,114
Less Delinquencies, Exonerations & Uncollectable Taxes		4.75% . . .	97,665
Less Tax Discounts		2.00% . . .	39,169
Net Amount to be Raised by Levy For Budget Purposes:			\$ 1,919,280

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.
4. Participation in such program shall be denied to any applicant who is delinquent in paying any fees, taxes, interest or penalty thereon due and owing to the City.

Sponsored by Finance Committee of City Council.

AN ORDINANCE AMENDING ARTICLE 373 OF THE
CODIFIED ORDINANCES OF THE CITY OF PARKERSBURG
TO REGULATE THE OPERATION AND USE OF MOTORIZED BICYCLES

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that Article 373, Bicycles, be and it is hereby amended with the inclusion of Section 373.17, Motorized Bicycle: Operation and Use, as set forth in Section 373.17, which is made a part hereof. The corresponding penalty to be added to Section 373.99 as Subsection (d) thereof:

§373.17 MOTORIZED BICYCLE: OPERATION AND USE

(a) Definition:

Motorized Bicycle: means a bicycle with two (2) or three (3) wheels, a seat or saddle, fully operative pedals for human propulsion, and an electric or gas powered motor that does not require manual clutching or shifting and which can propel the bike with or without pedal assistance.

- (b) Persons under the age of sixteen (16) years may not operate a motorized bicycle within or upon the public rights of way of the City of Parkersburg.
- (c) No person shall operate a motorized bicycle upon any sidewalk or upon any designated multi-use path for pedestrians and bicycles, or any bicycle path or trail or any walking path within the City.
- (d) A person operating a motorized bicycle shall obey all speed limits and shall yield the right of way to pedestrians and human-powered devices at all times.
- (e) Any person operating a motorized bicycle shall obey all traffic control devices applicable to vehicles, unless otherwise directed by a police officer.
- (f) No motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (g) Any person operating a motorized bicycle upon a street or roadway shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State and by the traffic ordinances of the City applicable to the driver of a vehicle, except for any special regulations in this section and except for those provisions of such laws and ordinances which by their nature can have no application.
- (h) Every motorized bicycle shall be equipped with at least one (1) and not more than two (2) head lamps and which emit a white light visible from a distance of at least five hundred (500) feet to the front and a lamp on the rear emitting a red light visible from a distance of at least five hundred (500) feet to the rear. Every motorized bicycle shall display lighted head lamp(s) at all times on the street or highway.

373.99 PENALTY.

(d) Penalties for Operation of a Motorized Bicycle:

(1) Anyone who violates a provision of Section 373.17 shall be fined not less than twenty five dollars (\$25.00) nor more than one-hundred dollars (\$100.00) for each offense.

An Ordinance Establishing Rates For The
City Of Parkersburg Swimming Pools And Including The
Waterslide And Splash Pad.

15
075

The Council Of The City Of Parkersburg Hereby Ordains that effective upon the adoption of this Ordinance, the rates to be charged for the use of the swimming pools and including the waterslide and splash pad of the City of Parkersburg shall be as follows:

POOLS:

Admission prices are valid at both pool facilities and include the Splash Pad at City Park and the Slide at Southwood; daily passes are valid for one facility per day

	Daily	Season Passes	
		Residents	Non-Residents
Individual (2 & under)	\$ -	\$ -	\$ -
Individual (3-17)	\$ 4.00	\$ 75.00	\$ 90.00
Individual (18+)	\$ 6.00	\$ 95.00	\$ 110.00
Individual (55+)	\$ 4.00	\$ 75.00	\$ 90.00
Individual (veteran discount)	\$ 4.00	\$ 75.00	\$ 90.00
Individual (active military)	\$ -	\$ -	\$ -
Individual (City employee benefit)	\$ -	\$ -	\$ -
Family (up to 4 members)		\$ 200.00	\$ 225.00
Family (additional members)		\$ 25.00	\$ 50.00
Family (active military credit per adult)		\$ (63.00)	\$ (63.00)
Family (City employee benefit)		\$ -	\$ -

After-hours private pool rentals are available from 6PM to 9PM; rates are valid at both pool facilities and include the Splash Pad at City Park and the Slide at Southwood

	2 hours With Concessions	2 hours Without Concessions	3 hours With Concessions	3 hours Without Concessions
	Up to 25 individuals; 2 hour minimum	\$ 300.00	\$ 280.00	\$ 450.00
Up to 50 individuals; 2 hour minimum*	\$ 400.00	\$ 380.00	\$ 600.00	\$ 570.00

* Private rentals with an estimated attendance in excess of 50 individuals require special arrangements. Prices will be quoted based on the estimated personnel needs to safely accommodate the estimated party size.

**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 2019 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.