

AGENDA FOR PARKERSBURG CITY COUNCIL,  
TUESDAY, JULY 23, 2019, 7:30 PM  
SECOND FLOOR, COUNCIL CHAMBERS  
MUNICIPAL BUILDING

- I. CALL TO ORDER – Council President, Mike Reynolds
- II. ROLL CALL
- III. MINUTES – Council meeting July 9, 2019
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTION
  - 1. Resolution authorizing Mayor Tom Joyce to sign a grant agreement with the WV DEP for \$3,000.00 for a REAP Litter Control Grant. (Sponsored by Councilmen McCrady, Kuhl, and Reed.)
  - 2. Resolution stating that Council meetings for August shall be Tuesday, August 6<sup>th</sup> and Tuesday, August 13<sup>th</sup>, 2019. (Sponsored by Councilmen Reynolds, Reed, and Barber)
  - 3. Resolution requesting approval for a budget revision from the Capital Reserve Fund concerning a grant for the Cooper Cabin in the City Park in the amount of \$72,000.00; (our 50% match was \$36,000.00) and FY 2019 funds for the installation of a new sewage connection at Fire Station #6, \$50,000.00. (Sponsored by Councilmen Reed, Carpenter, Stanley, Barber, Mercer, and Fox)
- IX. ORDINANCE, FINAL READING:
  - 4. An ordinance vacating a 10' alley for property owner at 809 Dooley Avenue, off Ninth Avenue, who owns both sides of the alley. (Municipal Planning Commission)
  - 5. An ordinance vacating a 15' wide public right of way on the north side of 25<sup>th</sup> Street, west side of Harmon, to build apartments on 25<sup>th</sup> Street. (Municipal Planning Commission.)
- X. ADJOURNMENT

July 9, 2019

The Council of the City of Parkersburg met in regular session Tuesday, July 9, 2019 at 7:30 PM in the Council Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg, WV.

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 clerk presented minutes from the regular Council meeting held June 25, 2019. With no corrections or additions, the minutes were approved as previously distributed.

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

MESSAGE FROM THE EXECUTIVE – No message this evening.

PUBLIC FORUM – Mr. Roy Hayhurst, 1730 Covert Street, again asking for assistance with a nuisance problem at his residence, reading from article 545.08 of the City Code.

Ladyburgs Debbie Jeffrey, Ruth Singer, and Scot Heckert (Plus 1), speaking for inspirational people in our City who volunteer Above and Beyond.

Pastor Dan Stevens recognized Teresa Bayles who works at a local bank on Emerson Avenue, and shows grace and patience with all her customers, and was presented with roses.

Cammy Murray expressed appreciation to the City and 60 volunteers who assisted with Pride activities recently, and to the Ladyburgs for recognizing many other volunteers.

Jan Hartman from SW Resources selected Jonelle Merritt as their outstanding volunteer for our City, and presented her with flowers also. Jonelle has coordinated many events over the years including working with the ARC, the Kiwanis Club, Holiday in the Park, Taste of Parkersburg, and many others.

Jennifer Bryant, 1361 Market Street, suggested that Mayor Joyce have a Community Advisory Council with members who love to have input and guidance for the City. They could provide ideas and think outside of the box, as our population and business declines. People are willing to get involved, she said, and also stated that the City has no social media policy or Code of Conduct.

CITY COUNCIL FORUM – Mr. Mercer, speaking for his granddaughter, Riley, said that the Boys and Girls Club are organizing different stations for school children to get supplies which have been donated to them, with a lunch afterwards. All volunteers are welcome.

Mr. Mercer said he was launching a Wood County Coalition to put volunteer organizations together and more information about this will follow.

Mr. Fox stated that Friday night will be the second free movie in the parks at Southwood Park at 8:30 PM, and everyone is welcome.

Mr. Reed stated that Jean Ambrose has an organization – What's Next Mid-Ohio Valley, and they will be meeting September 14, 2019 at WVU-P to come up with ideas and expand their program.

#### RESOLUTION

#### RESOLUTION APPROVING AND ADOPTING THE REGULATIONS OF THE PARKERSBURG POLICEMEN'S CIVIL SERVICE COMMISSION

WHEREAS in order to bring the Regulations of the Police Civil Service Commission of the City of Parkersburg up to date and into compliance with recent changes in the West Virginia Code as well as case law it is necessary to rewrite said Regulations; and

WHEREAS the said revised Regulations have now been approved by the Commissioners of the Police Civil Service Commission of the City of Parkersburg.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Regulations of the Police Civil Service Commission of the City of Parkersburg, West Virginia, as rewritten and approved by the said Commission on June 5, 2019, and which are attached hereto and made a part hereof be and they are hereby adopted and approved as submitted.

The 27-page document can be found in document filed #9287.

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

Mr. Carpenter asked about rule 3.01 in current rules about specific dates for the Commission to meet, and that is not included in the new rules. City Attorney, Joe Santer, said that the Commission meets when necessary and there is no requirement that they meet at a specific time. Mr. Carpenter also questioned that any member could call a meeting, but Mr. Santer did not see that as a negative.

July 9, 2019

In rule 10.04 concerning personnel records, Mr. Carpenter was not satisfied that parts of Police Department records are kept in the Police Department, and parts are kept in the Personnel Office. Mayor Joyce explained that there are components that every other employee does not have to go through. Every employee who comes to work for the City does not have to have a physical, but police officers do and there protections for these records as well as psychological testing, which is standard. Records kept in the Personnel Office concern payroll, insurance, etc. These records always will be kept separate, Mayor Joyce stated. This right to privacy is for the employee and not subject to FOIA. There is also the personal nature of the background checks to be considered. The Commission's attorney, John Teare, told us this is how the records are to be protected.

The Personnel Department does not hire policemen and firemen, Mayor Joyce stated. The Civil Service Commission does the testing and approves the process, then certifies the members. The commissioners are volunteers and they meet multiple times a year when needed, he said.

Mr. Carpenter stated that the document had been professionally prepared and is more specific that current rules, but he only thinks the personnel files should be held by the Personnel Department.

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

#### ORDINANCE, FINAL READING

##### AN ORDINANCE TO REZONE PARKERSBURG CORPORATION TAX MAP 104, PARCEL U, FROM EXISTING R-2 TO A B-2 ZONE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the following parcel of real estate situated in the City of Parkersburg, Wood County, West Virginia, be designated as a Business (B-2) Zone:

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

The intent of this description is to rezone the property conveyed to David M. and Cinda L. Fleming in Deed Book 1292, Page 885, recorded in the office of the Clerk of the County Commission of Wood County, West Virginia. This property is currently zoned R-2 and is to be Re-zoned B-2.

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

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that in accordance with the provisions of Article 1345 of the Codified Ordinances of the City of Parkersburg, the zoning of said parcel shall be designated as C-223 and shall be set forth verbatim as adopted and approved by the Ordinance in the bound book entitled, "Official Zoning Map Changes" kept by the City Clerk.

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

#### ORDINANCE, FIRST READING

##### AN ORDINANCE VACATING A TEN (10) FOOT WIDE UNNAMED PUBLIC RIGHT-OF-WAY LOCATED ON PARKERSBURG CITY TAX MAP 113, BETWEEN PARCELS C1 AND C6.

The Municipal Planning Commission of the City of Parkersburg has recommended that a ten (10) foot wide unnamed public right-of-way located on City Tax Map 113, between Parcels C1 and C6, be vacated;

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

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

The intent of this description is to vacate the 10 feet wide unnamed alley, running from the southerly line of Dooley Avenue, in a southeasterly direction, 229 feet more or less to its terminus, as platted in E.W. Ross Addition, recorded in Plat Book 4, Page 122 in the Office of the Clerk of the County Commission of Wood County, West Virginia.

July 9, 2019

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City shall retain a permanent easement for the benefit of the City of Parkersburg, the Parkersburg Utility Board, and all other public utility companies, for ingress and egress over, along and under said portion of right-of-way for the installation, maintenance, location, relocation and removal of public utilities of any kind, and

Mayor Tom Joyce is accordingly authorized to execute a quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owner.

MOTION – Ms. Kuhl moved, seconded by Mr. McCrady, to adopt the ordinance on first reading, And the motion was adopted by unanimous vote.

#### ORDINANCE, FIRST READING

#### AN ORDINANCE VACATING A FIFTEEN (15) FOOT WIDE UNNAMED PUBLIC RIGHT-OF-WAY LOCATED ON PARKERSBURG CITY TAX MAP 59, BETWEEN PARCELS 41 THROUGH 46

The Municipal Planning Commission of the City of Parkersburg recommends that a fifteen (15) foot wide unnamed right-of-way located on City Tax Map 59, between Parcels 41 through 46, be vacated;

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

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

Beginning at the northeast corner of Lot 224 of Franklin Place Addition No. 1, recorded in the Plat Book 3, Page 38, in the office of the Clerk of the County Commission of Wood County, West Virginia; thence with the northerly lines of Lots 224 through 221 inclusive of the aforesaid addition, in a northwesterly direction, 150.52 feet more or less, to the northwest corner of said Lot 221; thence with the westerly terminus of the unnamed 15 foot wide alley to be vacated, in a northeasterly direction, 15 feet more or less, to the southwest corner of Lot 225 of the aforesaid addition; thence with the southerly line of said Lot 225, in a southeasterly direction, 150.52 feet more or less, to the southeast corner of said Lot 225; thence with the westerly line of Harmon Street, also known as Queen Avenue, now vacated, in a southwesterly direction, 15 feet more or less, to the place of beginning.

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

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 so as to encourage private investment and redevelopment in the property of City Tax Map 59, Parcels 41 through 46, and in the portion of the 15 foot right-of-way described herein that would revert back to the property owner.

Mayor Tom Joyce is accordingly authorized to execute a quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owner.

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

The meeting adjourned at 8:10 PM.

Conni Shaffer  
City Clerk

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

**WEST VIRGINIA REAP LITTER CONTROL GRANT PROGRAM  
2020 GRANT AGREEMENT RESOLUTION**

**WHEREAS, the City of Parkersburg recognizes the existence of a litter problem within the boundaries of the City of Parkersburg, and**

**WHEREAS, the West Virginia Litter Control Program of 1985 provides matching grants of "litter control funds" through the West Virginia Department of Environmental Protection for the purpose of establishing local litter control programs, and**

**WHEREAS, the City of Parkersburg has been awarded a 2020 Litter Control Grant from the West Virginia Department of Environmental Protection in the amount of \$3,000; and**

**WHEREAS, the Litter Control Grant requires a match from the City of Parkersburg. A match of \$3,000 will be funded from the Police Department Overtime Budget for Fiscal Year 2020 and these funds will be used to assist with the police supervision of inmates completing litter cleanup projects for said program.**

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG, that Mayor, Tom Joyce be and hereby is authorized to sign a grant agreement in the amount of \$3,000 to the West Virginia Department of Environmental Protection, Division of Land Restoration, for a REAP Litter Control Grant.**

**Sponsored by: Dave McCrady, Sharol Kuhl and John Reed**

## RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that meetings for the month of August, 2019 shall be August 6<sup>th</sup> and August 13<sup>th</sup>, 2019.

Sponsored by Councilmen Reynolds, Reed, and Barber

OS

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 2019-2020 Fiscal Year to reflect the following changes:

CAPITAL RESERVE FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
<b>FUND BALANCE</b>					
297-00	COMMITTED FUND BALANCE	1,307,309	<u>86,000</u>	1,393,309	COOPER CAB GNT; ST#6 SEWAGE
<b>REVENUE</b>					
365-000-000	FEDERAL GRANTS	-	<u>36,000</u>	36,000	COOPER CABIN GRANT REIMBURSEMENT
<b>CAPITAL IMPROVEMENTS</b>					
706-458-000	IMPROVEMENTS - FIRE	-	50,000	50,000	STATION #6 SEWAGE CARRYOVER
900-458-000	IMPROVEMENTS - PARKS & REC	-	<u>72,000</u>	72,000	COOPER CABIN GRANT & MATCH EXP
			<u>122,000</u>		
			<u>          </u>		

The above resolution proposes to revise the Capital Reserve Fund to reflect the grant award for the restoration of Cooper Cabin as well as a carryover and surplus revision from FY2019 for the City's \$36,000 matching contribution for the grant. Additionally, the revision carries over the amount appropriated and unexpended from FY2019 for the installation of a new sewage connection at Fire Station #6.

**AN ORDINANCE VACATING A TEN (10) FOOT WIDE UNNAMED  
PUBLIC RIGHT-OF-WAY LOCATED ON PARKERSBURG CITY TAX  
MAP 113, BETWEEN PARCELS C1 AND C6.**

The Municipal Planning Commission of the City of Parkersburg has recommended that a ten (10) foot wide unnamed public right-of-way located on City Tax Map 113, between Parcels C1 and C6, be vacated;

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

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF  
PARKERSBURG HEREBY ORDAINS** that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

The intent of this description is to vacate the 10 feet wide unnamed alley, running from the southerly line of Dooley Avenue, in a southeasterly direction, 229 feet more or less to its terminus, as platted in E.W. Ross Addition, recorded in Plat Book 4, Page 122 in the Office of the Clerk of the County Commission of Wood County, West Virginia.

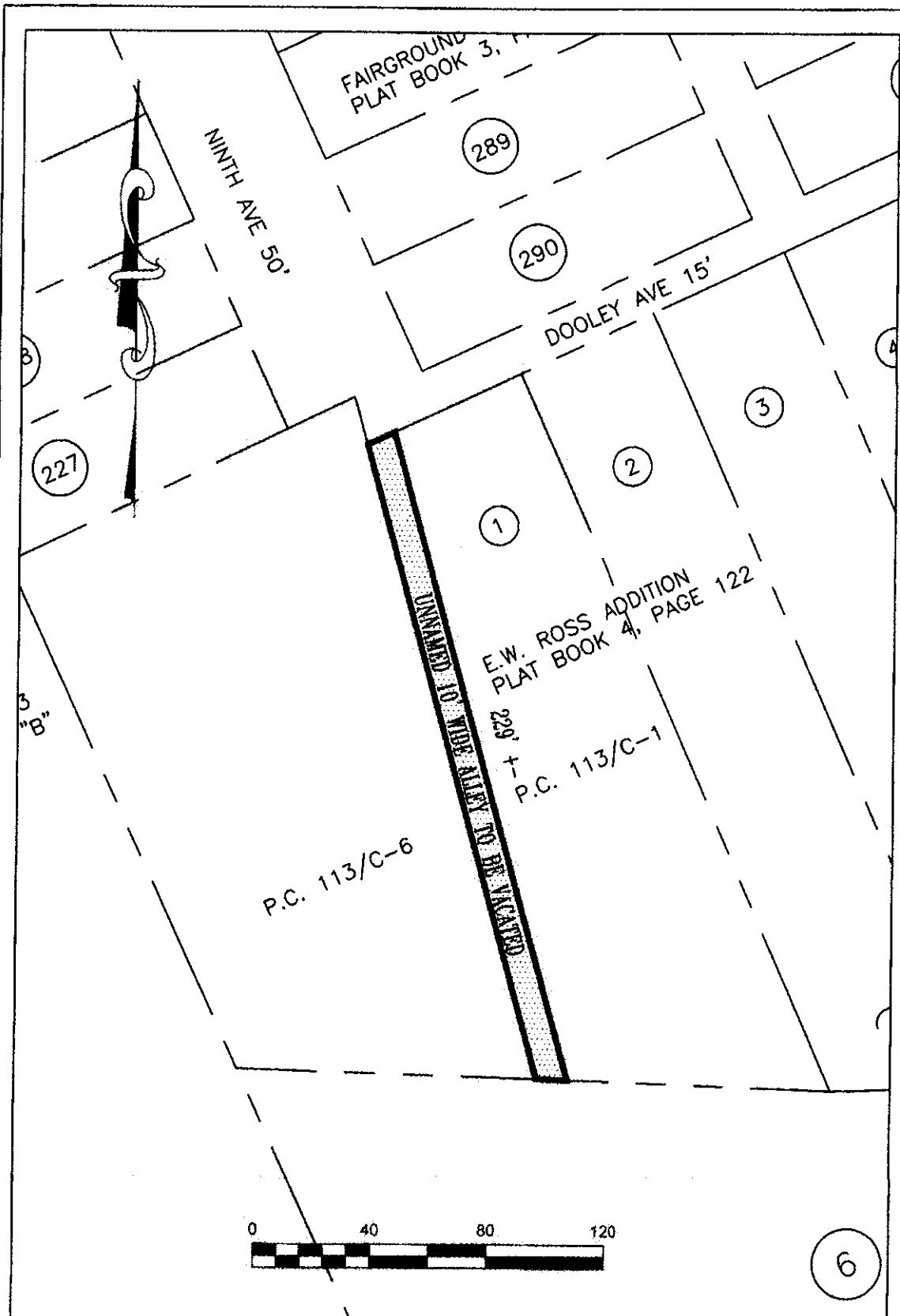
This description was prepared by Randy A. Sheppard, Professional Surveyor No. 860, and is based on instruments of record. Reference is being made to a plat attached hereto and made part of this description.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
PARKERSBURG** that the City shall retain a permanent easement for the benefit of the City of Parkersburg, the Parkersburg Utility Board, and all other public utility companies, for ingress and egress over, along and under said portion of right-of-way for the installation, maintenance, location, relocation and removal of public utilities of any kind, and

Mayor Tom Joyce is accordingly authorized to execute a quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owner.

**SPONSORED BY: MUNICIPAL PLANNING COMMISSION**





SCALE = 1 INCH = 40 FEET

DATE: 04/10/19

DRAWN BY: R.S.

CHECKED BY: ---

MAP P.C. 113

E.W. ROSS ADDITION

PLAT BOOK 4, PAGE 122

**CITY OF PARKERSBURG, W.V.**

DEPARTMENT OF PUBLIC WORKS

DIVISION OF ENGINEERING

PLAT OF AN UNNAMED ALLEY

10' X 229' ±

TO BE VACATED

**AN ORDINANCE VACATING A FIFTEEN (15) FOOT WIDE  
UNNAMED PUBLIC RIGHT-OF-WAY LOCATED ON PARKERSBURG CITY TAX  
MAP 59, BETWEEN PARCELS 41 THROUGH 46**

The Municipal Planning Commission of the City of Parkersburg recommends that a fifteen (15) foot wide unnamed right-of-way located on City Tax Map 59, between Parcels 41 through 46, be vacated;

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

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS** that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

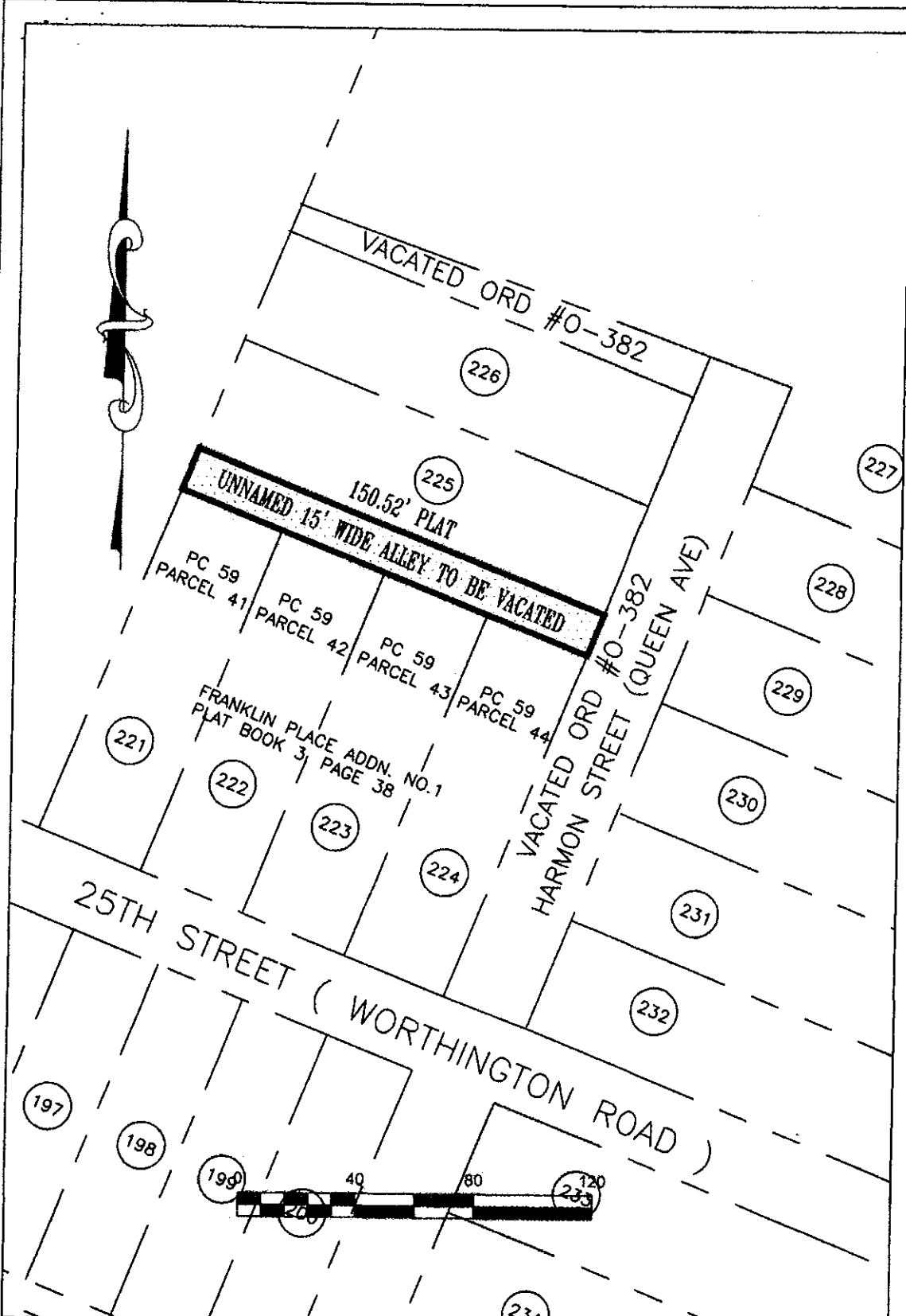
Beginning at the northeast corner of Lot 224 of Franklin Place Addition No. 1, recorded in the Plat Book 3, Page 38, in the office of the Clerk of the County Commission of Wood County, West Virginia; thence with the northerly lines of Lots 224 through 221 inclusive of the aforesaid addition, in a northwesterly direction, 150.52 feet more or less, to the northwest corner of said Lot 221; thence with the westerly terminus of the unnamed 15 foot wide alley to be vacated, in a northeasterly direction, 15 feet more or less, to the southwest corner of Lot 225 of the aforesaid addition; thence with the southerly line of said Lot 225, in a southeasterly direction, 150.52 feet more or less, to the southeast corner of said Lot 225; thence with the westerly line of Harmon Street, also known as Queen Avenue, now vacated, in a southwesterly direction, 15 feet more or less, to the place of beginning.

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

**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 so as to encourage private investment and redevelopment in the property of City Tax Map 59, Parcels 41 through 46, and in the portion of the 15 foot right-of-way described herein that would revert back to the property owner.

Mayor Tom Joyce is accordingly authorized to execute a quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owner.

**SPONSORED BY: MUNICIPAL PLANNING COMMISSION**



SCALE = 1 INCH = 40 FEET  
 DATE: 04/19/19  
 DRAWN BY: R.S.  
 CHECKED BY: ---  
 MAP P.C. 59  
 FRANKLIN PLACE ADDITION NO. 1  
 PLAT BOOK 3, PAGE 38

**CITY OF PARKERSBURG, W.V.**  
 DEPARTMENT OF PUBLIC WORKS  
 DIVISION OF ENGINEERING  
 PLAT OF AN UNNAMED ALLEY  
 15' X 150.52'  
 TO BE VACATED