

AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, NOVEMBER 12, 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 October 22, 2019
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
 - A. Communication from Mayor Tom Joyce re-appointing Mr. Charles Harris, 1226 Juliana Street, to the MOV Transit Authority through September 20, 2022. (requires Council's confirmation)
 - B. Communication from Mayor Tom Joyce appointing Mr. Eric Jiles, 1913 20th Street, to the Mid-Ohio Valley Board of Health Department, to fill an unexpired term that will expire June 30, 2024. (requires Council's confirmation)
 - C. Communication from Mayor Tom Joyce re-appointing four members to the Municipal Tree Commission: Turner Sharp, Craig Minton, Buck McCroskey and Pamela Lutz. (requires confirmation)
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTION
 1. Two budget revisions requesting approval from the State Auditor's Office moving \$18,380.00 from the Police Department's salary line item, to the equipment line item for cruiser equipment. (Sponsored by Councilmen Fox, Reed, and Kuhl)
 2. Resolution stating that City Council meetings in December shall be December 10th and December 17th, 2019. (Sponsored by Councilmen Reed, McCrady and Mercer)
 3. Supplemental Resolution approving the forms of an agreement and lease, a lease assignment, an assessment of funds and accounts and a credit line deed of trust, fixture filing and security agreement in connection with the issuance of the lease revenue bonds, series 2019 (fire station no. 4) of the Municipal Building Commission of the City of Parkersburg, WV and approving other matters with respect to such bonds. (Sponsored by Councilmen Reed, Fox, Mercer, and Kuhl)
- IX. ORDINANCE, FINAL READING
 4. An ordinance providing for the sale by exchange of certain property of the City of Parkersburg. City's Long Tom canon at the City Park, for County's property adjacent to Bicentennial Park. (Sponsored by Councilmen Reed, Kuhl, and Mercer)

XI. ORDINANCE, FIRST READING:

5. An ordinance authorizing the Finance Director to conduct an online public auction.
(Sponsored by Councilmen Reed, McCrady, and Stanley)
6. An ordinance vacating remaining utility right-of-way at the rear of 1514 30th Street.
(Sponsored by the Municipal Planning Commission)

XII. ADJOURNMENT

NOTE – next Council meeting November 26, 2019, then December 10th and 17th, 2019

October 22, 2019

The Council of the City of Parkersburg met in regular session Tuesday, October 22, 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 Vice President, Zach Stanley, 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, and Jeff Fox. Councilman Mike Reynolds was absent.

MINUTES –the clerk presented minutes from October 8, 2019. With no corrections or additions, the minutes were approved as previously distributed.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Vice President, Zach Stanley, announced his appointments of Councilmen Dave McCrady and Jeff Fox as Council representatives to the RFT committee for Point Park Marketplace.

MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce took a moment to recognize that our Municipal Building was 40 years old on October 20, 2019. House of Delegate member, John R. Kelly, presented a Distinguished West Virginia Award to musician, Mike Morningstar, from Governor Jim Justice. Mr. Morningstar has been a local talent for fifty plus years, and now resides near Glenville. He was given a very warm welcome and applause with good wishes from all.

PUBLIC FORUM – speaking this evening on various matters were the following: Ed Hurst, Cornwall Street, concerning our budget revision; Cheryl Fiedorczyk, Beaver Street, drug awareness; Teresa Racer, 16th Street, concerning homeless and drugs; Jennifer Bryant, Market Street, homeless and no social media statement; Matt Dodrill, Oakridge Drive, trunk or treat; Gloria Husk, Smith Street, reunification funds; Andrea Obrien, Walker WV, non-discrimination ordinance; Kim VanRijn, 13th Street, grass mowing on Jackson Avenue; and from the Ladyburg's plus One, Debbie Jeffrey, Pastor Dan Stevens and Debbie Hendershot, who presented the City Clerk with recognition Above and Beyond, a Selfless Servant for Our Whole Community. It was such a surprise and much appreciated and she told them it was an honor to be in this position.

CITY COUNCIL FORUM – Councilwoman Kuhl called attention to the beautification of the City Park Lake and Southwood Park Lake. Mr. Jimmy Dixon from Greenscape Landscaping donated a product to our lakes that turned them a bright blue-green, and she has gotten many compliments about them. It would be recommended that the City use this product twice a year.

RESOLUTION

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Year 2019-2020 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND					
Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
REVENUE					
299-00	FUND BALANCE	(350,000)	394,989	44,989	PARTIAL FY19 SURPLUS CARRYOVER
366-577-000	GRANTS - REAP	-	<u>47,600</u>	47,600	PARTIAL FY19 SURPLUS CARRYOVER
	SUBTOTAL - REVENUE		442,589		
EXPENDITURES					
MAYOR					
409-223-000	PROFESSIONAL SERVICES	32,000	4,500	36,500	FY19 PO FULFILLED AFTER 6/30
Page 1 of 5					
FINANCE					
414-230-000	CONTRACTUAL SERVICES	60,000	1,235	61,235	FY19 PO FULFILLED AFTER 6/30
414-353-000	COMPUTER SOFTWARE	-	<u>10,900</u>	10,900	FY19 PO FULFILLED AFTER 6/30
			12,135		
DEVELOPMENT					
421-212-000	OUTSIDE PRINTING	2,500	1,652	4,152	FY19 PO FULFILLED AFTER 6/30
421-230-000	CONTRACTUAL SERVICES	110,000	<u>49,167</u>	159,167	FY19 PO FULFILLED AFTER 6/30
			50,819		
CODE ADMINISTRATION					
436-230-000	PROFESSIONAL SERVICES	85,000	3,245	88,245	FY19 PO FULFILLED AFTER 6/30
POLICE DEPARTMENT					
700-230-000	CONTRACTUAL SERVICES	75,275	7,339	82,614	FY19 PO FULFILLED AFTER 6/30
700-341-000	DEPARTMENTAL SUPPLIES	81,000	<u>14,755</u>	95,755	FY19 PO FULFILLED AFTER 6/30
			22,094		
FLOODWALL					
714-230-000	CONTRACTUAL SERVICES	15,000	276,280	291,280	FY19 PO FULFILLED AFTER 6/30

October 22, 2019

STREET DEPARTMENT					
750-341-000	DEPARTMENTAL SUPPLIES	190,000	5,000	195,000	FY19 PO FULFILLED AFTER 6/30
CENTRAL GARAGE					
754-343-005	AUTO REPAIR SUPPLIES	125,000	2,150	127,150	FY19 PO FULFILLED AFTER 6/30
STORMWATER MANAGEMENT					
805-230-000	CONTRACTUAL SERVICES	300,000	18,588	318,588	FY19 PO FULFILLED AFTER 6/30
HEALTH & SANITATION GRANTS					
809-230-000	CONTRACTUAL SERVICES	-	3,000	3,000	FY19 REAP GRANT CARRYOVER
809-341-000	DEPARTMENTAL SUPPLIES	-	<u>25,212</u>	25,212	FY19 REAP GRANT CARRYOVER
			28,212		
PARKS & RECREATION					
900-230-000	CONTRACTUAL SERVICES	45,000	<u>19,566</u>	64,566	FY19 PO FULFILLED AFTER 6/30
SUBTOTAL - EXPENDITURES			<u>442,589</u>		
GRAND TOTAL			<u>-</u>		

The above resolution proposes to revise the FY20 General Fund Budget to reflect a carryover the FY19 budget surplus that resulted from purchase orders outstanding as of 6/30/19 that the City is obligated to fulfill or has fulfilled during FY20 YTD. Additionally, a carryover of the fund balance resulting from the REAP grant awarded during FY19 to be completed during FY20 is included in the above revision.

RESOLUTION (amended)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Year 2019-2020 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND					
Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
REVENUE					
299-00	FUND BALANCE	44,989	864,417	909,406	REMAINING FY19 SURPLUS CARRYOVER
369-000-000	TRANSFERS IN - OTHER FUNDS	2,150,000	<u>(413,000)</u>	1,737,000	REDUCTION IN STABILIZATION XFER IN
SUBTOTAL - REVENUE			451,417		
EXPENDITURES					
TRANSFERS TO OTHER FUNDS					
444-566-001	TRANSFERS OUT - CAPITAL RES	361,538	224,417	585,955	XFER FOR FIRE TRK/STMWTR/FLOWWALL
FLOODWALL					
714-230-000	CONTRACTUAL SERVICES	291,280	55,000	346,280	FLOODWALL PIPE INSPECTION
STORMWATER MANAGEMENT					
805-230-000	CONTRACTUAL SERVICES	318,588	150,000	468,588	STORMWATER LINING
PARKS & RECREATION					
900-230-000	CONTRACTUAL SERVICES	64,566	12,000	76,566	SW TENNIS COURT FENCING
SOCIAL SERVICES					
953-230-000	CONTRACTUAL SERVICES	-	<u>10,000</u>	10,000	HOMELESS OUTREACH/REUNIFICATION
SUBTOTAL - EXPENDITURES			<u>451,417</u>		
GRAND TOTAL			<u>-</u>		

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The above resolution proposed to the revised the FY20 General Fund budget to reflect the remainder of the FY19 surplus that is not yet appropriated or otherwise encumbered. This includes a reduction in the amount of the transfer in from the Stabilization Fund by \$425,000, an appropriation of \$55,000 for a pipe inspection of the Floodwall, an additional \$150,000 for stormwater pipe lining, and \$10,000 for Homeless Outreach efforts. Additionally, a \$224,417 transfer to the Capital Reserve Fund is proposed for the purposes of reserving funds for the future purchase of a Fire Truck (\$100,000), installation of a new Floodwall pump system (\$20,000), and additional stormwater retention systems (\$104,417).

October 22, 2019

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
REVENUE					
369-000-000	TRANSFERS IN - OTHER FUNDS	661,538	<u>224,417</u>	885,955	GENERAL FUND TRANSFER IN
			224,417		
CAPITAL IMPROVEMENTS					
714-458-000	IMPROVEMENTS - FLOODWALL	20,000	20,000	40,000	INSTALL OF NEW PUMP SYSTEM
805-458-000	IMPROVEMENTS - STORMWATER	160,000	<u>104,417</u>	264,417	INSTALL OF NEW DRAINAGE SYSTEMS
			<u>124,417</u>		
			<u>100,000</u>		

The above resolution proposes to revise the FY20 Capital Reserve Fund budget to reflect a \$224,417 transfer in from the General Fund for the purposes of installing a new pump system to the Floodwall and the installation of new stormwater drainage system. The \$100,000 unappropriated balance is to be reserved for the future purchase of a Fire Truck.

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:

USER FEE SPECIAL REVENUE FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
FUND BALANCE					
299-00	FUND BALANCE	1,657,265	<u>505,000</u>	2,162,265	FY19 SURPLUS CARRYOVER
			505,000		
CAPITAL IMPROVEMENTS					
750-458-005	STREET IMPROVEMENTS	2,482,191	<u>505,000</u>	2,987,191	ADDL FY20 SPRING STREET REHAB
			<u>505,000</u>		
			-		

The above resolution proposes to revise the FY20 User Fee Special Revenue Fund to reflect the FY19 budget surplus carryover to be appropriated to provide additional funds for the FY20 spring street rehabilitation project.

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

MOTION TO AMEND – Ms. Kuhl moved, seconded by Mr. Reed, to amend the resolution to move \$12,000.00 out of the Capital Reserve Fund to purchase and install a black vinyl-coated fence to replace the tennis courts at Southwood Park, and the amendment was adopted by unanimous vote.

The motion, as amended, was adopted by unanimous vote.

NOTE – amendment contained in resolution above.

Page 3 of 5

RESOLUTION Tabled FROM OCTOBER 8, 2019:

RESOLUTION RE-CONSTITUTING THE MEMBERSHIP-COMMISSIONERS
OF THE URBAN RENEWAL AUTHORITY OF THE CITY OF PARKERSBURG

MOTION – Mr. Reed moved, seconded by Ms. Kuhl, to remove the resolution from the table, and the motion failed as follows: Voting "yes" Ms. Kuhl, Mr. Mercer, Mr. Reed, and Mr. Stanley; Voting "no" Mr. McCrady, Mr. Barber, Mr. Carpenter, and Mr. Fox.

ORDINANCE, FINAL READING:

AN ORDINANCE AMENDING AND RE-ENACTING
THE CITY OF PARKERSBURG PERSONNEL
POLICY AND PROCEDURE MANUAL

October 22, 2019

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Table I, of the Compensation Plan contained in Section VIII of the City of Parkersburg Personnel Policy and Procedure Manual be, and hereby is, amended and re-enacted to reflect the following position name change:

Floodwall Maintenance Mechanic H-7 to Floodwall Heavy Equipment Operator H-8.

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

ORDINANCE, FINAL READING:

ORDINANCE APPROVING AND AUTHORIZING THE PURCHASE OF CERTAIN REAL ESTATE BY THE CITY OF PARKERSBURG

Whereas the retaining wall at the terminus of Smithfield Street in the City of Parkersburg failed in February 2019;

Whereas such retaining wall failure caused the attendant slip of the hillside into Smithfield Street and an adjacent property located at 1201 Smithfield Street blocking access to the resident's garage and barricading his motor vehicle in the garage;

Whereas any clearing of the debris and repair of the slip will eliminate the resident's ability to have full access to the garage and including parking or storing a motor vehicle therein; and

Whereas in order to effect the slip repair the City has negotiated the sale and transfer of the real estate identified as 1201 Smithfield (City Tax Map 77, Parcel 18).

Now Therefore Be It Ordained By The Council Of The City Of Parkersburg that the purchase of the real property at 1201 Smithfield Street (City Tax Map 77, Parcel 18) and including the dwelling and all attached fixtures be and it is hereby approved and authorized for the total sum of \$150,000.00 together with the following incidental and related costs:

- a. \$1,915.00 in relocation assistance; and
- b. Not to exceed \$3,000.00 for a 1998 Mercedes-Benz 320

Automobile Attached hereto and made a part hereof are the following:

- 1. Portions of the real estate appraisal consisting of 4 pages and showing the value of the real estate to be \$150,000.00 "as-is", and
- 2. The letter of Intent to Purchase Real Estate (non-bidding) setting forth details of the purchase.

MOTION – Mr. Reed moved, seconded by Ms. Kuhl, to adopt the ordinance on final reading, and the motion was adopted by majority vote with all members voting "yes" with the exception of Mr. Barber, who voted "no".

ORDINANCE, FIRST READING:

AN ORDINANCE PROVIDING FOR THE SALE BY EXCHANGE OF CERTAIN PROPERTY OF THE CITY (Long Tom for park property)

MOTION – Ms. Kuhl moved, seconded by Mr. Mercer, to adopt the ordinance on first reading. Page 4 of 5

During discussion, Mr. Carpenter moved, seconded by Mr. Reed, the previous question, but the motion failed with all members voting "no" with the exception of Mr. Carpenter who voted "yes".

The motion to adopt the ordinance was adopted by unanimous vote.

The Clerk presented a communication from The Parkersburg News and Sentinel covering the circulation and qualifications for their newspapers.

MOTION – Ms. Kuhl moved, seconded by Mr. Mercer, to receive and file the communication, and the motion was adopted by unanimous vote.

James Stearns

City Clerk

Council President



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

October 23, 2019

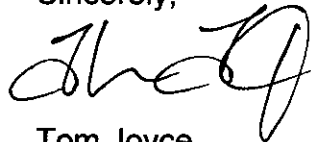
Parkersburg City Council
Parkersburg WV 26101

Dear Councilors:

The term for Mr. Charles Harris, 1226 Juliana Street, Parkersburg, WV has expired, and he is willing to serve another term on the Board for the Mid-Ohio Valley Transit Authority.

I ask for favorable consideration of my re-appointment of Mr. Harris to that Board for a term to expire September 20, 2022.

Sincerely,



Tom Joyce
Mayor

TJ:cs



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

October 23, 2019

Parkersburg City Council
City of Parkersburg

Dear Councilors:

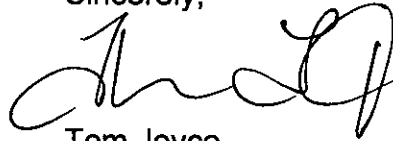
A vacancy has occurred on the Board of Directors for the Mid-Ohio Valley Board of Health Department due to the resignation of Sondra Wallace, and Mr. Eric Jiles has agreed to serve as a member of this Board.

I would appreciate your favorable consideration of Mr. Jiles, 1913 20th Street, Parkersburg as my appointment to the Board of Directors. They are looking for someone with a financial background, and Mr. Jiles meets this and all other qualifications to serve.

The five-year term will expire June 30, 2024.

Thank you.

Sincerely,



Tom Joyce
Mayor

TJ:cs



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

October 25, 2019

Parkersburg City Council
Parkersburg WV 26101

Dear Councilors:

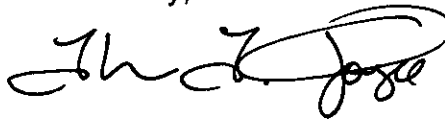
The terms of some members of the Municipal Tree Commission have expired, and those members are willing to serve another three-year term.

I would appreciate your favorable consideration of the following re-appointments to that Commission, as follows:

Mr. Turner Sharp, 2407 33rd Street, through August 25, 2022;
Mr. Craig Minton, 2300 Prunty Street, though July 31, 2022;
Mr. Buck McCroskey (parks supervisor), through November 12, 2022;
Ms. Pamela Lutz, 1109 7th Street, through July 31, 2022.

Thank you.

Sincerely,



Tom Joyce
Mayor

TJ:cs

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to request approval from State Auditor's Office for the following budget revision within the General Fund for the Fiscal Year 2019-2020 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
EXPENDITURES					
TRANSFERS TO OTHER FUNDS					
444-566-001	TRANSFERS OUT - CAPITAL RES	585,955	18,380	604,335	REALLOCATION TO CAPITAL RESERVE
POLICE DEPARTMENT					
700-103-309	PATROLMAN SALARY	2,432,061	<u>(18,380)</u>	2,413,681	REALLOCATION TO CAPITAL RESERVE
			<u>-</u>		

The above resolution proposes to revise the FY20 General Fund budget to reallocate unexpended Patrolman salaries to the Capital Reserve Fund for the purposes of providing additional funds to equip the 4 newly purchased cruisers with the required equipment.

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
REVENUE					
369-000-000	TRANSFERS IN - OTHER FUNDS	885,955	<u>18,380</u>	904,335	GENERAL FUND TRANSFER IN
			18,380		
CAPITAL EQUIPMENT					
700-459-000	CAPITAL OUTLAY - EQUIPMENT	184,000	<u>18,380</u>	202,380	ADD'L FUNDS FOR CRUISER EQUIPMENT
			<u>18,380</u>		
			-		

The above resolution proposes to revise the FY20 Capital Reserve Fund budget to reflect a transfer in from the General Fund for the purposes of providing additional funds to equip the 4 newly purchased cruisers with the required equipment.

JS

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that meetings in December shall be Tuesday, December 10th and Tuesday, December 17, 2019.

SUPPLEMENTAL RESOLUTION

SUPPLEMENTAL RESOLUTION APPROVING THE FORMS OF AN AGREEMENT AND LEASE, A LEASE ASSIGNMENT, AN ASSIGNMENT OF FUNDS AND ACCOUNTS AND A CREDIT LINE DEED OF TRUST, FIXTURE FILING AND SECURITY AGREEMENT IN CONNECTION WITH THE ISSUANCE OF THE LEASE REVENUE BONDS, SERIES 2019 (FIRE STATION NO. 4), OF THE MUNICIPAL BUILDING COMMISSION OF THE CITY OF PARKERSBURG, WEST VIRGINIA (THE "ISSUER"); AND APPROVING OTHER MATTERS WITH RESPECT TO SUCH BONDS.

WHEREAS, the City Council of The City of Parkersburg (the "City") has duly and officially adopted and enacted an authorizing Ordinance on October 8, 2019 (the "City Ordinance"), entitled:

AN ORDINANCE AUTHORIZING AND APPROVING THE CONVEYANCE OF REAL PROPERTY, FIXTURES AND PERSONAL PROPERTY AND APPURTENANCES TO THE MUNICIPAL BUILDING COMMISSION OF THE CITY OF PARKERSBURG, WEST VIRGINIA, FOR THE PURPOSE OF FACILITATING THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW FIRE STATION TO BE CONSTRUCTED ON REAL PROPERTY LOCATED IN THE VICINITY OF 3401 EMERSON AVENUE AND 1373 WEST VIRGINIA AVENUE IN THE CITY OF PARKERSBURG AND TO BE KNOWN AS "FIRE STATION NO. 4" BY THE CITY OF PARKERSBURG ON BEHALF OF THE MUNICIPAL BUILDING COMMISSION OF THE CITY OF PARKERSBURG, WEST VIRGINIA; THE LEASING OF SUCH REAL PROPERTY AND ALL PROJECT IMPROVEMENTS AND APPURTENANCES THERETO BY THE CITY OF PARKERSBURG FROM THE MUNICIPAL BUILDING COMMISSION OF THE CITY OF PARKERSBURG, WEST VIRGINIA; THE SALE AND ISSUANCE BY THE MUNICIPAL BUILDING COMMISSION OF THE CITY OF PARKERSBURG, WEST VIRGINIA OF ITS NOT TO EXCEED \$2,500,000 PRINCIAL AMOUNT OF LEASE REVENUE BONDS, IN ONE OR MORE SERIES; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT AND LEASE AND OTHER INSTRUMENTS

AND AUTHORIZING AND APPROVING OTHER DOCUMENTS AND MATTERS RELATING TO THE TERMS AND SECURITY OF SUCH BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, capitalized terms used herein and not otherwise defined herein shall have the same meaning set forth in the City Ordinance when used herein;

WHEREAS, the City Ordinance approves the issuance by the Municipal Building Commission of The City of Parkersburg, West Virginia (the "Issuer") of its Lease Revenue Bonds, Series 2019 (Fire Station No. 4), in the aggregate principal amount not to exceed \$2,500,000 (the "Bonds") to (i) finance the costs of the Project, (ii) pay costs of issuance of the Bonds and related costs, (iii) fund a reserve account, if any, for the Bonds, and (iv) pay capitalized interest, if any, on the Bonds;

WHEREAS, the City Ordinance provided that the forms of the following documents to be executed and delivered in connection with the issuance and sale of the Bonds would be approved by a Supplemental Resolution of the City:

- (1) A Credit Line Deed of Trust, Fixture Filing and Security Agreement (the "Deed of Trust") by the Issuer to the trustee named therein, for the benefit of the Branch Banking and Trust Company, as purchaser of the Bonds (the "Purchaser"), pursuant to which the Issuer will convey the Facilities in trust to the Purchaser, as security for repayment of the Bonds;
- (2) An Agreement and Lease (the "Lease") by and between the Issuer, as lessor, and the City, as lessee, pursuant to which the City will lease the Facilities from the Issuer and will agree to pay as Lease Rentals (but only from the sources set forth therein), amounts sufficient to pay the principal of and interest on the Bonds and any other amounts payable thereunder;
- (3) A Lease Assignment (the "Assignment"), by the Issuer to the Purchaser, pursuant to which the Issuer will assign certain of its rights in and to the Lease and rentals thereunder to the Purchaser as security for repayment of the Bonds;
- (4) An Assignment of Funds and Accounts (the "Funds Assignment" and collectively with the Deed of Trust, the Lease and the Assignment, the "Bond Documents"), by the Issuer to the Purchaser, pursuant to which the Issuer will assign the monies on deposit in certain of the funds and accounts established under the Lease to the Purchaser as an additional source of security for repayment of the Bonds; and

WHEREAS, the City deems it essential and desirable that this supplemental resolution (the "Supplemental Resolution") be adopted, that the forms of the Bond Documents be approved and that other matters relating to the Bonds be herein provided for;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKERSBURG:

Section 1. The Deed of Trust, substantially in the form submitted to this meeting, shall be and the same is hereby approved and accepted in all respects, with such changes, variations and omissions as may be approved by the City. The execution of the Deed of Trust by the Chairman of the Issuer shall be conclusive evidence of any approval required by this Section.

Section 2. The Lease, substantially in the form submitted to this meeting, shall be and the same is hereby approved and accepted in all respects, with such changes, variations and omissions as may be approved by the City. The execution of the Lease by the Mayor shall be conclusive evidence of any approval required by this Section.

Section 3. The Assignment, substantially in the form submitted to this meeting, shall be and the same is hereby approved and accepted in all respects, with such changes, variations and omissions as may be approved by the City. The execution of the Assignment by the Chairman of the Issuer shall be conclusive evidence of any approval required by this Section.

Section 4. The Funds Assignment, substantially in the form submitted to this meeting, shall be and the same is hereby approved and accepted in all respects, with such changes, variations and omissions as may be approved by the City. The execution of the Funds Assignment by the Chairman of the Issuer shall be conclusive evidence of any approval required by this Section.

Section 5. All other provisions relating to the Bonds, including the terms and security for the Bonds and the text of the Bonds shall be substantially as provided in the Bond Ordinance.

Section 6. The Mayor and City Clerk of the City are hereby authorized and directed to execute and deliver such documents, agreements, instruments and certificates required or desirable in connection with the Bonds hereby and by the City Ordinance and Bond Ordinance approved and provided for, to the end that the Bonds may be executed and delivered by the Issuer to the Purchaser at the earliest practicable date.

Section 7. This Supplemental Resolution shall be effective immediately upon adoption hereof.

Adopted this 12th day of November, 2019.

Mayor

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of The City of Parkersburg, does hereby certify that the foregoing Supplemental Resolution was duly adopted and enacted by the City Council of The City of Parkersburg at a regular meeting duly held, pursuant to proper notice thereof, on November 12, 2019, a quorum being present and acting throughout, which Resolution has not been repealed, rescinded, modified, amended or revoked and is a true, correct and complete copy thereof as witness my hand and the seal of The City of Parkersburg this November 12, 2019.

City Clerk

An Ordinance
Providing For The Sale
By Exchange Of
Certain Property Of
The City

Whereas the City of Parkersburg and the Wood County Commission desire to enter into the sale by exchange of certain property each presently own;

Whereas the exchange involves the trade of the City of Parkersburg's civil war canon, Long Tom, and which canon, although originally located and displayed at Fort Boreman Hill, has been kept and displayed in the City Park since approximately 1921;

Whereas the Wood County Commission desires to acquire the said civil war canon and return it to the County's Fort Boreman Historical Park;

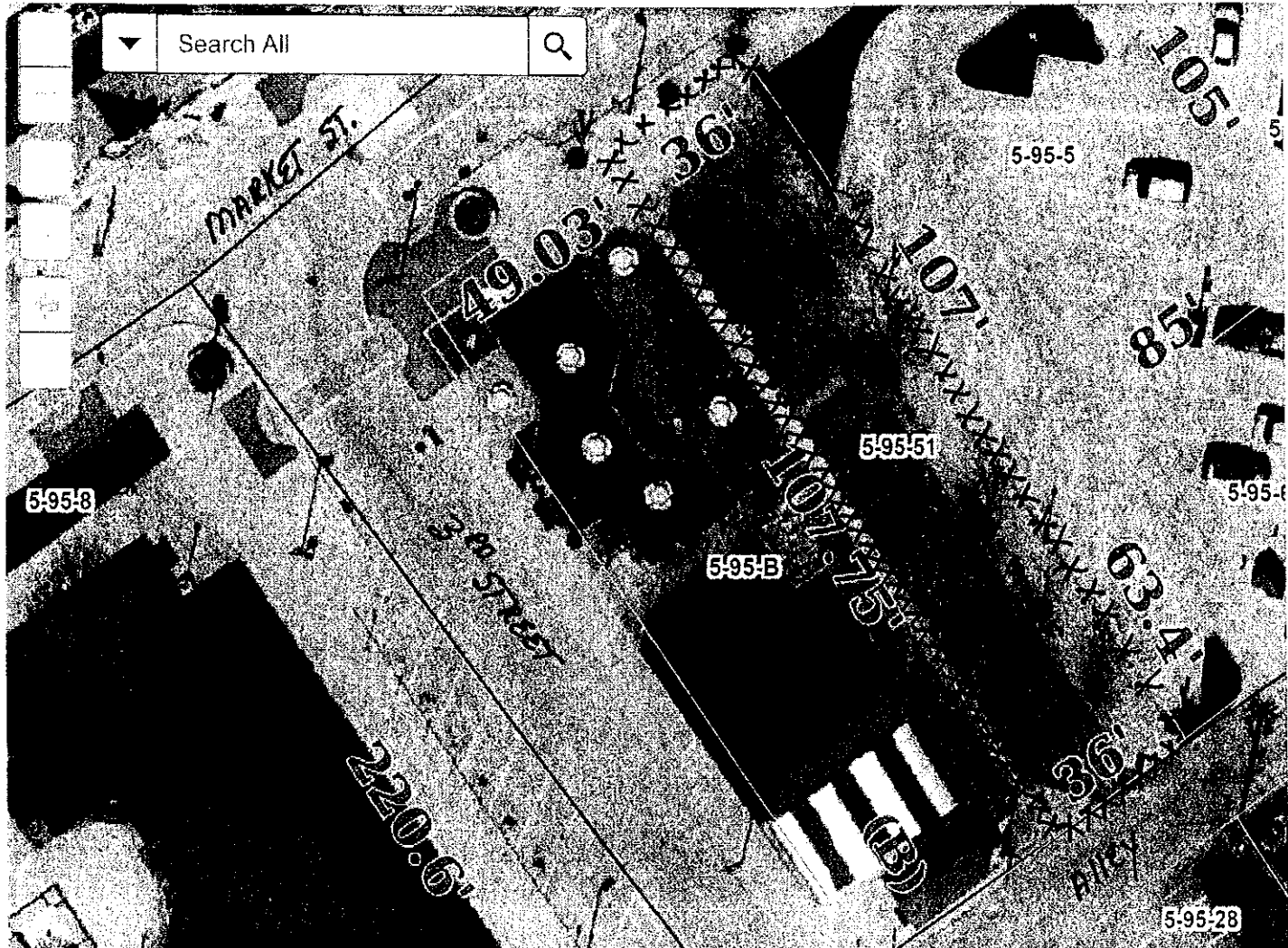
Whereas the City desires to expand its Bicentennial Park to include the 36' x 107' parcel of property now owned by Wood County and which strip of land is adjacent to and contiguous with said Bicentennial Park; and

Whereas such exchange will benefit the City, the County and the public they both serve by further enhancing and utilizing their respective parks while returning the civil war canon, Long Tom, to its rightful place as a part of Fort Boreman and at no cost to either party.

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Now Therefore Be It Ordained By The Council Of The City Of Parkersburg that the City enter into and complete the sale by exchange with the Wood County Commission, of the City's civil war canon, Long Tom, for the County's 36 x 170.75 x 36' x 170.78 parcel of land immediately adjacent to and contiguous with Bicentennial Park and which as shown as parcel 5-95-51 on the attached map and further identified as Tract Seven in Deed Book 1004, at page 832.

Sponsored By Councilpersons:



-81.562 09 254 Degree

Connie Shaffer, City Clerk
City of Parkersburg
One Government Square
Parkersburg, WV 26102

October 18, 2019

Dear Connie,

It was brought to my attention that a "trade" was being contemplated between the City of Parkersburg and Commissioners of Wood County. The trade involving a small piece of property on Market Street, currently belonging to the County, and the cannon known as "Long Tom," that is currently displayed in City Park.

The Civil War cannon affectionately named "Long Tom," was brought to Parkersburg in 1898 to be placed at the once Civil War fort known as Fort Boreman. The cannon, which was frequently fired for special occasions, remained on the hill until its carriage fell into disrepair in the early 1920s. It was saved from the junk yard by a local organization, then placed in City Park.

Though not the type of cannon that would have been used at the fort during the war, it was brought to Parkersburg to be placed on Fort Boreman, it is a Civil War era cannon and was utilized there for over twenty years. In my opinion it should be returned to that site. If consummated, the proposed "trade" would make that possible.

Sincerely,



Bob Enoch, president WCHPS

cc. Marty Seufer, Wood County Administrator

Connie Shaffer, City Clerk
City of Parkersburg
One Government Square
Parkersburg, WV 26102

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Sincerely,



Bob Enoch, president WCHPS

cc. Marty Seufer, Wood County Administrator

AN ORDINANCE AUTHORIZING THE
FINANCE DIRECTOR TO CONDUCT
AN ONLINE PUBLIC AUCTION

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Finance Director of the City of Parkersburg is hereby authorized to conduct an online public auction sale of personal property belonging to the City of Parkersburg, in accordance with and pursuant to Article 135.08 of the Codified Ordinances of the City of Parkersburg, for 2019.

Sponsored by Councilmen Reed, McCrady and Stanley

AUCTION LIST 2019

1979 FABTEK MAN LIFT

1991 GMC TOPKICK DUMP TRUCK

1998 HOMESTEADER 6X8 ENCLOSED TRAILER

SNO WAY PLOW WITH LIGHTS 49"

(2) SNO WAY PLOWS NO LIGHTS 36"

1992 CROSLEY RECYCLE TRAILER

1999 GMC PICKUP

(4) 2008 FORD CROWN VIC

1990 R2 RECYCLE TRAILER – NO BINS

(3) 2010 DODGE CHARGER

2009 CHEVY IMPALA

TOSHIBA COPIER

**AN ORDINANCE VACATING REMAINING UTILITY RIGHT-OF-WAY ON
PARKERSBURG CITY TAX MAP 40, PARCEL 235.**

The Municipal Planning Commission of the City of Parkersburg has recommended that the remaining utility Right-of-Way be released;

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

WHEREAS, the City abandoned this portion of a public Right-of-Way, currently designated as Tax Map 40, Parcel 235, and located to the rear of 1514 30th Street, per City Ordinance #O-686 on February 23rd, 1993 but retained a utility Right-of-Way.

WHEREAS, there are presently no existing utilities over or upon the subject property and,

WHEREAS, the Parkersburg Utility Board and Public Works Departments do not object to the City releasing its permanent easement for the purpose of ingress and egress, over, along, and under said parcel for the installation, maintenance, location, and removal of all public utilities of any kind,

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF
PARKERSBURG HEREBY ORDAINS** that the utility Right-of-Way retained by the City within the abandoned alleyway, be released.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION



Municipal Planning Commission Staff Report

Municipal Building | City Council Chambers | October 18, 2019 at 12:30pm

Planning Commission

President
Charlie Matthews

Vice-President
Eric Gumm

Council Representative
Dave McCrady

Members
Sean Andrews
Francis Angelos
Sherry Dugan
Tom Evans
Sean Francisco
James Greene II
Luke Peters
Seldon Wigal
Rickie Yeager

PROJECT: Petition to release the utility easement held by the City of Parkersburg on a previously vacated alley (per City Council Ordinance #0-686), Tax Map 40, Parcel 235.

LOCATION: 30th Street

APPLICANT: Brent Steele

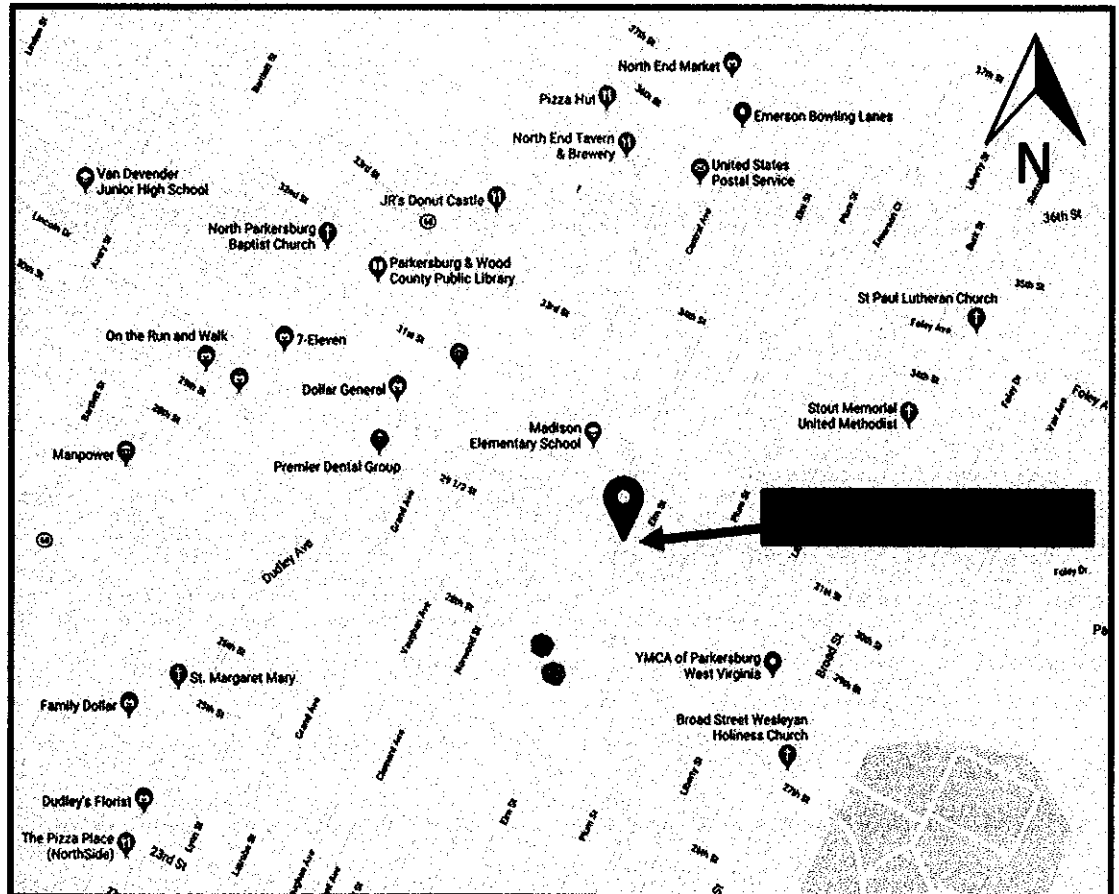
PROJECT DESCRIPTION

Applicant wishes to build on parcel 235, which is behind his house on parcel 79. However, with the City's utility easement in place, the applicant is unable to build on that parcel.

ANALYSIS

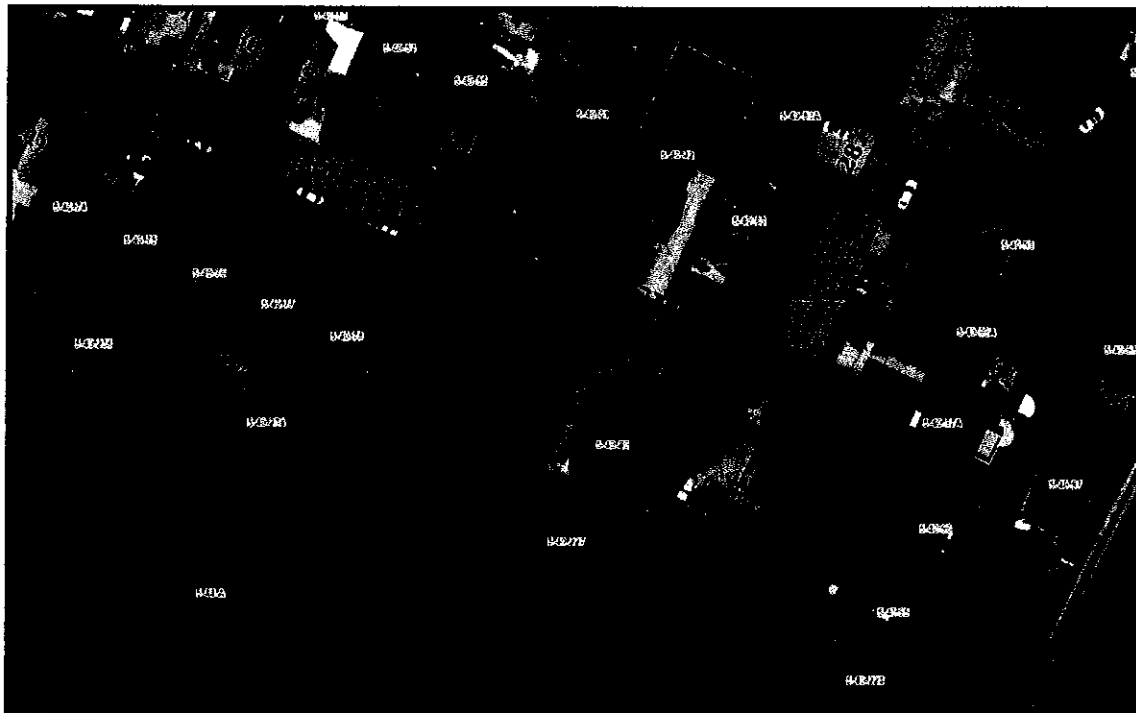
This parcel is a previous City right-of-way that was vacated by Ordinance #O-686 on February 23rd, 1993 but retained a utility right-of-way. There are currently no utility lines that run through the parcel. Therefore, the City does not have need of this utility easement.

Location Map





Map obtained from Google Maps

Parcel Map



Map Key

-  Property owned by Applicant
-  Parcel to have utility easement released (TM 40, P 235)



Map obtained from the Wood County Parcel Viewer

DEPARTMENTAL REVIEW

The **Parkersburg Utility Board** had no issues with the proposal to release the City's utility easement.

The **Public Works Department (Engineering Division)** had no issues with the proposal to release the City's utility easement.

LAND USE SUBCOMMITTEE RECOMMENDATION

The Land Use Subcommittee met on Monday, October 7th, 2019 in the Mayor's Conference Room to discuss the proposed utility easement release. Members in attendance included Charlie Matthews, Jim Greene, Sel Wigal, Dave McCrady, Eric Gumm, and Sherry Dugan. Upon review, members gave the unanimous recommendation to approve the proposed abandonment.

PLANNING DIVISION RECOMMENDATION

The planning division recommends that this utility easement be released by the City.