

AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, DECEMBER 10, 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 November 26, 2019
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
 - A. Communication from Mayor Tom Joyce re-appointing Mr. Wayne Waldeck, 1000 Market Street to the Downtown Façade Committee for a three year term to expire January 10, 2023. (Council confirms)
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTION
 1. Resolution authorizing Mayor Tom Joyce to submit the 2018 annual TIF report for the Avery Court Redevelopment District #3, to the WV Development Office. (Sponsored by Councilmen Reed, McCrady, and Reynolds)

PUBLIC HEARING
- IX. ORDINANCE, FINAL READING:
 2. An ordinance enacting a city-wide real property improvement tax rebate program for the construction and rehabilitation/remodeling of residential, commercial and industrial property in the City of Parkersburg. (Sponsored by Finance Committee)
- X. ORDINANCE, FIRST READING:
 3. An ordinance amending and re-enacting Section 1301.03 of the City Code to reduce the number of members of the Municipal Planning Commission to eleven members, currently fifteen members. (Municipal Planning Commission)
 4. An ordinance amending and re-enacting Article 1347 for the purpose of establishing a small home overlay district. (Municipal Planning Commission)
- XI. ADJOURNMENT

NOTE – next meeting December 17, 2019

November 26, 2019

The Council of the City of Parkersburg met in regular session Tuesday, November 26, 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 November 12, 2019. With no corrections or additions, the minutes were approved as previously distributed.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Councilman Stanley reported that the Finance Committee met recently and sent forth items #2 and #5 for Council's consideration this evening.

MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce thanked all the volunteers, including Parks Supervisor Buck McCloskey, for decorating the City Park for Holiday In The Park the last few days.

The City Clerk then read a Small Business Saturday Proclamation in full. The document read that small business employ 47.3% of the employees in the private sector, 94% of consumers value the contribution of small business in their community, 96% of consumers say that small business inspires them to shop independently, 92% say the day helps their business stand out during the holiday shopping season, 59% of small business owners say that Saturday contributes to their overall sales each year.

Mayor Joyce signed the Proclamation and urged the residents of our community and communities across the country, to support small business and merchants on Saturday, November 30, 2019, and throughout the year.

PUBLIC FORUM - Speaking in favor of the ordinance enacting a city-wide real property improvement tax rebate program for the construction and rehabilitation/remodeling of residential, commercial and industrial property were the following: Lindsey Pierson, Bob Fehrenbacher, Ed McDonough, Mike Matheny, Wendy Shriver, and Tras Ross.

Others speaking included Dan Buskirk, 1315 Stephenson Avenue, concerning blight adjoining his property; Jennifer Bryant, Market Street, concerning Parkersburg's low NEI score being below average; and Roy Hayhurst, 1730 Covert Street, concerning neighborhood kids playing basketball and getting into his landscape.

CITY COUNCIL FORUM – Ms. Kuhl thanked the Ross Foundation for the donation for our proposed ice skating park, and she invited everyone November 30, 2019 at 5:00 PM for the Christmas tree lighting at Southwood Park which will include some different things and decorations.

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 Adjustmen t	Revised Budget	Comments
REVENUE					
314-000-000	MUNICIPAL SALES TAX	5,809,946	40,500	5,850,446	REVISED ESTIMATED
368-000-000	CONTRIB - OUTSIDE ENTITIES	111,110	<u>39,278</u>	150,388	ICE RINK SET UP DONATION
			79,778		
EXPENDITURES					
TRANSFERS TO OTHER FUNDS					
444-566-001	TRANSFERS OUT - CAPITAL RES	654,335	33,000	687,335	XFER TO CAPITAL RES - SW POOL ROOF
PARKS & RECREATION					
900-103-315	OTHER SALARIES & WAGES	320,881	(1,000)	319,881	REALL. FOR ICE RINK OPERATING EXP
900-230-000	CONTRACTUAL SERVICES	76,566	<u>47,778</u>	124,344	ICE RINK SET UP/OPERATIONS
			<u>79,778</u>		

The above resolution proposes to revise the FY20 General Fund budget to reflect an updated estimate of sales tax revenue and a donation to support the set up of the ice rink at City Park. Expenditures are proposed to reflect the ice rink set up, a reallocation of Parks salaries to support the ice rink operations, and as a transfer to Capital Reserve to replace the roof at the Southwood Pool bathhouse.

November 26, 2019

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	904,335	<u>33,000</u>	937,335	GENERAL FUND TRANSFER IN
			33,000		
CAPITAL IMPROVEMENTS					
444-566-082	CAPITAL IMPROVEMENTS - POOLS	15,000	<u>33,000</u>	48,000	SOUTHWOOD BATHHOUSE ROOF
			33,000		

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 replace the roof at the Southwood bathhouse.

MOTION – Mr. Stanley moved, seconded by Ms. Kuhl, to adopt the two revisions, and the motion was adopted by unanimous vote.

RESOLUTION

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:

2010 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
1127 Section 108 Defeasance	\$ 37,875.19	\$ 37,000.00	\$ (875.19)
* Market Streetscape Enhancement Project	\$ -	\$ 875.19	\$ 875.19
Totals	\$ 37,875.19	\$ 37,875.19	\$ (0.00)

2016 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
1016 Section 108 Defeasance	\$ 87,000.00	\$ 86,314.00	\$ (686.00)
Multi Minor Home Repair	\$ 141,841.87	\$ 140,921.81	\$ (920.06)
1081 FCIC Building Improvement	\$ 35,000.00	\$ 33,001.50	\$ (1,998.50)
* Market Streetscape Enhancement Project	\$ -	\$ 3,604.56	\$ 3,604.56
Totals	\$ 263,841.87	\$ 263,841.87	\$ -

2017 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
1082 Riverfront Park Section 108 Payment	\$ 69,999.80	\$ 70,029.80	\$ 30.00
1133 General Administration	\$ 125,594.79	\$ 60,000.00	\$ (65,594.79)
* Market Streetscape Enhancement Project	\$ -	\$ 65,564.79	\$ 65,564.79
Totals	\$ 195,594.59	\$ 195,594.59	\$ -

2018 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
* Parkersburg Children's Museum (ADA/Sidewalk Improvement Project)	\$ -	\$ 100,000.00	\$ 100,000.00
* St. Mary's/Dudley Avenue Streetscape Enhancement Project	\$ 130,000.00	\$ -	\$ (130,000.00)
1122 16th Street Loan Processing	\$ -	\$ 6,357.00	\$ 6,357.00
1141 16th Street Section 108 Loan Payment	\$ 22,500.00	\$ 22,660.77	\$ 160.77
1131 Schools To Pools	\$ 1,000.00	\$ 831.57	\$ (168.43)
* Market Streetscape Enhancement Project	\$ -	\$ 100,000.00	\$ 100,000.00
* Fitness Park-Quincy Hill	\$ 50,000.00	\$ 35,346.15	\$ (14,653.85)
General Administration	\$ 149,000.00	\$ 56,304.51	\$ (92,695.49)
* ADA Enhancements - City Park Playground	\$ -	\$ 31,000.00	\$ 31,000.00
Totals	\$ 352,500.00	\$ 352,500.00	\$ -

Notes:

Please see additional notes on the next page.

Sponsored by: Parkersburg City Council - Finance Committee

November 26, 2019

Parkersburg/Wood County HOME Consortium Budget Revision

Be it resolved by the City Council of the City of Parkersburg that the City of Parkersburg's HOME Investment Partnership Program Annual Action Plan and Budget be hereby amended as follows:

2015 HOME Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
* Parkersburg Elderly Housing	\$ 82,580.06	\$ -	\$ (82,580.06)
Multi Down Payment Assistance Program	\$ -	\$ 82,580.06	\$ 82,580.06
* Additional Program Income	\$ 154,434.74	\$ -	\$ (154,434.74)
Multi Owner Occupied Rehab	\$ 41,190.00	\$ 156,602.39	\$ 115,412.39
1052 General Admin	\$ -	\$ 26,102.07	\$ 26,102.07
* New Construction	\$ -	\$ 12,920.28	\$ 12,920.28
Totals	\$ 278,204.80	\$ 278,204.80	\$ 0.00

2016 HOME Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
* Additional Program Income	\$ 85,544.15	\$ -	\$ (85,544.15)
* Parkersburg Elderly Housing	\$ 15,803.19	\$ -	\$ (15,803.19)
DPAP	\$ 38,018.06	\$ 58,606.69	\$ 20,588.63
* CHDO Adjustment for IDIS Cmt %	\$ 85,000.00	\$ 121,518.25	\$ 36,518.25
* Additional Program Income to Move to 2017	\$ -	\$ 44,240.46	\$ 44,240.46
Totals	\$ 224,365.40	\$ 224,365.40	\$ -

2017 HOME Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
* CHDO Adjustment for IDIS Cmt %	\$ 85,000.00	\$ 36,376.50	\$ (48,623.50)
* Additional Program Income to Move to 2018	\$ 140,109.49	\$ 188,732.99	\$ 48,623.50
Totals	\$ 225,109.49	\$ 225,109.49	\$ -

2018 HOME Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
* CHDO Adjustment for IDIS Cmt %	\$ 44,095.00	\$ 56,200.25	\$ 12,105.25
* New Construction	\$ 430,546.00	\$ 410,362.76	\$ (20,183.24)
* Shortage of Program Income	\$ (8,077.99)	\$ -	\$ 8,077.99
Totals	\$ 466,563.01	\$ 466,563.01	\$ 0.00

2019 HOME Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
* Shortage of Program Income	\$ (30,535.33)	\$ -	\$ 30,535.33
* Community Based Development Organization	\$ 300,000.00	\$ 269,464.67	\$ (30,535.33)
Totals	\$ 269,464.67	\$ 269,464.67	\$ -

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

ORDINANCE, FINAL READING:

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

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.

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

ORDINANCE, FINAL READING:

**AN ORDINANCE VACATING REMAINING
UTILITY RIGHT OF WAY, 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,

November 26, 2019

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.

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

ORDINANCE, FIRST READING:

AN ORDINANCE ENACTING A CITY-WIDE REAL PROPERTY
IMPROVEMENT TAX REBATE PROGRAM FOR THE
CONSTRUCTION AND REHABILITATION/REMODELING OF
RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTY
IN THE CITY OF PARKERSBURG

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

MOTION TO AMEND – Mr. Fox moved to amend the ordinance, as follows: 1(a) that commercial and industrial projects be separated, and under that term and condition it shall be seven (7) years at 100% for commercial and seven (7) years at 100% for industrial;

In 1(a)(ii) the amount of \$25,000.00 for single family detached home rehabilitation, the amount should be reduced to \$15,000.00;

In 1(a)(iv) the amount should be \$100,000.00 for a commercial investment, and \$50,000.00 for an industrial investment.

Mayor Joyce said he could agree if they dropped the \$25,000.00 to \$20,000.00. The best part of this was that it would be budget-neutral and simple to track.

There was no second to the amendment.

MOTION TO AMEND -- at the suggestion of Mr. Santer, Mr. Reed moved, seconded by Mr. Stanley, to amend the ordinance in paragraph 1 (a), page 2 to read....."said taxes for a period of 15 years for 100 percent of the increase in assessed taxes payable to the City of Parkersburg and attributable to the new construction.....", and the amendment was adopted by unanimous vote.

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

ORDINANCE, FIRST READING:

AN ORDINANCE ESTABLISHING RATES
FOR THE CITY OF PARKERSBURG
ICE SKATING RINK

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

The meeting adjourned at 8:10 PM.

City Clerk

Council President



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

December 3, 2019

Parkersburg City Council
Parkersburg WV 26101

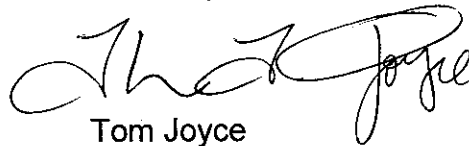
Dear Councilmembers:

The term for Mr. Wayne Waldeck, 1000 Market Street, Parkersburg, WV will expire January 10, 2020 on the Downtown Façade Committee. He is willing and qualified to serve, and I hereby request your approval for his re-appointment when we meet December 10, 2019.

The three-year term will end January 10, 2023.

Thank you.

Sincerely,



Tom Joyce
Mayor

TJ:cs

**RESOLUTION AUTHORIZING MAYOR JOYCE TO SUBMIT THE 2018 ANNUAL TIF
REPORT FOR THE AVERY
COURT REDEVELOPMENT DISTRICT #3 TO THE WEST VIRGINIA
DEVELOPMENT OFFICE**

WHEREAS, the AVERY COURT REDEVELOPMENT DISTRICT #3 was established on July 26, 2005, and

WHEREAS, the boundaries of the District are Eleventh Street, Cornwall Street (Tax Map 76, Parcel 240) and Avery Street in the City of Parkersburg, and

WHEREAS, the payment made in lieu of taxes received and expanded for 2018 was \$0.00, and

WHEREAS, the amount of disbursements from the tax increment financing fund during the most recently completed fiscal year was \$27,581.17, and

WHEREAS, the attached progress report is required by West Virginia Code 7-11B-15,

NOW THEREFORE BE IT RESOLVED, that Parkersburg City Council hereby authorizes Mayor, Tom Joyce, to submit the 2019 Annual Tax Increment Financing Report for the Avery Court Redevelopment Project to the West Virginia Development Office, having made the report available to the public for comment and having a public hearing.

Sponsored by: John Reed, Dave McCrady and Mike Reynolds

**2019 ANNUAL TAX INCREMENT FINANCING (TIF) REPORT
FOR
THE AVERY COURT REDEVELOPMENT PROJECT**

As required by West Virginia Code 7-11B-15, the following is a progress report for the approved T.I.F. District for the Avery Court Project:

1. Aggregate amount and the amount by source of revenue in the T.I.F. financing fund: The bonds were sold on May 1, 2006.

The total bond sale was \$2 Million.

2. The amount and purpose of expenditures from the tax increment financing fund.

Developer Reimbursement	\$188,420.00
Cost of Bond Issuance	200,000.00
Administrative Expense Fund	15,000.00
Capitalized Interest	200,000.00
Debt Service on Bonds	00.00
Bond Redemption	00.00
Total Disbursements	<u>\$603,420.00</u>

3. The amount of any pledge of revenues, including principal and interest on any outstanding tax increment financing indebtedness: **\$2,000,000**
4. The base assessed value of the development or redevelopment project or the development or redevelopment district, as appropriate: **Class IV Property - \$1,422,540; Total base-year value is \$56,160. (The properties in the TIF project have been consolidated into one lot/parcel.)**
5. Assessed value for the current tax year of the development or redevelopment project property or of the taxable property having a tax situs in the development or redevelopment district, as appropriate: **\$1,422,540.**
6. Assessed value added to base assessed value of the development or redevelopment project or the taxable property having a tax situs in the development or redevelopment district, as the case may be: **\$1,478,700**
7. Payments made in lieu of taxes received and expended: **\$0.00**

The assets are held privately, therefore no payments have been made and Castle Ventures, LLC continues to pay property taxes to Wood County, WV.

8. Reports on contracts made incidental to the implementation and furtherance of a development or redevelopment plan or project. **Not applicable.**
9. Copy of any development or redevelopment plans, which shall include the required findings and cost-benefit analysis. **Previously submitted to the WV Development Office.**
10. The Cost of any property Acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled: **The Developer acquired property from the City of Parkersburg at a cost of \$65, 386.19. The Developer acquired additional property adjacent to the site from a private landowner to expand the project. The closing on the property was in October 2006 at a cost of \$13,855.**
11. Number of parcels of land acquired by or through initiation of eminent domain proceedings: **1**
12. The number and types of jobs projected by the project developer to be created, if any, and the estimated annualized wages and benefits paid or to be paid to person filling those jobs:

The estimated number of jobs to be created was 10. These positions were to include clerical, maintenance, sales and marketing. The estimated annualized wages and benefits was estimated to be \$450,000.

During construction of this project, the developer hired an architectural firm as well as an Engineering firm to prepare the plans and construction drawings. A construction company hired as a project manager. The estimated labor cost associated with the planning and construction of this project is over \$5,000,000.

13. The number, type and duration of the jobs created, if any, and the annualized wages and benefits paid:

Castle Ventures, LLC has a property manager and maintenance technician on staff for the Avery Court Apartment complex. Their combined annualized wage, including wage and benefits, is between \$40,000 and \$50,000. In addition, the company has contracts with local landscape, cleaning, appliance and pest management companies for general maintenance and upkeep.

14. The amount of disbursements from the tax increment financing fund during the most recently completed fiscal year, in the aggregate and in such detail as the executive director of the development office may require.

Developer Reimbursement	\$ 27,581.17
Cost of Bond Issuance	00.00
Administrative Expense Fund	00.00
Capitalized Interest	00.00
Debt Service on Bonds	00.00
Bond Redemption	00.00
Total Disbursements	\$ 27,581.17

Since 2009, the developer has been reimbursed a total of \$177,982.67 for the project. Below is a schedule for reimbursements made to date:

Tax Year Assessed	Tax Year Paid Over	Calendar Date Received	Amount	Accumulated Total Tax
2009/2010	2010/2011	03/17/2011	\$ 1,221.26	\$ 1,221.26
2009/2010	2011/2012	07/18/2011	\$ 1,704.30	\$ 2,925.56
2010/2011	2012/2013	07/18/2012	\$ 7,128.22	\$ 10,053.78
2011/2012	2012/2013	06/06/2013	\$ 17,577.24	\$ 27,631.02
2012/2013	2013/2014	05/16/2014	\$ 22,395.72	\$ 50,026.74
2013/2014	2014/2015	05/05/2015	\$ 24,566.39	\$ 74,593.13
2014/2015	2015/2016	11/04/2016	\$ 25,509.87	\$ 100,103.00
2015/2016	2016/2017	10/05/2017	\$ 25,285.95	\$ 125,388.95
2016/2017	2017/2018	06/13/2018	\$ 25,012.55	\$ 150,401.50
2017/2018	2018/2019	10/22/2019	\$ 27,581.17	\$ 177,982.67

15. An Annual statement showing payments made in lieu of taxes received and expended during the fiscal year: **Not applicable.**

16. The status of the development or redevelopment plan and projects therein:

The Avery Court Project is complete. The TIF portion of the project was completed in the summer of 2008. A total of 68 (one, two and three bedroom) units were built. Construction on the other (non-TIF) portion of the site was completed in 2012, creating an additional 12 units. A total of 80 units have been developed within walking distance of the central business district, 90 percent of which are occupied at the present time.

17. The amount of outstanding tax increment financing obligations: **\$1,822,017.33**
18. Any additional information the County Commission or the Municipality preparing this report deems necessary or that the executive director of the development office may by procedural rule require. **None at this time.**
19. The Annual TIF Report for the Avery Court Redevelopment Project is made available to the public in the City Clerk's Office and the City's website every year prior to the public hearing. A legal ad was published in the local newspaper about the report on October 12, 2018 and a public hearing was held on October 23, 2018 in accordance with West Virginia State Code Chapter 7-11-B-15 (d). A copy of the minutes from that public hearing, as well as a resolution from Parkersburg City Council is attached hereto.
20. Affidavit of publication for annual statement required to be published by county or municipality prior to October 1 of each year. [NOTE: Only required for each development or redevelopment project for which tax increment financing obligations have been issued. **No tax increment financing obligations have been issued.**]
21. Annual Statement to be published in a qualified newspaper, to include:
 - (a) A summary of receipts and disbursements, by major category, of moneys in the tax increment financing fund during that fiscal year;
 - (b) A summary of the status of the development or redevelopment plan and each project therein;
 - (c) The amount of tax increment financing principal outstanding as of the close of the fiscal year; and
 - (d) Any additional information the county commission or municipality deems necessary or appropriate to publish.
22. Name, address, phone number and primary line of business of any business that relocates to the development or redevelopment district during the immediately preceding fiscal year of the state. **A new daycare facility has opened across the street from the apartment complex. Also, two different apartment complexes are under new management in the vicinity. Efforts to renovate and lease these facilities are underway.**

**WEST VIRGINIA
TAX INCREMENT FINANCING**

**ANNUAL REPORT OF
STATUS OF PROJECT PLAN(S) AND PROJECTS(S)**

Date of Report: November 1, 2019

SECTION I. COVER SHEET

1. Name of County or Municipality which established the District: **City of Parkersburg**

2. Contact Person/Title: **Rickie Yeager, Development Director**

3. Address:

**#1 Government Square
P.O. Box 1627
Parkersburg, WV 26102**

4. Telephone Number:

**Phone: (304) 424-8415
Fax Number: (304) 424-8464
Email Address: rickie.yeager@parkersburgwv.gov**

5. Name of development or redevelopment district:

Avery Court Redevelopment, District #3

6. Name of development or redevelopment project(s):

Avery Court Redevelopment Project #1

7. Name of Developer or Agency: **The Phoenix Group, LLC**

8. Contact Person/Title: **Michael L. Castle, Jr., President**

9. Address:

**1117 University Avenue
Morgantown, WV 26505**

10. Phone:

**Office: (304) 284-0122
Fax Number: (304) 288-0124
Email: castle@phoenixgroupwv.com**

NOTICE OF PUBLIC HEARING

PROGRESS OF TIF PROJECT PLANS AND TIF PROJECTS IN THE TAX INCREMENT FINANCING DISTRICT KNOWN AS THE AVERY COURT REDEVELOPMENT DISTRICT #3 WHICH HAS BEEN ESTABLISHED BY THE CITY OF PARKERSBURG

A public hearing will be held at a regular meeting of the City Council of the City of Parkersburg, West Virginia (the "City") on **December 10, 2019 at 7:30 p.m.**, in the Council Chambers of the Parkersburg Municipal Building, located at #1 Government Square, Parkersburg, West Virginia, and at such public hearing any person interested may appear before the City Council of the City ("Council") and present comments and suggestions regarding the City of Parkersburg Redevelopment Project District No. 1 (the "TIF District"), established pursuant to an ordinance enacted by the City on January 25, 2005, and the approved project plans for the TIF District (the "Project Plans"). The approved Project Plan for the TIF District includes the Avery Court Redevelopment (Project No. 1), approved pursuant to an Ordinance enacted by the City on July 26, 2005. At such public hearing all comments, protests and suggestions shall be heard by the City Council regarding the TIF District, the approved Project Plans for the TIF District, and the progress of such Project Plans and the projects included therein, in accordance with Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "West Virginia Tax Increment Financing Act"). Following is a brief summary of such matters.

The TIF District

The TIF District was created on July 26, 2005 pursuant to an Ordinance enacted by Council for the purpose of providing for the redevelopment of a portion of the central downtown district of the City. The boundaries of the District are Eleventh Street, Cornwall Street, Parcel 233, Tax Map 76 and Avery Street in the City of Parkersburg.

The TIF Project Plans

Project Plan No. 1 consisted generally of the acquisition, construction and equipping of a high density multi-family residential development with parking by the Phoenix Group, LLC, a West Virginia limited liability company.

Tax Increment Financing Obligations

Tax Increment Revenue Bonds for the purpose of funding a portion of the cost of Project Plan No. 1, were sold on May 1, 2006. The total bond sale was \$2 Million.

Further information regarding the TIF District, the Project Plan for the TIF District and the Bonds is contained in the City's Annual Report for the TIF District,

which is on file and available for inspection during regular business hours at the office of Connie Shaffer, City Clerk and the Parkersburg Development Office, Municipal Building, #1 Government Square, Parkersburg, WV 26101 and online at www.parkersburgcity.com.

PLEASE PUBLISH IN BOTH NEWSPAPERS AS A LEGAL ADVERTISEMENT, ONCE EACH WEEK, FOR FOUR CONSECUTIVE WEEKS, STARTING NOVEMBER 8, 2019. PLEASE SEND A COPY OF THE PUBLIC NOTICE AND INVOICE TO THE:

ATTN: RICKIE YEAGER
DEVELOPMENT DEPARTMENT
CITY OF PARKERSBURG
ONE GOVERNMENT SQUARE
PARKERSBURG, WV 26101.

ORDINANCE ENACTING A CITY-WIDE REAL PROPERTY IMPROVEMENT TAX REBATE PROGRAM FOR THE CONSTRUCTION AND REHABILITATION/REMODELING OF RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTY IN THE CITY OF PARKERBURG

WHEREAS, the City of Parkersburg is the major population and employment center in the Mid-Ohio Valley, and

WHEREAS, the City is committed to providing area residents with the best quality of life; and

WHEREAS, this commitment includes making sure local residents have access to employment opportunities, decent and affordable housing and a diversified housing stock; and

WHEREAS, more than 64 percent of the City's housing units were built prior to 1960; and

WHEREAS, the City of Parkersburg recognizes that its median home value is 63 percent lower than the national average (2010 US Census) making it difficult to encourage new construction and/or reinvestment by property owners; and

WHEREAS, the City of Parkersburg desires to pursue all reasonable and legitimate incentive measures to assist with and encourage development throughout the City; and

WHEREAS, one mechanism to encourage development, is the establishment of a Real Property Tax Rebate Program for the construction, rehabilitation and/or remodeling of residential housing units, commercial structures or industrial buildings; and

WHEREAS, similar programs have been enacted in Cities across the United State to spur new construction and reinvestment; and

WHEREAS, the City of Parkersburg desires to enact such a program city-wide to encourage economic growth, as well as greater access to decent, affordable and diversified housing; and

WHEREAS, the Tax Rebate Program will create a regulatory environment that encourages young professionals, families, senior citizens and private developers alike to reinvest in the community; and

WHEREAS, property owners that utilize this program will be required to keep their properties in good condition/standing for the duration of their agreement with the City of Parkersburg; and

NOW THEREFORE, BE IT ORDAINED that the Council of the City of Parkersburg does hereby enact the following Real Property Improvement Tax Rebate Program.



I. Real Property Tax Rebate Eligibility, Terms and Conditions:

- a. The owner of any real property in the corporation limits of the City of Parkersburg may file an application with the City of Parkersburg's Finance Department to rebate said taxes for a period of 15 years for 100 percent of the increase in assessed taxes **payable to the City of Parkersburg** and attributable to the new construction and/or rehabilitation/remodeling of residential, commercial and industrial structures. More particularly;
 - i. All new construction of single-family, detached homes, multi-family investor owned properties, commercial structures and industrial buildings shall be eligible.
 - ii. The rehabilitation of an existing single-family, detached home, where the minimum cost of improvement equals or exceeds \$25,000 in private capital investment shall be eligible, provided that upon completion the structure is compliant with all applicable building codes.
 - iii. The rehabilitation of existing multi-family structures where the minimum cost improvement meets or exceeds \$15,000 per dwelling unit shall be eligible, provided that upon completion the structures are compliant with all applicable building codes.
 - iv. The rehabilitation of existing commercial structures and industrial buildings, where the minimum cost improvement equals or exceeds \$50,000 in private capital investment shall be eligible, provided that upon completion the structures are compliant with all applicable building codes.
- b. The City's Development Department, in coordination with the Finance Department and Public Works Department – Code Enforcement Division shall make annual inspections (physical or desk monitoring) of the properties for which a rebate has been granted under this ordinance to assess and determine if the building meets all code related requirements. The terms of said rebate may be terminated if one or both of the following occur:
 - i. Upon inspection the property is found to not be in compliance with applicable zoning, building or property maintenance codes.

- ii. The property owner is no longer in good standing with the City of Parkersburg with respect to City taxes and fees, or liens and/or judgements filed by the City or Parkersburg.
- c. Upon receiving a code violation report or notice of failure to maintain good standing from the City of Parkersburg, the property owner shall have thirty days to address the issue and/or make suitable arrangements with the City to come into compliance. Failure to respond and/or take action will result in the termination of the tax rebate program for that particular property and immediate demand for repayment of previously rebated funds in accordance with said agreement. Furthermore, it will disqualify said owner from applying for additional real property tax rebates in the future and taxes rebated.
- d. All applicants must be in good standing with the City of Parkersburg on the properties they own.

II. Administration of the Real Property Tax Rebate Program

The Real Property Tax Rebate Program shall be administered through the City's Finance Department, in conjunction with the Development Department. The Development Department shall serve as the repository for data collection and record retention, as well as the first point of contact for the program.

III. The program shall be effective upon passage and shall not be retroactive in its application.

**AN ORDINANCE AMENDING AND REENACTING MUNICIPAL
ORDINANCE SECTION 1301.03 COMPOSITION AND MEMBERSHIP,
OF ARTICLE 1301 PLANNING COMMISSION, FOR THE PURPOSE OF
REDUCING THE MUNICIPAL PLANNING COMMISSION TO ELEVEN
MEMBERS.**

WHEREAS, the Municipal Planning Commission of the City of Parkersburg is required to have a quorum present at public hearings in order to conduct business; and

WHEREAS, the membership of the Commission is currently set to fifteen members, thus requiring eight members to be present in order for a quorum to be attained; and

WHEREAS, the Commission currently only has eleven active members and therefore has issues having a quorum present for public hearings; and

WHEREAS, by reducing the membership of the Commission to eleven members, only six members would be required for a quorum; and

WHEREAS, the Municipal Planning Commission has reviewed, approved and recommended that Parkersburg City Council adopt the proposed change to the aforementioned ordinance;

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Parkersburg that Municipal Ordinance Section 1301.03 Composition and Membership, of Article 1301 Planning Commission, is hereby amended and reenacted in accordance with the proposed change attached hereto.

Sponsored by: Municipal Planning Commission

ARTICLE 1301
Planning Commission

- 1301.01 Purpose.**
- 1301.02 Established.**
- 1301.03 Composition and membership generally; vacancies.**
- 1301.04 Meetings.**
- 1301.05 Special meetings.**
- 1301.06 Quorum.**
- 1301.07 Officers.**
- 1301.08 City Council duties.**
- 1301.09 Planning Commission's powers and duties.**

CROSS REFERENCES
West Virginia Code 8A-1 et seq.

1301.01 PURPOSE.

It is the purpose of this article to have a planning commission to help the City to plan for land development, land use and the future; a plan and vision for the future when deciding uses for and development of land; to promote that sprawl is not advantageous to our City; that a comprehensive plan is the City's guide to goals and objectives and a way to meet these goals and objectives; that the needs of agriculture, residential areas, industry and business shall be recognized in future growth; that the growth of the City is commensurate with and promotive of the efficient and economical use of public funds; to promote growth that is economically sound, environmentally friendly and supportive of City livability to enhance quality of life.

(Ord. 0-1342. Passed 5-12-09.)

1301.02 ESTABLISHED.

There is hereby established a City Planning Commission.

(Ord. 0-1342. Passed 5-12-09.)

1301.03 COMPOSITION AND MEMBERSHIP GENERALLY; VACANCIES.

(a) The City Planning Commission shall consist of eleven members, all of whom shall be residents of the City, who shall be qualified by knowledge and experience in matters pertaining to the development of the municipality. Three-fifths of all of the members must have been residents of the City for at least three years prior to appointment and confirmation. The members must fairly represent different areas of interest, knowledge and expertise, including, but not limited to, business, industry, labor, government and other relevant disciplines. One member must be a member of City Council and one member must be a member of the administrative department of the City or a designee. The term of membership for these two members is the same as their term of office. The remaining members of the municipal planning commission first selected, shall serve respectively for terms of one year, two years and three years, divided equally or as nearly equally as possible between these terms. Thereafter, members shall serve three-year terms.

(b) Vacancies shall be filled for the unexpired term and made in the same manner as original selections were made.

(c) Nominations for municipal planning commission membership shall be made by the administrative authority and confirmed by City Council.

(Ord. 0-1342. Passed 5-12-09.)

1301.04 MEETINGS.

The Municipal Planning Commission shall meet at least quarterly and may meet more frequently at the request of the president or by two or more members.

(Ord. 0-1342. Passed 5-12-09.)

1301.05 SPECIAL MEETINGS.

(a) Notice for a special meeting must be in writing, including the date, time and place of the special meeting, and shall be sent to all members at least two days before the special meeting.

(b) Written notice of a special meeting is not required if the date, time and place of the special meeting are set in a regular meeting.

(Ord. 0-1342. Passed 5-12-09.)

1301.06 QUORUM.

The Municipal Planning Commission must have a quorum to conduct a meeting. A majority of the members of the planning commission is a quorum. No action of the planning commission is official unless authorized by a majority of the members present at a regular or properly call special meeting.

(Ord. 0-1342. Passed 5-12-09.)

1301.07 OFFICERS.

At its first regular meeting each year, the Municipal Planning Commission shall elect from its members a president and vice president. The vice-president shall have the power and authority to act as president of the planning commission during the absence or disability of the president.

(Ord. 0-1342. Passed 5-12-09.)

1301.08 CITY COUNCIL DUTIES.

(a) The City Council shall provide the Planning Commission with:

- (1) Suitable offices for the holding of meetings and the preservation of plans, maps, documents and accounts; and
- (2) Appropriate money to defray the reasonable expenses of the Planning Commission.

(b) The Municipal Planning Commission is authorized to accept gifts, funds and donations which will be deposited with the appropriate governing body in a special non-reverting planning commission fund to be available for expenditures by the planning commission for the purpose designated by the donor.

(Ord. 0-1342. Passed 5-12-09.)

1301.09 PLANNING COMMISSION'S POWERS AND DUTIES.

The Municipal Planning Commission has the following powers and duties:

- (a) Exercise general supervision for the administration of the affairs of the commission;
- (b) Prescribe rules and regulations pertaining to administration, investigations and hearings: Provided, that the rules and regulations are adopted by City Council;
- (c) Supervise the fiscal affairs and responsibilities of the commission;
- (d) With consent from the City Council, hire employees necessary to carry out the duties and responsibilities of the Planning Commission; Provided, that City Council sets the salaries;
- (e) Keep an accurate and complete record of all Planning Commission proceedings;
- (f) Record and file all bonds and contracts;
- (g) Take responsibility for the custody and preservation of all papers and documents of the Planning Commission;
- (h) Make recommendations to City Council concerning planning;
- (i) Make an annual report to City Council concerning the operation of the Planning Commission and the status of planning within its jurisdiction;
- (j) Prepare, publish and distribute reports, ordinances and other material relating to the activities authorized under this article;
- (k) Adopt a seal, and certify all official acts;
- (l) Invoke any legal, equitable or special remedy for the enforcement of the provisions of this article or any ordinance, rule and regulation or any action taken thereunder;
- (m) Prepare and submit an annual budget to the appropriate governing body;
- (n) If necessary, establish advisory committees;
- (o) Delegate limited powers to a committee composed of one or more members of the Commission; and
- (p) Contract for special or temporary services and professional counsel with the approval of City Council. Upon request, a county prosecuting attorney, the county surveyor, the county engineer, or any other county employee may render assistance and service to a planning commission without compensation.

(Ord. 0-1342. Passed 5-12-09.)

**AN ORDINANCE AMENDING AND REENACTING MUNICIPAL
ORDINANCE 1347 RESIDENTIAL DISTRICTS, FOR THE PURPOSE OF
ESTABLISHING A SMALL HOME OVERLAY DISTRICT.**

WHEREAS, the City of Parkersburg is committed to diversifying and revitalizing its housing stock; and

WHEREAS, the City of Parkersburg has identified this overlay district as a preferred location for small homes to be built, as they more closely resemble the current housing stock in this area; and

WHEREAS, the concept of a planned pocket neighborhood is established as an option for small home development; and

WHEREAS, the City of Parkersburg is committed to making sure small homes provide a high quality of living, by requiring a minimum of 250 square feet per resident, permanent foundations, and permanent utilities; and

WHEREAS, mobile homes, campers, and converted storage buildings will not be permitted; and

WHEREAS, the Municipal Planning Commission has reviewed, approved and recommended that Parkersburg City Council adopt the proposed changes to the aforementioned ordinance;

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Parkersburg that Municipal Ordinance 1347 Residential Districts, is hereby amended and reenacted in accordance with the proposed changes attached hereto.

Sponsored by: Municipal Planning Commission

1347.06 SMALL HOME OVERLAY DISTRICT USE REGULATIONS

- (a) Purpose and Scope. The purpose of the Small Home Overlay District is to encourage the development of a high-quality residential district of small homes for single residents or small families.
- (b) Creation and Boundaries.
- (1) There is hereby created a Small Home Overlay District whose boundaries are described as follows:
 - A. Beginning at the centerline intersections of Spring and 16th Streets; thence with the centerline of 16th Street in a southeasterly direction, to the centerline of St. Mary's Avenue; thence with the centerline of St. Mary's Avenue, in a southwesterly direction, to the centerline of 15th Street extended; thence with the centerline of 15th Street in a southeasterly direction, to the centerline of Latrobe Street; thence with the centerline of Latrobe Street, in a southwesterly direction, to the centerline of 14th Street; thence with the centerline of 14th Street, in a northwesterly direction to the centerline of Latrobe Street extended; thence with the centerline of Latrobe Street in a southwesterly direction, to the centerline of 13th Street; thence with the centerline of 13th Street in a southeasterly direction, to the centerline of Stephenson Avenue; thence with the centerline of Stephenson Avenue, in a southwesterly direction to its terminus, south of East 12th Street; thence with a line of the Board of Education, Deed Book 182 Page 437, in a northwesterly direction, to the rear lot lines extended, of lots fronting on the east side of Laird Avenue; thence with the rear lot lines of lots fronting on the east side of Laird Avenue, in a southwesterly direction, to the centerline of Virginia Avenue extended; thence with the center line of Virginia Avenue and its extension, in a northwesterly direction, to the centerline of Latrobe Street; thence with the centerline of Latrobe Street, in a southwesterly direction, to the centerline of Wood Street extended; thence with the centerline of Wood Street, in a northwesterly direction, to the centerline of the unnamed alley lying west and parallel to Lynn Street; thence with the centerline of the unnamed alley lying west and parallel to Lynn Street, in a northeasterly direction, to the centerline of the first unnamed alley lying south and parallel to 13th Street; thence with the centerline of the first unnamed alley lying south and parallel to 13th Street, in a southeasterly direction, to the centerline of Lynn Street; thence with the centerline of Lynn Street, in a northeasterly direction, to the centerline of 13th Street; thence with the centerline of 13th Street, in a northwesterly direction, to the centerline of Spring Street extended; thence with the centerline of Spring Street, in a northeasterly direction to the place of beginning.
- (c) Principle Permitted Uses.
- (1) Residential. Single resident or small, single-family detached dwellings.
 - (2) Agriculture. The growing of vegetables, fruits, flowers, shrubs and trees when not primarily for gain.
 - (3) Off-street parking facilities
- (d) Principal Conditional Uses. When authorized by the Board of Zoning Appeals in accordance with Section 1329.05(b).
- (1) Recreational.
 - A. Parks, playgrounds, community centers, publicly owned and operated, including such structures as are necessary for their operation, and concessions by the City, located therein.
- (e) Accessory Permitted Uses. Any accessory use customarily incidental to a principal permitted use, including the following:
- (1) Fences or walls six feet in height or under.
- (f) Accessory Conditional Uses. Any accessory use customarily incidental to a principal conditional use, including the following, when authorized by the Board of Zoning Appeals, after a finding that such accessory use meets the requirements and conditions specified in this section, provided further that any accessory conditional use shall meet the requirements and conditions specified in Section 1329.05(b).

- (g) A small home will also be permitted within a planned pocket neighborhood. A pocket neighborhood is defined as meeting the following requirements:
- (1) A minimum of 4 small homes per pocket neighborhood.
 - (2) Centralized common area. The common open space area shall include usable public spaces such as lawn, gardens, patios, plazas or scenic viewing area.
 - A. Four hundred square feet of common open space is required per unit.
 - B. All units must have their main entry on the common open space.
 - C. All units must be within five feet of each common open space(s). Setbacks cannot be counted towards the common open space calculation.
 - D. The principal common open space must be located centrally to the project. Additional common open space can only account for twenty-five percent of the total requirement with trails and pathways connecting the total development. Passive trails are allowed and may count towards the common open space requirement.
 - E. Community buildings can be counted towards the common open space calculation.
 - F. Small homes must surround the common open space on a minimum of two sides.
 - G. Common open space shall be located outside of stormwater detention/retention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten percent.
- (h) Requirements. The following, per unit, requirements shall be observed, except as modified hereinbefore, in accordance with the provisions of Article 1361.
- (1) Maximum height. 25 feet.
 - (2) Maximum square footage. 1,250 square feet.
 - (3) Minimum of 250 square feet of floor space for each occupant.
 - (4) Minimum lot area. 5,000 square feet, exclusive of any common space
 - (5) Minimum yards.
 - A. Front yard: 10 feet.
 - B. Side yard: There shall be a minimum side yard of ten feet. One side yard may be reduced to zero feet if the other is a minimum of ten feet. In no case shall a combination of side yards be allowed which would create a separation of less than ten feet between nonattached structures.
 - C. Rear yard: 25 feet.
 - (6) Off-street parking and loading. See Article 1363.
 - (7) Homes must have a permanent foundation, permanent utilities, and may be stick-built or pre-fabricated.
 - (8) Mobile homes, campers, and converted storage buildings will not be permitted.
 - (9) The regulations of the 2015 International Residential Code (IRC) and 2014 National Electric Code (NEC) must be followed.
 - (10) Construction is subject to all applicable inspections and permit processes by the City Code Department.

Definitions:

Passive trails – Pathways utilized primarily for recreational walking.

Permanent foundation – A permanent foundation is constructed with durable materials, such as concrete or mortared masonry. The foundation must be built on site. In cases of manufactured small homes, the foundation must have attachment points to anchor and stabilize the home so that all loads are transferred to the underlying soil or rock.

Permanent utilities – Water and electric are permanently installed in the structure.