

AGENDA FOR PARKERSBURG CITY COUNCIL,  
TUESDAY, JANUARY 14, 2020 7:30 PM  
SECOND FLOOR, COUNCIL CHAMBERS  
MUNICIPAL BUILDING

- I. CALL TO ORDER – Council President, Mike Reynolds
- II. ROLL CALL
- III. MINUTES – Council meeting December 17, 2019
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
  - A. City Council committee announcement for 2020, President Mike Reynolds
- V. MESSAGE FROM THE EXECUTIVE
  - 1. Mayor Tom Joyce requests confirmation for re-appointment for Mr. Phil Kincaid, 1702 Washington Avenue, and Mr. Matt Shea, 1424 Washington Avenue, as members of the Washington Avenue Architectural Review Board through February 14, 2023.
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. ORDINANCE, FINAL READING:
  - 2. (third and final reading) An ordinance amending and re-enacting Article 1347 for the purpose of establishing a small home overlay district. (Municipal Planning Commission) Line moved from Spring Street to St. Mary's Avenue.
- XI. ORDINANCE, FIRST READING
  - 3. An ordinance amending our list of holidays for City employees to include a full day for Christmas Eve. (pending approval of Personnel Committee)
- X. ADJOURNMENT

NOTE – next meetings January 28<sup>th</sup>, February 11<sup>th</sup>, and February 25<sup>th</sup>, 2020

The Council of the City of Parkersburg met in regular session Tuesday, December 17, 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 December 10, 2019. With no corrections or additions, the minutes were approved as previously distributed.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – no reports this evening.

At this time, the City Clerk opened the floor for nominations for the position of President of City Council for 2020.

MOTION – Mr. McCrady moved, seconded by Ms. Kuhl, to nominate Councilman Mike Reynolds as President.

There were no other nominations, the nominations were declared closed, and by voice vote Councilman Reynolds will be President of City Council for 2020.

The Clerk opened the floor for nominations for the position of Vice President of City Council.

MOTION – Ms. Kuhl moved. Seconded by Mr. Mercer, to nominate Councilman John Reed for Vice President.

MOTION – Mr. Barber moved, seconded by Mr. Carpenter, to nominate Councilman Jeff Fox for Vice President.

There were no other nominations, the nominations were closed, and by voice vote Councilman John Reed will be Vice President, as follows: Voting for Mr. Reed – Mr. McCrady, Ms. Kuhl, Mr. Mercer, Mr. Reed, and Mr. Reynolds. Voting for Mr. Fox – Mr. Barber, Mr. Carpenter, Mr. Stanley and Mr. Fox.

MESSAGE FROM THE EXECUTIVE – no message this evening.

PUBLIC FORUM – Mr. James Hickman, 801 Jennie Lou Street, Belpre, Ohio, who owns 1341, 1342 and 1343 Lynn Street, PKB appeared again about a sign for 14<sup>th</sup> and Lynn and radar for that area. City Attorney, Joe Santer, stated that there is a regulation not to use stop signs for speed control.

Sherry Dugan, Wharton Drive, read a letter from Fuchsia Saarinen from the Avery Historic District, asking them to reconsider the proposed boundaries for the small home overlay district, and move it from Spring Street back to St. Mary's Avenue. This move would protect the Avery Historic District from possible adverse influence in this experimental project. She wished the City success, with hopes they will request a zoning appeal to be included in the future.

Mr. Shawn Stark, 1509 Spring Street, said he owns three homes on Avery Street and has invested \$150,000.00 in renovations. Their neighborhood should be families, he said, and stated that most tiny homes are owned by one occupant, and he does not think Spring Street should be included.

CITY COUNCIL FORUM – Mr. Barber suggested that the Administration address traffic issues, signs and petitions as it is a police issue.

RESOLUTION

RESOLUTION ACCEPTING THE DONATION OF FIVE UNDEVELOPED PARCELS OF LAND TO THE CITY OF PARKERSBURG

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

WHEREAS, Johnson T. Janes Park was established in 1992 as a 94 acre nature preserve and conservation park in the City of Parkersburg, and

WHEREAS, Johnson T. Janes Park was designated recognized as a Community Forest by the Old-Growth Forest Network in September 2018, and

WHEREAS, Candace Dollman of Parkersburg owns five undeveloped parcels of land (City Tax Map 36, Parcels 130, 131, 132, 133 and 134) in the City of Parkersburg;

WHEREAS, the above mentioned properties encompasses approximately 0.65 acres of land (see Exhibit A), and WHEREAS, said properties are adjacent to an unimproved City right-of-way and Johnson T. Janes, and WHEREAS, the owner of said properties wants to donate them to the City of Parkersburg, and WHEREAS, if approved by Parkersburg City Council, the above mentioned properties would be rezoned as Recreation and consolidated with the Johnson T. Janes Park

December 17, 2019

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Parkersburg does hereby accept the donation of City Tax Map 36, Parcels 130, 131, 132, 133 and 134 to the City of Parkersburg and that Mayor Tom Joyce is hereby authorized execute any and all documents related to said conveyance of property to the City of Parkersburg.

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

#### RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City enter into an agreement with the Wood County Recreation Commission to provide staff and management for the City Park Pavilion Ice Skating Rink in the year 2020. A copy of said Agreement is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that Mayor Tom Joyce is authorized to sign said agreement for and on behalf of the City.

#### CITY PARK PAVILION ICE SKATING RINK STAFFING AGREEMENT

This agreement between the Wood County Recreation Commission (Wood County Rec.) and the City of Parkersburg (City), is to provide staff and management of staff by Wood County Rec. for the City Park Pavilion Ice Skating Rink, in accordance with the following:

Operational Times:

Dates of Operation:

December through March

Hours of Operation:

For specific hours see City of Parkersburg City Park Ice Skating Rink Rules and Regulations, Exhibit A attached hereto.

Scope of Services: Provided by Wood County Recreation:

- Provide staff (Minimum 2 individuals during each hour of operation.)
- Management of staff and operations.
- Hiring and recruiting.
- Staff training.

Payments: Wood County Recreation shall perform the work and services set forth above at a cost to the City as follows:

Initial payment upon execution of this agreement - \$1,000.00.

A payment equal to 100% of all rental fees, exclusive of any skate rental, to be paid on a monthly basis (10 days EOM).

The City of Parkersburg further agrees to pay Wood County Recreation, if warranted, at the conclusion of the ice skating season, and upon review and approval, a supplemental payment equal to any difference between the above described payments and the actual staffing costs experienced by the Wood County Recreation under this agreement for staff and staff management in the operation of the ice skating rink. Any such supplemental payment shall be made after such request for such payment is reviewed and approved by the City of Parkersburg through its Finance Department.

Wood County Recreation agrees upon its request for any supplemental payment to provide the City of Parkersburg with the following:

All operating activity (receipts and expenses incurred) must be presented in acceptable summary form with individual transactions properly substantiated with adequate documentation including, but not limited to, bank deposit receipts, invoice and payment vouchers, employee time sheets and related payroll registers, and all other supporting documentation.

There is excepted from such supplemental payment any staffing or management provided by the Wood County Recreation for its recreational programming for youth.

First Aid Kit: The City agrees to be responsible for supplying and maintaining a stocked first aid kit.

Opening Work: Wood County Recreation shall make the ice skating rink "ready for skating" by the following:

1. Clear the rink of any dust, dirt, debris, or other objects.
2. Surface is to be cleaned by sweeping. Personnel shall wear shoe coverings while on surface. No street shoes permitted on surface.
3. Make sure surface is ready for skaters.

Personnel: Wood County Recreation personnel who work at the City Park Pavilion Ice Skating Rink shall be personnel of Wood County Recreation and be directed solely by Wood County Recreation.

1. Wood County Recreation shall maintain at its own expense a sufficient number of personnel to perform its responsibilities hereunder (minimum of two individuals during each hour of operation.) Wood County Recreation shall have sole and complete authority for recruiting, hiring, training, supervising, compensating, and disciplining such personnel and for establishing the terms and conditions of their work environment. All such personnel shall be under the exclusive direction and control of Wood County Recreation.
2. Personnel shall have the authority to discipline skaters and any and all other persons within the facility, within their best judgement and sole discretion consistent with the published and posted rules of the City.
3. Personnel are not required to tolerate abusive language or physical confrontations by facility members or guests. If either occurs, the facility member or guest will be required to leave the active area and/or premises at the request of personnel. Should guest not comply, the local authorities shall be called. Wood County Recreation has the authority to call the appropriate law enforcement authority for assistance if necessary.
4. The City of Parkersburg remains solely responsible for decisions to readmit anyone temporarily banned from City of Parkersburg's facility. Decisions to temporarily ban or readmit violators shall be immediately conveyed in writing between the parties to this Agreement.
5. Anyone not abiding by the rules or blatantly disregarding them shall be warned and may be asked to leave the Facility. Should any individual pose an ongoing problem, that matter will be brought to the attention of Wood County Recreation's office and City of Parkersburg's contact person.
6. Wood County Recreation's staff shall supervise personnel.

Additional Personnel: Upon the mutual agreement between the City of Parkersburg and Wood County Recreation, Wood County Recreation agrees to schedule personnel for extra hours of operation at the request of the City of Parkersburg and subject to the following:

1. Whereas Wood County Recreation shall schedule personnel for extra hours of operation, the City of Parkersburg agrees to be responsible for giving the Wood County Recreation no less than seven (7) days of prior written notice. Additional hours are subject to the availability of personnel. If the City of Parkersburg requests additional personnel within a 7-day window, Wood County Recreation will exercise reasonable efforts to accommodate the schedule change.
2. Wood County Recreation shall not schedule any personnel beyond the hour of 10:00p.m.

Insurance/Liability: Wood County Recreation shall maintain the following coverage:

1. Worker's Compensation Insurance covering all persons engaged on behalf of Wood County Recreation in the performance of the terms of this agreement.
2. General liability insurance in the amount of \$1,000,000.00.  
Wood County Recreation agrees to supply copies of certificates of insurance to the City of Parkersburg verifying the above listed coverage.

Use of Facility by Wood County Recreation for its Recreational Programming:

Wood County Recreation shall be permitted to utilize the City Park Pavilion Ice Skating Rink in its recreational programming for youth outside of the regularly scheduled hours of operation and as approved by the City of Parkersburg. Such approval shall not be unreasonably withheld by the City of Parkersburg.

City of Parkersburg  
City Park Pavilion Ice Skating Rink Rules and Regulations  
(Supplement to City Rules and Regulations for City Parks)

1. Normal hours of operation:  
December through March:
  - Friday: 6:00PM to 9:00PM (open skate)
  - Saturday: 2:00PM to 3:00PM (limited to children 7 years of age and younger.)  
4:00PM to 7:00PM (open skate)  
7:00PM to 9:00PM (teen skate ages 13 through 19 years.)
  - Sunday: 2:00PM to 5:00PM (open skate)
2. All individuals utilizing the ice skating rink must wear ice skates while on the ice. (No street shoes, athletic shoes, etc. permitted on the ice.)
3. Due to a limited number of available rental ice skates, skate rentals are restricted to 1 hour per individual.
4. Personal ice skates are permitted.
5. All children under the age of 12 years must be accompanied by a responsible adult.

December 17, 2019

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

ORDINANCE, FINAL READING:

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.

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.)

MOTION – Mr. Stanley 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 AMENDING AND RE-ENACTING  
MUNICIPAL ORDINANCE 1347, RESIDENTIAL DISTRICTS,  
FOR THE PURPOSE OF ESTABLISHING A SMALL  
HOME OVERLAY DISTRICT

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

MOTION TO AMEND – Mr. Carpenter moved, seconded by Mr. Fox, to amend the ordinance to move the boundary line from Spring Street to St. Mary's Avenue.

Mr. Carpenter said he has talked with many people in his district. Because this is new, they would like the boundary moved, and if it is successful and as we have planned, they may consider it at a later time. But right now, they don't know what this will do because this is about pocket neighborhoods. If there would be a project in the works, there is no reason we couldn't go to URA and move it, but the residents want the boundary to be St. Mary's Avenue, Mr. Carpenter said.

People can build a small home in these areas now, Mr. Reed stated, if zoning permits it, but the Avery Street District would have to review the process, Mr. Yeager said. They can apply as long as it meets zoning requirements.

To say that this would hurt the district is laughable, Mr. Barber stated. Any development is good, and he asked Council to reject the amendment.

One element of this, Mr. Reed stated, is tiny homes, and they can still be built. The other element is pocket homes, and you will need 5,000 square feet, with a minimum of four small homes per pocket neighborhood, and that is unlikely. He sees no harm in the amendment.

Mayor Joyce stated that our research indicated that one of the goals is for people not to buy storage sheds or campers for housing.

The amendment was adopted by majority vote with all members voting "yes" with the exception of Mr. Barber, who voted "no".

The motion, as amended, was adopted by unanimous vote. This ordinance will require a third reading.

ORDINANCE, FINAL READING:

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

Whereas the City of Parkersburg, with the financial assistance of the Ross Foundation, is in the process of obtaining and setting up an ice skating rink;

Whereas the ice skating rink will be located indoors at the City Park Pavilion; and

Whereas it is anticipated that the ice skating rink will be up and ready for use in late December 2019 or early January of 2020.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that effective with the passage of this Ordinance that the rates for the use of the City Park Pavilion Ice Skating Rink shall be as follows:

City Park Pavilion Ice Skating Rink:

Admission for skaters: \$2.00 per individual.

Skate rental (1 hour time limit): \$4.00 per individual.

After hours private rental of rink, exclusive of any skate rentals: \$35.00 per hour.

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

At 8:05 PM, President Reynolds declared a public hearing open to give the citizens an opportunity to voice their opinion on this ordinance. No one appeared and the hearing was declared closed at 8:06 PM.

VOTE – the motion was adopted by unanimous vote.

The meeting adjourned at 8:06 PM.



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

January 7, 2020

Members of Parkersburg City Council  
Parkersburg, WV 26101

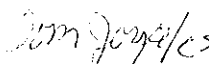
Dear Councilmen:

The terms of Mr. Phil Kincaid, 1702 Washington Avenue, and Mr. Matt Shea, 1424 Washington Avenue, will expire very soon on the Washington Avenue Architectural Review Board.

Both of these gentlemen have been good members, and are willing to serve another term. I therefore request your confirmation of Mr. Kincaid and Mr. Shea to be re-appointed to that Board for terms to end February 14, 2023.

Thank you.

Sincerely,

  
Tom Joyce  
Mayor

TJ:cs

**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





**CITY OF PARKERSBURG**  
Department of Public Works  
Engineering Division  
**PROPOSED SMALL HOME  
OVERLAY DISTRICT**

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that effective upon passage of this ordinance, Section IX, Benefits, Part A of the City of Parkersburg Personnel Policy and Procedure Manual be, and hereby is, amended and reenacted in its entirety as follows:

A. HOLIDAYS

The City shall observe holidays as designated and set forth in West Virginia Code 2-2-1. In addition, the City shall observe a full-day holiday for Christmas Eve, December 24, but only if said Christmas Eve falls on a weekday (M-F). As such if December 24 falls on a Saturday or a Sunday no holiday will be observed for Christmas Eve. In the event December 25 falls on a Saturday and is therefore by law observed on the preceding Friday, December 24, then the Christmas Eve holiday will be observed on the preceding Thursday, December 23. Prior to the beginning of each calendar year employees will receive a list of the holidays for that year.

Supervisors shall make reasonable accommodation to an employee's religious holidays as required by law. The time off for such holidays shall be charged against the employee's accrued annual leave and application therefore shall be the same as applications for annual leave.

Holiday pay is covered under the Compensation Plan.