

AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, NOVEMBER 24, 2020 7:30 PM
MEETING IN CITY COUNCIL CHAMBERS,
SECOND FLOOR, MUNICIPAL BUILDING

ALL ATTENDING RESPECTFULLY REQUIRED TO
WEAR A MASK OR FACE COVERING,
6' SOCIAL DISTANCING WILL BE OBSERVED

- I. CALL TO ORDER - Council President, Mike Reynolds
- II. ROLL CALL
- III. MINUTES - Council meeting held November 10, 2020
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTIONS
 1. Resolution re-appointing Mr. Tim Utt, Willoughby Drive, Parkersburg, WV to the Downtown Façade Committee for a term to end January 1, 2024. (Sponsored by Councilmen Carpenter, Kuhl and Mercer.)
 2. Resolution authorizing Mayor Tom Joyce to submit the 2020 Annual TIF report for the Avery Court Redevelopment District #3, to the WV Development Office. (Sponsored by Councilmen McCrady, Reynolds, Reed, and Stanley)
- PUBLIC HEARING
- IX. ORDINANCE, FINAL READING:
 3. An ordinance setting the salary for the Mayor of the City of Parkersburg to be Ninety Thousand Dollars (\$90,000.00) (Sponsored by Councilmen McCrady, Kuhl, Mercer, Barber, Stanley and Reed.)
 4. An ordinance amending and re-enacting the Personnel Policies and Procedures Manual of the City of Parkersburg including sections for FMLA, Military Leave, PERS, Sick Leave, and Motor Vehicle Records. (Sponsored by the Personnel Committee)
 5. An ordinance creating a new position in the Police Department for a homeless coordinator. (Sponsored by the Personnel Committee)
- X. ADJOURNMENT

Next meetings Dec. 8 & 22nd, then January 5, 2021

The Council of the City of Parkersburg met in regular session Tuesday, November 10, 2020 at 7:30 PM, in the City Council Chambers on the second floor of the Municipal Building at One Government Square, Parkersburg, WV 26101.

The meeting was called to order by Council President, Mike Reynolds, who presided over the meeting. Those attending included Councilmen Dave McCrady, Sharon Kuhl, Bob Mercer, Eric Barber, JR Carpenter, John Reed, Zach Stanley, and Jeff Fox. Council President Mike Reynolds was absent.

MINUTES – the clerk presented the minutes from the meeting held October 27, 2020, and with no amendments, they were adopted as previously distributed.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Chairman Kuhl reported that the Personnel Committee met prior to this meeting and recommended three items for approval by Council on the agenda this evening.

MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce announced that tomorrow, November 11th, at 10:00 a.m., the American Legion would be meeting at the memorials at the City Park for Veteran’s Day. Mayor Joyce also thanked students from Edison Middle School for placing veteran signs in front of the Municipal Building and said it was nice to see our young people involved in this holiday.

PUBLIC FORUM – No one appeared.

CITY COUNCIL FORUM – None.

RESOLUTIONS

A RESOLUTION PROCLAIMING NOVEMBER 16TH-20TH 2020 AS NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK IN PARKERSBURG WV

WHEREAS, for over 25 years the National Coalition for the Homeless and the WV Coalition to End Homelessness have worked diligently to assist persons in need of safe suitable housing; and

WHEREAS, the purpose of the proclamation is to educate the public about the many reasons people are hungry and homeless; and to encourage support for initiatives to empower those to make life choices to end homelessness; and

WHEREAS, there are many organizations committed to sheltering and providing supportive services experiencing homelessness including: Salvation Army, Westbrook Health Services, and the United Way

THEREFORE, BE IT RESOLVED that Parkersburg Mayor Tom Joyce hereby proclaims November 16-20, 2020 as National Hunger and Homelessness Awareness Week.

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

RESOLUTION

WHEREAS, the City of Parkersburg is permitted to have three members on the Wood County Recreation Commission; and

WHEREAS, a vacancy has occurred due to the resignation of Mr. John Marlow; and

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Mayor Tom Joyce, 2102 Foley Drive, Parkersburg WV be appointed to serve a three year term which will expire November 10, 2023.

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

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:

2020 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
Stormwater lining Project (Lynn/Latrobe Alley)	\$ 200,000.00	\$ 112,100.00	\$ (87,900.00)
Stormwater lining Project (Lenore Street)	\$ -	\$ 87,900.00	\$ 87,900.00
Totals	\$ 200,000.00	\$ 200,000.00	\$ -

2018 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
Stormwater lining Project (Lenore Street)	\$ -	\$ 35,346.15	\$ 35,346.15
Quincy Hill Fitness Park	\$ 35,346.15	\$ -	\$ (35,346.15)
Totals	\$ 35,346.15	\$ -	\$ -

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

Councilman Carpenter asked the Mayor what our plans were for Quincy since we were moving funds from that project for a stormwater project. Mayor Joyce stated that there was too much vandalism in Quincy Park, and until we get some improved numbers on homeless people, he does not want to expend funds there. A fitness area at Quincy would be used, but the vandalism is constant, he said. The stormwater project on Lenore Street is a good project and this is a better use of funds, he said. This was an easy decision for him, the Mayor said, and we will revisit Quincy in the future, as Council controls the budget. We improved the lighting at Quincy Park, but that did not help. The bathrooms have been destroyed, and new equipment would mean more items to destroy, he said.

VOTE – the motion was adopted by unanimous vote.

RESOLUTION

RESOLUTION AMENDING THE RULES AND REGULATIONS FOR THE PARKERSBURG FIRE DEPARTMENT

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Rules and Regulations of the Parkersburg Fire Department shall be amended in Chapter 10, 11, and 13; and by adding a new Chapter 14, attached hereto by reference. (See file #9406 for 25 page document)

The new rules were discussed thoroughly during the Personnel Committee meeting prior to Council, with a unanimous motion to ask for Council's approval.

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

ORDINANCE, FIRST READING:

AN ORDINANCE AMENDING AND RE-ENACTING THE CITY OF PARKERSBURG PERSONNEL POLICY AND PROCEDURE MANUAL (Mayor \$90,000.00)

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

Councilman Carpenter asked what the basis of the increase was with no previous discussion. Councilman Reed stated that the last time Council considered an increased, the amount was reduced. Mr. Stanley said it had been proposed to be \$90,000.00 then, but amended down to \$80,000.00. The Mayor's position now pays \$7,500.00 than the department heads, and to get the best of the best for that position, it should be increased. There are great responsibilities that go with being Mayor for Parkersburg, he said.

Mr. Barber agreed. Being Mayor of Parkersburg is like running a big company, and the salary should be enough in the future to attract capable people. The position is the focus, he said, not the person.

Mr. Reed then said that the Charleston Mayor makes \$125,000 with a manager; \$Huntington Mayor makes \$114,000 with a manager; Morgantown \$138,000 with a manager.

We are not Charleston, Mr. Carpenter stated. The average salary for Mayor in WV is \$58,000.00. Our growth is less.

The population may be down, Ms. Kuhl staged, but the needs are increasing and there is a lot more responsibility because of that. We need to be competitive, she said.

Councilman Fox asked if consideration had ever been given to allow for a percentage increase like the other employees receive. Mr. Santer said the Mayor's increase is effective January when they take office. He reminded them you can't give increases to elected officials while they are serving their term.

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

ORDINANCE, FIRST READING:

AN ORDINANCE AMENDING AND RE-ENACTING THE CITY OF PARKERSBURG PERSONNEL AND PROCEDURE MANUAL (FMLA, Military leave, PERS, Sick leave, and Motor Vehicle records review)

MOTION – Mr. Stanley moved, seconded by Mr. Fox, to adopt the ordinance on first reading and the motion was adopted by unanimous vote. (Having been discussed at length during the Personnel Committee)

ORDINANCE, FIRST READING:

AN ORDINANCE CREATING A HOMELESS
OUTREACH COORDINATOR IN THE
PARKERSBURG POLICE DEPARTMENT
(H-8 position)

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


The meeting adjourned at 7:45 PM.

Connie Skypa

City Clerk

Council President

RESOLUTION



BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Mr. Tim Utt, 1537 Willoughby Drive, Parkersburg WV, be re-appointed to the Downtown Façade Committee with a three-year term to expire January 1, 2024.

Sponsored by Councilmen Carpenter, Kuhl and Mercer

**RESOLUTION AUTHORIZING MAYOR JOYCE TO SUBMIT THE 2020 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 2019 was \$0.00, and

WHEREAS, the amount of disbursements from the tax increment financing fund during the most recently completed fiscal year was \$27,450.29, 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 2020 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: McCrady, Reynolds, Reed and Stanley

**WEST VIRGINIA
TAX INCREMENT FINANCING**

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

Date of Report: October 23, 2020

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**

**2020 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	\$603,420.00

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 - \$1,413,540; 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: **\$1,413,540**
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: **\$1,469,700**
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. **This information was submitted to the WV Development Office previously.**
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	\$ 27,450.29
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	\$ 27,450.29

Since 2009, the developer has been reimbursed a total of \$205,432.96 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
2018/2019	2019/2020	10/15/2020	\$ 27,450.29	\$ 205,432.96

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: **\$1,794,567.04**
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 23, 2020 and a public hearing is scheduled for November 24, 2020 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 will be 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. **As it pertains to new business or development activity, there are no new updates since the previous report. However, the City of Parkersburg, in conjunction with the WV Division of Highways, completed a sidewalk improvement on Avery Street in 2019. The project included new sidewalks and ADA improvements (where applicable), as well as new LED light fixtures for the existing power poles. Total project cost was approximately \$500,000.**

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 **November 24, 2020 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. The project is complete.

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. In tax year 2019, the TIF Fund disbursed \$27,450.29. Total outstanding tax increment financing obligation is \$1,794,567.04.

Further additional 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 OCTOBER 23, 2020. 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.

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



BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that effective January 1, 2021, the annual salary for the elected position of Mayor of the City of Parkersburg will be Ninety Thousand Dollars (\$90,000.00)

Sponsored by Councilmen McCrady, Kuhl, Mercer, Barber, Stanley, and Reed

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

MO

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that sections of the Personnel Policy and Procedures concerning FMLA, Military leave, PERS, Sick leave, and Motor Vehicle Records Review be and are hereby amended and re-enacted, as attached.

Pending approval of the Personnel Committee for November 10, 2020

revised

A. THE FAMILY AND MEDICAL LEAVE ACT OF 1993

(Amended 2-24-09)

It is the policy of the City of Parkersburg to grant up to 12 weeks of family and medical leave during any 12-month period to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA) and up to 26 weeks of leave in any 12-month period in compliance with the expansion of FMLA under The Support for Injured Service Members Act of 2007. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

The City of Parkersburg requires all absences due to illness or injury be covered under Family Medical Leave Act (FMLA). Employees on a 40-hour work week will be required to apply for FMLA if absence exceeds five workdays. Firefighters on a 54-hour work week will be required to apply for FMLA if absence exceeds seven (7) consecutive calendar days. Under certain circumstances, leave may be taken intermittently or on a reduced leave schedule.

A summary of the Act is as follows:

1. "Eligible employees" are those who have been employed for at least 12 months, and who have provided at least 1,250 hours of service during the 12 months before leave is requested.
2. An eligible employee is entitled to 12 weeks of leave during any 12-month period for the following reasons:
 - a) The birth of a child and in order to care for that child;
 - b) The placement of a child for adoption or foster care and to care for the newly placed child;
 - c) To care for a spouse, child or parent with a serious health condition;
 - d) The serious health condition of the employee;
 - e) A covered service member's active duty or call to active duty in the Armed Forces wherein the employee experiences a "qualifying exigency" arising out of that fact (spouse, child or parent); or
 - f) To care for a covered service member's serious injury or illness (spouse, child, parent or next-of-kin). Leave to care for an injured or ill service member may extend up to 26 weeks in a 12-month period.

~~Under certain circumstances, leave may be taken intermittently or on a "reduced leave schedule".~~

3. The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves: (a) inpatient care in a hospital, hospice, or residential medical care facility; or (b) continuing treatment by a health care provider.
4. The term "serious injury or illness", in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness

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incurred by the member in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

5. The term "child" (son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is (a) under 18 years of age; or (b) 18 years of age or older and incapable of self-care because of a mental or physical disability.
6. The term "parent" means the biological parent of an employee or an individual who stood *in loco parentis* to an employee when the employee was a son or daughter.
7. The term "next of kin", used with respect to an individual, means the nearest blood relative of that individual.
8. The 12-month period in which the 12 weeks or 26 weeks of leave entitlement occurs shall be measured forward from the date any employee's first FMLA leave begins. An employee would be entitled to 12 weeks or 26 weeks of leave during the year beginning on the first date FMLA leave is taken; the next 12-month period would begin the first date FMLA leave is taken after completion of any previous 12-month period.
9. When both employees are employed by the City, they are jointly entitled to a combined total of 12 weeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent (but not a parent in-law) with a serious health condition. When both employees are employed by the City, they are jointly entitled to a combined total of 26 weeks of family leave to care for a covered injured or ill service member. Each employee will be eligible for (12) weeks for his/her own illness.
10. The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks (or 26 weeks to care for an injured or ill service member) over a 12-month period. The taking of leave intermittently or on a reduced leave schedule pursuant to this paragraph shall not result in a reduction in the total amount of leave to which the employee is entitled.
11. Leave for birth of a child, or placement for adoption or foster care of a child, shall not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the City mutually agree to the schedule. Leave for the birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.
12. If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the City before taking intermittent leave or working a reduced hour

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schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary. The City may require certification of medical necessity.

13. The City may require certification of the serious health condition. The employee must respond to such request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Certification of the serious health condition shall include the date when the condition began, its expected duration and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a family member who is seriously ill, the certification must include a statement that the patient, the family member, requires assistance and that the employee's presence would be beneficial or desirable. If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced schedule.
14. The City has the right to request a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. The third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.
15. Employees requesting FMLA leave for covered family member's active duty or call to active duty in the Armed Forces must provide proof of the qualifying family member's call-up or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication.
16. Employees requesting FMLA leave to care for an injured or ill service member must provide documentation of the family member's or next-of-kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the service member's injury or illness incurred on active military duty that renders the member medically unfit to perform his or her military duties.
17. Employees requesting FMLA leave must first use their paid sick leave and vacation leave as part of the 12 or 26 week leave provided in the law.
18. While an employee is on leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the

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employee's family member or a circumstance beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period. While on paid leave, the City will continue making payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make the premium contribution either in person or by mail.

19. An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or virtually identical in terms of pay, benefits and working conditions.
20. Leave will not result in the loss of any previously accrued seniority or employment benefits. Employees on FMLA leave will not receive holiday pay or holiday equal time off and will not accrue leave benefits.
21. "Key employees" are employees who are in the highest paid 10 percent of the employer's workforce. An employer may deny restoration if returning one of those employees to work would cause "substantial and grievous economic injury" to the employer's business. A "key employee" who takes leave is still eligible for continuation of health benefits, even if the employee has been notified that reinstatement will be denied.

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C. SPECIAL LEAVES (Adopted 07/01/2018)

Policy

The City of Parkersburg grants special leaves of absence to employees, with or without pay, as detailed in the following paragraphs:

1. Short-Term Military Leave: Short-term military leave with pay and full benefits is granted for training or short periods of active service for a maximum of thirty (30) working days, not to exceed two hundred forty hours in any calendar year, in the National Guard, State Guard, Naval Reserve, or reserve components of the armed forces when an employee is ordered, by properly designated authority, to engage in such service.

- This leave is granted to provide for military service ~~which does for a maximum not exceed of thirty (30) working days, not to exceed two hundred forty hours -in a calendar year.~~
- To qualify for the pay and benefits provided, the employee must show his/her final orders to his/her supervisor prior to reporting for training or duty.
- For the purpose of computing vacation or sick leave, short-term military leave will count as full service with the city.

2. Extended Military Leave: Extended military leave without pay or benefits shall be granted for a period of compulsory service or enlistment during a National Emergency.

Extended military leave is given those employees who are ordered or called to active duty under Title 10 of the United States Code by the properly designated federal authority for active military service or those who enlist. Such leave is without pay or benefits except that an employee who is ordered or called to such active duty shall receive pay and benefits for a maximum period of thirty (30) working days, not to exceed two hundred forty hours, for a single such call to active duty: Provided, that an employee so ordered or called to active duty who has not used all or some portion of the thirty (30) working days (240 hours) of short-term military leave granted in subsection (1) above shall be entitled to add the number of unused days from that calendar year to the thirty (30) working days (240 hours) granted by this subsection up to a maximum of sixty (60) days (480 hours) for a single order or call to active duty: Provided, however, that none of the unused days of short-term military leave granted by subsection (1) may be carried over and used in the next calendar year. Further such employee who is so ordered or called to active duty (and his/her dependents) shall continue to receive such medical and hospital insurance coverage as may be in effect and provided to other City employees, which health care coverage shall extend for a total maximum period of twelve (12) months and which twelve (12) months shall include any applicable period of coverage under the thirty (30) day plus thirty (30) day periods hereinbefore set forth above: Provided, however, that in no event shall such extended health care benefit continue after said employee obtains or receives health care coverage through the federal authorities or the military.

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If a unit of the National Guard or Reserve is ordered into active service, these rules will apply at the end of the thirty (30) days (240 hours) as provided for under Short Term Military Leave.

An employee shall be entitled to paid leave (special) in order to receive a physical examination for compulsory military service in the Armed Forces of the United States. Employees shall be entitled to such leave for a period not to exceed three (3) eight hour days. Employees wishing to enlist shall be permitted to take no more than one (1) eight hour day paid leave for an enlistment physical. Written evidence of the number of necessary days of absence may be required if there is a question concerning length of absence necessary.

Upon return from Extended Military Leave, employees will be returned to their former position or one of like responsibility. Application for return from leave must be made to the personnel department within sixty (60) days of discharge.

Replacements for employees leaving on Extended Military Leave will be hired with permanent status, ~~but~~status but are subject to lay-off when the employee on military leave returns.

When an employee who has been on Extended Military Leave returns, the employee will receive any wage adjustments and step increases that would be due as though the employee had been actively on the payroll.

~~A Leave of Absence Form will be submitted when employees leave on an Extended Military Leave. A Personnel Action Form will be submitted when the employee returns from leave.~~

Vacation and sick leave will accumulate during Extended Military Leave

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Civilian Employees (Members of the West Virginia Public Employees Retirement System):

Civilian employees hired prior to July 1, 2015 May elect to acquire additional credited service under the Public Employees Retirement System as follows:

- Receive one month of service credit for each ten days of unused sick leave. However, such credited service shall not be used in meeting initial eligibility for retirement; or
- May elect to use such leave to purchase health insurance as provided herein.
 - Policyholder Only Health Insurance Coverage:
3 Days Sick Leave = 1 Month Premium* [to a maximum based upon the current rate under the PEIA PPB Plan A (25 or more years of service -tobacco-free)].
 - Policyholder with Non-Medicare Dependents Health Insurance Coverage:
5 Days Sick Leave = 1 Month Premium* [to a maximum based upon the current rate under the PEIA PPB Plan A (25 or more years of service – tobacco-free)].
 - Maximum Premium Conversion – Three Years (36 Months) or until policyholder is eligible for Medicare coverage.
 - Sick days will not be pro-rated.
 - Any employee hired on or after July 1, 2010 will not receive any plan subsidy on their health insurance premium at the time of their retirement.

◊ If hired on or after July 1, 2015 employee may only use sick hours to purchase health insurance.

Unused leave CANNOT be used for both options.

Civil Service Employees

May elect to use such leave to purchase health insurance as provided herein.

- Policyholder Only Health Insurance Coverage:
3 Days Sick Leave = 1 Month Premium* [to a maximum based upon the current rate under the PEIA PPB Plan A (25 or more years of service -tobacco-free)].
- Policyholder with Non-Medicare Dependents Health Insurance Coverage:
5 Days Sick Leave = 1 Month Premium* [to a maximum based upon the current rate under the PEIA PPB Plan A (25 or more years of service – tobacco-free)].

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- Maximum Premium Conversion – Three Years (36 Months) or until policyholder is eligible for Medicare coverage.
- Police Civil Service and Fire Civil Service (40-hour shift) sick days will be based on 8-hour days. Fire Civil Service (54-hour shift) sick days will be based on 12-hour days.
- Any employee hired on or after July 1, 2010 will not receive any plan subsidy on their health insurance premium at the time of their retirement.
- Sick days will not be pro-rated.

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3. Restrictions on Accrual of Sick Leave (Revised 07/01/2018)

Sick Leave is subject to the following restrictions:

- Employees shall not accrue sick leave during any absence (sick, FMLA, workers comp, special leave of absence, etc.) in excess of two weeks, excluding vacation and military leave.
- Sick leave will not be granted to any employee whose absence from duty is a result of misconduct. Absence for such cause will be reported as absence without leave, and shall subject the employee to disciplinary action.

4. Qualifying for Sick Leave (Adopted 07/01/2018)

Sick leave will be granted to eligible employees for absences due to the following:

- a) Employee or employee's immediate family (spouse, child or parent) illness or physical or mental incapacity.
- b) Medical, dental, optical examinations or treatments

All doctor's appointments will require an excuse slip from the doctor's office upon returning to work. The City will also require a doctor's excuse for any sick leave taken of three (3) or more consecutive workdays for a forty (40) hour employee or an absence of two (2) or more consecutive shifts for a fifty-four (54) hour employee, including doctor excuses indicating that the employee's presence is required for the incapacity of an immediate family member.

During a calendar year, a total of 40 hours or 54 hours (depending on shift) will not require a doctor's excuse. Any sick leave in which a doctor's excuse is provided will not count against the 40 or 54 hours (depending on shift). However, if an employee has used more than 40 hours or 54 (depending on shift) of unexcused sick leave, the employee will be expected to furnish documentation from a physician or other medical provider establishing reason for relief from duty for use of additional sick leave. If additional days are taken without a physician's or other medical provider's excuse, the additional sick leave may be unpaid and may constitute an absence without leave which is subject to disciplinary action up to and including termination

5. Sick Leave Notification

In order to qualify for sick leave, civilian employees MUST notify their supervisor prior to the start of their shift. Fire Civil Service and Police Civil Service employees must notify the duty officer at least one hour prior to roll call. In cases of emergency situations employees should notify their respective supervisors as soon as possible.

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Sick Leave Reviews:

Sick leave records will be reviewed by supervisors and Personnel on a regular basis to identify trends of sick leave usage. Examples of abuse or misuse of sick leave include, but are not limited to:

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- Sick leave taken in conjunction with vacations or holidays.
 - Employees taking sick leave as soon as it is earned and have no leave balance.
 - Taking most of the sick leave in conjunction with weekends.

If abuse or misuse of sick leave is continual by an employee, the employee is subject to disciplinary action up to and including termination.

NEW

MOTOR VEHICLE RECORDS REVIEW

PURPOSE: To ensure all employees operating City owned vehicles are correctly licensed to do so.

Anyone driving a City-owned , leased, rented, or operated vehicle must have a valid driver's license. A review of the license will be conducted to be certain it is valid, has not expired, and is appropriate for the class of vehicles in which the driving is required.

MVR CHECK AND EVALUATION

A formal review of each driver's motor vehicle record (MVR) will be conducted on an annual basis (or more frequently where warranted, e.g., vehicle accident, incident, event, violation, etc.) to ensure that existing drivers are continuing to meet established qualifications.

Any employee who meets or exceeds seven (7) points total within the previous three (3) years will not be allowed to drive a city-owned vehicle until such time as the MVR reveals six (6) or fewer points.

If the MVR reveals seven (7) or greater points, the employee must complete a Division of Motor Vehicles (DMV) approved Defensive Driving Course at their own expense within 90 days.

Employees will notify their supervisor within one business day if their license is suspended, revoked, or expired. Failure to report any such changes may lead to discipline, including, but not limited to, termination.

AN ORDINANCE CREATING A
HOMELESS OUTREACH COORDINATOR
IN THE PARKERSBURG POLICE DEPARTMENT

JSL/CS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that
there is hereby created the position of Homeless Outreach Coordinator in the Police
Department as an H-8 non-exempt position, as attached.

Sponsored by the Personnel Committee of City Council



POSITION TITLE: Homeless Outreach Coordinator

GRADE: H-8 Non-Exempt

DEPARTMENT: Police

Reports directly to the Police Chief or his designee.

JOB SUMMARY: This position provides outreach services to individuals experiencing homelessness and underlying health conditions related to or causing homelessness. The Outreach Coordinator will engage persons experiencing homelessness by helping them to identify programs which assist with permanent housing, treatment, and services to rehabilitate. The functions listed below are those that represent the majority of the time spent working in this job. Management may assign additional functions related to the type of work of the job, as necessary.

RESPONSIBILITIES, DUTIES AND ACCOUNTABILITIES: Under the direction of the Parkersburg Police Department, identifies and builds rapport with homeless individuals and families living on the streets or in places not meant for habitation.

1. Participates in the local initiatives related to substance abuse/addiction, homeless outreach, and mitigation.
2. Conducts assessments in accordance with local Continuum of Care policies, programs, and facilities.
3. Facilitates entrance into housing programs in the local Continuum of Care.
4. Assists homeless persons by acting as a liaison with local agencies and chapters that provide housing and social services resources. Including but not limited to:
 - WVCEH
 - Westbrook
 - Salvation Army
 - House to Home
 - Latrobe Mission
 - Parkersburg Housing Authority
 - Community Resources Incorporated
5. Coordinates and leads outreach efforts by the City of Parkersburg.
6. Works with other city departments, in addition to PPD, on issues surrounding those experiencing homelessness.
7. Provides individualized support, using evidence-based case management tools to assist consumer with developing a plan to address barriers facing them in maintaining and sustaining permanent housing.
8. Gathers, organizes, analyzes, examines, or evaluates data or information and may prescribe action based on data or information.
9. Performs coordinating work involving guidelines and rules, with constant problem solving; requires continuous, close attention for accurate results or frequent exposure to unusual pressures.

10. Responsible for long range goals, planning and methodologies. Decision-making is focus of the job, affecting entire organization and surrounding population; works in an unstable environment with frequent and significant changes in conditions.
11. Provides information, guidance or assistance to people that directly facilitates task accomplishment; may give instructions or assignments, as necessary.
12. Performs related work as assigned.
13. Act as a liaison with the Wood County Prosecutor specifically regarding homeless criminal offenders of cases originated within the City of Parkersburg.

POSITION REQUIREMENTS AND QUALIFICATIONS:

Minimum of a High School diploma or GED with one to three years related experience and/or training.

Bachelor's in social work or related field preferred.

Possession of a valid driver's license.

Excellent computer skills. Above average oral and written communication skills. Requires the exercise of considerable discretion and independent judgment. Above average organizational skills.

Must be able to work well independently and as a team member. Must be able to interact professionally with the public.

Unavoidable Hazards:

Involves routine and frequent exposure to extreme heat and/or cold, wet or humid conditions.

Safety of Others:

Requires some responsibility for safety and health of others and/or for occasional enforcement of the standards of public safety or health.