

AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, JANUARY 26, 2021, 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, Zach Stanley
- II. ROLL CALL
- III. MINUTES - Council meeting held January 5, 2021, and January 12, 2021
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V. MESSAGE FROM THE EXECUTIVE
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTION
 1. Resolution requesting approval for seven (7) mid-year budget revisions for the general fund, capital reserve fund, user fee special revenue fund, parking fund, parks and recreation fund, sanitation fund, and memorial bridge fund. (Pending sponsor by the Finance Committee)
 2. Resolution requesting a budget revision within the CDBG budget, moving \$7,735.92 from a completed stormwater project on Lenore Street, to Market Street ADA/Sidewalk project at 9th and Market. (Sponsored by Councilmen Richards, Kuhl, and Stanley)
- IX. ORDINANCE, FINAL READING:
 3. An ordinance granting an exemption of Five Hundred Dollars (\$500.00) for the quarters ending December 31, 2020, March 31, 2021, and June 30, 2021 under Article 779, Business and Occupation Tax Code, for certain retail sales, service businesses, and landlords; and further extending the time to file until the end of February 2021, May 2021, and August 2021, respectively. (Sponsored by Councilmen Stanley, Mercer, Rexroad and Kuhl. (amended first reading).
 4. An ordinance vacating remaining permanent utility right-of-way at Harmon Street north of 25th Street, for 230' and an unnamed alley, 150' long, to allow construction at Brookside Manor. (Sponsored by the Municipal Planning Commission)

X. ORDINANCE, FIRST READING

5. An ordinance amending and re-enacting the City of Parkersburg Personnel Policy and Procedure Manual concerning Equal Employment Opportunity (EEO); Equal Pay Policy, now included in EEO; Harassment, Unwelcome Conduct and Non-Retaliation Policy; and Code of Conduct. (Sponsored by the Personnel Committee)
6. An ordinance creating intern positions within the Parkersburg Police Department. (Sponsored by the Personnel Committee)

XI. ADJOURNMENT

Next Council meeting February 9th and 23rd, 2021

January 5, 2021

The Council of the City of Parkersburg, elected November 3, 2020 during the General Election, met to organize in accordance with City Charter section 2.106 at 7:30 PM on the second floor of the Municipal Building at One Government Square, Parkersburg WV 26101.

The meeting was called to order by the City Clerk, who called the roll and noted the attendance as follows: All members attending including Jesse Cottrille, Sharon Kuhl, Bob Mercer, Wendy Tuck, JR Carpenter, Mike Reynolds, Chris Rexroad, Zach Stanley, and Austin Richards.

The Clerk opened the floor for nominations for the position of President of City Council for 2021.

MOTION – Mr. Kuhl moved, seconded by Mr. Mercer, to nominate Councilman Zach Stanley as President of Council for 2021.

There were no other nominations and the Clerk declared the nominations closed and the vote was taken. Councilman Zach Stanley was elected President of City Council for 2021, with all members voting for Mr. Stanley by name, with the exception of Mr. Stanley, who abstained. He immediately took the Chair.

President Stanley opened the floor for nominations for the position of Vice President of City Council for 2021.

MOTION – Mr. Mercer moved, seconded by Ms. Tuck, to nominate Councilwoman Sharon Kuhl as Vice President.

MOTION – President Stanley moved to nominate Councilman Mike Reynolds as Vice President, but there was no second to the motion.

There were no other nominations and nominations were declared closed.

Councilwoman Sharon Kuhl was elected Vice President of City Council for 2021 with all members voting for Ms. Kuhl by name, with the exception of Ms. Kuhl, who abstained.

At this time, Mayor Tom Joyce spoke to Council in favor of Attorney C. Blaine Myers for City Attorney, due to the retirement of Joseph Santer. Council has received the resume for Mr. Myers, as well as resumes for the Personnel Director, and the Development Director.

Mayor Joyce also announced that by the end of this week, we will receive our first round of vaccines for our first responders, for the COVID-19 pandemic.

MOTION – Ms. Kuhl moved, seconded by Mr. Mercer, to approve C. Blaine Myers as City Attorney.

Councilman Carpenter asked Mr. Myers when Parkersburg could expect 100% dedication, since he is still City Attorney at Williamstown WV.

Mr. Myers said it was not a competition and Parkersburg has his full commitment. He has told the City of Williamstown that he will not remain in that post, but he has been with them for twenty-two (22) years, and he will stay until they find someone, and he does not think it will be long.

VOTE – the motion to confirm and approve Mr. Myers was adopted by unanimous vote.

MOTION – Ms. Kuhl moved, seconded by Mr. Reynolds, to confirm Ms. Debra Steed as Municipal Judge, and the motion was adopted by unanimous vote.

MOTION – Mr. Mercer moved, seconded by Mr. Reynolds, to confirm Rickie Yeager as Development Director, and the motion was adopted by majority vote with all members voting "yes" with the exception of Ms. Tuck and Mr. Carpenter, who voted "no".

January 5, 2021

MOTION - Mr. Reynolds moved, seconded by Mr. Mercer, to confirm Sondra Wallace as Personnel Director, and the motion was adopted by unanimous vote.

President Stanley congratulated all those confirmed this evening, and thanked Council for allowing him to be President for 2021.

Vice President Kuhl also thanked Council for supporting her for Vice President for 2021.

Mayor Tom Joyce also congratulated everyone and wished them well for the upcoming year.

The meeting adjourned at 7:38 PM.

Sondra Wallace

City Clerk

Council President

January 12, 2021

The Council of the City of Parkersburg met in regular session Tuesday, January 12, 2021 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, Zach Stanley, who presided over the meeting. Those attending included Councilmen Jesse Cottrille, Sharon Kuhl, Bob Mercer, Wendy Tuck, JR Carpenter, Mike Reynolds, Chris Rexroad, and Austin Richards.

MINUTES – the clerk presented the minutes from the meeting held December 22, 2020. With no corrections or additions, the minutes were approved by unanimous vote, upon motion made by Mr. Reynolds, and seconded by Mr. Mercer.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – President Stanley announced the following appointments for Council Committees for 2021:

2021 CITY COUNCIL COMMITTEES

FINANCE COMMITTEE

Zach Stanley, Chair
Sharon Kuhl, Vice
J.R. Carpenter
Jessica Cottrille
Wendy Tuck

PERSONNEL COMMITTEE

Sharon Kuhl, Chair
Bob Mercer, Vice
Mike Reynolds
Chris Rexroad
Austin Richards

PUBLIC WORKS COMMITTEE

Mike Reynolds, Chair
Sharon Kuhl, Vice
Austin Richards
Chris Rexroad
Wendy Tuck

STORM WATER COMMITTEE

Mike Reynolds, Chair
Chris Rexroad
Austin Richards
Jessica Cottrille
Wendy Tuck

Mayor Joyce, City Engineer, Public Works Director, others needed from Mayor

COMMUNITY SERVICE COMMITTEE

Sharon Kuhl, Chair
Bob Mercer
J.R. Carpenter
Jessica Cottrille
Wendy Tuck

Other Committees

Urban Renewal Authority - Mike Reynolds, Chair; Bob Mercer, Vice
Wood County Economic Development Authority- Mike Reynolds
Wood County Recreation Commission - Zach Stanley
Municipal Planning Commission -Wendy Tuck
Municipal Tree Commission - Mike Reynolds
Holiday in the Park - Jessica Cottrille
PKB - Zach Stanley
Bicycle Committee - J.R. Carpenter
Downtown Facade Committee - J.R. Carpenter

MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce asked Council to favorably consider the ordinance on first reading concerning the \$500.00 exemption for B & O customers who have been hit the hardest from the pandemic. There were 894 tax filers who took advantage of the first quarter, saving them \$182,000; and there were 906 tax filers from the second quarter who saved \$200,529, for a total of \$382,579.00.

January 12, 2021

PUBLIC FORUM – No one appeared.

CITY COUNCIL FORUM – none.

ORDINANCE, FIRST READING

AN ORDINANCE GRANTING AN EXEMPTION OF FIVE-HUNDRED DOLLARS (\$500.00) IN THE AMOUNT OF TAX COMPUTER FOR THE FOURTH QUARTER OF 2020 UNDER ARTICLE 779, BUSINESS AND OCCUPATION TAX FOR CERTAIN RETAIL SALES, SERVICE BUSINESSES, AND LANDLORDS AND FURTHER EXTENDING THE TIME FOR SUCH BUSINESSES TO FILE THEIR TAX RETURN AND PAY ANY TAX DUE FOR SAID FOURTH QUARTER

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

Mr. Carpenter recused himself from the vote because he is a downtown business owner, and he left the room for the vote.

MOTION TO AMEND – Ms. Kuhl moved, seconded by Mr. Mercer, to amend the ordinance to extend the exemption for the next two quarters, through June 30, 2021, and the amendment was adopted by unanimous vote of those present.

VOTE – the motion, as amended, was adopted by unanimous vote of those present.

Mr. Carpenter was invited back into the Chambers and he took his seat.

ORDINANCE, FIRST READING:

AN ORDINANCE VACATING REMAINING UTILITY RIGHT-OF-WAY ON A PORTION OF HARMON STREET NORTH OF 25TH STREET, AND AN UNNAMED ALLEY, PREVIOUSLY VACATED, CITY ORD #0-382, AND LOCATED ON PARKERSBURG CITY MAPS 59

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

MOTION – Mr. Reynolds moved, seconded by Mr. Mercer, to resolve into the Committee of the Whole and recess until Friday, January 22, 2021 at 5:00 PM to set short-term and long-term goals and objectives for the years 2021-2024, and the motion was adopted by unanimous vote.

Council is in recess, the time was 7:40 PM.

Corinne Skayler

City Clerk

Council President

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 2020-2021 prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, and to make said budget revisions upon the State Auditor's approval:

GENERAL FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
REVENUE					
305-000-000	BUSINESS & OCCUPATION TAX	7,025,000	300,000	7,325,000	REVISED ESTIMATE
314-000-000	MUNICIPAL SALES TAX	5,719,997	300,000	6,019,997	REVISED ESTIMATE
325-000-000	BUSINESS LICENSES	68,000	(640)	67,360	ADJUSTMENT TO ACTUAL
361-000-010	FEE PENALTIES & INTEREST	105,500	(50,000)	55,500	REVISED ESTIMATE
361-000-015	PROCESS FEES	30,000	(10,000)	20,000	REVISED ESTIMATE
361-000-025	GRASS & WEEDS	45,500	(34,223)	11,277	ADJUSTMENT TO ACTUAL
365-000-000	FEDERAL GRANTS	6,214,567	870,000	7,084,567	CARES ACT ADJUSTMENT TO ACTUAL
001-365-000	FEDERAL GRANTS - JAG	38,000	39,239	77,239	JAG GRANT ADJUSTMENT
381-000-000	REIMBURSEMENTS	353,807	18,000	371,807	CDBG DEMO REIMBURSEMENT
386-000-000	INSURANCE CLAIMS	-	35,572	35,572	ADJUSTMENT TO ACTUAL
	SUBTOTAL - REVENUE		1,467,948		
CIVIL SERVICE					
407-220-000	ADVERTISING & LEGAL PUBLICATION	5,600	2,500	8,100	REVISED ESTIMATE
407-341-001	SUPPLIES - POLICE CIVIL SERVICE	2,500	5,000	7,500	REVISED ESTIMATE
			7,500		
FINANCE					
414-218-000	POSTAGE	85,000	1,000	86,000	REVISED ESTIMATE
414-220-000	ADVERTISING & LEGAL PUBLICATION	5,200	1,500	6,700	REVISED ESTIMATE
			2,500		
CITY CLERK					
415-222-000	DUES & SUBSCRIPTIONS	220	100	320	REVISED ESTIMATE
415-228-000	FREIGHT	-	100	100	REVISED ESTIMATE
			200		
MUNICIPAL JUDGE					
416-216-000	MAINT & REPAIR - EQUIP	402	400	802	REVISED ESTIMATE
CITY ATTORNEY					
417-223-000	PROFESSIONAL SERVICES	2,400	15,000	17,400	OUTSIDE COUNSEL - REVISED ESTIMATE
ENGINEERING					
420-216-000	MAINT & REPAIR - EQUIP	1,664	1,000	2,664	REVISED ESTIMATE
420-220-000	ADVERTISING & LEGAL PUBLICATION	800	1,500	2,300	REVISED ESTIMATE
420-228-000	FREIGHT	40	60	100	REVISED ESTIMATE
420-230-000	CONTRACTUAL SERVICES	52,000	81,000	133,000	REVISED ESTIMATE
420-341-000	DEPARTMENTAL SUPPLIES	16,000	750	16,750	EMERGENCY DEMOS - REVISED EST
			84,310		
DEVELOPMENT					
421-216-000	MAINT & REPAIR - EQUIP	1,125	500	1,625	REVISED ESTIMATE
421-219-000	BUILDING/EQUIP LEASE	786	100	886	REVISED ESTIMATE
421-240-000	REFUNDS	-	100	100	REVISED ESTIMATE
			700		
PERSONNEL					
422-216-000	MAINT & REPAIR - EQUIP	532	400	932	REVISED ESTIMATE

TRANSFERS TO OUTSIDE AGENCIES					
424-567-015	CONTRIB - WOOD CO SHERIFF	13,000	2,298	15,298	JAG GRANT ADJUSTMENT TO ACTUAL
424-567-030	CONTRIB - PNTF	10,000	<u>5,000</u>	15,000	HITDA GRANT - REVISED ESTIMATE
			7,298		
CODE ADMINISTRATION					
436-216-000	MAINT & REPAIR - EQUIP	1,239	250	1,489	REVISED ESTIMATE
436-220-000	ADVERTISING & LEGAL PUBLICATION	400	800	1,200	REVISED ESTIMATE
436-228-000	FREIGHT	-	100	100	REVISED ESTIMATE
436-341-000	DEPARTMENTAL SUPPLIES	7,000	<u>1,000</u>	8,000	REVISED ESTIMATE
			2,150		
MUNICIPAL BUILDING					
440-215-000	MAINT & REPAIR - BUILDINGS	22,400	5,000	27,400	REVISED ESTIMATE
440-216-000	MAINT & REPAIR - EQUIP	5,000	3,000	8,000	REVISED ESTIMATE
440-230-000	CONTRACTUAL SERVICES	38,000	<u>55,000</u>	93,000	FOGGING/1ST FLOOR HVAC UNIT REPL
			63,000		
TRANSFERS TO OTHER FUNDS					
444-566-001	TRANSFER OUT - CAPITAL RESERVE	796,790	946,876	1,743,666	PD CRUISER/END LOADER RESERVE
PUBLIC WORKS ADMIN					
566-222-000	DUES & SUBSCRIPTIONS	100	100	200	REVISED ESTIMATE
POLICE					
700-103-008	OVERTIME EXPENSE	250,000	75,000	325,000	REVISED ESTIMATE
700-103-309	PATROLMEN SALARY	2,619,040	(75,000)	2,544,040	REALLOCATE TO OVERTIME
700-219-000	BUILDING/EQUIP LEASE	1,776	300	2,076	REVISED ESTIMATE
700-226-000	AUTO & LIABILITY INSURANCE	205,716	5,000	210,716	REVISED ESTIMATE
700-228-000	FREIGHT	585	500	1,085	REVISED ESTIMATE
700-341-000	DEPARTMENTAL SUPPLIES	65,024	1,900	66,924	REVISED ESTIMATE/INS PROCEEDS
700-459-001	GRANT OUTLAY	25,000	<u>52,239</u>	77,239	JAG ADJUSTMENT TO ACTUAL
			59,939		
FIRE					
706-103-008	OVERTIME EXPENSE	110,000	39,000	149,000	REVISED ESTIMATE
706-104-000	FICA EXPENSE	43,851	566	44,417	REVISED ESTIMATE
706-219-000	BUILDING/EQUIP LEASE	144,297	79,759	224,056	PRIOR YEAR LEASE PAYMENT TRANSFER
706-226-005	WORKERS COMP	67,162	917	68,079	REVISED ESTIMATE
706-228-000	FREIGHT	960	200	1,160	REVISED ESTIMATE
706-341-000	DEPARTMENTAL SUPPLIES	90,500	5,180	95,680	REPLACE 4 RADIOS
706-343-001	AUTO SUPPLIES - GASOLINE	35,000	300	35,300	REVISED ESTIMATE
706-345-000	UNIFORM EXPENSE	4,000	<u>1,000</u>	5,000	REVISED ESTIMATE
			126,922		
STREET DEPARTMENT					
750-211-000	TELEPHONE/COMM EXPENSE	1,094	200	1,294	REVISED ESTIMATE
750-341-000	DEPARTMENTAL SUPPLIES	150,000	<u>40,000</u>	190,000	REVISED ESTIMATE
			40,200		
STREET LIGHTING					
751-226-000	AUTO & LIABILITY INSURANCE	10,763	100	10,863	REVISED ESTIMATE
751-228-000	FREIGHT	400	500	900	REVISED ESTIMATE
751-341-000	DEPARTMENTAL SUPPLIES	50,000	<u>10,270</u>	60,270	REVISED ESTIMATE/INS PROCEEDS
			10,870		
CENTRAL GARAGE					
754-103-008	OVERTIME EXPENSE	1,500	1,000	2,500	REVISED ESTIMATE
754-104-000	FICA EXPENSE	14,668	78	14,746	REVISED ESTIMATE
754-106-000	RETIREMENT EXPENSE	19,212	100	19,312	REVISED ESTIMATE
754-226-005	WORKERS COMP	4,498	24	4,522	REVISED ESTIMATE
754-341-000	DEPARTMENTAL SUPPLIES	15,000	<u>12,500</u>	27,500	REVISED ESTIMATE
			13,702		
STREET CLEANING					

756-228-000	FREIGHT	800	500	1,300	REVISED ESTIMATE
STORMWATER MANAGEMENT					
805-341-000	DEPARTMENTAL SUPPLIES	95,300	35,000	130,300	REVISED ESTIMATE
SANITATION GRANTS					
809-240-000	REFUNDS	-	500	500	ADJUSTMENT TO ACTUAL
PARKS & RECREATION					
900-103-008	OVERTIME EXPENSE	5,000	1,000	6,000	REVISED ESTIMATE
900-104-000	FICA EXPENSE	27,607	77	27,684	REVISED ESTIMATE
900-106-000	RETIREMENT EXPENSE	27,126	100	27,226	REVISED ESTIMATE
900-226-005	WORKERS COMP	8,455	24	8,479	REVISED ESTIMATE
900-228-000	FREIGHT	160	100	260	REVISED ESTIMATE
900-341-000	DEPARTMENTAL SUPPLIES	56,500	<u>28,000</u>	84,500	REVISED ESTIMATE
			29,301		
SOCIAL SERVICES					
958-568-055	CONTRIB - WVCEH	-	<u>20,580</u>	20,580	ASSISTANCE GRANT
	SUBTOTAL - EXPENDITURES		<u>1,467,948</u>		
	GRAND TOTAL		<u><u>-</u></u>		

The above resolution proposes to revise the FY21 General Fund budget to reflect revised mid-year estimates based on the results of the first half of the fiscal year.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2020-2021 Fiscal Year to reflect the following changes:

CAPITAL RESERVE FUND					
Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
FUND BALANCE & REVENUE					
369-000-000	TRANSFERS IN - OTHER FUNDS	1,246,790	946,876	2,193,666	GF XFER IN - PD/END LOADER RESERVE
383-000-000	SALE OF FIXED ASSETS	-	5,000	5,000	REVISED ESTIMATE
			<u>951,876</u>		
CAPITAL EQUIPMENT					
700-459-000	CAPITAL OUTLAY - EQUIPMENT	148,452	34,000	182,452	CRUISER REPLACEMENT - INS REIMB
756-459-000	CAPITAL OUTLAY - EQUIPMENT	40,000	5,000	45,000	ADJUSTMENT TO ACTUAL
			<u>39,000</u>		
			<u><u>912,876</u></u>		

The above resolution proposes to revise the FY21 Capital Reserve Fund budget to reflect the General Fund transfer in as well as a revised estimate in sale of assets revenue. The additional revenue is appropriated toward a cruiser replacement for the PD and an adjustment to actual for Street Cleaning equipment. Of the \$912,876 remainder, \$100,000 is proposed to be added to the reserve to purchase an end loader for the Street Cleaning division to bring the balance to \$150,000, with the rest remaining in unappropriated fund balance.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2020-2021 Fiscal Year to reflect the following changes:

USER FEE SPECIAL REVENUE FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
FUND BALANCE & REVENUE					
341-000-000	CITY SERVICE USER FEE	1,780,000	<u>200,000</u> 200,000	1,980,000	REVISED ESTIMATE
CAPITAL IMPROVEMENTS					
750-458-005	STREET IMPROVEMENTS	5,103,493	<u>200,000</u> 200,000	5,303,493	STREET IMPROVEMENTS
			<u> -</u>		

The above resolution proposes to revise the FY21 User Fee Special Revenue Fund to reflect a revised estimate in User Fee receipts for the fiscal year, based on receipts to date. The additional amount is proposed to be added to the street improvements line item.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2020-2021 Fiscal Year to reflect the following changes:

PARKING FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
FUND BALANCE & REVENUE					
321-000-000	PARKING VIOLATIONS	28,000	(20,000)	8,000	REVISED ESTIMATE
342-000-000	PARKING METER REVENUES	50,000	(35,000)	15,000	REVISED ESTIMATE
343-001-000	SEARS-STATE OFFICE LOT	5,000	(3,600)	1,400	REVISED ESTIMATE
343-002-000	5TH & AVERY LOT RENTAL	4,500	(1,350)	3,150	REVISED ESTIMATE
343-003-000	B&O LOT RENTAL	19,000	(12,000)	7,000	REVISED ESTIMATE
343-004-000	BRIDGE LOT	2,500	(2,200)	300	REVISED ESTIMATE
343-008-000	5TH & AVERY LOT METERS	6,000	(5,400)	600	REVISED ESTIMATE
343-001-000	PHILLIPS COURT ALLEY METERS	1,800	(1,500)	300	REVISED ESTIMATE
343-023-000	7TH & JULIANA MONTHLY RENTAL	8,000	(4,000)	4,000	REVISED ESTIMATE
380-000-000	INTEREST EARNED	1,500	(1,250)	250	REVISED ESTIMATE
			<u>(86,300)</u>		
CAPITAL EQUIPMENT					
571-212-000	OUTSIDE PRINTING	2,000	(1,000)	1,000	REDUCED APPROPRIATION
571-226-000	AUTO & LIABILITY INSURANCE	6,963	(1,300)	5,663	REDUCED APPROPRIATION
571-230-000	CONTRACTUAL SERVICES	15,000	(10,000)	5,000	REDUCED APPROPRIATION
571-341-000	DEPARTMENTAL SUPPLIES	10,000	(5,000)	5,000	REDUCED APPROPRIATION
			<u>(17,300)</u>		
			<u>(69,000)</u>		

The above resolution proposes to revise the FY21 Parking Fund budget to reflect reductions in estimated parking revenue as a result of responses to the pandemic. The revenue reductions are offset by reduced appropriations, with the balance to be absorbed by the current unencumbered fund balance.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2020-2021 Fiscal Year to reflect the following changes:

PARKS & RECREATION FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
REVENUE					
340-002-000	CITY PARK POOL ADMISSION	35,000	<u>24,000</u>	59,000	REVISED ESTIMATE
			24,000		
CONTRACTUAL SERVICES					
900230000	CONTRACTUAL SERVICES	2,500	12,000	14,500	REVISED ESTIMATE
900-459-000	CAPITAL OUTLAY - EQUIPMENT	-	<u>12,000</u>	12,000	REVISED ESTIMATE
			24,000		
			<u>-</u>		

The above resolution proposes to revise the FY21 Parks & Recreation budget to reflect a revised estimate in City Park pool admission for the remainder of the fiscal, which is appropriated to balance the expenditures related to the pump replacement and repair work at Southwood Pool during the summer of 2020.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2020-2021 Fiscal Year to reflect the following changes:

SANITATION FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
FUND BALANCE & REVENUE					
399-350-000	SALE OF RECYCLED MATERIAL	70,000	<u>15,000</u>	85,000	REVISED ESTIMATE
			15,000		
CONTRACTUAL SERVICES					
800216000	MAINT & REPAIR - EQUIP	31,358	10,000	41,358	REVISED ESTIMATE
800-341-000	DEPARTMENTAL SUPPLIES	40,000	<u>5,000</u>	45,000	REVISED ESTIMATE
			<u>15,000</u>		
			<u> -</u>		

The above resolution proposes to revise the FY21 Sanitation Fund budget to reflect a revised estimate in revenue from the sale of recycled material, which is proposed to be appropriated to add to the equipment maintenance/repair and departmental supplies expense line items.

RESOLUTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the Mayor, or his designee, be authorized to revise the Adopted Budget for 2020-2021 Fiscal Year to reflect the following changes:

MEMORIAL BRIDGE FUND

Account	Description	Current Budget	Proposed Adjustment	Revised Budget	Comments
REVENUES					
380-000-000	INTEREST EARNED	45,000	(35,000)	10,000	REVISED ESTIMATE
396-000-000	GAIN (LOSS) ON INVESTMENTS	-	<u>37,500</u>	37,500	REVISED ESTIMATE
			2,500		
EXPENDITURES					
570-226-000	AUTO & LIABILITY INSURANCE	95,942	1,500	97,442	REVISED ESTIMATE
570-230-000	CONTRACTUAL SERVICES	60,000	<u>1,000</u>	61,000	REVISED ESTIMATE
			<u>2,500</u>		
			<u>-</u>		

The above resolution proposes to revise the FY21 Memorial Bridge fund to reflect revised estimates in revenue line items resulting from a shift from interest only investments to an investment portfolio for demolition funds, as well as revised expenditure estimates in the insurance and contractual services line items.

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:

2018-2019 CDBG Adjustment of Funds

Activity	Current Budget	Proposed Budget	Change
Market Street ADA/Sidewalk Improvement	\$ 110,360.00	\$ 118,095.92	\$ 7,735.92
Stormwater Lining Lenore St.	\$ 35,346.15	\$ 27,610.23	\$ (7,735.92)
Totals	\$ 145,706.15	\$ 145,706.15	\$ -

Notes:

Please see attached.

Proposed CDBG Substantial Amendment Notes January 26, 2021

The proposed minor amendment (budget revision) attached hereto is being submitted to Parkersburg City Council for consideration to accomplish the following project priorities:

9th & Market Street ADA Enhancements

- Total project cost at time of award was \$110,360. A previously approved change order was received for \$7,735.92 to remove/replace an existing drain. The Administration requests that City Council increase the cost of this activity to \$118,095.92 to cover the change order and close out the project. The funds for this expense would come from the Stormwater Lining Project on Lenore Street (further described below).

Stormwater Lining Project (Lenore Street)

- Total project cost was originally estimated at \$124,355. Bids received were lower than anticipated with the lowest qualified bid being \$109,900. If \$7,735.92 is reallocated to the 9th & Market St. ADA Enhancement activity, the stormwater lining project will have a fund balance of \$6,719.08 for any unanticipated change orders for this activity. If no changes orders are necessary, the Administration will put forward another revision in the future to reappropriate the fund balance. The proposed revision will not adversely impact staff's ability to complete the stormwater lining project.

AN ORDINANCE GRANTING AN EXEMPTION OF FIVE-HUNDRED DOLLARS (\$500.00) IN THE AMOUNT OF TAX COMPUTED FOR THE FOURTH QUARTER OF 2020 THROUGH THE SECOND QUARTER OF 2021 UNDER ARTICLE 779, BUSINESS AND OCCUPATION TAX FOR CERTAIN RETAIL SALES, SERVICE BUSINESSES, AND LANDLORDS AND FURTHER EXTENDING THE TIME FOR SUCH BUSINESSES TO FILE THEIR TAX RETURN AND PAY ANY TAX DUE FOR SAID FOURTH QUARTER THROUGH THE SECOND QUARTER OF 2021

WHEREAS, the steps taken to limit the spread of the novel coronavirus (COVID-19) required and continues to require many businesses to temporarily close or reduce services; and

WHEREAS, such steps have dramatically and negatively affected many businesses and their employees in the City of Parkersburg and throughout the larger community; and


WHEREAS, the City desires to continue to aid those businesses and individuals most vulnerable to such negative financial impacts; and

WHEREAS, the City of Parkersburg has determined that one measure of relief to such businesses is to grant a second temporary and limited exemption in the sum of tax due and payable by certain businesses.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Article 779, Business and Occupation Tax, and the Codified Ordinances of the City of Parkersburg be and it is hereby amended as follows:

Section 779.13 EXEMPTIONS.

There is hereby granted a one time exemption applicable only to the tax due and payable for the fourth quarter of 2020 (October-December), the first quarter of 2021 (January-March), and the second quarter of 2021 (April-June) of five-hundred dollars (\$500.00) for the following businesses:

- 
1. Business of Selling Tangible Property (Section 779.05) Said exemption shall however only apply to personal property sales and including the sale of food and the services incidental to such food sales.
 2. Service, Business, or Calling (Section 779.09)
 3. Business of Furnishing Property for Hire (Section 779.10) Said exemption shall only apply to real property rentals or leases.

Said exemption is applicable only to the B&O tax due and payable from said businesses for the gross proceeds of the sale or gross income of said business, trade, or calling for the fourth quarter of 2020, first quarter of 2021, second quarter of 2021, and may not be carried over or utilized for any other quarter.

Section 779.15 Computation of Tax; Payment.

The taxpayers described and listed above and to whom the \$500.00 exemption is applicable shall be granted an extension in the date due for the filing of the B&O tax return and payment of the quarterly installment of said tax (October-December), (January-March), and (April-June) to the last day of August, 2021.

Said \$500.00 exemption and extension in time to file and pay any B&O tax shall not affect any other category of or type of business in Article 779.

**AN ORDINANCE VACATING REMAINING UTILITY RIGHT-OF-WAY ON
A PORTION OF HARMON STREET NORTH OF 25TH STREET AND AN
UNNAMED ALLEY, PREVIOUSLY VACATED (CITY ORD. #O-382) AND
LOCATED ON PARKERSBURG CITY TAX MAP 59.**

The Municipal Planning Commission of the City of Parkersburg has recommended that the remaining utility Right-of-Way on a portion of Harmon Street north of 25th Street approximately 230' long, and an unnamed 15' alley approximately 150' long running parallel to 25th Street off of Harmon Street be vacated;

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

WHEREAS, the Parkersburg Utility Board, Fire, Police and Public Works Departments and other utility providers 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, relocation, 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, on Harmon Street, and an unnamed alley, as shown on the attached plat, be released.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

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 IV, Policies & Procedures, Part A, B & J of the City of Parkersburg Personnel Policy and Procedure Manual be, and hereby is, amended and reenacted in its entirety as follows:

- CBM
- A. Equal Employment Opportunity (EEO) (see attached)
 - B. Equal Pay Policy (now including in above EEO)
 - J. Harassment, Unwelcomed Conduct and Non-Retaliation Policy (see attached)
Code of Conduct (new policy see attached)

The City of Parkersburg

Equal Employment Opportunity (EEO)

The City of Parkersburg is committed to providing a workplace which is free from unlawful discrimination. We uphold the principles of equal employment opportunity and have established policies not to discriminate against any employee or applicant for employment on the basis of one's sex (including pregnancy, sexual orientation and gender identity as defined by and in accordance with local, state and federal laws and the United States Supreme Court Ruling of June 2020, Ref No. 17-1618), race, color, age, religion, creed, ethnicity, national origin, disability, veteran status, marital status, genetic information or other category protected by federal, state or local law.

This policy applies to all terms, conditions and privileges of employment, including recruitment, hiring, placement, compensation, promotion, discipline and termination. Whenever possible, the City of Parkersburg makes reasonable accommodations for qualified individuals with disabilities to the extent required by law. Employees who would like to request a reasonable accommodation should contact Human Resources.

The City of Parkersburg

Harassment, Unwelcomed Conduct and Non-Retaliation Policy

Scope: This Policy covers all employees of the City of Parkersburg

Policy Purpose: The City of Parkersburg prohibits discrimination or harassment in any form based on race, color, religion, creed, sex (including pregnancy, sexual orientation and gender identity as defined by and in accordance with local, state and federal laws and the United States Supreme Court Ruling of June 2020, Ref No. 17–1618), national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and is free from discriminatory practices, including, without limitation, harassment. Consistent with its workplace policy of Equal Employment Opportunity, the City of Parkersburg prohibits and will not tolerate harassment, unwelcomed conduct and discrimination in any form and violations of this policy will not be tolerated.

Discrimination includes, but is not limited to: making any employment decision or taking employment-related actions on the basis of the above-mentioned status' protected by applicable law. Harassment and unwelcomed conduct in all forms is unacceptable and therefore prohibited, regardless even if the behaviors are not unlawful in and of themselves.

Harassment is generally defined as unwelcome verbal or non-verbal conduct, based upon a person's protected characteristic, that denigrates or shows hostility or aversion toward the person because of the characteristic, and which affects the person's employment opportunities or benefits, has the purpose or effect of unreasonably interfering with the person's work performance, or has the purpose or effect of creating an intimidating, hostile or offensive working environment. Harassing conduct includes but is not limited to: epithets; slurs or negative stereotyping; threatening, intimidating, bullying and/or other hostile acts; or denigrating jokes, vulgarity and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on their protected characteristic.

The City of Parkersburg is committed to providing a safe and respectful working environment for all its employees free from discrimination on any ground and from any form of harassment and unwelcomed conduct at work. The City of Parkersburg will operate a zero-tolerance policy for any form of harassment or unwelcomed conduct in the workplace, treat all incidents seriously and promptly, and investigate all allegations of harassment or unwelcomed conduct. Any person found to have harassed another, including but not limited to employees, coworkers, customers, vendors, etc.... will face corrective action, up to and including termination from employment. All complaints of harassment and unwelcomed conduct will be taken seriously and treated with respect and in confidence. There will be no retribution for making such a complaint.

The City of Parkersburg

Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual Harassment can involve one or more incidents and actions constituting harassment and may be physical, verbal and non-verbal. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature, when:

- I. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- II. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- III. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Some examples which could or maybe considered as sexual harassment include: unwelcome or unsolicited sexual advances; displaying sexually suggestive material; sexual flirtations, advances or propositions; suggestive comments; verbal abuse of a sexual nature; sexually-oriented jokes; crude or vulgar language or gestures; graphic or verbal commentaries about an individual's body, negative comments regarding pregnancy, gender-bias; or display or distribution of obscene materials; physical contact such as patting, pinching or brushing against someone's body or other inappropriate touching; or physical assault of a sexual nature.

These examples are not an exhaustive listing and sexual harassment can include any conduct of a sexual nature which is unwanted and unwelcome by the recipient. Anyone can be a complainant of sexual harassment or unwelcomed conduct, regardless of their sex and of the sex of the harasser. The City of Parkersburg recognizes that sexual harassment and unwelcomed conduct may also occur between people of the same sex. What matters is that the sexual conduct or unwelcomed conduct is unwanted and unwelcome by the person against whom the conduct is directed.

The City of Parkersburg recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. Anyone with whom employees come into contact, including employees of the City of Parkersburg, applicants for employment, vendors, clients, customers, casual workers, contractors or visitors who sexually harasses another will be reprimanded in accordance with this internal policy.

The City of Parkersburg

All sexual harassment is prohibited whether it takes place within the City of Parkersburg premises or outside, including at social events, business trips, training sessions or conferences.

Non-Retaliation

Retaliation for reporting Harassment and/or Unwelcomed Conduct is not tolerated. No employee will be retaliated against for making a complaint in good faith regarding a violation of these policies, or for participating in good faith in an investigation pursuant to these policies. If an employee feels they have been retaliated against, they are advised to contact their own management, Human Resources or other City of Parkersburg management as soon as possible. **Employees may directly call Human Resources at (304) 424-8462 or may also send an email to personneldirector@parkersburgwv.gov.**

Open Door Policy

The City of Parkersburg has an Open-Door Policy and takes employee concerns and problems seriously. We value each employee and welcome them to bring their concerns to our attention. Employees are invited to contact their own management, Human Resources or other City of Parkersburg management to discuss any concerns without fear of repercussions. We believe it's in everyone's best interest to resolve any concerns or differences as immediately and thoroughly as possible. Employees should know their concerns are important to us; and everyone in the organization will be treated with courtesy and respect when they meet with us. Confidentiality will be maintained to the best extent possible. To contact us, employees may call Human Resources at (304) 424-8462 or send an email directly to Human Resources at personneldirector@parkersburgwv.gov.

Complaint Procedure:

Any City of Parkersburg employee or applicant for employment who feels that they have been harassed or discriminated against or have witnessed or become aware of discrimination or harassment in violation of these policies, should bring the matter to the immediate attention of their own management, Human Resources or other City of Parkersburg management. **Human Resources may be directly contacted at (304) 424-8462, and/or a written complaint may be sent to the Human Resources Department, directed to the Personnel Director, or emailed to personneldirector@parkersburgwv.gov.** Anonymous complaints may be made to the Human Resources Department either by calling (304) 424-8462 or via email at personneldirector@parkersburgwv.gov. All reports, however particularly those that are anonymous, should be factual rather than speculative or conclusory, and should contain as much specific information as possible so the report can be adequately assessed for nature, extent and urgency of the allegations, and to conduct a thorough investigation. If an anonymous complaint cannot be properly investigated because insufficient information has been provided, the Human Resources Department will have no option but to close the matter. Therefore, it's critical that reports are as factual and specific as possible.

The City of Parkersburg

The City of Parkersburg will promptly investigate all allegations of harassment, discrimination and unwelcomed conduct and take corrective action as appropriate based on the outcome of the investigation. An investigation and its results will be treated as confidential to the extent feasible and permitted by law. The City of Parkersburg will take appropriate actions based on the outcome of the investigation.

The City of Parkersburg is committed to full compliance with all applicable laws and regulations by our employees. The City of Parkersburg also does not tolerate unethical activities or any conduct in violation of our policies. Each employee is required to promptly report any activities which they reasonably believe, in good faith, constitute unlawful conduct, or activities that are in violation of our policies. In addition, employees are encouraged to report any issues, concerns, or activities that they believe in good faith are unethical, suspect, questionable or may be contrary to the City of Parkersburg's policies, practices or operations. This policy covers conduct and activities which an employee believes are directed at themselves or at others. Accordingly, the City of Parkersburg has established the above procedure for (i) reporting employees of suspected violations or other concerns, and (ii) the receipt, investigation, and treatment of these reports.

Related Policies, Procedure or other documents: Equal Employment Opportunity Policy Statement; Professional Code of Conduct Policy

Violations: The City of Parkersburg will take appropriate action to remedy violations of this policy. Employees found to be in violation of this policy will be subject to the appropriate corrective action up to and including termination of employment.

The City of Parkersburg

Code of Professional Conduct

Scope: This Policy covers all employees of the City of Parkersburg

Policy Purpose: The purpose of this Policy is to ensure that the work environment is safe, comfortable and productive. Employees should be respectful, courteous, and mindful of others' feelings and needs.

Administration: The City of Parkersburg expects its employees to adhere to a standard of professional conduct and integrity. General cooperation between coworkers and management is expected. The City of Parkersburg reserves the right to initiate corrective action and/or terminate any employee who violates the City of Parkersburg policies, practices or rules of conduct. Poor performance and misconduct are also grounds for corrective action, up to and including termination.

The following actions are unacceptable and considered grounds for corrective action. This list is not comprehensive; rather, it is meant merely as an example of the types of conduct that the City of Parkersburg does not tolerate. These actions include, but are not limited to:

- Engaging in acts of discrimination or harassment in the workplace;
- Possessing, distributing or being under the influence of illicit controlled substances;
- Being under the influence of a controlled substance or alcohol at work, on the City of Parkersburg premises, or while engaged in City of Parkersburg business;
- Unauthorized use of City of Parkersburg property, equipment, devices or assets;
- Damage, destruction or theft of City of Parkersburg property, equipment, devices or assets;
- Removing City of Parkersburg 's property without prior authorization or disseminating City of Parkersburg information without authorization;
- Falsification, misrepresentation or omission of information, documents or records;
- Lying or misrepresenting the City of Parkersburg;
- Theft
- Insubordination or refusal to comply with directives;
- Failing to adequately perform job responsibilities;
- Excessive or unexcused absenteeism or tardiness;
- Disclosing confidential City of Parkersburg information without authorization and/or in accordance with responding to mandated Freedom of Information Act (FOIA) requests
- Illegal or violent activity;
- Falsifying injury reports or reasons for leave;
- Disregard for safety and security procedures;
- Disparaging or disrespecting management and/or co-workers, customers, vendors and associates; and

The City of Parkersburg

- Any other action or conduct that is inconsistent with City of Parkersburg policies, procedures, standards or expectations.

This list exhibits the types of actions or events that are subject to corrective action. It is not intended to indicate every act that could lead to corrective action.

The City of Parkersburg reserves the right to determine the severity and extent of any corrective action based on the circumstances of each case.

Violations: The City of Parkersburg will take appropriate action to remedy violations of this policy. Employees found to be in violation of this policy will be subject to the appropriate corrective action up to and including termination of employment.

**AN ORDINANCE CREATING
INTERN POSITIONS WITHIN
THE PARKERSBURG POLICE DEPARTMENT**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that there are hereby created within the Parkersburg Police Department four non-civil service positions as follows:

- 1. The position shall be known and identified as "Parkersburg Police Intern".**
- 2. Compensation shall be paid at the rate of \$10.00 per hour.**
- 3. The implementation of the Ordinance shall be subject to and contingent upon the adoption of budget revisions as may be necessary to fund the positions hereby created.**