

**AGENDA FOR PARKERSBURG CITY COUNCIL,
TUESDAY, FEBRUARY 23, 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 22nd; February 9th, 2021
- IV. REPORTS FROM STANDING OR SPECIAL COMMITTEES
- V.
 1. MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce presents the budget for the City of Parkersburg for fiscal year 2021/2022 (Receive, file and refer to the (Committee of the Whole)
 2. Communication from Mayor Tom Joyce appointing David McCrady, 915 Erie Street to the Municipal Planning Commission for a three-year term to expire February 23, 2024, and requesting Council's approval.
- VI. PUBLIC FORUM
- VII. CITY COUNCIL FORUM
- VIII. RESOLUTIONS
 1. Resolution appointing Attorney George Chandler, 935 Market Street, as an Administrative Law Judge for the City of Parkersburg thru February 2024. (Sponsored by Councilmen Carpenter, Kuhl and Mercer)
 2. Resolution endorsing Downtown PKB's efforts to establish a Historic District in Downtown Central Business District; and to support the submission of a grant application to complete a field review study. (Sponsored by Councilmen Kuhl, Stanley, Mercer, Tuck, Rexroad, Richards and Carpenter)
 3. Resolution to allow for the temporary vending of beer and/or wine in downtown Parkersburg Central Business District for the Point Park Concert Series, Downtown PKB event in September; and Artoberfest in October. (Sponsored by Councilmen Cottrille, Stanley, Carpenter, and Reynolds)

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IX. ORDINANCE, FINAL READING

4. An ordinance authorizing the donation of property to the Boys and Girls Club, greenhouse. (Sponsored by Councilmen Rexroad, Tuck, Kuhl and Richards.)
5. An ordinance vacating the southerly terminus of Foxhill Drive, 30' x 127.5', to clean up the boundaries of Johnson T. Janes Park by better connecting the park to the parcels donated by Candace Jones. (Sponsored by Municipal Planning Commission.)
6. An ordinance updating section 3.4 of the policies for the Municipal Planning Commission to permit attendance of meetings by electronic means. (Sponsored by the Municipal Planning Commission.)

X. ORDINANCE, FIRST READING:

7. An ordinance amending Article 779.13 (j) and (k) granting an exemption of B & O taxes for construction of new buildings and/or renovations of existing buildings within the annexed territory for five years from the date a new business is commenced, or the date of annexation; and including any owner of residential property in the City a credit for new residential structures up to the first \$200,000.00 for each structure. (Sponsored by Councilmen Kuhl, Richards, Carpenter, Mercer, Tuck and Stanley)

- XI. MOTION – Resolve into the Committee of the Whole, and recess until Monday, March 8, 2021 at 6:00 PM to begin budget hearings.**

Next regular Council meetings March 9th and 23rd

Budget meetings, March 8th, 10th, 11th, at 6:00 PM

February 9, 2021

The Council of the City of Parkersburg met in regular session Tuesday, February 9, 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, Chris Rexroad, and Austin Richards. Mike Reynolds was absent.

MINUTES – the clerk presented the minutes from the meeting held January, 26, 2021. With no corrections or additions, the minutes were approved by unanimous vote, as previously distributed.

REPORTS FROM STANDING OR SPECIAL COMMITTEES – Councilwoman Sharon Kuhl reported that the community Service Committee met Monday, February 1, 2021 to organize and make plans for the upcoming year. They will focus on recognizing school children and their achievements, and Ms. Kuhl will be meeting with the Wood County Superintendent of schools in the near future for input.

MESSAGE FROM THE EXECUTIVE – Mayor Tom Joyce distributed the City's Capital Plan, and the annual report from the Development Department. He mentioned some high points of the Development report, and said he appreciated Rickie Yeager, Development Director, and his team for what they have accomplished.

PUBLIC FORUM – Mr. Roy Hayhurst, 1730 Covert Street, thanked Mayor Joyce and Police Chief Martin for taking care of a problem near his residence October 2020.

CITY COUNCIL FORUM – no comments

ORDINANCE, FINAL READING.

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:

- 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)

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.

Harassment, Unwelcomed Conduct and Non-Retaliation Policy

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

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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 statuses 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.

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

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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.

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 for 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

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no option but to close the matter. Therefore, it's critical that reports are as factual and specific as possible.

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;

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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.

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

ORDINANCE, FINAL READING:

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.

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

ORDINANCE, FIRST READING:

AN ORDINANCE AUTHORIZING DONATION OF PROPERTY TO THE BOYS AND GIRLS CLUB OF PARKERSBURG (greenhouse)

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

ORDINANCE, FIRST READING:

AN ORDINANCE VACATING THE SOUTHERLY TERMINUS OF FOXHILL DRIVE LYING ADJACENT TO LOTS 21, 22, AND A PORTION OF LOT 23, OF THE FOXHILL ADDITION

February 9, 2021

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

ORDINANCE, FIRST READING:

AN ORDINANCE UPDATING SECTION 3.4 OF THE
POLICIES OF THE MUNICIPAL PLANNING COMMISSION
(attend by phone)

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

The meeting adjourned at 8:40 PM.

Christina Shapiro

City Clerk

Council President



Mayor Tom Joyce

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

February 16, 2021

City of Parkersburg
Parkersburg City Council
Parkersburg WV 26101

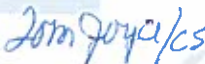
Dear Councilors:

There is currently a vacancy on the Municipal Planning Commission, and I hereby appoint Mr. Dave McCrady, 915 Erie Street, Parkersburg WV to fill that vacancy for a three-year term to expire February 23, 2024.

I ask for your favorable consideration of this appointment when we meet on February 23, 2021. If you have any questions, please do not hesitate to call.

Thank you.

Sincerely,



Mayor Tom Joyce

TJ:cs

RESOLUTION APPOINTING MEMBER AS AN
ADMINISTRATIVE LAW JUDGE FOR THE
CITY OF PARKERSBURG

WHEREAS, Parkersburg City Council adopted an ordinance July 22, 2003 amending and re-enacting our Personnel Policy and Procedure Manual concerning grievance procedures for city employees; and

WHEREAS, this amendment added Step Four – Grievance presented to Administrative law Judge, wherein three law judges would be appointed by City Council to hear employee complaints if they were not answered with the three previous steps; and

 WHEREAS, there is a vacancy due to the resignation of Attorney C. Blaine Myers, who has become the City Attorney for the City of Parkersburg; and

WHEREAS, the name of Attorney George Y. "Chip" Chandler, 935 Market Street, Parkersburg WV has been received by the City to fill this vacancy; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARKERSBURG that Attorney George Y. Chandler, 935 Market Street, Parkersburg WV be appointed as an Administrative Law Judge for the City of Parkersburg for a three-year term to expire February 23, 2024.

Sponsored by Councilmen

MYERS LAW OFFICES

C. BLAINE MYERS
JESSICA E. MYERS

201 Third Street
P.O. Box 287
Parkersburg, WV 26102
(304) 485-3600
Fax (304) 485-0667
www.myerslawwv.com

February 12, 2011

Connie Shaffer, City Clerk
City of Parkersburg
P.O. Box 1627
Parkersburg, WV 26102

Dear Connie:

As you are aware, for a number of years I have been an Administrative Law Judge for the City of Parkersburg, and recently my Daughter and Law Partner, Jessica E. Myers, was also appointed as an ALJ for the City.

Since I have now been confirmed as City Attorney it is appropriate that I resign as an Administrative Law Judge, and since Ms. Myers would have a potential conflict of interest, please consider this letter as confirmation of her resignation as well.

Thank you for your consideration.

Very truly yours,



C. Blaine Myers

CBM/tls

A RESOLUTION ENDORSING THE WORK OF DOWNTOWN PKB AND THE WOOD COUNTY HISTORIC LANDMARK COMMISSION TO SECURE GRANT FUNDING FROM THE STATE OF WEST VIRGINIA STATE HISTORIC PRESERVATION OFFICE (SHPO) TO CONDUCT A STUDY FOR THE PURPOSE OF ESTABLISHING A HISTORIC DISTRICT IN THE DOWNTOWN CENTRAL BUSINESS DISTRICT TO INCENTIVIZE REDEVELOPMENT BY UTILIZING HISTORIC TAX CREDITS

WHEREAS, Parkersburg has always played a significant role in WV history, and

WHEREAS, Downtown Parkersburg has several buildings listed in the National Register of Historic Places, in addition to the Avery and Julia-Ann Square Historic Districts, and

WHEREAS, Downtown PKB recently hired the services of Mike Gioulis, historic preservation consultant, through the State Main Street Program, to complete a preliminary historic resource field survey summary, funded in part with financial support from the Ross Foundation and Parkersburg Area Community Foundation, and

WHEREAS, the preliminary study referenced above demonstrated that there was sufficient evidence to support the establishment of a Historic District in Parkersburg's Downtown Central Business District, and

WHEREAS, the pursuit of such a designation requires the completion of a historic resource field survey, and

WHEREAS, the Wood County Historic Landmarks Commission has endorsed Downtown PKB's efforts to date and will apply to the SHPO for additional grant funding to complete said survey, and

WHEREAS, completing said survey and establishing a Historic District in Downtown Parkersburg will encourage reinvestment and redevelopment in the Central Business District by making properties potentially eligible for State Historic Rehabilitation Tax Credits, and

WHEREAS, the State of West Virginia recently increased its Historic Rehabilitation Tax Credit Program for commercial income-producing properties from 10 percent to twenty-five percent, and

WHEREAS, when leveraged with the twenty-five percent Federal Historic Tax Credit Program administered through the National Park Service, historic tax credits can be a critical component of a project's capital stack,

WHEREAS, the creation of a Historic District in Downtown Parkersburg will not adversely impact a private property owner's ability to make repairs or improvements to their property, provided they are not seeking financial assistance from the State of West Virginia or US National Park Service, and

WHEREAS, a copy of the proposed Historic District boundary is attached hereto,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Parkersburg does hereby endorse Downtown PKB's efforts to establish a Historic District in the Downtown Central Businesses District for the purpose of incentivizing redevelopment in the community, and

NOW THEREFORE BE IT FURTHER RESOLVED that Parkersburg City Council does hereby support the submission of a grant application from the Wood County Historic Landmarks Commission to the SHPO to complete a field review study for the purpose establishing said district.

Sponsors: Kuhl, Stanley, Mercer, Tuck, Rexroad, Richards, Carpenter

**RESOLUTION TO ALLOW FOR THE TEMPORARY VENDING OF BEER AND/OR WINE IN DOWNTOWN
PARKERSBURG – CENTRAL BUSINESS DISTRICT**

Whereas, Parkersburg’s Central Business District is the largest employment center in the Mid-Ohio Valley, and

Whereas, private and public investment in recent years has contributed to the revitalization of the CBD, and

Whereas, events in the CBD create opportunities for the general public to observe and experience these positive changes, and

Whereas, events in the CBD give small businesses an opportunity to showcase their wares and/or services, and

Whereas, the events described herein intend to serve beer and/or wine, and

Whereas, event organizers shall obtain all the necessary permits from the Mid-Ohio Valley Health Department and West Virginia Alcohol and Beverage Control Administration (ABCA), and

Whereas, City Council wishes to allow for the vending and responsible consumption of beer and/or wine at events described herein, during hours of operation of said event and in accordance with all ABCA regulations, and

Whereas, nothing contained within this Resolution is intended to endorse or support any particular belief, philosophy, or political position as it relates to the consumption of beer and/or wine at said events,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Parkersburg, that beer and/or wine shall be permitted at the following said events in accordance with the West Virginia Alcohol Beverage Commission Administration for the purpose of obtaining a permit from said organization:

Point Park Concert Series on June 4th, July 2nd and August 6th, 2021

Organizer: Downtown PKB

Location: Point Park

Alternate Location: Bicentennial Park

Downtown PKB Event (yet to be named) on September 25th, 2020

Organizer: Downtown PKB

Location: Bicentennial Park

Artoberfest on October 16th, 2020

Organizer: Parkersburg Art Center

Location: On Market Street, between 7th and 9th Streets

Sponsors:

ORDINANCE AUTHORIZING DONATION
OF PROPERTY TO BOYS AND GIRLS
CLUB OF PARKERSBURG

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the small greenhouse currently located on real property of the City commonly referred to as "Point Park Marketplace" shall be donated to the Boys and Girls Club of Parkersburg for use by their members as reflected by a letter of January 25, 2020, attached hereto. The Council finds that the greenhouse is currently unused by the City and has zero or nominal value. The dismantling and removal of the greenhouse shall be the sole responsibility of the Parkersburg Boys and Girls Club.

CBM



**BOYS & GIRLS CLUB
OF PARKERSBURG**

January 25, 2020

Tom Joyce
City of Parkersburg
1 Government Square
PO Box 1627
Parkersburg, WV 26102

Lynn Reins
Boys & Girls Club of Parkersburg
1200 Mary St
Parkersburg, WV 26101

Mr. Joyce:

We are very much looking forward to moving forward into 2021 and hope to see some progress towards more traditional programming. One of the newer programs that has shown great success and the Boys & Girls Club members have truly enjoyed is the Discovery Garden. Members were able to learn to grow their own food and genuinely connect with nature.

Boys & Girls Club of Parkersburg plans to continue this wonderful program and to expand it. With this plan in mind it is our request that the city donate the currently unused green house to Boys & Girls Club of Parkersburg, allowing our members to cultivate their gardening skills even further. Members will learn to cook the produce they grew and work towards becoming self-sufficient. Food insecurity is faced by many the club serves, this gift would not only benefit members while they are here, but provide them with knowledge of nutrition for their lifetime and help their families eat healthier options.

We at Boys & Girls Club of Parkersburg hope the city will see the value in this donation. Please reach out if you have any questions. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Reins'. The signature is fluid and cursive, with a large initial 'L' and 'R'.

Lynn Reins
CEO
Boys & Girls Club of Parkersburg

**AN ORDINANCE VACATING THE SOUTHERLY TERMINUS OF
FOXHILL DRIVE LYING ADJACENT TO LOTS 21, 22, AND PORTION OF
LOT 23 OF THE FOXHILL ADDITION**

WHEREAS, The Municipal Planning Commission of the City of Parkersburg has recommended the vacation of the southerly terminus of Foxhill Drive approximately 30' x 127.5' lying adjacent to Lots 21, 22, and portion of Lot 23 of the Foxhill Addition; and

WHEREAS, the Council of the City of Parkersburg believes it proper to do so and,

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that the following described property is hereby vacated and closed as a public thoroughfare.

Situate in the City of Parkersburg, County of Wood, State of West Virginia, and being more particularly described as follows:

Beginning at the southwesterly corner of Lot 21 of Foxhill Addition, recorded in Plat Book 10, page 10 in the Office of Clerk of the County Commission of Wood County, West Virginia; thence with the southerly terminus of Foxhill Drive in a northwesterly direction, 30 feet, to a point; thence with the westerly line of Foxhill Drive, in a northeasterly direction, 127.41 feet to the southwesterly intersection of Foxhill Drive; thence crossing Foxhill Drive with a line perpendicular to the westerly line of Lot 23 of said Foxhill Addition, in a southeasterly direction 30 feet, to a point on the westerly line said Lot 23; thence with the westerly lines of a portion of Lot 23, and all of the Lots 22 and 21, of said Foxhill Addition, in a southwesterly direction, 127.55 feet, to the place of beginning.

This description was prepared by Randy A. Sheppard, Professional Surveyor No. 860, and is based on instruments of record. Reference is being made to a plat attached hereto and made part of this description.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF PARKERSBURG that the City shall retain a permanent easement for the benefit of the City of Parkersburg, the Parkersburg Utility Board, and all other public utility companies, for ingress and egress over, along and under said portion of right-of-way for the installation, maintenance, location, relocation and removal of public utilities of any kind, and

Mayor Tom Joyce is accordingly authorized to execute a quitclaim deed conveying the interest of the City of Parkersburg to the abutting property owner.

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

Foxhill Drive Map



Map Key

 Portion of Foxhill Drive Requested to be Abandoned



Note: The map is not to scale and shall serve as a reference only.

**AN ORDINANCE UPDATING SECTION 3.4 OF THE POLICIES OF THE
MUNICIPAL PLANNING COMMISSION**

WHEREAS, The City of Parkersburg Municipal Planning Commission has recommended updating their bylaws to allow members and staff to attend meetings via electronic means in case of emergency or unforeseen circumstances; and

WHEREAS, the Council of the City of Parkersburg believes it proper to do so,

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY RESOLVES that the following language be added to Section 3.4 - Meetings of the Policies of the City of Parkersburg Municipal Planning Commission,

"In case of emergency or unforeseen circumstances, members and/or staff are permitted to attend meetings via electronic means."

SPONSORED BY: MUNICIPAL PLANNING COMMISSION

AN ORDINANCE AMENDING ARTICLE 779.13

THE COUNCIL OF THE CITY OF PARKERSBURG HEREBY ORDAINS that Article 779.13(i) of the Codified Ordinances of the City of Parkersburg be amended and reenacted and that a new Article 779.13 (k) be adopted as follows:

779.13(i) Notwithstanding any other provisions of this article, any new or existing business locating in territory annexed by the City on or after April 1, 2021, shall be granted a credit and exemption from the imposition of the business and occupation tax imposed by this article for construction of new buildings, and/or renovation and maintenance of existing buildings within the annexed territory for a period of five years from the date a new business is commenced, or the date of annexation, whichever is later. It is the intent of this provision that the exemption as herein provided extends to any contractor, subcontractor, or supplier of the new business. Any new or existing business located in territory annexed by the City on or after April 1, 2021, shall be entitled to the same exemptions as set forth in Article 779.13(a) hereof. It is further the legislative intent of this section that the credit granted herein is for the purpose of providing an incentive for new businesses locating in newly annexed areas of the City.

779.13(k) Notwithstanding any other provisions of this article, any owner of residential property within the City shall be granted a credit and exemption from the imposition of the Business and Occupation Tax imposed by this article for construction of new residential structures up to the first \$200,000.00 for each such structure

It is the intent of this provision that the exemption as herein provided extends to any contractor, subcontractor, or supplier to any such owner. It is further the legislative intent of this section that the credit granted herein is for the purpose of providing an incentive for new residential construction within the City.