

Council of the City of Wheeling met in Council Chambers, City-County Building on the above date with Mayor Andy McKenzie presiding.

The invocation was offered by Second Ward Council Kenneth Imer.

On roll call, the following were present:

McKenzie, Delbrugge, Imer, Henry, Atkinson and Fahey

- 6

Mr. Miller was absent.

Mr. Fahey moved, seconded by Mr. Henry, that the minutes of the April 5, 2016 meeting be approved as received. Motion carried.

Mr. Fahey moved, seconded by Mr. Henry, to suspend the regular order of business to conduct two public hearings. Motion carried.

“PUBLIC HEARING - MUNICIPAL COUNCIL LEVY ESTIMATE FY 2016-17”

City Manager Robert Herron explained that the levy rates will remain virtually the same as last year. He added that this is part of the budget process and the laying of the levy rates occurs the 3rd Tuesday in April every year.

No one signed up to speak at this public hearing.

“PUBLIC HEARING - FY 2016-17 ACTION PLAN - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM”

Mr. Herron explained that this public hearing is to solicit citizen comment on the City's proposed allocation of Federal funds to the City through the Community Development Block Grant (CDBG) Program and the Home Investment Partnership (HOME) Program. He commented that for Fiscal Year 2016-17, the City's entitlement amount for the CDBG Program will be \$1,084,578 and \$240,377 for the HOME Program. Mr. Herron also briefly reviewed the CDBG Budget for FY 2016-17. Stephanie Hall, 201 N. Broadway Street spoke at the public hearing. She presented a list of requests such as police patrols, sidewalk repair, etc., for CDBG funds for 2016-2017 from the Wheeling Island Community Association. Mr. Herron also discussed surveys that are currently be circulated in certain areas to see if their area is eligible for CDBG funding. No one else signed up to speak at this public hearing.

Mr. Fahey moved, seconded by Mr. Henry, to conclude the public hearings and resume the regular order of business. Motion carried.

MAYOR'S REPORT

Mayor McKenzie thanked everyone involved with the April 5th Council meeting that was held at Wheeling Park High School. He extended special thanks to Superintendent Dianna Vargo and Wheeling Park High School Principal, Amy Minch. He also advised that the May 3rd City Council will be held at Wheeling Central High School in the T.E.A.L. Lab, located on the 2nd floor.

Mayor McKenzie presented a proclamation to Lance Miller, one of the Miller brothers who own Neely's, congratulating them on their 60th Anniversary in business and proclaiming April 15th as Neely's Grocery Store Day in the City of Wheeling.

Mayor McKenzie invited Frank O'Brien, Executive Director of the Convention and Visitors Bureau and Denny Magruder, Executive Director of WesBanco Arena, to speak about Touris, their partnership, and the significant economic impact that both have had on the Northern Panhandle, in particular, Wheeling. Mr. O'Brien reminded the public that on May 3rd the WV Tourism Council will be at Oglebay Park.

UNFINISHED BUSINESS

ADOPTING TRAFFIC RULE NO. 4551 - HANDICAPPED PKG. - 3506 WOOD ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4551.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

ADOPTING TRAFFIC RULE NO. 4552 - HANDICAPPED PKG. - 1106 MC COLLOCH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4552.

The ordinance was read a second time by title. Mr. Imer moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

ADOPTING TRAFFIC RULE NO. 4553 - HANDICAPPED PKG. - 1232 MC COLLOCH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4553.

The ordinance was read a second time by title. Mr. Imer moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Miller, Atkinson, Fahey - 7

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

ADOPTING TRAFFIC RULE NO. 4554 - HANDICAPPED PKG. - 224 N. FRONT ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4554.

The ordinance was read a second time by title. Mr. Imer moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

ADOPTING TRAFFIC RULE NO. 4555 - NO PARKING - N. SD. OF 16TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4555.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

ADOPTING TRAFFIC RULE NO. 4556 - TWO HR. PARKING - N. SD. OF 16TH (LANE E)

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4556.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

ADOPTING TRAFFIC RULE NO. 4557 - TWO HR. PARKING - N. SD. OF 16TH (EOFF ST.)

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4557.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES:

- 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

TRANSFER OF PROPERTY TO OVADC - 1069 MAIN ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY AND IMPROVEMENTS LOCATED AT 1069 MAIN STREET TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEED AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey

- 6

NOES:

- 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

LANE ABANDONMENT - SECTION OF LANE 9 BETWEEN MAIN ST. AND LANE B.

The following was then read;

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING A SECTION OF LANE 9 BETWEEN MAIN STREET AND LANE B AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey

- 6

NOES:

- 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

MUNICIPAL COUNCIL LEVY ESTIMATE - FY 2016-17

The following was then read:

AN ORDINANCE OF THE MUNICIPAL COUNCIL LEVY ESTIMATE, PRESCRIBED BY THE WEST VIRGINIA STATE AUDITOR, KNOWN AS THE ANNUAL APPROPRIATION FOR FISCAL YEAR 2016-2017 BUDGET FOR WHEELING MUNICIPALITY, OHIO COUNTY.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6
NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

DEMOLITION LIEN - 2001 MARKET STREET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING A DILAPIDATED STRUCTURE ON A CERTAIN PROPERTY IN THE CITY HAVING AN ADDRESS OF 2001 MARKET STREET, LOCATED AT THE CORNER OF 20TH & MARKET STREET, WHEELING, WV, IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

The ordinance was read a second time by title. Mr. Henry moved, seconded by Mrs. Delbrugge, that the ordinance be adopted.

In response to a question from Mayor McKenzie, City Solicitor Rose Humway-Warmuth explained that a lien will be placed on the property to recoup the costs of demolition.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6
NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

Mr. Fahey moved, seconded by Mr. Henry, that the Planning Commission Minutes, 12/14/15; Traffic Commission Minutes, 3/11/16; Wheeling Municipal Parking System Financial Report, 1/31/16 & 2/29/16; and Robert C. Byrd Intermodal Transportation Center Financial Report, 1/31/16 & 2/29/16; which were held over, be approved as received. Motion carried.

Mr. Atkinson made a motion, seconded by Mr. Fahey, to return to the Clerk's Report as that portion was inadvertently omitted. Motion carried.

CLERK'S REPORT

NOTICE OF APPLICATION TO OPERATE A PRIVATE CLUB - SHINE PUB, LLC., - 703 WARWOOD AVE.

City Clerk Janice Jones presented Council with a Notice of Application to Operate a Private Club for Shine Pub, LLC, located at 703 Warwood Avenue. The applicant is Linda Welsh.

Mr. Atkinson moved, seconded by Mr. Fahey, to resume the regular order of business.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Fahey reported that the Elm Grove Crime Watch will be held on Wednesday, May 20, and that the special guest will be WV Department of Highways District Engineer Gus Suwaid.

REPORT OF COMMITTEES

Mr. Fahey read the following Finance Committee Minutes for April 14, 2016:

FINANCE COMMITTEE MINUTES - APRIL 14, 2016

The Finance Committee of Wheeling City Council met on Thursday, April 14, 2016 at 11:15 a.m. in the City Manager's Conference Room. Committee Members present: Chair Gene Fahey, Vice Chair David Miller, Member Don Atkinson. Others present: Councilors Gloria Delbrugge, Robert Henry, and Ken Imer; City Manager Robert Herron, Human Resources Director Teresa Hudrlik, City Clerk Janice Jones and the media.

The following matters were discussed:

Executive Session to Discuss a Personnel Matter

Mr. Miller moved, seconded by Mr. Atkinson, to suspend the regular order of business to conduct an executive session. Motion carried. Time: 11:15 a.m.

Mr. Atkinson moved, seconded by Mr. Miller, to close the executive session and resume the regular order of business. Motion carried. Time: 11:37 a.m.

Chairman Fahey reported that there is a recommendation from the Finance Committee to Council. Mr. Miller moved, seconded by Mr. Atkinson, to recommend to Council that Seth McIntyre be appointed as Finance Director. Motion carried.

There being no further business to come before the Committee, Mr. Atkinson moved, seconded by Mr. Miller, to adjourn. Time: 11:38 a.m.

Mr. Atkinson moved, seconded by Mr. Fahey, to accept the Finance Committee Minutes as presented. Motion carried.

Following the reading and acceptance, Mr. Fahey moved, seconded by Mr. Atkinson, to recommend to all of Council the appointment of Seth McIntyre as Finance Director. Motion carried.

Mayor McKenzie introduced Seth McIntyre to Council and the public. He thanked Council for the opportunity and said that he looking forward to joining the City.

REPORT OF CITY MANAGER

City Manager Robert Herron said that the City has received a petition for annexation for an area known as River Hills in Warwood. 52 of the 72 residents in the area signed the petition. He noted that the City Staff will be reviewing the area and that it will come back to Council in the near future for final approval.

Mr. Herron respectfully requested two readings on Item 9/3 for the WV Department of Highways as this was done in 2012; however, the State just recently submitted a bill to us. HUD is anxious to get this expended as it was from the 2012 Funding.

Mr. Herron introduced Jon-Erik Gilot to Council for appointment to the Wheeling Historic Landmarks Commission. Mr. Fahey moved, seconded by Mr. Henry, to concur with the appointment. Motion carried.

REPORT OF OTHER OFFICERS

Mr. Fahey moved, seconded by Mr. Henry, that the Board of Zoning Appeals Minutes, 2/18/16; Historic Landmarks Commission Minutes, 3/11/16; Human Rights Commission Minutes, 2/16/16; CDBG Program Status Report, 3/31/16; HOME Program Status Report, 3/31/16; Financial Statement, 3/31/16; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

AUTHORIZING PARTICIPATION IN DEFERRED RETIREMENT OPTION PROGRAM (DROP) FOR FIRE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY OF WHEELING FIRE DEPARTMENT'S PARTICIPATION IN THE DEFERRED RETIREMENT OPTION PROGRAM ("DROP") AS PROPOSED BY THE CITY AND AS ADMINISTERED BY THE STATE OF WEST VIRGINIA PENSION OVERSIGHT BOARD.

AGREEMENT - MEDICOUNT MANAGEMENT, INC. - EMERGENCY MEDICAL BILLING & MANAGEMENT (FIRE)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEDICOUNT MANAGEMENT, INC., OF CINCINNATI, OHIO, FOR EMERGENCY MEDICAL BILLING AND MANAGEMENT SERVICES FOR THE WHEELING FIRE DEPARTMENT.

WV DIVISION OF HIGHWAYS - CITY OF WHEELING PORTION - SCHENK BRIDGE PROJECT (CDBG)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$197,003.05 WITH WV DIVISION OF HIGHWAYS, CHARLESTON, WV, FOR THE CITY'S PORTION FOR REPAIR OF SCHENK BRIDGE, TO BE CHARGED TO CDBG -2012 EY - SCHENK BRIDGE REPAIR - #1507-012-310.

Mr. Fahey moved, seconded by Mr. Henry, that this ordinance be read for a second time this evening. Motion carried.

WV DIVISION OF HIGHWAYS - CITY OF WHEELING PORTION - SCHENK BRIDGE PROJECT (CDBG)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$197,003.05 WITH WV DIVISION OF HIGHWAYS, CHARLESTON, WV, FOR THE CITY'S PORTION FOR REPAIR OF SCHENK BRIDGE, TO BE CHARGED TO CDBG -2012 EY - SCHENK BRIDGE REPAIR - #1507-012-310.

The ordinance was read a second time by title. Mr. Fahey moved, seconded by Mr. Henry, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Henry, Atkinson, Fahey - 6

NOES: - 0

A majority of all those elected to Council having voted in favor, the Mayor thereupon declared the ordinance adopted.

RESOLUTION - SUPPORT OF NATIONAL ASSOCIATION OF LETTER CARRIERS

The following was then read:

A RESOLUTION IN SUPPORT OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS FOR SIX DAY DELIVERY AND DOOR TO DOOR DELIVERY IN THE CITY OF WHEELING.

Mr. Fahey pointed out that the City supports this as it would be difficult for our Senior Citizens to have to walk some distance to put their mail in a "cluster box."

Mr. Fahey moved, seconded by Mr. Henry, that the Resolution be adopted. Motion carried.

RESOLUTION AUTHORIZING APPLICATION FOR GOVERNOR'S COMMUNITY PARTICIPATION GRANT FOR DREDGING OF ELM STREET RUN

The following was then read:

A RESOLUTION TO AUTHORIZE THE APPLICATION AND CONTRACT FOR WEST VIRGINIA GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM FUNDS.

Mr. Fahey moved, seconded by Mr. Henry, that the Resolution be adopted. Motion carried.

THOSE WISHING TO BE HEARD

No one signed up to speak.

There being no further business, Mr. Henry moved, seconded by Mr. Atkinson, to adjourn. Motion carried. time: 6:30 p.m.

City Clerk

Mayor