

Wheeling, West Virginia
August 5, 2014

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 Councilor Ken Imer.

On roll call, the following were present:

McKenzie, Delbrugge, Imer, Henry, Miller, Atkinson and Fahey - 7

Mr. Fahey moved, seconded by Mr. Henry, that the minutes of the July 15, 2014 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Andy McKenzie reported that the Blues Fest will take place this week-end, August 8, 9 and 10, the BrewFest will take place August 16, and the Wine and Jazz Festival will be held on August 23, 2014.

Mayor McKenzie asked for Council's concurrence in the appointment of C. J. Kaiser to the Hall of Fame Board, Philanthropy category. Mr. Fahey moved, seconded by Mr. Atkinson, Council's concurrence in the appointment. He introduced Mr. Kaiser who was in attendance at this evening's meeting.

UNFINISHED BUSINESS

WILSON, KOZICKI, & GWYNN - AUDIT - FY 2012-2014

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH WILSON, KOZICKI, & GWYNN, OF WHEELING, WV, FOR SERVICES RENDERED IN CONNECTION WITH AN AUDIT OF THE CITY OF WHEELING FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2014, IN THE AMOUNT OF \$72,000.00, PER YEAR.

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, 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.

USI INSURANCE SERVICES, LLC. - EXCESS LIABILITY WORKERS' COMPENSATION POLICY - FY 2014-15

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$78,446.00 WITH USI INSURANCE SERVICES, LLC, OF NORFOLK, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY (FY 2014 TO 2015), TO BE CHARGED TO CUSTODY ACCOUNT - WORKERS' COMPENSATION #2335830788.

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, 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.

WHEELING SYMPHONY - CITY'S SHARE OF JULY 4, 2014 FUNFEST FIREWORKS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$40,000.00 WITH WHEELING SYMPHONY OF WHEELING, WV, FOR THE CITY'S SHARE OF JULY 4, 2014 FUNFEST FIREWORKS TO BE CHARGED TO #001.4412.20.2142 (\$30,000.00) AND #002.4412.50.2263 (\$10,000.00).

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, 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.

SPORTS SYSTEMS UNLIMITED CORP. - ICE FLOOR COVERING - WESBANCO ARENA - RCIP

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$148,840.00 WITH SPORT SYSTEMS UNLIMITED, CORP., OF WATERLOO, ONTARIO, CANADA, FOR ICE FLOOR COVERING FOR WESBANCO ARENA, TO BE CHARGED TO WESBANCO ARENA-RCIP ACCOUNT.

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, 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.

DESIGNATION OF CENTRE MARKET SQUARE HISTORIC DISTRICT - MARKET ST. BETWEEN 20TH & 23RD STS.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING DESIGNATING AN HISTORIC DISTRICT CONSISTING OF THE PROPERTIES LOCATED ON MARKET STREET BETWEEN 20TH AND 23RD STREETS, WHEELING WV, HEREINAFTER TO BE SO DESIGNATED AS THE CENTRE MARKET SQUARE HISTORIC DISTRICT, WHICH DISTRICT SHALL REQUIRE THE ADHERENCE TO THE PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS AS NOTED IN SECTION 173.09 FOR SUCH THINGS RELATIVE TO

EXTERIOR ARCHITECTURAL FEATURE MODIFICATIONS AS SET FORTH IN THE DESIGN REVIEW GUIDELINES FOR THE HISTORIC DISTRICT.

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, 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.

Mr. Fahey moved, seconded by Mr. Henry, that the Historic Landmarks Commission Minutes, 6/5/14; CDBG Program Status Report, 6/30/14; HOME Program Status Report, 6/30/14; Wheeling Municipal Parking System Financial Report, 5/31/14; Robert C. Byrd Intermodal Transportation Center Financial Report, 5/31/14; Financial Statement, 6/30/14; which were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Atkinson commented on Bennett McKinley's project of taking pictures "in the alley" and how successful this has been.

Mr. Fahey commented that the Finance Committee will be meeting to continue their discussions on the budget. All aspects of the finances of the City need to be reviewed. A big item that will have to be addressed are the pension funds and our contributions to them.

Mr. Imer said that he has done research on a possible user fee for the City. He has looked at Charleston and Huntington's user fee and will continue to explore this option. He is opposed to any cuts in the safety forces.

REPORT OF COMMITTEES

Mrs. Delbrugge moved, seconded by Mr. Fahey, that the minutes of the Development Committee meeting held on July 16, 2014 be approved as received. Motion carried. For the record, they are as follows:

DEVELOPMENT COMMITTEE REPORT - JULY 16, 2014

The Development Committee of Wheeling City Council met on Wednesday, July 16, 2014 at 11:00 a.m. in City Council Chambers. Committee members present: Mayor Andy McKenzie, Vice Chair Gloria Delbrugge, Member Gene Fahey. Others present: Councilors Don Atkinson, Ken Imer and Robert Henry; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, ECD Director Nancy Prager, Assistant ECD Director Tom Connelly and City Clerk Janice Jones.

The following matters were discussed:

Request for Development/Redevelopment Site for Property Located at 2247 Market St.

City Manager Robert Herron said that he had received a request from Chad Hill for the property located at 2247 Market St. to be a Development/Redevelopment Site. Mr. Hill was present and explained that he would like to relocate and expand their current business, Basement Brewing Company to the Market Street location and rename it "Wheeling Brewing Company." He explained the project and said they will have a brew pub and a restaurant serving high quality food. He believes the proposed plan would appeal to tourists and business class types. Following some discussion, Mr. Fahey moved, seconded by Mrs. Delbrugge, to approve the request and forward it to Council. Motion carried.

Executive Session to Discuss Property Acquisition and Sale

Mr. Fahey moved, seconded by Mrs. Delbrugge, to suspend the regular order of business to conduct an executive session to discuss property acquisition and sale. Motion carried. Time 11:00 a.m.

Mr. Fahey moved, seconded by Mrs. Delbrugge, to conclude the executive session and resume the regular order of business. Time: 11:30 a.m.

No action was taken as a result of the executive session.

There being no further business to come before the Committee, Mr. Fahey moved, seconded by Mrs. Delbrugge, to adjourn. Time: 11:30 a.m.

Mr. Fahey moved, seconded by Mr. Miller, that the minutes of the Finance Committee meeting be accepted as received. Motion carried. For the record, they are as follows:

FINANCE COMMITTEE REPORT - JULY 16, 2014

The Finance Committee of Wheeling City Council met on Wednesday, July 16, 2014 at 12:00 p.m.. in City Council Chambers. Committee Members present: Chair Gene Fahey. Vice Chair David Miller and Member Don Atkinson. Others present: Mayor Andy McKenzie, Councilors Ken Imer, Gloria Delbrugge and Robert Henry; City Manager Robert Herron, Finance Director Michael Klug, City Solicitor Rosemary Humway-Warmuth, City Clerk Janice Jones and the media.

The following matters were discussed:

Financial Statement - June 30, 2014

City Manager Robert Herron said that this represents the end of the Fiscal Year. He reported that the revenue for FY 2013-14 was \$30,616,105.00, the expenses were \$30,430,000.00, which left a carryover of \$232,000.00, slightly less than the \$255,000.00 carryover from the previous year. He commented that the revenue for the past three years has basically remained the same, if not slightly lowered each year. Mr. Herron pointed out that this year's expenditures were the lowest they have been in the past four or five years. Mr. Herron is recommending that the unencumbered portion of the carryover, \$32,000.00, be placed in the contingency fund. Mr. Miller moved, seconded by Mr. Atkinson, to approve the Financial Statement as presented. Motion carried. Mr. Miller then moved, seconded by Mr. Atkinson, to transfer the unencumbered amount of \$32,000.00 to the contingency fund. Motion carried.

Proposed Budget Revision No. 1 - 2014-2015 Budget

City Manager Robert Herron commented that, as part of the 2014-2015 budget process and as directed by City Council to review our organization and come up with recommendations to reduce costs and still provide excellent services, he is presenting the following budget revisions, along with other items that need to be adjusted since the initial approval of the budget. He reviewed each proposed change in detail, as highlighted on the attached budget. Mr. Herron said that the revised revenue budget amount from what was originally passed was \$31,357,000.00. The proposed revision, with the biggest part being the sales tax reduction, is \$30,292,665.00, and the cash carryover of \$232,000.00, making revenue available for the fiscal year of \$30,524,000.00. He then reviewed the proposed expenditures. A lengthy discussion ensued, most of which was concerning the police department, staffing, overtime and salaries. The proposed revised estimate for expenditures is \$29,890,967.00, leaving a balance for Council's consideration to be appropriated of \$633,698.00. In answer to a question from Mr. Miller, as to what position would the city be in if we would just stay as we are,

Tom Howard, President of the FOP Lodge 38, said many of the department's officers are working multiple shifts per week to keep up the department's minimum staffing level and is adamantly opposed to any cuts in the Police department. He suggested one way to increase revenue was to raise the current sales tax another ½ percent or looking at a user fee. He also suggested that increasing salaries would be a plus in retaining officers in the department. Mr. Herron commented that the revenue from the tax increase is being used for capital projects.

Jason Milton, Vice President of the IAF Local 12, told the Committee that they are also adamantly opposed to any cuts in the fire department or safety forces in general and that Council should review ways to increase revenues.

Mayor McKenzie encouraged both the FOP and the IAF to come to the next meeting of the Finance Committee with suggestions or proposals.

There was no motion to accept the Budget Revision No. 1 as presented.

There being no further business to come before the Committee, Mr. Miller moved, seconded by Mr.

Atkinson, to adjourn. Time: 1:35 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron reported that there are still paving projects that will take place this fall. We just completed one that was funded through last year's budget and the others will be put out to bid soon.

City Manager Herron reported that, at a recent WV Conference, Sergeant John Schultz was awarded Prevention Resources Officer of the year.

REPORT OF OTHER OFFICERS

Mr. Fahey moved, seconded by Mr. Henry, that the Wheeling-Ohio County Board of Health Minutes, 5/13/14; Wheeling Housing Authority Minutes, 6/11/14; Human Rights Commission Minutes, 6/17/14; and Board of Zoning Appeals Minutes, 6/19/14; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

KALKREUTH ROOFING - REPLACEMENT OF ROOF - SECONDARY COLLECTION CENTER (WPCD)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,930.00 WITH KALKREUTH ROOFING & SHEET METAL, OF WHEELING, WV, FOR REPLACEMENT OF ROOF ON THE SECONDARY CONTROL CENTER/SECONDARY ELECTRICAL CENTER BUILDING, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - #401.1354.07.00.

FRANK J. ZAMBONI & CO. - ZAMBONI FOR WESBANCO ARENA

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$104,545.00 WITH FRANK J. ZAMBONI & CO., OF PARAMOUNT, CA, FOR ZAMBONI FOR WESBANCO ARENA, TO BE CHARGED TO WESBANCO ARENA- RCIP ACCOUNT.

RESOLUTION - WV DIVISION OF JUSTICE & COMMUNITY SERVICES - PREVENTION RESOURCE OFFICER PROGRAM GRANT - FY 2014-2015

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO ACCEPT THE TERMS AND CONDITIONS OF THE CONTRACT WITH THE WV DIVISION OF JUSTICE AND COMMUNITY SERVICES FOR THE FY 2014-15 PREVENTION RESOURCE OFFICER PROGRAM GRANT - 14-JAG-18.

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

RESOLUTION - IDENTIFYING 2247 MARKET ST. AS A REDEVELOPMENT/DEVELOPMENT SITE

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 2247 MARKET STREET AS A DEVELOPMENT OR A REDEVELOPMENT SITE.

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

RESOLUTION - GENERAL FUND BUDGET REVISION NO. 1 - FY 2014-2015

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING DIRECTING THAT THE GENERAL FUND BUDGET BE REVISED AS PER BUDGET REVISION NO. 1 - FY 2014-2015 - BR1180.01.01.

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

Mr. Fahey pointed out that this Budget Revision reflects the \$32,000 cash carry-over.

RESOLUTION - COAL SEVERANCE FUND BUDGET REVISION NO. 1 - FY 2014-2015

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING DIRECTING THAT THE COAL SEVERANCE FUND BUDGET BE REVISED AS PER BUDGET REVISION NO. 1 - FY 2014-2015 - BR1180.02.01.

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

RESOLUTION - APPROVING INVOICES - COMBINED WATERWORKS & SEWERAGE SYSTEM REVENUE BONDS - 2013

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING INVOICES RELATING TO THE CONSTRUCTION AND OTHER SERVICES FOR THE WATER TREATMENT PLANT PROJECT AND AUTHORIZING PAYMENT THEREOF.

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

RESOLUTION - APPROVING INVOICES - COMBINED WATERWORKS & SEWERAGE SYSTEM REVENUE BONDS - 2006A

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING INVOICES RELATING TO THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WATERWORKS PORTION OF THE EXISTING COMBINED WATERWORKS AND SEWERAGE SYSTEM OF THE CITY AND AUTHORIZING PAYMENT THEREOF.

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

THOSE WISHING TO BE HEARD

Stephanie Hall, 201 N. Broadway Street, addressed Council and encouraged Council not to cut safety forces and to maintain the same level of services for Wheeling Island.

Charles Ballouz, Windor Manor, addressed Council about littering on the trail at Heritage Port.

There being no further business, Mr. Henry moved, seconded by Mr. Atkinson, to adjourn. Motion carried. Time: 12:20 p.m.

City Clerk

Mayor