

Wheeling, West Virginia
April 5, 2016

Council of the City of Wheeling met at Wheeling Park High School, on the above date with Mayor Andy McKenzie presiding. Mayor McKenzie welcomed the Wheeling Park Student Council and asked Student Council President Jacob Laing to help him conduct the meeting.

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

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Mr. Fahey moved, seconded by Mr. Henry, that the minutes of the March 15, 2016 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor McKenzie thanked Superintendent Dianna Vargo and WPHS Principal Amy Minch for allowing Council to meet at the high school. Mayor McKenzie introduced Council and the department heads that were present to those in attendance. Student Council President Jacob Laing then introduced the members of Student Council and members of the Speech Team. Jacob Laing, on behalf of Mayor McKenzie, presented a proclamation to Linda Vidoni, proclaiming April 5th as Mayor's Day of Recognition for National Service in the City of Wheeling. Mayor McKenzie presented a proclamation to the Wheeling Park High School Speech Team who recently won their 37th consecutive State Speech Tournament. Members of the Speech Team addressed Council and thanked them for this recognition.

CLERK'S REPORT

NOTICE OF APPLICATION TO OPERATE A PRIVATE CLUB - GENO'S OLD WHEELING ISLAND CAFÉ - 40 ZANE ST.

City Clerk Janice Jones presented Council with a Notice of Application to Operate a Private Club for Gene's Old Wheeling Island Café, located at 40 Zane St. The applicant is John Prather.

NOTICE OF APPLICATION TO OPERATE A PRIVATE CLUB - ROOKIES SPORTS BAR AND GRILL - 820 MC COLLOCH ST.

City Clerk Janice Jones presented Council with a Notice of Application to Operate a Private Club for Rookies Sports Bar and Grill, located at 820 McColloch St. The applicant is Armond Vanscyoc.

UNFINISHED BUSINESS

There was no unfinished business.

Mr. Fahey moved, seconded by Mr. Henry, that the Historic Landmarks Commission Minutes, 1/7/16; Human Rights Commission Minutes, 1/19/16; CDBG Program Status Report, 2/29/16; HOME Program Status Report, 2/29/16; Wheeling-Ohio County Bd. Of Health Minutes, 1/12/16 and 01/29/16; and Financial Statement, 3/29/16; which were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Miller congratulated Mr. Cornforth and the rest of the Speech Team Coaches on this prestigious achievement that they won for the 37th consecutive time. He also encouraged those present, especially the newly-turned eighteen year olds, to exercise their right to vote in this upcoming election.

Mr. Henry remarked on a new business that opened in South Wheeling yesterday named Mike's Pawn Shop, located on 48th Street, across the street from Pulaski Field. He

informed Council that Mike donated \$500.00 to be used for the playground.

Vice Mayor Fahey updated Council on the progress of the Elm Grove Interchange. He noted that it was well ahead of schedule

REPORT OF COMMITTEES

Mr. Fahey moved, seconded by Mr. Atkinson, that the reading of the Finance Committee minutes for 3/15/16 be dispensed with and the minutes accepted as received. Motion carried. For the record they are as follows:

FINANCE COMMITTEE REPORT - MARCH 15, 2016

The Finance Committee of Wheeling City Council met on Tuesday, March 15, 2016 at 5:15 p.m. in City Council Chambers. Committee Members present: Chair Gene Fahey, Vice Chair David Miller, Member Don Atkinson. Others present: Mayor Andy McKenzie, Councilors Gloria Delbrugge, Robert Henry and Ken Imer; City Manager Robert Herron, City Clerk Janice Jones and the media.

The following matters were discussed:

Financial Statement - February 29, 2016

City Manager Robert Herron reported that the General Fund Balance at the end of February is \$3,136,000.00, with \$504,000.00 in the budget stabilization fund. Last year's balance for the same time period was \$2,979,000.00. He indicated that the General Fund is holding up nicely through the 8 month period. He reported that expenses are at 61% of budget and revenues are at 69% of budget, approximately \$763,000.00 ahead of where we were for the same period last year. He reported that the B & O Revenue to date is approximately \$7,165,500.00, approximately \$149,000 less than for the same period last year. He also indicated that the Hotel/Motel tax is slightly down this year, mostly attributed to the reduction of Gas and Oil jobs. Following a short discussion, Mr. Miller moved, seconded by Mr. Atkinson, to accept the February 29, 2016 Financial Statement as presented. Motion carried.

In another matter, Mr. Herron reported on the levy rates that will be included in the Municipal Council Levy Estimate which will be included on the agenda at the April 15, 2016 meeting. The proposed recommendation for additional revenue from property taxes in the is that it be put into the Contingency Line Item, which in the budget that was presented is \$402,289.00 which would now make it \$477,217.00.

There being no further business to come before the Committee, Mr. Atkinson moved, seconded by Mr. Miller, to adjourn. Time: 5:25 p.m.

Mr. Fahey moved, seconded by Mrs. Delbrugge, that the reading of the Development Committee minutes for 3/24/16 be dispensed with and the minutes accepted as received. Motion carried. For the record they are as follows:

DEVELOPMENT COMMITTEE REPORT - MARCH 24, 2016

The Development Committee of Wheeling City Council met on Thursday, March 24, 2016 at 1:00 p.m. in Council Chambers. Committee members present: Mayor Andy McKenzie, Vice Chair Gloria Delbrugge, and Member Gene Fahey. Others present: Councilor Atkinson; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, ECD Director Nancy Prager, Assistant ECD Director Tom Connelly, City Clerk Janice Jones.

The following matters were discussed:

Lane Abandonment - Lane 9 - WesBanco Bank, Inc.

City Manager Robert Herron explained that WesBanco is requesting that a portion of Lane B between Main Street and Market Street be abandoned. The purpose of this request is to allow for the expansion of their parking lot. Economic and Community Development Director Tom Connelly explained the request and reviewed the comments received from various utilities and city departments. Based on the information provided by the applicant, the comments received from the city departments, public and private utilities and neighbors, it appears as though this right of way does serve a public interest; however, the concerns of the utilities can be alleviated

by including a condition that the abandonment be subject to no structures being placed over top of the infrastructure, and the neighbor's concerns can be addressed by limiting the length of the area being abandoned. Therefore, the staff recommends abandoning Lane 9 from Main Street to the west side of Lane B, leaving Lane 9 open for vehicle access between Lane B and Market St.

Mr. Jacob Altmeyer and Mr. James Gardill, spoke on behalf of WesBanco Bank and agreed to scale back and not pursue the abandonment of the east half of Lane B.. As for future development in that area, they will come back at another time to address that matter.

Following some discussion, Mr. Fahey moved, seconded by Mrs. Delbrugge, to approve the Lane Abandonment. Motion carried.

Executive Session to Discuss Property Acquisition

Mr. Fahey moved, seconded by Mrs. Delbrugge, to suspend the regular order of business to conduct an executive session to discuss property acquisition. Motion carried. Time 1:10 p.m.

Mr. Fahey moved, seconded by Mrs. Delbrugge to return to the regular order of business. Motion carried. Time 1:45 p.m.

Mr. Fahey moved to recommend to Council that the property known as the old Tom's Pizza Property, be transferred to the OVADC and then in turn transferred to Bekah Karelis and Sarel Venter, with all the appropriate notifications and restrictions. Motion carried.

There being no further business to come before the Committee, Mr. Fahey moved, seconded by Mrs. Delbrugge, to adjourn. Time: 1:45 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron explained that the City of Wheeling is a Council/Manager Form of Government. As City Manager, he is the Chief Executive Officer of the City.

Mr. Herron respectfully requested that Item 9/12 under original propositions be read two times this evening as it is for an upgrade at the Wheeling Park Booster Station.

He commented that we are developing a list for summer paving and hope to have it out to bid before the end of the month. In addition to this paving, there still is \$230,000 of CDBG paving that was on last year's contract. He anticipates that Lash Paving will begin that work sometime this month.

In response to a question from Vice Mayor Fahey about whether the paving around the J. B. Chambers Recreational Complex was included in last fall's CDBG paving budget, Mr. Herron said that it was and that it will be done this spring.

REPORT OF OTHER OFFICERS

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; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

ERB ELECTRIC CO. - WHEELING PARK BOOSTER STATION UPGRADE (WATER)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,900.00 WITH ERB ELECTRIC CO., OF BRIDGEPORT, OH, FOR WHEELING PARK BOOSTER STATION UPGRADE, TO BE CHARGED TO WATER - #400.1304.02.00.

Mr. Fahey moved, seconded by Mr. Henry, that this ordinance be read for a 2nd time tis evening. Motion carried.

ERB ELECTRIC CO. - WHEELING PARK BOOSTER STATION UPGRADE (WATER)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,900.00 WITH ERB ELECTRIC CO., OF BRIDGEPORT, OH, FOR WHEELING PARK BOOSTER STATION UPGRADE, TO BE CHARGED TO WATER - #400.1304.02.00.

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.

RESOLUTION - AMENDMENT TO CDBG FY 2014 BUDGET - VINE ST. SLIP REPAIR

The following was then read:

A RESOLUTION OF WHEELING CITY COUNCIL TO AMEND THE FISCAL YEAR 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET TO CREATE A NEW LINE ITEM KNOWN AS THE VINE STREET SLIP REPAIR PROJECT.

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

RESOLUTION - AUTHORIZING PARTICIPATION IN NORTHERN PANHANDLE HOME CONSORTIUM - FY 2016-17

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING PARTICIPATION IN THE NORTHERN PANHANDLE HOME CONSORTIUM FOR THE PERIOD OF JULY 1, 2016 TO JUNE 30, 2017.

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

RESOLUTION - AUTHORIZING PAYMENT OF INVOICES - WATER TREATMENT PLANT PROJECT

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.

Vice Mayor Fahey moved, seconded by Mr. Henry, to return to the Mayor's report.
Motion carried.

Mayor McKenzie reminded everyone that a newly formed committee on parking and traffic in down Wheeling will meet on Wednesday, April 6 at 12:00 noon in Council Chambers. He also reminded those in attendance that the May 3, 2016 City Council meeting will be held at Wheeling Central in the T.E.A.L. Lab, second floor, at 12:00 o'clock noon.

Vice Mayor Fahey moved, seconded by Mr. Henry, to return to the City Manager's Report. Motion carried. In response to a question from Mr. Fahey regarding the trail restoration behind the Water Department, Mr. Herron said that the Water Department will be paying for the trail restoration, as well as demolition of the old Naval Building and restoration of the tennis courts.

Vice Mayor Fahey moved, seconded by Mr. Henry, to return to the regular order of business. Motion carried.

THOSE WISHING TO BE HEARD

Karen Stechly, Northern Panhandle Water Conservation District, spoke to Council about the Wheeling Creek Watershed in Marshall and Ohio Counties and thanked us for our sponsorship so that they can continue their projects, operations and maintenance of the Watershed.

There being no further business, Mr. Henry moved, seconded by Mr. Atkinson, to adjourn. Motion carried. Time: 12:45 p.m.

City Clerk

Mayor