

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. Atkinson, that the minutes of the June 2, 2015 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor McKenzie asked for Council's concurrence in the reappointments of Jeanne Finstein, Maureen Zambito, F. Wayne Barte, Patricia Pockl, and Richard Coury to the Hall of Fame Board. Mr. Fahey moved, seconded by Mr. Henry, Council's concurrence in the reappointments. Motion carried.

Mayor McKenzie commented on the dedication of the J. B. Chambers Sports Complex and what a wonderful event it was.

Mayor McKenzie announced that the U. S. Army Band and Soldiers Chorus will be at Heritage Port at 8:00 p.m. on Saturday, commemorating West Virginia Day.

The Mayor announced that the City will be presenting a check to United Way for over \$9,000, which are the proceeds from the Chile Cook-Off. City Solicitor Rosemary Humway-Warmuth, Chair of the event, commented that this was the best year ever. She introduced the Peoples Choice Winners, Vagabond Kitchen and Mary Fahey and Wolfie. George Smoulder, Director of the United Way, accepted the check and addressed Council to thank everyone who supported the Chile Cook-Off.

CLERK'S REPORT

NOTICE OF APPLICATION TO OPERATE A PRIVATE CLUB - PARADISE FOOD MART - 292 KRUGER ST.

City Clerk Janice Jones presented Council with a Notice of Application to Operate a Private Club for Paradise Food Mart, located at 292 Kruger St. The applicants are Julie Denholm and Singh Manjinder.

ZONE CHANGE REQUEST - 2518 EOFF STREET - E-M-O TO C-2

City Clerk Janice Jones presented Council with a Zone Change Request for Property located at 2518 Eoff St. The present zone is EMO and the proposed zone is C-2. The proposed use is for a Hair Salon. Mr. Fahey moved, seconded by Mr. Henry, to forward this to the Planning Commission. Motion carried.

UNFINISHED BUSINESS

ADOPTING TRAFFIC RULE NO. 4522 - NO PARKING ZONE - W. SD. OF MARKET ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4522.

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.

ADOPTING TRAFFIC RULE NO. 4523 - HANDICAPPED PARKING - 13 WEBSTER AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4523.

The ordinance was read a second time by title. Mr. Fahey 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. 4524 - HANDICAPPED PARKING - 96 N. 11TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4524.

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

TRANSFER OF TIF FUNDS TO OVADC FOR TIF RELATED ECONOMIC DEVELOPMENT

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE TRANSFER OF ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS (\$155,000) FROM THE MONIES ASSOCIATED WITH THE CITY'S TAX INCREMENT FINANCING PROJECT (TIF) #4 TO THE OHIO VALLEY AREA DEVELOPMENT CORPORATION (OVADC), TO BE USED FOR TIF RELATED ECONOMIC DEVELOPMENT.

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 Board of Zoning Appeals Minutes, 4/16/15 and Traffic Commission Minutes, 5/14/15; be held over until the next meeting. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Miller congratulated Rose Humway-Warmuth on the success of the Chile Cook-Off and Kurt Zende on the success of the Wing Fest at Centre Market. He also thanked Public Works Director Rusty Jebbia and the Operations Department for their efforts in cleaning up after the heavy rains that have been occurring. Mr. Miller announced, too, that a Fourth Ward Meeting will be held this evening at Woodsdale School at 7:00 p.m.

Mr. Atkinson congratulated Lieutenant Redford and Officer Schultz on their heroic actions this past week.

Mr. Fahey also commented on the dedication of the J. B. Chambers Sports Complex and what a great improvement it has been to that area.

REPORT OF COMMITTEES

No Committee Report

REPORT OF CITY MANAGER

City Manager Robert Herron commented that the paving contract is well underway and that there will be an additional paving project in the fall, totaling approximately \$500,000. He updated Council on the progress at WesBanco Arena.

Mr. Herron also pointed out that, under Original Propositions, the Bond Ordinance and the Resolution and Order, require a public hearing and three readings, which will occur at the July 7, 2015 meeting.

Mrs. Delbrugge inquired about the repair of the roof at the Warwood Pool. City Manager Herron said that it was budgeted and would most likely be done in the fall when the pool is closed but Mrs. Delbrugge asked if a temporary fix could be done prior to that. Mr. Herron will check on it. Mrs. Delbrugge also inquired about the switch over at the new water treatment plant and the chlorine odor. He said that the switch over has not yet occurred.

Mr. Miller asked if Mr. Herron could comment on some of the options that the City can address Elm Run. Mr. Herron indicated that all of that run is on private property. A letter to the property owners will be sent outlining what needs to be done. If they don't fix the portion that is on their property, it can be declared a public nuisance and the City can go onto their property, fix the problem and assess the cost, which would be billed to the property owner.

REPORT OF OTHER OFFICERS

Mr. Fahey moved, seconded by Mr. Henry, that the Wheeling Housing Authority Minutes, 3/11/15; Wheeling Municipal Parking System Financial Report, - 5/31/15; Robert C. Byrd Intermodal Transportation Center Financial Report - 5/31/15; CDBG Program Status Report, 5/31/15; HOME Program Status Report, 5/31/15; Human Rights Commission Minutes, 5/31/15; Financial Statement, 5/31/15; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

BOND ORDINANCE - REFUNDING COMBINED WATERWORKS & SEWERAGE SYSTEM REVENUE BONDS SERIES 2006A AND ISSUANCE OF COMBINED

WATERWORKS & SEWERAGE SYSTEM REVENUE BONDS, SERIES 2015A AND SERIES 2015B

The following was then read:

AN ORDINANCE AUTHORIZING THE REFUNDING OF THE ISSUER'S OUTSTANDING COMBINED WATERWORKS & SEWERAGE SYSTEM REVENUE BONDS, SERIES 2006A AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, FUNDING A DEBT SERVICE RESERVE FUND AND PAYING COSTS OF ISSUANCE AND RELATED COSTS, THROUGH THE ISSUANCE OF COMBINED WATERWORKS & SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2015A (BANK QUALIFIED) OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$10,000,000; AND COMBINED WATERWORKS & SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2015B (TAXABLE) OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$3,000,000; PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX CERTIFICATE, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AN ESCROW AGREEMENT AND OTHER DOCUMENTS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ADOPTING OTHER PROVISIONS RELATING THERETO.

RESOLUTION AND ORDER - AUTHORIZING REFINANCING OF CITY'S GENERAL OBLIGATION BONDS, SERIES 2003 AND ISSUANCE OF CITY OF WHEELING CIVIC CENTER GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015

The following was then read:

A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE REFUNDING OF THE CITY OF WHEELING CIVIC CENTER GENERAL OBLIGATION BONDS, SERIES 2003, OUTSTANDING IN THE AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$1,755,000, AND THE ISSUANCE FOR SUCH PURPOSE OF NOT TO EXCEED \$2,200,000 IN AGGREGATE PRINCIPAL AMOUNT OF THE CITY OF WHEELING CIVIC CENTER GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015 (BANK QUALIFIED); AUTHORIZING AND APPROVING A BOND PURCHASE AGREEMENT, AN ESCROW AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A CONTINUING DISCLOSURE AGREEMENT AND OTHER INSTRUMENTS RELATING TO THE REFUNDING BONDS IN SUCH FORMS AS SHALL BE APPROVED BY THE MAYOR; APPOINTING A REGISTRAR, A PAYING AGENT, AN ESCROW AGENT AND A VERIFICATION AGENT; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE REFUNDING BONDS AND FUNDS ON DEPOSIT WITH THE WEST VIRGINIA MUNICIPAL BOND COMMISSION; AND MAKING OTHER PROVISIONS AS TO THE REFUNDING BONDS AND THE REFUNDING OF THE PRIOR BONDS.

SNF POLYDYNE - POLYMER (WPCD)

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$156,864.00 WITH SNF POLYDYNE, OF RICEBORO, GA, FOR THE PURCHASE OF 16,000 GALLONS OF POLYMER, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - 401.4003.05.0718.01. CHEMICALS (FY 2015-2016).

JCI JONES CHEMICAL, INC. - LIQUID CHLORINE (WPCD)

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,500.00, WITH JCI JONES CHEMICAL INC. , OF BARBERTON, OH, FOR THE PURCHASE OF 50 TONS OF LIQUID CHLORINE, TO BE CHARGED TO WATER POLLUTION CONTROL DIV.- 401.4003.05.0718.01 - CHEMICALS (FY 2015-2016).

BARBER'S CHEMICAL, INC. - SODIUM BISULFITE (WPCD)

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$28,350.00 WITH BARBER'S CHEMICAL, INC., OF SHARPSVILLE, PA, FOR THE PURCHASE OF 15,000 GALLONS OF SODIUM BISULFITE, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - 401.4003.05.0718.01. CHEMICALS (FY 2015-2016).

DEMOLITION LIENS - 2015

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING DILAPIDATED STRUCTURES ON CERTAIN PROPERTIES IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

THOSE WISHING TO BE HEARD

Edwin Jepson, Hazlett Court, addressed Council with concerns about illegal logging and timbering on the hilltop above the Edgwood area. He asked for help from the city in regard to this matter.

Tony Domenick, 221 S. Wabash St., informed Council that, once again, he will be organizing the music festival on 14th Street, and would like to have permission from the City to have a carnival at this location also. He will be contacting the City with the exact details in the near future.

There being no further business, Mr. Henry moved, seconded by Mr. Atkinson, to adjourn. Motion carried. Time: 5:55 p.m.

City Clerk

Mayor