

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, Atkinson and Fahey - 5

Mr. Miller and Mr. Henry were absent

Mr. Fahey moved, seconded by Mr. Atkinson, that the minutes of the July 7, 2015 meeting be approved as received. Motion carried.

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

PUBLIC HEARING

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING SECTION 35 OF THE CHARTER OF THE CITY OF WHEELING BY REENACTING SECTION 35, BOARDS AND COMMISSION, TO REFLECT A CHANGE IN THE TERMS OF COMPOSITION OF MEMBERSHIP OF THE GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY.

City Manager Robert Herron explained that anytime there is an amendment to the City Charter, a public hearing is required. He stated that this is a minor amendment; however, and it is basically changing the residency requirements of the membership to include residents of Ohio County.

Mayor McKenzie said that no one signed up to speak and asked if there was anyone who wished to speak at this public hearing.

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

MAYOR'S REPORT

Mayor McKenzie commented that there is a lot of activity happening at the Heritage Port this summer and urged the public to take advantage of this wonderful venue.

UNFINISHED BUSINESS

ADOPTING TRAFFIC RULE NO. 4525 - 2 HR. PARKING - WEST SIDE OF MAIN ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4525.

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, Atkinson, Fahey - 5

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. 4526 - 2 HR. PARKING - EAST SIDE OF MARKET ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4526

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, Atkinson, Fahey - 5

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. 4527- HANDICAPPED PARKING - 119 EDGWOOD ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4527.

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

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Atkinson, Fahey - 5

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. 4528 - NO PARKING - NORTH AND SOUTH SIDES OF HAWTHORNE COURT

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4528.

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

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Atkinson, Fahey - 5

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. 4529 - 2 HR. PARKING - NORTH SIDE OF 12TH STREET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF

WHEELING ADOPTING TRAFFIC RULE NO. 4529.

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, Atkinson, Fahey - 5

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. 4530 - PERMIT PARKING - SOUTH SIDE OF SOUTH STREET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4530.

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, Atkinson, Fahey - 5

NOES: - 0

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

AGREEMENT - OHIO COUNTY BOARD OF EDUCATION - GARDEN PARK - FY 2015-16

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE OHIO COUNTY BOARD OF EDUCATION REGARDING USE OF A PORTION OF THE GARDEN PARK RECREATION COMPLEX - FY 2015-2016.

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

The vote on the motion resulted as follows:

AYES: McKenzie, Delbrugge, Imer, Atkinson, Fahey - 5

NOES: - 0

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

AMENDING SECTION 35 OF CHARTER - BOARDS AND COMMISSIONS - GREATER WHEELING SPORTS & ENTERTAINMENT AUTHORITY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING SECTION 35 OF THE CHARTER OF THE CITY OF WHEELING BY REENACTING SECTION 35, BOARDS AND COMMISSIONS, TO REFLECT A CHANGE IN THE TERMS OF COMPOSITION OF MEMBERSHIP OF THE

GREATER WHEELING SPORTS AND ENTERTAINMENT
AUTHORITY.

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, Atkinson, Fahey - 5

NOES: - 0

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

AMENDING CODIFIED ORDINANCES - ARTICLE 163 - GREATER WHEELING SPORTS
& ENTERTAINMENT AUTHORITY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WHEELING BY REENACTING ARTICLE 163, GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY, TO PERMIT RESIDENTS OF OHIO COUNTY, WEST VIRGINIA, AS WELL AS THE CITY OF WHEELING, TO BE MEMBERS OF THE AUTHORITY AND TO AMEND THE SELECTION PROCESS OF THE CHAIRPERSON.

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, Atkinson, Fahey - 5

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 Mrs. Delbrugge, that the Wheeling Housing Authority Minutes, 4/8/15; Historic Landmarks Commission Minutes, 5/7/15; Board of Zoning Appeals Minutes, 5/21/15; and Traffic Commission Minutes, 6/11/15, which were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Imer commented that he attended the North Wheeling Crime Watch on July 16, 2015. He reported that it was a good meeting and very well attended.

REPORT OF COMMITTEES

Mr. Fahey moved seconded by Mr. Atkinson, to dispense with the reading of the Rules Committee Minutes of 7/13/15 and accept them as received. Motion carried. For the record, they are as follows:

RULES COMMITTEE MINUTES - JULY 13, 2015

The Rules Committee of Wheeling City Council met on Monday, July 13, 2015 at 12:00 a.m. in City Council Chambers. Committee members present: Chair David Miller, Vice Chair Gene Fahey, Member Robert Henry. Others present: Councilors Donnie Atkinson and Gloria Delbrugge; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, Finance Director Jill Willey, and Clerk Janice Jones.

The following matter was discussed:

Proposed False Alarm Ordinance

As a follow up to the Rules Committee meeting of March 27, 2015, committee members discussed various suggestions for registration, fee schedules and implementation procedures for the proposed False Alarm Ordinance. Following this discussion, Mr. Miller moved, seconded by Mr. Henry, that a draft ordinance be prepared and brought back to the Rules Committee for their review in the next thirty days. Motion carried. Chief Schwertsfeger also suggested that representatives from FARA, False Alarm Reduction Association, could come to the Rules Committee meeting to address any concerns that the committee may have.

There being no further business to come before the Committee, Mr. Miller moved, seconded by Mr. Henry, to adjourn. Time: 12:15 p.m.

REPORT OF CITY MANAGER

City Manager Herron explained that, under State Code and the Rules of the West Virginia Police and Fire Municipal Pensions Oversight Board, the City is required to do a specific annual report and that City Council receive a copy of both reports. If you have any questions about either of these reports, please contact the City Manager or Finance Director.

Mr. Herron asked for Council's concurrence in the reappointments of Rebecca Swords, Greg Smith, Charles Kaiser, Esq. and Vic Greco to the Historic Landmarks Commission. Mr. Fahey moved, seconded by Mr. Atkinson, Council's concurrence in the reappointments. Motion carried.

He also asked for Council's concurrence in the reappointments of Howard Monroe and Jeff Mauck to the Planning Commission. Mr. Fahey moved, seconded by Mrs. Delbrugge, Council's concurrence. Motion carried.

Mayor McKenzie again commended Mr. Herron for his excellent fiscal management as evidenced at the Finance Committee meeting that was held prior to tonight's meeting.

REPORT OF OTHER OFFICERS

Mr. Fahey moved, seconded by Mrs. Delbrugge, that the CDBG Program Status Report, 6/30/15; HOME Program Status Report, 6/30/15; Wheeling Municipal Parking System Financial Statement, 5/31/15; Robert C. Byrd Intermodal Transportation Center Financial Statement, 5/31/15; Human Rights Commission Minutes, 5/19/15; Greater Wheeling Sports & Entertainment Authority Minutes, 4/28/15; and Financial Statement, 6/30/15, be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

USI INSURANCE SERVICES - EXCESS LIABILITY WORKERS COMPENSATION - FY 2015 TO 2016

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$81,583.00 WITH USI INSURANCE SERVICES, LLC, OF VIRGINIA BEACH, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY (FY 2015 TO 2016), TO BE CHARGED TO CUSTODY ACCOUNT - WORKERS' COMPENSATION #2335830788.

AGREEMENT - MARSHALL COUNTY SEWERAGE DISTRICT - SEWERAGE TREATMENT

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO ENTER INTO A SEWERAGE TREATMENT AGREEMENT BETWEEN THE CITY OF WHEELING AND THE MARSHALL COUNTY SEWERAGE DISTRICT CONCERNING THE COOPERATIVE EFFORTS OF THE PARTIES WHO WISH TO PROVIDE FOR

WHEELING'S TREATMENT OF A PORTION OF THE DISTRICT'S WASTEWATER FROM THE MOZART AREA OF OHIO AND MARSHALL COUNTIES, AND FOR THE PAYMENT BY THE DISTRICT TO WHEELING FOR THE COST OF THE TREATMENT THEREOF AS DETAILED IN THE AGREEMENT.

City Manger Herron gave Council a brief overview of the agreement. He commented on the treatment process and the potential savings that the City and Marshall County will realize from this process. As the process continues, there is the potential of 1,000 new customers to the City.

RESOLUTION - APPROVING INVOICES - COMBINED WATERWORKS & SEWERAGE SYSTEM REVENUE BONDS - SERIES 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. Fahey moved, seconded by Mrs. Delbrugge, that the Resolution be adopted.
Motion carried.

THOSE WISHING TO BE HEARD

No one signed up to speak.

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

City Clerk

Mayor