

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 Kenneth 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 October 20, 2015 meeting be approved as received. Motion carried.

CLERK'S REPORT

City Clerk Janice Jones read a letter that was received from Lori Jones, Executive Director of the YWCA thanking the City for recognizing her as one who goes the "Extra Mile."

UNFINISHED BUSINESS

WILSON, KOZICKI, & GWYNN - AUDIT - FY 2014-2015

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, 2014 THROUGH JUNE 30, 2015, IN THE AMOUNT OF \$60,000.00, 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.

WV MOTOR SALES - UNITED BANK FINANCING - 2017 MACK DUMP TRUCK (WPCD)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AND EXECUTE THE APPROPRIATE AGREEMENT TO EXPEND FUNDS IN THE AMOUNT OF \$169,821.00 WITH W VA MOTOR SALES INC., OF OHIO COUNTY WV, FOR THE LEASE-PURCHASE OF ONE (1) 2017 MACK TANDEM AXLE 6X4 DUMP TRUCK WITH AN ALUMINUM DUMP BED PER BID SPECIFICATIONS, TO BE FINANCED WITH UNITED BANK, WHEELING, WV. TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION.

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.

DEDICATION OF PUBLIC IMPROVEMENTS - RELOCATED CORLISS TERRACE ROAD

The following was then read:

AN ORDINANCE TO ACCEPT THE DEDICATION OF PUBLIC IMPROVEMENTS OF THE RELOCATED CORLISS TERRACE ROAD.

The ordinance was read a second time by title. Mr. Miller 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.

URBAN DESIGN VENTURES - PROFESSIONAL SERVICES - CDBG PROGRAM (1ST YEAR OF 3 YEARS)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT (FIRST YEAR OF A THREE YEAR AGREEMENT) WITH URBAN DESIGN VENTURES, LLC, OF HOMESTEAD, PA, FOR PROFESSIONAL SERVICES FOR THE CDBG/HOME PROGRAMS IN AN AMOUNT NOT TO EXCEED \$12,500.00, TO BE CHARGED TO COMMUNITY DEVELOPMENT BLOCK GRANT 2015 EY GENERAL ADMIN. - CONSULTING SERVICES - #1501-015-180.

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.

AUTHORIZING THE TRANSFER OF PROPERTIES ON OHIO STREET TO ADJACENT PROPERTY OWNERS

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED ALONG OHIO STREET BETWEEN ALLEY "K" AND ALLEY "J" TO THE ADJACENT PROPERTY OWNERS LISTED BELOW AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH QUITCLAIM DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THIS

CONVEYANCE.

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.

Mr. Fahey moved, seconded by Mr. Henry, that the Wheeling Housing Authority Minutes - 8/12/15; Historic Landmarks Commission Minutes - 9/1/15; Board of Zoning Appeals Minutes - 9/17/15; CDBG Program Status Report - 9/30/15; HOME Program Status Report - 9/30/15; and Financial Statement - 9/30/15, which were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Miller requested that City Manager Herron update Council on the current paving projects when he gives his report to Council.

REPORT OF COMMITTEES

Mr. Imer moved, seconded by Atkinson, to dispense with the reading of the minutes of the Public Safety Committee for 10/15/15 and accept them as received. Motion carried. For the record, they are as follows:

PUBLIC SAFETY COMMITTEE REPORT - OCTOBER 15, 2015

The Public Safety Committee of Wheeling City Council met on Thursday, October 15, 2015 at 12:00 noon in City Council Chambers. Committee Members present: Chair Kenneth Imer, Vice Chair Don Atkinson and Member Gene Fahey. Others present: Councilor Gloria Delbrugge, City Manager Robert Herron, Police Chief Shawn Schwertfeger, Assistant Fire Chief Ed Geisal City Solicitor Rosemary Humway-Warmuth, City Clerk Janice Jones and the media.

The following matter was discussed:

Police and Fire Radio Systems Upgrade

City Manager Robert Herron said that in 1997 the City upgraded its 800 MHZ radio system for Police, Fire, Public Works and OVRTA. Since that time the system has worn out and is in need of another major upgrade. The estimated cost of the needed repairs/upgrades is approximately \$2.3 million. The “switch,” which is reaching obsolescence to the point that it is difficult to get parts for, is over \$1.2 million alone. He commented that Ohio County is on the state wide system and has been able to free up enough bandwidth to comfortably handle our radios at a cost of at least \$1 million less than keeping Police and Fire on the 800 MHZ system. Chief Schwertfeger and Assistant Chief Geisal both commented on the current system, stating that its become almost impossible to find replacement parts for the old analog radios. They also stressed the importance of having a system that could interact with any law enforcement agency throughout the state. As for an estimated cost of the upgrade, City Manager Herron said that the new handheld and vehicular 400 MHZ radios for Police and Fire will cost about \$1.3 million. The Fire Department has a grant available for \$398,700.00 and Ohio County has a Port Authority Grant of \$90,000.00, bringing the cost down to \$824,650.00. Ohio County has offered to extend a no interest loan over five years. The city would pay the county approximately \$23,000.00 a month during the five year period. Following some discussion, Mr. Herron is recommending that the City go forward with this proposal as outlined on the attached analysis. Mr. Fahey moved, seconded by Mr. Atkinson, that the City move forward with the proposal with Ohio County and purchase of necessary equipment. Motion carried.

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

Mr. Fahey moved, seconded by Mr. Miller, to dispense with the reading of the

Finance Committee Minutes for 10/20/15 and accept them as received. Motion carried. For the record, they are as follows:

FINANCE COMMITTEE REPORT - OCTOBER 20, 2015

The Finance Committee of Wheeling City Council met on Tuesday, October 20, 2015 at 5:15 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 Gloria Delbrugge, Robert Henry and Ken Imer; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth; Finance Director Jill Willey, City Clerk Janice Jones and the media.

The following matters were discussed:

Financial Statement - September 30, 2015

City Manager Robert Herron reported that the General Fund Balance at the end of September is \$2,038,000.00, with \$504,000.00 in the budget stabilization fund. Last year's balance for the same time period was \$1,400,000.00. From an expenditure perspective, we are at 23%, which is \$230,000.00 less than the same period last year. From a revenue perspective, we are at 27%, almost identical to last year for the same time period. He commented that, for the first quarter, we are right on budget. Mr. Herron added that we are starting to see a reduction in B & O; however, this is being offset by the increase in sales tax. Mr. Miller moved, seconded by Mr. Atkinson, to accept the September 30, 2015 Financial Statement as presented. Motion carried.

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

REPORT OF CITY MANAGER

City Manager Robert Herron asked for Council's concurrence in the appointment of Andy Schreiber to the Fire Civil Service Commission. Mr. Herron explained that Mr. Schreiber has been serving on the Commission for many years as a Chamber of Commerce appointee, but he requested to be a City appointee. Mr. Fahey moved, seconded by Mr. Henry, Council's concurrence in the appointment. Motion carried.

Mr. Herron said that the current contract with Lash Paving is dated November 12, 2015 and is hoping that they will start soon. He commented that it is not a large project and could be completed in two or three days. He also pointed out that this is the first time we have done two paving projects in one year.

REPORT OF OTHER OFFICERS

Mr. Fahey moved, seconded by Mr. Henry, that the Human Rights Commission Minutes, 8/18/15; Wheeling Housing Authority Minutes, 9/9/15; Wheeling Traffic Commission Minutes, 10/8/15; Greater Wheeling Sports & Entertainment Authority Minutes, 8/25/15; Greater Wheeling Sports & Entertainment Authority Income Statement, 8/31/15; Wheeling Municipal Parking System Financial Report, 9/30/15; and Robert C. Byrd Intermodal Transportation Center Financial Report, 9/30/15; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

AUTHORIZING ISSUANCE OF OGLEBAY PARK REFUNDING REVENUE BONDS - SERIES 2015 FOR THE REFUNDING OF OGLEBAY PARK REVENUE REFUNDING BONDS, SERIES 2003, AMENDED, THE OGLEBAY PARK IMPROVEMENT REVENUE BONDS, SERIES 2004 AMENDED AND THE OGLEBAY PARK IMPROVEMENT AND REVENUE BONDS SERIES 2004B AMENDED.

The following was then read:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT MORE THAN \$6,815,000.00 AGGREGATE PRINCIPAL AMOUNT OF OGLEBAY PARK REFUNDING REVENUE BONDS, SERIES 2015, FOR THE REFUNDING OF THE OGLEBAY PARK REVENUE REFUNDING BONDS, SERIES 2003 AMENDED, THE OGLEBAY PARK IMPROVEMENT

REVENUE BONDS, SERIES 2004 AMENDED AND THE OGLEBAY PARK IMPROVEMENT AND REVENUE BONDS, SERIES 2004B AMENDED; PROVIDING FOR THE COSTS OF ISSUANCE OF THE ABOVE BONDS; PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ENACTING OTHER PROVISIONS RELATING THERETO.

ADOPTING TRAFFIC RULE NO. 4536 - NO PKG. N. SD. OF HAWTHORNE CT.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4536.

ADOPTING TRAFFIC RULE NO. 4537 - HANDICAPPED PKG. - 3517 EOFF ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4537.

ADOPTING TRAFFIC RULE NO. 4538 - HANDICAPPED PKG. - 19 - 7TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4538.

ADOPTING TRAFFIC RULE NO. 4539 - COMMERCIAL LOADING ZONE - 600 FULTON ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4539.

ADOPTING TRAFFIC RULE NO. 4540 - MAKING SHORT MARKET ST. ONE WAY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4540.

ADOPTING TRAFFIC RULE NO. 4541 - 11TH ST. BETWEEN MAIN & MARKET - ONE WAY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4541.

ADOPTING TRAFFIC RULE NO. 4542 - COMMERCIAL LOADING ONLY - 11TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4542.

BADGER METERS, INC. - WATER METERS & CONNECTORS

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE

CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$18,090.62 WITH BADGER METERS, INC., OF MILWAUKEE, WI, FOR WATER METERS AND CONNECTORS, TO BE CHARGED TO WATER DISTRIBUTION - 400.4013.06.0620.01.

METRON-FARNIER, LLC - VARIOUS MATERIALS FOR METER CONVERSIONS

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$37,652.40 WITH METRON-FARNIER, LLC, OF BOULDER, CO, FOR VARIOUS MATERIALS FOR METER CONVERSIONS TO REMOTE READ, TO BE CHARGED TO WATER DISTRIBUTION - 400.4013.06.0620.01.

HORIBA SCIENTIFIC - SPECTOMETER AND EQUIPMENT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$39,939.00 WITH HORIBA SCIENTIFIC, OF EDISON, NJ, FOR SPECTOMETER AND EQUIPMENT, TO BE CHARGED TO WATER TREATMENT - 400.4012.03.0620.01.

AMENDING CODIFIED ORDINANCES - ARTICLE 501.99 PENALTY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART FIVE - GENERAL OFFENSES CODE, ARTICLE 501 - ADMINISTRATION AND LAW ENFORCEMENT, SECTION 501.99 ENTITLED PENALTY.

EDGCO, INC. ASBESTOS ABATEMENT 2015 (RCIP)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,885.00 WITH EDGCO, INC., OF LANSING, OH, FOR 2015 ASBESTOS ABATEMENT, TO BE CHARGED TO RCIP.

EDGCO, INC. - BUILDING DEMOLITION 2015 (RCIP)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$120,000.00 WITH EDGCO, INC., OF LANSING, OH, FOR 2015 BUILDING DEMOLITION, TO BE CHARGED TO RCIP.

RESOLUTION - AD HOC COST OF LIVING INCREASE - RETIREES 2012

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ESTABLISHING AN AD-HOC COST-OF-LIVING INCREASE FOR RETIRED MEMBERS OF THE MUNICIPAL EMPLOYEES PENSION FUND AND THEIR BENEFICIARIES.

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

RESOLUTION - AD HOC COST OF LIVING INCREASE - RETIREES 2013

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ESTABLISHING AN AD-HOC COST-OF-LIVING INCREASE FOR RETIRED MEMBERS OF THE MUNICIPAL EMPLOYEES PENSION FUND AND THEIR BENEFICIARIES.

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

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. Henry 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. Henry, to adjourn. Motion carried. Time: 12:18 p.m.

City Clerk

Mayor