

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 December 1, 2015 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor McKenzie announced that the Capital Greene Housing Project Grand Opening will be on Monday, December 21, 2015 at 11:00 a.m. Woda Construction, developers for both the Capital Greene Project and the Stones Center Loft Project, praised the Fire Department and Inspection Department for their assistance while the construction was going on.

The feedback from the announcement of the Health Plan Project has been great. He commended City Council for their actions in making this a reality.

Mayor McKenzie also announced that Wheeling Park High School won the State Football Championship as did the cheerleaders and that Wheeling Jesuit University won the National Championship in Volleyball. He also announced a Stem Grant that Woodsdale Elementary won, under the leadership of Dr. Kim Miller. He noted that it was the only one awarded in the State of West Virginia.

UNFINISHED BUSINESS

ADOPTING TRAFFIC RULE NO. 4543 - HANDICAPPED PARKING - 3921 WETZEL ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4543.

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.

ADOPTING TRAFFIC RULE NO. 4544 - NO PARKING EAST & WEST SDS. OF BYRON ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4544.

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.

ADOPTING TRAFFIC RULE NO. 4545 - DESIGNATING BYRON STREET ONE WAY.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4545.

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.

ADOPTING TRAFFIC RULE NO. 4546 - NO PARKING S. SD. OF 16TH ST. TO WOOD ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4546.

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.

ADOPTING TRAFFIC RULE NO. 4547 - 1 HR. PARKING N. SD. OF 15TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4547.

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. 4548 - TEMPORARY CLOSURES - RITCHIE ELEMENTARY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4548.

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. 4549 - TEMPORARY CLOSURES - WHEELING MIDDLE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4549.

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.

KALKREUTH ROOFING - GARDEN PARK POOL BLDG. ROOF

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$28,860.00 WITH KALKREUTH ROOFING, OF WHEELING, WV, FOR GARDEN PARK POOL BUILDING ROOF, TO BE CHARGED TO RCIP INFRASTRUCTURE.

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 T.I.F. FUNDS TO OVADC FOR ECONOMIC DEVELOPMENT

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE TRANSFER OF ONE HUNDRED THIRTY FOUR THOUSAND DOLLARS (\$134,000) FROM THE MONIES ASSOCIATED WITH THE CITY'S TAX INCREMENT FINANCING PROJECT (TIF) #3 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.

OPTION AGREEMENTS ON REAL PROPERTY PURCHASES IN DOWNTOWN WHEELING

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN OPTION AGREEMENTS FOR PURCHASE OF REAL PROPERTY LOCATED AT 1107 AND 1109 MAIN STREET AND 1133 AND 1127 MARKET STREET, IN THE CITY OF WHEELING AND THEREAFTER CONVEY SUCH PROPERTY TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO COORDINATE THE EXECUTION OF SUCH AGREEMENTS AND SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THE CONVEYANCES INTENDED WITHIN SAID OPTION AGREEMENTS.

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.

TRANSFER OF PROPERTY TO THE OVADC

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF WHEELING LOCATED WITHIN THE 1100 BLOCK BETWEEN MAIN AND MARKET STREETS IN DOWNTOWN WHEELING TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE.

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.

AGREEMENT WITH OHIO COUNTY COMMISSION - PUBLIC SAFETY RADIOS/EQUIPMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE THE APPROPRIATE AGREEMENTS WITH THE OHIO COUNTY COMMISSION OF WV FOR THE PURCHASE AND FINANCING OF PUBLIC SAFETY RADIOS AND APPURTENANCES COMPATIBLE WITH THE OHIO COUNTY, WV RADIO SYSTEM FOR THE CITY OF WHEELING POLICE AND FIRE DEPARTMENTS.

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, 10/15/15; Traffic Commission Minutes, 11/12/15; Greater Wheeling Sports & Entertainment Authority Minutes, 10/27/15; and Greater Wheeling Sports & Entertainment Authority Income Statement, 9/30/15; which were held be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Miller attended both the Football Championship and Cheerleading Competition and reiterated Mayor McKenzie's remarks about Wheeling Park's great

achievement. He also commented that this Super Six weekend is great for the economy on the Ohio Valley. Mr. Miller added that, in addition to the games that are held, the Health Plan hosted an Athlete/Scholar Breakfast on Saturday morning at the Wheeling Island Hotel and Gaming Center where outstanding athlete/scholars were recognized. He also commented that Congressman McKinley, in his speech to Congress, mentioned the fact that all three of the WV State SSAC Championship winners, Wheeling Park, Bridgeport, and Magnolia, all came from his Congressional District.

Mr. Atkinson also mentioned the Wheeling Jesuit Girls' Volleyball National Championship. He also mentioned that Mr. Miller's daughter was the first and only girl to receive the athlete/scholar award.

Mr. Fahey reiterated everyone's remarks about the local championships and also commented on the Festival of Lights and how popular it still is, as is evident by the amount of traffic that has been at the exit ramp and on National Road going to Oglebay.

REPORT OF CITY MANAGER

City Manager Robert Herron distributed the Budget Schedule for upcoming FY 2016-2017 budget preparation. He explained that it is similar to other years and suggested that capital projects should be submitted by February 5, 2016. He reviewed the time frame for submission of the budget documents to the State.

Relevant to the completion of the Water Treatment Plant Project, Mr. Herron commented that for a project of that magnitude (\$34,000,000) to come in under budget by \$7,800.00 is a remarkable achievement. He praised Public Works Director Rusty Jebbia, Water Treatment Plant Supervisor Dave Nickerson, Lori Siburt, C. T. Consultants and Shook Construction, for making this happen. By doing this, it will free up that \$3,000,000.00 that was set aside for contingencies so that the money can be used on other water improvement projects throughout the City.

Mr. Herron commented on the Tax Increment Revenue Bonds Series 2016 Resolution and Ordinance that is on tonight's agenda under Original Propositions. He stated that it is a \$16,000,000 Bond Issue, \$10,000,000 of which is bank-qualified (tax exempt) and \$6,000,000 of which is non-bank qualified. He reviewed the time frame with Council. The actual amount of the bond issue will be determined after Bond Counsel's review according to IRS regulations.

City Manager Herron announced that the company that will be administering the False Alarm Ordinance is Cry Wolf.

He also announced that the Water Department is in the process of drilling two additional test wells, which would give the city a total of six wells, to store water in the event of a water conservation order or an emergency.

In answer to a question from Mr. Fahey regarding a time frame for properties in the 1100 block area, Mr. Herron said that Vocelli's Pizza and Panda Kitchen have agreed to relocate no later than June 30, 2016. Streski Lock and Safe, across from Market Plaza, is the location where Panda Kitchen will be going. There are two additional buildings on Main Street that will be either demolished or renovated. He said that two buildings will be acquired in January, 2016 and the other ones will be purchased in February, 2016.

REPORT OF OTHER OFFICERS

Mr. Fahey moved, seconded by Mr. Henry that the Wheeling Human Rights Commission minutes, 10/20/15; Historic Landmarks Commission Minutes, 11/5/15; Wheeling Municipal Parking System Financial Statement, 10/31/15; Robert C. Byrd Intermodal Transportation Center Financial Statement, 10/31/15; CDBG Program Status Report, 11/30/15; HOME Program Status Report, 11/30/15; Financial Statement, 11/30/15; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

MEMO OF UNDERSTANDING PERTAINING TO TRANSFER AND SALE OF PARKING AREAS ADJACENT TO WAGNER BUILDING

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE, ENTER INTO, AND EXECUTE THE APPROPRIATE MEMORANDUM OF UNDERSTANDING (MOU) TO PROVIDE FOR TRANSFER AND SALE OF PARKING LOTS LOCATED AT OR NEAR THE WAGNER BUILDING IN THE CITY OF WHEELING AND TO AUTHORIZE THE TRANSFER OF REAL PROPERTY, COMPRISING SUCH PARKING LOTS AND AREAS, TO THE OVADC TO CARRY OUT THE INTENT OF THE MEMORANDUM OF UNDERSTANDING.

RESOLUTION AND ORDINANCE AUTHORIZING THE REFUNDING OF CITY OF WHEELING TAX INCREMENT REFUNDING REVENUE BONDS, SERIES 2013A AND SERIES 2013B AND ISSUANCE OF TAX INCREMENT REVENUE REFUNDING BONDS, COLLECTIVELY REFERRED TO AS SERIES 2016 BONDS.

The following was then read:

A RESOLUTION AND ORDINANCE AUTHORIZING THE REFUNDING OF THE CITY OF WHEELING TAX INCREMENT REFUNDING REVENUE BONDS SERIES 2013A (NON-BANK QUALIFIED) (THE SERIES 2013A BONDS) AND THE CITY OF WHEELING TAX INCREMENT REFUNDING REVENUE BONDS SERIES 2013B (BANK QUALIFIED) (THE SERIES 2013 B BONDS, AND TOGETHER WITH THE SERIES 2013 A BONDS, THE "PRIOR BONDS"); AUTHORIZING THE ISSUANCE OF NOT MORE THAN \$16,000,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF TAX INCREMENT REVENUE BONDS SERIES 2016, IN ONE OR MORE SERIES (COLLECTIVELY, THE "SERIES 2016 BONDS"), OF THE CITY OF WHEELING A PORTION OF THE PROCEEDS OF WHICH SHALL BE EXPENDED TO REFINANCE AND PAY IN FULL THE PRIOR BONDS, TO FUND ONE OR MORE DEBT SERVICE RESERVE FUNDS FOR THE SERIES 2016 BONDS, TO FINANCE COSTS OF PROPERTY ACQUISITION AND THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF PROJECT COSTS IN THE CITY OF WHEELING REDEVELOPMENT PROJECT DISTRICT NO. 1 AND ALL NECESSARY APPURTENANCES AND RELATED FACILITIES, AND OTHER EXPENSES AND COSTS RELATED THERETO AND TO PAY COSTS OF ISSUANCE OF THE SERIES 2016 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT AND ANY OTHER DOCUMENTS RELATING THERETO; AUTHORIZING DISTRIBUTION OF A PRIVATE PLACEMENT MEMORANDUM OR OTHER OFFERING DOCUMENT; AUTHORIZING EXECUTION AND DELIVERY OF OTHER DOCUMENTS, INSTRUMENTS, AGREEMENTS AND CERTIFICATES; AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF SUCH SERIES 2016 BONDS; PROVIDING PARAMETERS FOR THE PRINCIPAL AMOUNTS, MATURITIES, INTEREST RATES AND OTHER TERMS OF THE SERIES 2016 BONDS; AUTHORIZING THE MAYOR TO APPROVE A CERTIFICATE OF DETERMINATIONS RELATING TO THE FINAL TERMS OF THE SERIES 2016 BONDS; APPOINTING A TRUSTEE,

REGISTRAR, PAYING AGENT AND OTHER PARTICIPANTS
IN THE FINANCING; AND AUTHORIZING THE TAKING OF
ALL OTHER ACTIONS RELATING TO THE ISSUANCE OF
THE SERIES 2016 BONDS.

RESOLUTION - APPROVING 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.

THOSE WISHING TO BE HEARD

No one signed up to speak.

There being no further business, Mr. Henry moved, seconded by Mr. Atkinson, to
adjourn. Motion carried. Time: 6:10 p.m.

City Clerk

Mayor