

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 6, 2015 meeting be approved as received. Motion carried.

### **MAYOR'S REPORT**

Mayor Andy McKenzie presented a proclamation to Lori Jones, Executive Director of the YWCA, honoring her as "Extra Mile" individual in the City of Wheeling. Mayor McKenzie introduced Ben Byrum, whom he would like to appoint to the Wheeling Human Rights Commission. He also introduced Philip Stahl, whom he would like to appoint to the Wheeling Hall of Fame Board, Business and Industry category. Mr. Fahey moved, seconded by Mr. Atkinson, Council's concurrence in the appointments. Motion carried. The mayor then introduced Heidi Kossuth and Andrew Croft, whom he would like to appoint to the Arts & Culture Commission. Mr. Fahey moved, seconded by Mr. Henry, Council's concurrence in the appointments. Motion carried.

A short video about the Nailers upcoming season was then shown to those in attendance.

### **UNFINISHED BUSINESS**

#### ADOPTING TRAFFIC RULE 4531 - HANDICAPPED PARKING - 433 WARWOOD AVENUE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING  
ADOPTING TRAFFIC RULE 4531.

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.

#### ADOPTING TRAFFIC RULE 4532- HANDICAPPED PARKING - 2314 EOFF STREET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING  
ADOPTING TRAFFIC RULE 4532.

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 4533 HANDICAPPED PARKING - 28 FAIRVIEW AVENUE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING  
ADOPTING TRAFFIC RULE 4533.

The ordinance was read a second time by title. Mr. Miller 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 4534 - NO PARKING ZONE - EAST SIDE OF RICHLAND AVENUE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING  
ADOPTING TRAFFIC RULE 4534.

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.

ADOPTING TRAFFIC RULE 4535 - NO PARKING ZONE - WEST SIDE OF RICHLAND AVENUE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING  
ADOPTING TRAFFIC RULE 4535.

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 PROPERTY TO THE OVADC - 3700-3724 JACOB STREET

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 3700 THROUGH 3726 JACOB STREET 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.

LANE ABANDONMENT - PORTION OF LANE 15 - ZIEGENFELDER'S INC.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING PORTION OF LANE 15 BEGINNING AT ITS INTERSECTION WITH JACOB STREET AND CONTINUING WEST APPROXIMATELY 100 FT., AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT.

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.

BBR DRILLING CO. - ANGLE AVENUE PILING WALL

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$138,250.00 WITH BBR DRILLING CO., OF BELMONT, OH, FOR ANGLE AVENUE PILING WALL, TO BE CHARGED TO RCIP - INFRASTRUCTURE.

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 Wheeling Human Rights Commission Minutes 7/21/15; Wheeling-Ohio County Board of Health Minutes - 7/21/15; Planning Commission Minutes - 8/10/15; Wheeling Traffic Commission Minutes - 9/10/15; Wheeling Municipal Parking System Financial Statement - 8/31/15; and Robert C. Byrd Intermodal Transportation Center Financial Statement - 8/31/15, which were held over, be approved as received. Motion carried.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Miller congratulated T.J.'s Sports Garden as they celebrate their 25<sup>th</sup> Anniversary in business.

## **REPORT OF CITY MANAGER**

City Manager Robert Herron updated Council on the status of the Fire Department's DROP Program. It will be sent to the Fire Pension Oversight Committee for approval before it comes back to Council for final approval.

Mr. Herron explained that the Bond Ordinance for Refunding and Refinancing Oglebay Park's 2003 and 2004 bond issue is similar to what the City did a couple of months ago with the Refunding and Refinancing of Water Bonds and Civic Center Bonds. The reason for this refinancing is that the interest rates are lower at this time. The City is merely acting as a conduit for the Oglebay Bond issue so that it can be tax exempt and bank qualified.

## **REPORT OF OTHER OFFICERS**

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

## **ORIGINAL PROPOSITIONS**

### 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.

### 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.

### 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.

### URBAN DESIGN VENTURES - PROFESSIONAL SERVICES - CDBG PROGRAM (1<sup>ST</sup> 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.

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.

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.

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.

Mr. Fahey moved, seconded by Mr. Henry, to return to the Mayor's Report.  
Motion carried. Mayor McKenzie recognized DJ Weaver and Isaac Murphy of Troop 6, who are working on their Eagle Scout Badge.

He also recognized and expressed appreciation to Doug Dalby, who is retiring after many years as President and CEO at Oglebay Park.

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

**THOSE WISHING TO BE HEARD**

Mr. Ed Jepson, a resident of Hazlett Court, spoke with complaints about Comcast Franchise Fee. Mayor McKenzie advised Mr. Jepson to talk to City Manager Robert Herron after the meeting and pose any questions or concerns to him.

Mr. Purnima “Geoge” Bajpayee, an East Wheeling resident, would like to purchase the property next to his house. He distributed pictures to Council. He would like Council to consider waiving the lien on the property located at 122 - 15<sup>th</sup> St. So that he can purchase it. Mayor McKenzie also advised him to meet with City Manager Herron after the meeting.

There being no further business, Mr. Atkinson moved, seconded by Mr. Henry, to adjourn. Motion carried. Time: 6:05 p.m.

---

City Clerk

---

Mayor