

Resolution Submitting TIF Application

The City of Wheeling

Redevelopment District No. 1

Second Amended Project Plan No. 3

WHEREAS, The City of Wheeling, in Ohio County, West Virginia (the “City”) is authorized by the West Virginia Tax Increment Financing Act, Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the “Act”) to create a development or redevelopment project area or district, cause project plans to be prepared, issue tax increment financing obligations and take other actions to facilitate the orderly development and economic stability of the City, all as more fully set forth in the Act;

WHEREAS, by an Ordinance enacted by the City Council of the City (the “City Council”) on December 16, 2003 (the “District Creation Ordinance”), the City created the property tax increment financing district known as “City of Wheeling Redevelopment Project District No. 1” (“TIF District No. 1”) as a redevelopment district under the Act and established a tax increment financing fund for TIF District No. 1;

WHEREAS, by an Ordinance enacted by the City Council on September 7, 2004, the City approved a Project Plan for TIF District No. 1 known as “The City of Wheeling Stone Building Renovation Project No. 1” (“Project Plan No. 1”), which included (i) the acquisition, renovation and equipping of the former Stone & Thomas Department Store building and (ii) improvements to public infrastructure on Market Plaza and adjacent to the building, including, but not limited to public street resurfacing, utility improvements, sidewalks, curbs and curb cuts, lighting, and landscaping;

WHEREAS, by an Ordinance enacted by the City Council on June 21, 2005, the City removed certain parcels of real estate from TIF District No. 1;

WHEREAS, by an Ordinance enacted by the City Council on August 2, 2005, the City approved a Project Plan for TIF District No. 1 known as “G.G.P. Wheeling 2003, LLC Project Area No. 1” (“Project Plan No. 2”), which included a “pay-as-you-go” project under and pursuant to the Act consisting generally of the acquisition and rehabilitation of an existing “brownfield” site, including sanitary and storm sewer line relocation, site clearing and grubbing, fill and grading, retaining walls and erosion control, storm water management and related infrastructure improvements;

WHEREAS, by an Ordinance enacted by the City Council on June 3, 2008, the City approved a Project Plan for TIF District No. 1 known as “Downtown Redevelopment Project Plan No. 3” (“Project Plan No. 3”), which included all or some of the following: (i) acquisition, demolition, site preparation, infrastructure improvements, and redevelopment of buildings and

properties in the 1100 block of Main and Market Streets and related infrastructure, and (ii) renovation and rehabilitation of the Capital City Music Hall, together with costs of preparation of the Project Plan and related costs;

WHEREAS, by an Ordinance enacted by the City Council on September 20, 2011, the City approved an amendment to Project Plan No. 3 for the purpose of amending the geographical area included in Project Plan No. 3 (“Amended Project Plan No. 3”);

WHEREAS, Ohio Valley ADC, Inc. (“ADC”) has requested that the City consider amending Amended Project Plan No. 3 to add the parcel of real estate comprising the former Wheeling Pittsburgh Steel Building, identified for tax purposes in Tax District 10, Wheeling City Corp., Tax Map W50B, Parcel 118 (the “Wheeling Pittsburgh Steel Parcel”), to TIF District No. 1 (the “Project Plan”);

WHEREAS, the City has received and reviewed a Tax Increment Financing Application (the “Application”) for the proposed addition of the Wheeling Pittsburgh Steel Parcel to TIF District No. 1 (the “Second Amended Project Plan No. 3”); and

WHEREAS, the City did, on May 17, 2022, following proper notice thereof, hold a public hearing with respect to the Application wherein interested parties were afforded a reasonable opportunity to express their views on the proposed approval of the Second Amended Project Plan No 3;

WHEREAS, the City has, following such public hearing, found and determined that the approval of the Application will benefit the City and its residents by facilitating the orderly development and economic stability of the City, and the development therein will encourage investing in job-producing, private development and expand the public tax base of the City, that future capital improvements will result in the increase in the value of the property located in the Combined TIF District and will encourage increased employment and business activity within such area and will serve a public purpose of the City; and

WHEREAS, the City now desires to submit the Application to the West Virginia Department of Economic Development for approval.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHEELING, AS FOLLOWS:

1. It is hereby found and determined following the public hearing thereon that the Application, as submitted to the City, is approved and is in form and substance suitable for submission to the West Virginia Department of Economic Development for its consideration of approval.

2. It is hereby found and determined that the Second Amended Project Plan No. 3 is not reasonably expected to occur without the use of tax increment financing.

3. It is hereby found and determined that development or redevelopment as set forth in the Application will not be solely used for development of commercial businesses that will unfairly compete in the local economy and that development or redevelopment is in the public interest because it will (i) discourage commerce, industry or manufacturing from moving their operations to another state; (ii) result in increased employment in the City; or (iii) result in preservation or enhancement of the tax base of the City.

4. It is hereby authorized and ordered that the City Manager cause the Application and all other necessary documentation to be submitted to the West Virginia Department of Economic Development, together with a request for approval thereof.

5. The Mayor, City Manager and other officials and employees of the City are hereby authorized and directed to take such actions as they shall deem appropriate in facilitating the approval of the Application.

6. This Resolution shall become effective immediately upon adoption.

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Adopted this May 17, 2022.

THE CITY OF WHEELING

By: _____
Its Mayor

By: _____
Its City Manager

APPROVED AS TO FORM:

By _____
Its City Solicitor

CERTIFICATION

The undersigned, being the duly qualified, elected and acting City Clerk of The City of Wheeling, does hereby certify that the foregoing Resolution was duly adopted by the City Council of The City of Wheeling, at a regular meeting duly held, pursuant to proper notice thereof, on May 17, 2022, a quorum being present and acting throughout, and which Resolution has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this May 17, 2022.

By: _____
Its City Clerk