

July 17, 2018

Council of the City of Wheeling met in Council Chambers, City-County Building, on the above date, with Mayor Glenn Elliott presiding.

The invocation was offered by Second Ward Councilor Ken Imer.

On roll call, the following were present:

Elliott, Thalman, Imer, Scatterday, Thorngate, and Wilson -6
Absent: Palmer -1

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the July 3, 2018 meeting be approved as received. Motion carried.

CLERK'S REPORT

City Clerk Brenda J. Delbert presented Council with Four (4) Notice of Application to Operate a Private Club- Notice of Application to Operate a Private Club- Abbey's Parlor LLC located 9 S. Huron St. applicant Joseph Maroon, Abbey's Inc. located 145 Zane St. applicant Joseph Maroon; Big Shot Bobs House of Wings, LLC located 753 Main St applicant Clifford Snatchko; Garbo's Lost Cause, LLC located 703 Warwood Ave applicant Chad Causey. All were forwarded to ABCA without objection from Council. However, Garbo's Lost Cause received written objection from neighbor.

UNFINISHED BUSINESS

JACOBI CARBONS- POWDERED ACTIVATED CARBON- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$105,000.00, WITH JACOBI CARBONS, INC., OF COLUMBUS, OH, FOR THE PURCHASE OF 100,000 LBS. OF POWDERED ACTIVATED CARBON, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

The ordinance was read a second time by title. Mr. Thalman seconded by Mr. Thorngate, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ZONING DISTRICT CLASSIFICATION CHANGE- 3700 - 3726 JACOB ST.- C-1 TO I-2

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF LOTS 1, 2, 3, 4 & N ½ OF 5 IN SQUARE 24 ON THE PLAT OF SPRIGG AND RITCHIE'S ADDITION TO THE TOWN OF SOUTH WHEELING, NOW A PART OF THE CITY OF WHEELING CONSISTING OF THE ADDRESS RANGE BETWEEN 3700 AND 3726 JACOB STREET FROM C-1 NEIGHBORHOOD COMMERCIAL TO I-2 GENERAL INDUSTRY.

July 17, 2018

The ordinance was read a second time by title. Mr. Imer, seconded by Ms. Scatterday, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate - 5
NOES: Wilson - 1

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

DEMOLITION LIENS - GENERAL FUND

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING DILAPIDATED STRUCTURES ON CERTAIN PROPERTIES IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

The ordinance was read a second time by title. Mr. Imer, seconded by Ms. Scatterday, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson -6
NOES: -0

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

ADOPTING TRAFFIC RULE 4671- HANDICAPPED PARKING- 4 AUSTIN AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4671

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Thalman, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ADOPTING TRAFFIC RULE 4672- HANDICAPPED PARKING- 3834 EOFF ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4672

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

July 17, 2018

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ADOPTING TRAFFIC RULE 4673- HANDICAPPED PARKING- 4006 WOOD ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4673

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ADOPTING TRAFFIC RULE 4674- UNRESTRICTED PARKING- 9TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4674

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ADOPTING TRAFFIC RULE 4675- NO PARKING ZONE- DRIVEWAY CHESTNUT AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4675

The ordinance was read a second time by title. Ms. Scatterday, seconded by Mr. Imer, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ADOPTING TRAFFIC RULE 4676- NO PARKING ZONE- LANE 7

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4676

July 17, 2018

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

ADOPTING TRAFFIC RULE 4677- 2HR METER ZONE- 12TH ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4677

he ordinance was read a second time by title. Mr. Wilson, seconded by Mr. Imer, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

MID-ATLANTIC STORAGE SYSTEM- PHASE 8 STACK YARD- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS IN THE AMOUNT OF \$43,253.76 WITH
MID-ATLANTIC STORAGE SYSTEMS, INC., OF
WASHINGTON COURT HOUSE, OH, FOR NEW STACK
YARD TANK – PHASE 8, TO BE CHARGED TO WATER -
CONSTRUCTION ACCOUNT - 400.1131.04.00.

he ordinance was read a second time by title. Ms. Scatterday, seconded by Mr. Wilson, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

MID-ATLANTIC STORAGE SYSTEM- PHASE 8 STACK YARD- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS IN THE AMOUNT OF \$49,874.53 WITH
MID-ATLANTIC STORAGE SYSTEMS, INC., OF
WASHINGTON COURT HOUSE, OH, FOR NEW STACK
YARD TANK – PHASE 8, TO BE CHARGED TO WATER -
CONSTRUCTION ACCOUNT - 400.1131.04.00.

July 17, 2018

The ordinance was read a second time by title. Ms. Scatterday, seconded by Mr. Wilson, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Wilson - 6
NOES: -0

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

Ms. Scatterday moved, seconded by Mr. Thalman, that the, Human Rights Commission Minutes 4/17/18 Greater Wheeling Area Sports and Entertainment Minutes 5/1/18, Greater Wheeling Area Sports and Entertainment Financial Statement 4/30/18, BZA Minutes 5/17/18, Traffic Committee Minutes 6/12/18, Wheeling Municipal Parking Financial Statement 5/31/18, Robert C. Byrd Intermodal Center Financial Statement 5/31/18; which were held over, be accepted as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thalman commends City employees for drain testing and making sure all are clear to prevent further flooding in Warwood. Ms. Scatterday addresses Ward 4 residence specifically Gesgsville area; foot bridge has been assessed by Public Works and Engineer to advance replacement.

REPORT OF CITY MANAGER

Mr. Herron gives update on sewer and basement flooding, it is a top priority and will begin smoke testing critical areas. Mr. Herron introduces Eric Matyskiela and Dan Grant from MG architects. They developed a conceptual layout and cost estimate for Public Safety Building. If ordinance passes it will proceed to ballot for vote.

REPORT OF OTHER OFFICERS

Ms. Scatterday moved, seconded by Mr. Wilson, that the, Planning Commission Minutes 6/11/18, Historic Landmarks Commission Minutes 5/3/18, Building Code Board of Appeals Minutes 10/28/16 be held over until next the meeting. Motion carried.

ORIGINAL PROPOSITIONS

O'BRIEN'S COMPANIES- CLIFTON WATERLINE RELOCATION- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$91,515.00 WITH O'BRIEN'S COMPANIES, OF WHEELING, WV, FOR CLIFTON WATER LINE RELOCATION, TO BE CHARGED TO WATER DISTRIBUTION 400.1331.04.00

DIRECTING A MUNICIPAL ELECTION CONNECTED WITH INCREASING RATES OF LEVY ON PROPERTY TO FINANCE COST ASSOCIATED WITH A NEW PUBLIC SAFETY BUILDING, IMPROVEMENTS TO VARIOUS FIRE STATIONS AND PURCHASE OF NEW FIRE TRUCK, EQUIPMENT, ETC.

The following was then read:

AN ORDER AND ORDINANCE OF THE CITY OF WHEELING DIRECTING THAT AN ELECTION BE HELD FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY OF WHEELING ALL QUESTIONS CONNECTED

July 17, 2018

WITH INCREASING THE RATES OF LEVY ON THE VARIOUS CLASSES OF PROPERTY TO FINANCE ALL OR A PORTION OF THE COST OF THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW CITY OF WHEELING PUBLIC SAFETY BUILDING, IMPROVEMENTS TO CERTAIN FIRE DEPARTMENT FACILITIES WITHIN THE CITY AND ACQUISITION OF A FIRE TRUCK AND RELATED EQUIPMENT AND THE PAYMENT, DURING THE FIVE YEAR LEVY PERIOD, OF PRINCIPAL OF, AND INTEREST ON, CERTAIN LEASE REVENUE BONDS TO BE ISSUED BY THE WHEELING MUNICIPAL BUILDING COMMISSION TO FINANCE ALL OR A PORTION OF THE COSTS OF THE FOREGOING

RESOLUTION REGARDING PUBLIC SAFETY BUILDING PROJECT AND SAFETY FORCES

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING REGARDING THE PUBLIC SAFETY BUILDING PROJECT AND THE POLICE AND FIRE SAFETY FORCES OF THE MUNICIPALITY

Mr. Thorngate moved seconded by Mr. Thalman, that the Resolution be adopted.
Motion carried.

THOSE WISHING TO BE HEARD

Tony Dominick, 219 S. Wabash St, spoke in objection to a raze and repair order he was given by the City. It is on his residence not an abandoned building. He says there are numerous code violations on his street and feels his property is being targeted.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 6:12 p.m.

City Clerk

Mayor