

June 7, 2022

Council of the City of Wheeling met, on the above date, at 12:00 pm, at 1500 Chapline St. with Mayor Elliott presiding.

On roll call, the following were present:

Present: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
Absent: Palmer - 1

Mr. Thalman, seconded by Mr. Thorngate, that the minutes of May 17, 2022, meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott presented two Proclamations to the following: Orrick proclaiming June 10, 2022, as *Pride in Wheeling Day* and IC Care proclaiming June 2022 as Brain and Alzheimer's Awareness month.

Mayor Elliott announced date for 2022 State of the City luncheon. It will be July 26, 2022, at Wheeling Island Casino and the cost for lunch is \$15.00 per person.

Mayor Elliott reminds there will be a Development Committee meeting on Thursday June 9, 2022, at 5:00 p.m.

Mayor Elliott proposes reappointments of Erik Harris to the Wheeling-Ohio-County Board of Health and Loma Nevels to Human Rights Commission. Mr. Thalman, seconded by Mr. Thorngate, move to confirm council's concurrence. Motion carried. All in favor.

Mayor Elliott introduces Vincent DeGeorge and Elissa Gross as prospective new members of Human Rights Commission. Ms. Ketchum, seconded by Mr. Thalman, moves to confirm Councils concurrence in the appointment.

Melissa Adams, Homeless Liaison, gives update on her first six months in new role and provides a presentation on proposed *Life Hub*. The hub is based on a model with proven history to reduce homelessness by providing wrap around services.

CLERK'S REPORT

Clerk Delbert presented Historic Landmarks Commission Report to Council regarding Demolition Review of 610 Main St. Mr. Thorngate, seconded by Ms. Ketchum, moved to accept Historic Landmarks Commission's recommendation, and allow demolition permit to be issued by Building and Planning Department.

UNFINISHED BUSINESS

Mountaineer Gas- Gas Line Relocation 11th St- RCIP

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$32,800.00 WITH MOUNTAINEER GAS, OF WHEELING, WV FOR GAS LINE RELOCATION ALONG 11TH ST TO BE CHARGED TO RCIP

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: -0

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

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Dagostino- Police Department Domain IT Professional Services- COPS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$28,950.00 WITH DAGOSTINO ELECTRONIC SERVICES, OF PITTSBURGH, PA FOR POLICE DEPARTMENT DOMAIN IT PROFESSIONAL SERVICES TO BE CHARGED TO CITY SERVICE FEE AND TO BE REIMBURSED BY FY 2022 COPS TECHNOLOGY PROGRAM, "WHEELING LAW ENFORCEMENT TECHNOLOGY PROGRAM"

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: -0

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

Northern Panhandle Conservation District- 2023 Operation and Maintenance-Wheeling Creek

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,500 WITH NORTHERN PANHANDLE CONSERVATION DISTRICT, OF MCMECHEN, WV, FOR THE PURCHASE OF FY 2023 OPERATION AND MAINTENANCE FUNDS FOR WHEELING CREEK STRUCTURE, \$15,000 TO BE CHARGED TO CAPITAL CONTRIBUTIONS – N.P.S.C.D 4414.50.5006 AND \$1,500 TO COAL SEVERANCE

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: -0

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

Mr. Sklavounakis moved, seconded by Mr. Thorngate, that the following: Hall of Fame Minutes 4/12/22, Arts and Cultural Minutes 4/12/22, Financial Statement April 2022, Historic Landmarks Minutes 4/7/22, which were held over be accepted as received.

REPORT OF COMMITTEES

Mr. Thalman, seconded by Mr. Seidler, moved that the Finance Committee Minutes 5/17/22 be accepted as received. All in favor. Motion carried. For the record they are as follows:

FINANCE COMMITTEE REPORT
May 17, 2022

The Finance Committee of Wheeling City Council met on the above date at 5:15 p.m. Committee Members present: Chair Palmer, Vice Chair Thorngate, and Member Thalman. Others present: Mayor Elliott, Councilors Ketchum, Sklavounakis, and Seidler, City Manager Robert Herron, City Solicitor Humway-Warmuth, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

The following matters were discussed:

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April 2022 Financial Statement

Mr. Herron reviewed the financial statement for April 2022. There is 33.19 million in revenues for 2022 including CARES act money, without including extra money we are \$1.5 million ahead of LY annual revenue. 79% of expenditures with a cash balance of approximately \$2.6 million after paving encumbrance deducted. Mr. Thalman, seconded by Mr. Thorngate, move to approve the Financial Statement as presented and forward to Council. All in favor. Motion carried.

ARPA Proposal from Wheeling Park Commission- \$1,885,110

Mr. Palmer gives overview of Wheeling Park Commission's proposal indicating the project is ready to begin, funds will be matched by the commission, and project is slated for various Wheeling Park renovations/upgrades. Mr. Peckenpaugh President and CEO was present and reiterated written proposal. Mr. Thorngate, seconded by Mr. Thalman, to forward to City Council

ARPA Proposal from WesBanco Arena (\$695,400) and Capitol Theatre (\$365,900)

Mr. Palmer noted the needed Fly System that was requested by CVB was not funded by prior grant. He is asking to remove \$365,900 as requested by the Capitol and replace with \$800,000 to include the needed Fly System. Denny Mcgruder, Executive Director WesBanco Arena & Capitol Theatre, spoke on the importance of upgrading the Fly System. He stated many shows are dependent on the system and it has never been replaced since the instillation, approximately 90 years ago. Mr. Mcgruder indicates the rope system is now obsolete and needs repaired before next Broadway touring season or shows might not return. Other requests included are safety items in Capitol and Arena. Mr. Mcgruder indicated the Arena chairs and stage risers are from 1977. Both needs replaced to continue successful operations. Frank O'Brien, Executive Director at Wheeling/Ohio County CVB, reminds Capitol Theatre was closed for 18 months and the fees related to ticket sales would have been slated for these repairs and upgrades. Mr. Thalman, seconded by Mr. Thorngate, to approve \$1,495,400.00 to Greater Wheeling Sports and Entertainment Authority to cover proposals related to WesBanco Arena and Capitol Theatre.

There being no further business to come before the Committee, Mr. Thalman, seconded by Mr. Thorngate, moved to adjourn. Motion carried. Time: 5:28 p.m.

REPORT OF CITY MANAGER

Mr. Herron announced Heritage Port will be cleaned and power washed in the next coming weeks, however it will not affect event schedule. Mr. Herron stated the paving company is finishing on current contract and will immediately begin the following contract.

REPORT OF OTHER OFFICERS

Ms. Ketchum, seconded by Mr. Sklavounakis, moved to hold over Wheeling Housing Authority Minutes 4/13/22, Tree Board Minutes 5/5/22, Human Rights Commission Minutes 4/19/22, Traffic Commission Minutes 5/12/22, Historic Landmarks Commission Minutes 5/2/22 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

ARPA Allocation- Wheeling Park Commission

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE WHEELING PARK COMMISSION'S REQUEST FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN AN AMOUNT OF \$1,885,110.00 FOR WHEELING PARK FACILITIES UPGRADES, AUTHORIZING THE ALLOCATION AND TRANSFER OF SUCH FUNDS FROM THE CITY'S ARPA ALLOCATION TO THE WHEELING PARK COMMISSION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS,

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AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING
AND WHEELING PARK COMMISSION

ARPA Allocation- Greater Wheeling Sports and Entertainment Authority

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY REQUEST FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN AN AMOUNT OF \$1,495,400.00 FOR WESBANCO ARENA AND CAPITOL THEATRE UPGRADES, AUTHORIZING THE ALLOCATION AND TRANSFER OF SUCH FUNDS FROM THE CITY'S ARPA ALLOCATION TO THE GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING AND GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY

Bond- Authorizing and Approving the Establishment of Pension Funding Program

The following was then read:

AN ORDINANCE AUTHORIZING AND APPROVING THE ESTABLISHMENT BY CITY OF WHEELING (THE "CITY") OF A PENSION FUNDING PROGRAM AND THE FUNDING OF SUCH PROGRAM WITH THE PROCEEDS OF PENSION FUNDING REVENUE BONDS ("THE BONDS") ISSUED BY THE WHEELING MUNICIPAL BUILDING COMMISSION (THE "BUILDING COMMISSION"); AUTHORIZING AND APPROVING THE ISSUANCE BY THE BUILDING COMMISSION OF THE BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$69,500,000 TO FINANCE THE COST OF A PENSION FUNDING PROGRAM INCLUDING THE FUNDING OF A DEBT SERVICE RESERVE FUND FOR THE BONDS, IF REQUIRED, THE PAYMENT OF COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS; AND TO PAY OTHER COSTS IN CONNECTION THEREWITH, INCLUDING THE ESTABLISHMENT OF A CONTINGENCY RESERVE FUND WITH RESPECT TO THE BONDS AND, IF DEEMED ADVISABLE, THE PURCHASE OF BOND INSURANCE IN CONNECTION WITH THE BONDS; AUTHORIZING AND APPROVING THE LEASING BY THE CITY, AS LESSOR, OF CERTAIN REAL PROPERTY WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH (COLLECTIVELY THE "LEASED PROPERTY") TO THE BUILDING COMMISSION, AS LESSEE, PURSUANT TO A LEASE AGREEMENT TO BE EXECUTED AND DELIVERED BY AN AUTHORIZED OFFICER OF THE CITY; AUTHORIZING AND APPROVING A LEASE AGREEMENT BETWEEN THE BUILDING COMMISSION, AS LESSOR, AND THE CITY, AS LESSEE, WITH RESPECT TO THE REAL PROPERTY (THE "LEASE") TO BE EXECUTED AND DELIVERED BY AN AUTHORIZED OFFICER OF THE CITY; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR AND CITY MANAGER OF THE CITY OF A CONTINUING DISCLOSURE AGREEMENT,

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AN OFFICIAL STATEMENT, AND A BOND PURCHASE AGREEMENT BETWEEN THE BUILDING COMMISSION AND THE PURCHASER OF THE BONDS, AND ACKNOWLEDGED AND AGREED TO BY THE CITY; APPROVING THE ADOPTION BY THE CITY OF CONTINUING DISCLOSURE POLICIES AND PROCEDURES WITH RESPECT TO THE CONTINUING DISCLOSURE AGREEMENT TO BE EXECUTED BY THE CITY IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

A&H Equipment Company- Street Sweeper- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$76,900.00 WITH A&H EQUIPMENT COMPANY, OF ZELIENOPLE, PA FOR ELGIN RECONDITIONED STREET SWEEPER TO BE CHARGED TO PROJECT FUND

Murphy Tractor & Equipment- Excavator- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$175,186.19 WITH MURPHY TRACTOR & EQUIPMENT, OF CAMBRIDGE, OH FOR JOHN DEERE TRACK EXCAVATOR TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Traffic Rule- Permit Parking at 1130 Eoff St.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ESTABLISH A PERMIT PARKING ONLY ZONE ON THE EAST SIDE OF EOFF AT APPROXIMATELY 1130 EOFF ST

Amending and Reenacting- Article 1359 – Signs and Outdoor Advertising Structures

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART THIRTEEN – PLANNING AND ZONING CODE, CHAPTER THREE – ZONING ORDINANCE – ARTICLE 1359 – SIGNS AND OUTDOOR ADVERTISING STRUCTURES, TABLE 9-C “PERMITTED SIGNS BY DISTRICT AND TYPE” TO INCREASE THE TOTAL AREA OF SIGNAGE ALLOWED IN THE RESIDENTIAL ZONING DISTRICTS

Amending and Reenacting- Article 363.16- Parking Meter Rental

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 363.16 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED PARKING METER RENTAL

Amending and Reenacting- Article 361.03- Prohibited Stopping, Standing or Parking Places

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 361.03 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED PROHIBITED STOPPING, STANDING OR PARKING PLACES

Mr. Thalman, seconded by Mr. Thorngate, moved to combine the readings of Original Propositions

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10-13 as routine chemical purchases. Motion carried all in favor. The following was then read:

ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR ROUTINE CHEMICAL PURCHASES TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION AS FOLLOWS:

Barbers Chemical- \$28,542.50- Caustic Soda
SAL Chemicals- \$47,850- Sodium Bisulfite
Polydyne- \$240,800- Polymer
JCI Jones- \$160,500- Sodium Hypochlorite

Mr. Thalman, seconded by Mr. Thorngate, moved to combine the readings of Original Propositions 14-22 as routine chemical purchases. Motion carried all in favor. The following was then read:

ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR ROUTINE CHEMICAL PURCHASES TO BE CHARGED TO WATER DEPARTMENT AS FOLLOWS:

Bonded Chemical- \$65,760-Potassium Permanganate
CI Thornburg- \$17,040 Sodium Bisulfite
Chemstream Inc.- \$122,500-Sodium Hypochlorite
Sal Chemical- \$101,310-Citric Acid
Carbon Activated Corporation- \$50,000- Powdered Activated
Univar Solutions- \$16,800-Hydrofluosilicic Acid
CI Thornburg-\$74,160- Sulfuric Acid
Univar Solutions- \$44,643-Sodium Hydroxide
CI Thornburg- \$2,484- Phosphate Liquid Corrosion Inhibitor

Mr. Thalman, seconded by Mr. Thorngate, moved to combine the readings of Original Propositions 23-28. Motion carried all in favor. The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING TO AUTHORIZE, DIRECT AND EMPOWER THE OFFICERS AND ADMINISTRATORS OF THE CITY TO EXECUTE ALL NECESSARY DOCUMENTS AND PROCEDURES TO PROVIDE FOR A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR THE FOLLOWING:

Jacqueline Herrick-719 Market Street- \$6,620.00
William Baker- 609 Market Street- \$7,862.00
Crest Investments- 514 Main Street- \$8,500
Kim Podratsky- 805 Market Street- \$4,631.00
Warwood Estates- 1700 Warwood Ave- \$15,000.00
Thomas Gilson- 1915 Warwood Ave

The resolution was read by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the resolutions be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate -6
NOES: -0

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

Resolution- Free Pool Admissions 4th of July Weekend

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING FREE ADMISSION TO CITY OWNED AND OPERATED POOLS ON JULY 2ND, 3RD, AND 4TH OF JULY

The resolution was read by title. Mr. Thalman, seconded by Ms. Ketchum, moved that the resolution be adopted.

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The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: -0

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

Resolution- Participation in the HOME Consortium 2022-2023

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING AUTHORIZING PARTICIPATION IN THE
NORTHERN PANHANDLE HOME CONSORTIUM FOR THE
PERIOD OF JULY 1, 2022, TO JUNE 30, 2023

The resolution was read by title. Ms. Ketchum, seconded by Mr. Seidler, moved that the resolution be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: -0

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

THOSE WISHING TO BE HEARD

Julia Chaplin spoke in asking City Council to adopt ordinance encouraging parent involvement.

Mikaya Green, spoke in promoting the Friendlier City Project.

Mr. Thalman, seconded by Mr. Thorngate, moved to enter executive session to discuss personnel matters. Motion carried. All in favor. Time 12:45 p.m.

Mr. Thalman, seconded by Mr. Thorngate, moved to exit executive session, and resume regular order of business. Motion carried. All in favor. Time 1:19 p.m. Mayor Elliott confirmed no decisions were made.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 1:19 p.m.

City Clerk

Mayor