

December 6, 2022

Council of the City of Wheeling met, on the above date, at 5:30 pm, at 1500 Chapline St. with Mayor Elliott presiding.

On roll call, the following were present:

Present: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
Absent: - 0

Mr. Thalman, seconded by Mr. Thorngate, that the minutes of November 15, 2022, meeting be approved as received. Motion carried.

MAYOR’S REPORT

Mayor Elliott proclaimed December 13, 2022, as *Army National Guard Day* in the City of Wheeling.

UNFINISHED BUSINESS

Cast and Baker Change Order Paving 2022- General Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$261,373.66 WITH CAST AND BAKER OF CANONSBURG PA, OH FOR CHANGE ORDER TO STREET RESURFACING 2022 CONTRACT, TO BE CHARGED TO GENERAL FUND

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

1400 Block- Desmone Development

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING REGARDING IMPROVEMENTS TO CERTAIN REAL PROPERTY LOCATED IN THE 1400 MARKET STREET BLOCK AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DOCUMENTS TO EFFECTUATE THIS MATTER AS CONTEMPLATED BY THE CITY COUNCIL AND THE DEVELOPERS

Mr. Thalman, seconded by Mr. Thorngate, moved to suspend regular order of business to allow representatives from Desmone address City Council before vote. Motion carried. All in favor. Mr. Thalman, seconded by Mr. Thorngate, moved to resume regular order of business. Motion carried. All in favor.

The ordinance was read a second time by title. Ms. Ketchum, 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, Palmer - 7
NOES: -0

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

Zone Change- 842 National Road – R1A- C-2

December 6, 2022

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF PARCELS 195, 196, 197, AND 198 ON THE MAP OF W39 IDENTIFIED 842 NATIONAL ROAD FROM R-1A TO C-2 GENERAL COMMERCIAL

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

ARPA Request American Legion Post 89

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE AMERICAN LEGION WHEELING POST 89 REQUEST FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR REVOVATION AND REHABILITATION PROJECT, AUTHORIZING THE ALLOCATION AND TRANSFER OF SUCH FUNDS FROM THE CITY'S ARPA ALLOCATION TO THE WHEELING POST 89 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING AND WHEELING POST 89

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

Holtz Industries- Yard Packer Body- Sanitation Equipment

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$106,680.00 WITH HOLTZ INDUSTRIES INC., OF NEWARK, OH, FOR LOADMASTER YARD PACKER BODY TO BE CHARGED TO SANITATION REPLACEMENT EQUIPMENT AND MAINTENANCE FUND

The ordinance was read a second time by title. Ms. Ketchum, 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, Palmer - 7
NOES: -0

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

Approving and Adopting 2022 Codified Replacement Pages

December 6, 2022

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING AND ADOPTING THE 2022 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHEELING

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

Resolution- Victorian Homes Improvement Program

The following was then read:

A 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 PROGRAM UTILIZING IN PART, AMERICAN RESCUE PLAN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO AID RESIDENTS IN A VICTORIAN HOMES IMPROVEMENT PROGRAM

The resolution was read by title. Mr. Sklavounakis, seconded by Mr. Seidler, moved that the resolution be lifted from the table.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: Palmer -1

A discussion ensued surrounding joint meeting with the Historic Landmarks Commission to aid in developing program parameters.

Mr. Sklavounakis, 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: Palmer -1

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

Mr. Sklavounakis moved, seconded by Mr. Seidler, that the following: Hall of Fame Minutes 10/11/22, Traffic Commission Minutes 10/13/22, Financial Statement October 2022, which were held over be accepted as received.

REPORT OF COMMITTEES

Mr. Sklavounakis, seconded by Mr. Palmer, moved to accept the Finance Committee Minutes from 11/15/22 and the Development Committee Minutes 12/1/22 as received. For the record they are as follows:

FINANCE COMMITTEE REPORT
November 15, 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:

December 6, 2022

Mayor Elliott, Councilors Ketchum, Sklavounakis, City Manager Robert Herron, and Finance Director Seth McIntyre

The following matters were discussed:

Home Owner-Occupied ARPA Funding Allocation:

Mr. Herron stated City Council previously allocated \$200,000 towards the program. Economic Development Department accepted applications for one month. In that time 517 applications were received and 433 determined to be eligible. Mr. Herron is asking for an increase in allocation to accommodate as many applications as possible. Mr. Herron is asking for \$1.5 million allocation. of would cover \$5,000 each. Mayor Elliott and Mr. Thalman agree the program has exceeded expectations and would like to have funding in place to cover those who have applied. Minimum of \$2,000,000 to cover the 433 eligible. Mr. Herron indicated there are safeguards in place and there are no exceptions regarding inspections, permits, or B&O etc. Mr. Thalman, seconded by Mr. Thorngate, to increase the allocated amount to fund those who are eligible and have applied. All in favor. Motion carried.

City County Building Improvements Projects:

Ohio County Commission is proposing an eleven million dollar building upgrade. Including heating, cooling, ventilation, roof, windows, lights suppression system, and electrical upgrades. According to the lease the city is financially responsible for 40% of work in building. County is seeking proposals for bond. Current rent is \$192,464. Rent will increase and amount would be contingent if 15- or 20-year lease. No action required today as matter will come back to City Council.

October 2022 Financial Statement:

Mr. Herron reviewed the financial statement for October 2022. Conferring to page 14A cash balance is 4.3 million, this is up \$500,000 in comparison to last year. There has been a significant bounced back compared to last month. Mr. Herron indicated expenses on track while B&O and property taxes have recovered. Board of Education has made payment for school resources officers. Sales tax are also ahead. Mr. Thalman, seconded by Mr. Thorngate, move to accept the Financial Statement as presented and forward to Council. All in favor. Motion carried.

There being no further business to come before the Committee, Mr. Thalman, seconded by Mr. Palmer, moved to adjourn. Motion carried. Time: 5:32 p.m.

DEVELOPMENT COMMITTEE REPORT
December 1, 2022

The Development Committee of Wheeling City Council met on the above date at 4:45 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Ketchum, Sklavounakis, and Palmer, Development Director Nancy Prager, City Clerk Brenda Delbert, and media.

Discussion on Victorian Homes Improvement Program:

Mayor Elliott in conjunction with Mr. Sklavounakis presented intentions of the program. It is tailored to Historic Preservation and households who would benefit from higher income threshold than Home-Owner Repair Program. The Victorian Home Improvement Program would have similarities but also include specialized language for historic homes. A discussion ensued about the specific requirements for Victorian Home Improvement Program. Including but not limited to the following: \$5,000 grant with 20% match (\$1,000), owner-occupied, exterior repairs done in a manner generally consistent with the National Park Service Historic Preservation Standards and Guidelines, daylight down spouts (if feasible without significant construction), pre-1940 homes, eligible homes must have an assessed market value below \$350k market value by the Ohio County Assessor, applicants cannot have received funding under the Homeowner Assistance Repair Program or the Façade Improvement Program, and possible involvement from the Historic Landmarks Commission. The committee inquired about meeting with the Historic Landmarks Commission for insights and ideas to move program forward. The HLC meets the 1st Thursday of the month but can meet as needed.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Time: 5:25 p.m.

December 6, 2022

REPORT OF CITY MANAGER

Mr. Herron asked for two reads of Original Proposition number 4, for Hill International. The Dump truck is used and would be a benefit to have before winter months. Mr. Herron indicated the paving contract has met the 40% benchmark with 42% of paving completed.

REPORT OF OTHER OFFICERS

Mr. Seidler, seconded by Ms. Ketchum, moved to hold over: Board of Zoning Appeals Minutes 10/20/22, Planning Commission Minutes 10/17/22, Human Rights Commission Annual Report, Human Rights Commission Minutes 10/18/22, Traffic Commission Minutes 10/13/22 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Cast and Baker- Beechwood Pavement Repair- City Service Fee

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$19,000 WITH CAST AND BAKER, OF CANONSBURG, PA, FOR BEECHWOOD PAVEMENT REPAIR TO BE CHARGED TO CITY SERVICE FEE

Sublease Agreement- City of Wheeling and County Commission

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING REGARDING THE SUBLEASE AGREEMENT BETWEEN THE COUNTY COMMISSION OF OHIO COUNTY, WV, AND THE CITY OF WHEELING FOR PORTIONS OF REAL PROPERTY LOCATED AT 1500 CHAPLINE STREET WHICH THE CITY SHALL USE AND OCCUPY THE SUBLEASED PREMISES FOR OPERATIONS OF CITY GOVERNMENT AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DOCUMENTS TO EFFECTUATE THIS MATTER AS CONTEMPLATED BY THE CITY COUNCIL AND THE COUNTY COMMISSION

Aster Oilfield Services Inc.- Demolition Contract 3- ARPA

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$129,500.00 WITH ASTER OILFIELD SERVICES, OF BELLAIRE, OH FOR ABATEMENT AND DEMOLITION, TO BE CHARGED TO ARPA

Hill International- Dump Truck Operations- General Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$87,995.00 WITH HILL INTERNATIONAL TRUCKS LLC, OF ST. CLAIRSVILLE, OH, FOR THE PURCHASE OF 2016 INTERNATIONAL DURASTAR DUMP TRUCK TO BE CHARGED TO GENERAL FUND

Mr. Palmer, seconded by Mr. Thorngate, moved to have a second read to accommodate request to purchase before winter. Motion carried. All in favor.

The ordinance was read a second time by title. Mr. Palmer, seconded by Mr. Thorngate,

December 6, 2022

moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

1400 Invoice Payments- TIF Bond

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS ASSOCIATED WITH THE 1400 BLOCK REDEVELOPMENT PLAN TO BE CHARGED TO 2022 TAX INCREMENT FINANCING BOND

Traffic Rule- Stop Sign at the Intersection of McClurg and Jefferson Ave

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO CREATE STOP INTERSECTION AT MCCLURG STREET AND JEFFERSON AVENUE

Traffic Rule- 4-way stop intersection at Virginia and S. York

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO CREATE 4 WAY STOP INTERSECTION AT VIRGINIA STREET AND SOUTH YORK STREET

Traffic Rule- No Parking Zone on the South Side of 5th St.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO CONTINUE NO PARKING ZONE ON THE SOUTH SIDE OF 5TH STREET TO THE DRIVEWAY ENTRANCE

Traffic Rule- No Parking Zone 2501 Lincoln Ave

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FOR NO PARKING ZONE AT 2521 LINCOLN AVENUE FOR A DISTANCE OF EIGHT FEET FROM INTERSECTION OF PACKARD DRIVE AND LINCOLN AVENUE

Resolution- Food for Fines

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING PROPOSING A CANNED FOOD DONATION PROCESS, IN LIEU OF OVERTIME PARKING FINES, TO BE DISTRIBUTED TO MUNICIPAL FOOD PANTRIES -FOOD FOR FINES

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

December 6, 2022

Resolution- Diversity and Inclusion Coordinator- MOU

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF WHEELING, OHIO COUNTY BOARD OF EDUCATION, AND OHIO COUNTY COMMISSION FOR THE SHARED PURPOSE CREATION OF A DIVERSITY AND INCLUSION COORDINATOR

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

Resolution- Adopting Hazard Mitigation Plan

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING THE UPDATED MARSHALL, OHIO, AND WETZEL COUNTIES MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

Resolution- APRA Allocation Home Owner-Occupied Repair Assistance Program

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING TO AUTHORIZE IN TOTAL EXPENDITURES OF UP TO TWO MILLION DOLLARS (\$2,000,000) REGARDING THE PROGRAM, WHICH IS UTILIZING IN PART, AMERICAN RESCUE PLAN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO AID RESIDENTS IN EXTERIOR HOME IMPROVEMENTS

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

Resolution- Cost of Living Increase 2020- Municipal Pension

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ESTABLISHING AN AD-HOC COST-OF-LIVING INCREASE FOR RETIRED MEMBERS OF THE MUNICIPAL EMPLOYEES PENSION FUND AND THEIR BENEFICIARIES

The resolution was read by title. Mr. Seidler, seconded by Mr. Sklavounakis, moved that

December 6, 2022

the resolution be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

Resolution- Façade Grants

Mr. Thalman, seconded by Mr. Thorngate, moved to combine the readings of façade grants. Original Propositions 15-20. Motion carried. All in favor.

The following was then read:

15-20 RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, WEST VIRGINIA, 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:

Nate Harler, 41 11th St., \$9,190.00

Lisa & John Singer, 647 Main St., \$9,620.00

Dean Connors, 25 11th St., \$5,670.00

Tyler Rice, 2804 Wood St., \$8,447.00

Martha Los, 814 Main St., \$15,000.00

Thomas Gilson, 1915 Warwood Ave., \$8,067.00

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

THOSE WISHING TO BE HEARD

Ralph Dunkin spoke in favor of City Council passing a Crown Act Ordinance.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 6:28 p.m.

City Clerk

Mayor