

October 17, 2023

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

On roll call, the following were present:

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

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of October 3, 2023 meeting be accepted as received. All in favor. Motion Carried.

MAYOR'S REPORT

Mayor Elliott respectfully asked for an executive session this evening to discuss property acquisition. Mayor Elliott remarked on the opening of the winter freeze shelter and delay of the closing of the homeless encampment. Mayor Elliott congratulated Melissa Adams, Homeless Liasson on her work and dedication to the homelessness issue and that he believes the Life Hub strategy could work and recognizes that the current status quo cannot continue. Mayor Elliott introduced Ms. Ciarra Beaver who spoke on a proposal and fundraising for Safe Haven baby boxes to be placed at local fire stations.

CLERK'S REPORT

Clerk Zalenski presented Notice of application for a private club ABCA license from Chayos Street Tacos, 2202 National Road from Isaias Martinez.

UNFINISHED BUSINESS

TIBA- Market Street Garage Parking Systems- Bond Series 2021 C

The following was then read by title

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$108,505.00 WITH TIBA, OF COLUMBUS, OH FOR MARKET STREET GARAGE PARKING SYSTEM TO BE CHARGED TO BOND SERIES 2021 C

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

The vote on the motion resulted as follows:

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

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

Apex Stages- Mobile Stage- ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS UP TO THE AMOUNT OF \$221,000 WITH APEX STAGES, OF PITTSBURG, KS FOR THE PURCHASE OF A MOBILE STAGE TO BE CHARGED TO ARPA

The ordinance was read a second time by title. Mr. Thorngate moved, seconded by Mr. Palmer to amend the ordinance to increase the amount to \$258,850.00, All in favor. Motion carried. Ms. Ketchum seconded by Mr. Palmer moved that the ordinance be adopted.

The vote on the motion resulted as follows:

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

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

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ordinance adopted.

Mr. Thalman moved, seconded by Mr. Thorngate to accept the Greater Wheeling Sports and Entertainment Authority minutes from August 29th, 2023 which were held over, as received. All in favor. Motion Carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thalman, asked City Manager for update on the downtown splash pad, Mr. Herron stated as soon as all approvals are given, construction will begin. Mr. Thalman asked for an update on Urban 3, Building and Planning Director Ms. Delbert stated she has not received any communication back from Urban 3. Mr. Thalman asked city administration to please inform residents and communicate with parking enforcement personal to not write tickets if street sweeper is inoperable. Mr. Thalman remarked he wants to move forward with compassion on the homeless issue, he feels rule of law needs to be enforced to ensure public safety. Mr. Thalman asked for amendments to the public camping ban ordinance, to include one managed camp.

Mr. Thorngate remarked he would like to hear the public's comments regarding the camping ordinance, however would like to see an amendment to the ordinance to remove fines and replace with community service.

Mr. Palmer stated he would also like to hear remarks from members of the community and agencies on the camping ordinance. Mr. Palmer stated the Elm Grove Crime Watch will be October 18th at 5:30 at the Elm Grove Civics. Mr. Palmer commended the police department for the help ensuring safety in school zones.

Mr. Seidler remarked on the responsibility of council to ensure public safety and help homeless individuals. Mr. Seidler stated we cannot ignore crime, destruction of property and drug activity.

Mr. Seidler stated that himself and two other council members attended a quarterly Northern Panhandle Continuum of Care meeting, to discuss and work out a plan for a proposed managed campsite with a majority of agencies in agreement to the plan. Mr. Seidler stated all are working to find a solution and feels the Life Hub could be successful but needs to be funded. Mr. Seidler asked for all organizations and council to work together to find a solution.

Ms. Ketchum thanked Wheeling Country Day School for inviting her to speak to a class on local government. Ms. Ketchum announced a block party to be held Thursday October 19th at the Clay School in East Wheeling for a community engagement session to hear ideas about the future of the Clay School property. Ms. Ketchum stated that her ward has been one of the most impacted by the homelessness issue. Ms. Ketchum stated that behavioral health and mental health crisis needs to be addressed and the resources available are mostly at capacity. Ms. Ketchum is not in favor of the public camping ban, and that the ordinance is unlawful and potentially unconstitutional and urged that a law suit against the city would be coming if the ordinance is passed. Ms. Ketchum asked for amendments to the ordinance, to not criminalize the homeless population.

Mr. Sklavounakis is open to finding solutions and working with local organizations to address homeless individuals. Mr. Sklavounakis asked for the organizations to provide guidance and solutions. Mr. Sklavounakis stated that wrap around care and a low barrier shelter, and managed camp are needed and that the status quo cannot continue and that the rule of law cannot be ignored and action must be taken, to ensure public safety and respect and compassion for homeless individuals.

REPORT OF COMMITTEES

Mr. Sklavounakis moved, seconded by Mr. Seidler to accept the Development Committee Minutes from October 3, 2023 as received. All in favor. Motion Carried.

REPORT OF CITY MANAGER

Mr. Herron stated mobilization for demolition of the OVMC property has begun and that the bond closing transaction between WVU Health Systems and Municipal Building commission will take place next week, with Community Bank providing the lowest interest rates for the bond. Mr. Herron remarked on the safe haven baby box presentation from the mayor's report to state a box and space was already in the plans for the new fire department headquarters. Mr. Herron also respectfully asked for an executive session to discuss property acquisition and the end of this evening's meeting. Ms. Ketchum asked for more communication to local businesses regarding the streetscape projects, Mr. Herron stated a meeting will be taking place with WVDOH and it will be discussed. Ms. Ketchum also asked for crosswalks to be placed near Richie School in South Wheeling.

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REPORT OF OTHER OFFICERS

Ms. Ketchum moved, seconded by Mr. Palmer to hold over the Hall of Fame Board minutes from September 12, 2023 and Traffic Commission Minutes from September 14th, 2023. All in favor.
Motion Carried.

ORIGINAL PROPOSITIONS

Amending and Reenacting Article 533 entitled Camping on Public Property

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 533 ENTITLED GENERAL OFFENSES CODE TO CREATE SECTION 533.18 ENTITLED PROHIBITED CAMPING ON PUBLIC PROPERTY

Electronic Fire Extinguisher- Training Equipment- Fire Prevention and Safety Grant

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$50,592.22 WITH WITMER PUBLIC SAFETY GROUP OF COATESVILLE, PA 19320 FOR THE PURCHASE OF FIRE EXTINGUISHER TRAINING EQUIPMENT TO BE CHARGED TO FIRE PREVENTION AND SAFETY AFG GRANT

Transfer of funds OVADC-CWDF and Regular RCIP

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS IN THE AMOUNT OF \$175,000.00 TO OHIO VALLEY AREA DEVELOPMENT CORPORATION (OVADC) FOR ECONOMIC DEVELOPMENT PURPOSES TO BE CHARGED AS FOLLOWS \$122,000.00 TO CENTRE WHEELING DEVELOPMENT FUND AND \$53,000.00 TO REGULAR RCIP

Resolution- Development/Redevelopment Site- 2202 National Road

The following was then read by title:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 2202 NATIONAL ROAD AS A DEVELOPMENT OR A REDEVELOPMENT SITE

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

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

Resolution-Sarah's on Main- Outdoor Dining Grant

The following was then read by title:

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 AN OUTDOOR DINING GRANT FOR, SARAH'S ON MAIN, 2122 MAIN STREET, IN THE AMOUNT OF \$20,000.00

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

The vote on the motion resulted as follows:

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

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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

Mr. RJ Konkoleski of Wheeling, WV spoke on behalf of the Northern Panhandle Continuum of Care Board of Directors, in opposition to the public camping ban.

Ms. Ashlie Koston of Wheeling, WV spoke on behalf of Catholic Charities in opposition to the public camping ban.

Ms. Katherine Ball of Wheeling, WV spoke in support of guardianships for unhoused individuals, setting limits and actions.

Ms. Melissa Rebholz of Wheeling, WV spoke in opposition of the public camping ban.

Mr. John Russell of Wheeling, WV spoke in opposition of the public camping ban.

Mr. Ryan Ewing of Wheeling, WV spoke in opposition of the public camping ban.

Ms. Oceanna Smith of West Liberty, WV spoke in opposition of the public camping ban.

Ms. Ashlie Curtis of Wheeling, WV spoke in opposition of the public camping ban.

Mr. Conner Morrison of Wheeling, WV spoke in opposition of the public camping ban.

Mr. Vincent DeGeorge of Wheeling, WV spoke in opposition of the public camping ban.

Ms. Kate Marshall of Wheeling, WV spoke in opposition of the public camping ban.

Dr. William Mercer of Wheeling, WV spoke in opposition of the public camping ban.

Ms. Beth Collins of Wheeling, WV spoke in opposition of the public camping ban.

Ms. Katie Klug of Wheeling, WV spoke in opposition of the public camping ban.

Ms. Carlee Dittmar of Wheeling, WV spoke in support of the public camping ban.

Mr. Brandon Von Fare of Wheeling, WV spoke in opposition of the public camping ban.

Ms. Julia Chaplin of Wheeling, WV spoke in support of the public camping ban.

Mr. Thalman moved, seconded by Mr. Thorngate to exit regular business to move to an executive session to discuss property acquisition, 7:00pm. No conclusions were made, Mr. Thalman moved, seconded by Mr. Thorngate to exit executive session and resume regular business 7:21pm.

There being no further business to discuss Mr. Thalman moved, seconded by Mr. Thorngate to adjourn. Time 7:22 pm

City Clerk

Mayor