

## February 19, 2019

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 Ward 2 Councilor Imer.

On roll call, the following were present:

Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer	-7
Absent:	-0

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the February 5, 2019 meeting be approved as received. Motion carried.

Mr. Thalman moves, seconded by Mr. Imer, to suspend the regular order of business to conduct two public hearings.

*Public Hearing: Bedway Development performing work for the house of the carpenter to temporarily lease municipally-owned real property generally known as the wheeling island gateway park for the purpose of placing a laydown yard to facilitate a construction project at the house of carpenter which will later benefit the city site development.*

*Public Hearing will be held to amend and readopt the planning and zoning code pertaining to wireless telecommunications towers and facilities regulatory authority, including an updated application process and fees*

No one signed up to speak for either hearing. Mr. Thalman, moved seconded by Mr. Imer to resume the regular order of business.

### MAYOR'S REPORT

Mayor Elliott reminded the public about the 10<sup>th</sup> annual State of the City address on Tuesday February 26, 2019 at the Wheeling Island Casino.

Mayor Elliott announces he will be holding steady office hours in his office every Wednesday from 11:00 am until 1:00 pm. Councilors Melinda Koslik and Ty Thorngate were previously appointed to the Historic Landmarks Commission and Arts and Cultural Commission, respectively. Mr. Thalman moved, seconded by Ms. Scatterday to exchange the appointments. Ms. Koslik is appointed to Arts and Cultural and Mr. Thorngate appointed to Historic Landmark.

Mayor Elliott presented a proclamation to Jerry Thomas, Promoter Toughman Contest, proclaiming the weekend of February 22 and 23<sup>rd</sup> 2019 as "**Toughman Weekend.**"

Police and Fire Chiefs address Council about the need to improve facilities in light of the recent lose on levy. The deficiencies still exist and need addressed by this Council. Mr. Herron says all options are being explored, and relocating fire headquarters will be necessary in the coming years.

Mayor Elliott introduces Katie Welch, prospective member for Arts and Cultural Commission. Ms. Scatterday moved and second by Mr. Thalman Council's concurrence in the appointment of Ms. Welch for the Arts and Cultural Commission. Motion carried

### UNFINISHED BUSINESS

#### ADOPTING TRAFFIC RULE 4703- 5 HOUR PARKING METER ZONE (TABLED 1/15/19)

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
WHEELING ADOPTING TRAFFIC RULE NO. 4703- 5 HOUR  
PARKING METER ZONE 1902 MARKET ST

Ms. Scatterday moved to lift off the table. There was no second on the motion to lift off the table, thus action was taken.

**February 19, 2019**

AMENDING AND READOPTING SECTION 1363 OF THE CODIFIED ORDINANCE  
ENTITLED WIRELESS TELECOMMUNICATION

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND READOPTING SECTION 1363 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED WIRELESS TELECOMMUNICATIONS TOWERS AND FACILITIES REGULATORY AUTHORITY, INCLUDING AN UPDATED APPLICATION PROCESS AND FEES.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer -7  
NOES: -0

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

TRANSFERRING 1107 AND 1109 MAIN ST. PROPERTY TO OHIO VALLEY ADC

The following was the read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED AT 1107 AND 1109 MAIN STREET TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer -7  
NOES: -0

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

Mr. Palmer moved, seconded by Ms. Koslik, that the, Human Rights Commission Minutes 12/18/18, Planning Commission Minutes 12/19/18, Wheeling Housing Authority Minutes 12/12/18, Board of Zoning Appeals Minutes 10/18/18, Robert C. Byrd Intermodal Center Financial Statement 12/31/18, Wheeling Municipal Parking Financial Statement 12/31/18, Greater Wheeling Sports and Entertainment Authority Minutes 12/4/18, Greater Wheeling Sports and Entertainment Authority Financials 11/30/18, Greater Wheeling Sports and Entertainment Authority Financials 12/31/18, Police Civil Service Commission Annual Report 2018, Fire Civil Service Commission Annual Report 2018, Civil Service Commission Annual Report 2018, which were held over, be accepted as received. Motion carried.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Thorngate announces Ward 5 meeting on February 21, 2019. Ms. Scatterday will be filing in for his absence.

**February 19, 2019**

**REPORT OF CITY MANAGER**

Mr. Herron advises Council there is a media announcement tomorrow for Gateway Park, but is in no relation to the temporary land lease on agenda today.

Mr. Herron announces former Human Resources Director Teresa Hudrlik was sentenced to 6 months in federal prison and paid restitution as ordered. Mr. Herron will distribute to Council safe guards and policy changes that were implemented internally as a result.

**REPORT OF OTHER OFFICERS**

Ms. Scatterday moved, seconded by Ms. Koslik, that the Planning Commission Minutes 1/15/19, Planning Commission- Zoning Subcommittee Minutes 2/4/19, Hall of Fame Board Minutes 1/8/19, be held over until next meeting. Motion carried.

**ORIGINAL PROPOSITIONS**

O'BRIEN'S RENT ALL & SALES- 20" VALVE REPLACEMENTS PROJECT- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$26,367.52 WITH O'BRIEN'S COMPANIES, OF WHEELING, WV, FOR 20 INCH VALVE REPLACEMENT PROJECT, TO BE CHARGED TO WATER DISTRIBUTION 4013.06.0620.01

ALEX E. PARIS- PHASE 6 STACKYARD FEEDER MAIN- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$389,765.00 WITH ALEX E. PARIS CONTRACTING CO INC., OF ATLASBURG, PA, FOR PHASE 6 STACKYARD FEEDER MAIN PROJECT 14725, TO BE CHARGED TO WATER DISTRIBUTION 400.1131.04.00

METRON-FARNIER- EXTERNAL ANTENNA UNITS- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$20,320.85 WITH METRON-FARNIER, OF BOULDER, CO, FOR EXTERNAL ANTENNAS, TO BE CHARGED TO WATER DISTRIBUTION 4013.06.0620.01

RESOLUTION TO TEMPORARILY LEASE LAND TO HOUSE OF CARPENTER

The following was then read:

A RESOLUTION ON THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY LAND LEASE WITH BEDWAY DEVELOPMENT, FOR A PORTION OF THE PROPERTY LOCATED AT APPROXIMATELY 100 SOUTH FRONT ST WHEELING, WV.

Mr. Imer moved, seconded by Mr. Thalman, that the Resolution be adopted.

**THOSE WISHING TO BE HEARD**

Edward Calvert, Wellsburg WV, works in Wheeling and wanted to speak in opposition of

**February 19, 2019**

user fee being imposed. He cites various reasons he opposes, including B&O taxes.

Sarah Stupak, Martins Ferry, employed in the city of Wheeling and speaks in opposition of user fee.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time 6:17 p.m.

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City Clerk

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Mayor