

**June 4, 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 2<sup>nd</sup> Ward Councilor Imer.

On roll call, the following were present:

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

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the May 16 and 21, 2019 meeting be approved as received. Motion carried.

Mr., Thalman moved, seconded by Ms. Scatterday to suspend the regular order of business to conduct a public hearing to solicit citizen comment on the City’s proposed allocation of federal dollars for the FY 2019-2020 Community Development Block Grant Program and the HOME Investment Partnership Program. No one signed up to speak. Mr. Thalman moved, seconded by Ms. Scatterday to resume regular order of business.

**MAYOR’S REPORT**

Mayor Elliott welcomes back City Manager Herron; Mayor thanks Chief Helms for accepting an expanded role and recommends supplemental pay.

Mayor Elliott reappoints Kim McCluskey, Robert DeFrancis, David Javersak, Ben Exley, Rev Robert Willits, and George Frazier to the Hall of Fame Committee for a six-year term to expire on 6/30/25. Mr. Thalman moved, seconded by Ms. Scatterday Council concurrence in the appointment.

Mayor Elliott proclaims June 7, 2019 as “Pride in Wheeling Day.”

**CLERKS REPORT**

City Clerk Brenda J. Delbert presents Council the following notice of applications to operate a private club: Country Roads BBQ- Applicants Kyle and Scott Phair, El Zocalo Mexican Restaurant- Jose Hernandez and Paulene Blake, and Mac’s Club- Don McFarland. All three applications were forwarded to ABCA without comment from Council.

**UNFINISHED BUSINESS**

VACATING AND ABANDONING SECTION OF 18TH ST-QUITCLAIM DEED

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING A SECTION OF 18th STREET BETWEEN THE EAST RIGHT OF WAY LINE OF MARKET STREET TO THE WEST RIGHT OF WAY LINE OF CHAPLINE STREET AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT

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 -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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VACATING AND ABANDONING SECTION OF ALLEY BETWEEN LOTS 21 AND 23-QUITCLAIM DEED

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING A SECTION OF ALLEY A BETWEEN LOTS 21 AND 23 ON THE PLAT OF BURKHAM COURT AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT

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 -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 4720- NO PARKING ZONE- EVELYN AND DOROTHY AVE

AN ORDINANCE OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE 4720- NO PARKING ZONE- EVELYN AND DOROTHY AVE

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, Imer, Koslik, Scatterday, Thorngate -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 4721- 30 MINUTE PARKING METER ZONE- MAIN ST

The following was then read:

AN ORDINANCE OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE 4721- 30 MINUTE PARKING METER ZONE- MAIN ST

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Koslik, Scatterday, 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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ADOPTING TRAFFIC RULE 4722- 1 HR. PARKING METER ZONE- MAIN ST

The following was then read:

AN ORDINANCE OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE 4722- 1 HR. PARKING METER ZONE- MAIN ST

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

The vote on the motion resulted as follows:

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

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

UNIVAR- LIQUID CHLORINE- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$34,000.00, WITH UNIVAR, OF CINCINNATI, OH, FOR THE PURCHASE OF 50 TONS OF LIQUID CHLORINE, TO BE CHARGED TO WATER POLLUTION CONTROL DIV.- 401.4003.05.0718.01 - CHEMICALS (FY 2019-2020)

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, Imer, Koslik, Scatterday, Thorngate -6  
NOES: -0

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

SERVICE SUPPLY- PLEASANTON AND N. 24TH ST- PLAYGROUNDS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$70,000.00 WITH SERVICE SUPPLY LTD (PLAYCRAFT SYSTEM) OF REYNOLDSBURG, OH, FOR PLEASANTON AND NORTH 24TH ST PLAYGROUNDS TO BE CHARGED TO PLAYGROUNDS 4979.40.9002

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 -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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Mr. Imer moved, seconded by Ms. Koslik, that the, Financial Statement April 2019, Robert C. Byrd Intermodal Center Financial Statement 3/31/19, Wheeling Municipal Parking Financial Statement 3/31/19, Historic Landmark Commission Minutes 2/14/19, Wheeling Housing Authority Minutes 2/13/19, Traffic Commission Minutes 5/9/19, BZA Minutes 4/18/19, Human Rights Commission Minutes 3/19/19 , which were held over, be accepted as received. Motion carried.

#### **REMARKS FROM MEMBERS OF COUNCIL**

Ms. Scatterday reports on Discover Recovery Event: over 35 agencies assisted 65 people in attendance. Ms. Scatterday announces Ward 4 June monthly meeting and encourages citizens to attend.

#### **REPORT OF COMMITTEES**

Mr. Imer, seconded by Ms. Koslik, moved that the Public Safety Committee Minutes dated 5/21/19; and the Finance Committee Minutes dated 5/21/19 be accepted as received. For the record they are as follows:

##### **PUBLIC SAFETY COMMITTEE REPORT May 21, 2019**

The Public Safety Committee of Wheeling City Council met on the above date at 5:00 p.m., in City Council Chambers. Committee Members present: Chair Dave Palmer, Vice-Chair Ken Imer, and Member Melinda Koslik. Others present: Mayor Glenn Elliott, Councilors Thalman, Scatterday, and Ty Thorngate; Acting City Manager Larry Helms, City Solicitor Rose Humway-Warmuth, City Clerk Brenda J. Delbert, Finance Director Seth McIntyre and media. The following matters were discussed: Discussion on Drug House Ordinance Mr. Palmer invites Police Chief Shawn Schwertfeger to discuss what other cities have used in relation to a proposed drug house ordinance. Chief Schwertfeger has met with chiefs from other cities including Martinsburg and Fairmont who have implemented a similar program, with significant results. The proposed ordinance would only affect those address that are repeat offenders. This ordinance would be in addition to our current codified ordinance pertaining to nuisance, not replacing. Mr. Imer moved, seconded by Ms. Koslik to forward the legal department to draft an ordinance to forward to Council. There being no further business to come before the Committee, Mr. Imer moved, seconded by Ms. Koslik, to adjourn. Motion carried. Time: 5:15 p.m.

##### **FINANCE COMMITTEE REPORT May 21, 2019**

The Finance Committee of Wheeling City Council met on the above date at 5:15 p.m., in City Council Chambers. Committee Members present: Chair Chad Thalman, Vice-Chair Dave Palmer, and Member Wendy Scatterday. Others present: Mayor Glenn Elliott, Councilors Ken Imer, Melinda Koslik, and Ty Thorngate; Acting City Manager Larry Helms, City Solicitor Rose Humway-Warmuth, City Clerk Brenda J. Delbert, Finance Director Seth McIntyre and media. The following matters were discussed: Budget Revision No. 3 FY 2018-2019 Mr. McIntyre gives overview; this is a revenue and expense revision. We are in the final months of this fiscal year, and revisions are necessary to keep up with current spending and predictions. The major department expenditure changes are in Police Department, Fire Department, Central Garage. Police is a decrease in expenditures while Fire and Central Garage are increases. Mr. Palmer moved, seconded by Ms. Scatterday to forward the budget revision to Council. Financial Statement April 2019 Finance Director Seth McIntyre presented the April 2019 financial statement, beginning with page 7A: General Fund Revenues; 4.3 million in budget stabilization fund. There are only 2 months left in the current fiscal year; May and June are historically a slow revenue month. Ms. Scatterday moved, seconded by Mr. Palmer, to accept the April Financial Statement as presented and forward it to Council. Motion carried. There being no further business to come before the Committee, Mr. Palmer moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 5:28 p.m.

#### **REPORT OF CITY MANAGER**

Mr. Herron states there was an anonymous donation to complete 11<sup>th</sup> streetscape project, and it will be going out to bid soon with anticipated fall completion. Paving is still in process and Glenhite will be next road to be paved as it will be a detour for a waterline project. Wheeling Island is next in paving with CDBG funds.

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**REPORT OF OTHER OFFICERS**

Ms. Scatterday moved, seconded by Mr. Thorngate, that the, Greater Wheeling Sports and Entertainment Authority Minutes 4/30/19, Greater Wheeling Sports and Entertainment Authority Financial Statement 4/30/19, Wheeling Housing Authority Minutes 4/10/19, Wheeling Hall of Fame Board Minutes 4/9/19, Arts and Cultural Minutes 3/12/19 be held over until next meeting Motion carried.

**ORIGINAL PROPOSITIONS**

Mr. Thalman, seconded by Ms. Scatterday, moved to consolidate the readings of Original Propositions 1-9 as routine chemical purchases for Water Treatment Plant.

The following was then read:

**ORDINANCE AUTHORIZING AND DIRECTING THE CITY  
MANAGER TO EXPEND FUNDS AS FOLLOWS:**

- \$53,200.00, WITH JCI JONES CHEMICAL INC., OF SARASOTA, FL, FOR THE PURCHASE OF 70,000 GALLONS OF SODIUM HYPOCHLORITE
- \$28,101.00 WITH UNIVAR SOLUTIONS, OF CINCINNATI, OH, FOR THE PURCHASE OF 30,000 GALLONS OF SODIUM HYDROXIDE
- \$47,328.00 WITH BRENTAG MID-SOUTH INC., OF HENDERSON, KY, FOR THE PURCHASE OF 16,000 LBS. OF POTASSIUM PERMANGANATE
- \$35,370.00 WITH SHANNON CHEMICAL OF EXTON, PA, FOR THE PURCHASE OF 90,000 LBS. OF PHOSPHATE LIQUID CORROSION INHIBITOR
- \$61,740.00 WITH PVS CHEMICAL SOLUTIONS, OF DETROIT, MI, FOR THE PURCHASE OF 210,000 LBS. OF FERRIC CHLORIDE
- \$35,432.00 WITH SAL CHEMICALS, OF WEIRTON, WV, FOR THE PURCHASE OF 6,600 GAL. OF CITRIC ACID
- \$52,500.00, WITH JACOBI CARBONS, INC., OF COLUMBUS, OH, FOR THE PURCHASE OF 50,000 LBS. OF POWDERED ACTIVATED CARBON
- \$10,500.00, WITH UNIVAR SOLUTIONS, OF CINCINNATI, OH, FOR THE PURCHASE OF 60,000 POUNDS OF HYDROFLUOSILICIC ACID
- \$5,970.00 WITH SAL CHEMICAL, OF WEIRTON, WV, FOR THE PURCHASE OF 3,000 GALLONS OF SODIUM BISULFITE
- ALL TO BE CHARGED TO WATER TREATMENT PLANT CHEMICALS FY 2019-2020 400.4012.03.0618.01

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate the readings of Original Propositions 10-12 as routine chemical purchases for Water Pollution Control

The following was then read:

**ORDINANCE AUTHORIZING AND DIRECTING THE CITY  
MANAGER TO EXPEND FUNDS AS FOLLOWS:**

- \$176,160.00 WITH SNF POLYDYNE, OF RICEBORO, GA, FOR THE PURCHASE OF 16,000 GALLONS OF POLYMER
- \$15,233.25, WITH SAL CHEMICAL CO., OF WEIRTON, WV, FOR THE PURCHASE OF 9,500 GALLONS OF CAUSTIC SODA
- \$27,780.00 WITH BARBER'S CHEMICAL, INC., OF SHARPSVILLE, PA, FOR THE PURCHASE OF 15,000 GALLONS OF SODIUM BISULFITE

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ALL TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION -  
401.4003.05.0718.01. CHEMICALS FY 2019-2020

TRAFFIC RULE 4723- HANDICAPPED PARKING- ACROSS FROM 146 MILLER

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
WHEELING ADOPTING TRAFFIC RULE NO. 4723-  
Handicapped parking zone 146 miller

AMENDING THE ADMINISTRATIVE CODE- WATERFRONT HERITAGE PORT  
COMMISSION

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
WHEELING AMENDING THE ADMINISTRATIVE CODE OF  
THE CODIFIED ORDINANCES OF THE CITY OF WHEELING,  
BY ADOPTING ARTICLE 177 ENTITLED WATERFRONT  
HERITAGE PORT COMMISSION

RESOLUTION- CONFIRMING DEDICATION OF SOLDIERS AND SAILORS MONUMENT  
TO THE STATE

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
WHEELING CONFIRMING THE DEDICATION OF THE  
SOLDIERS AND SAILORS MONUMENT AND  
TRANSFERRING ANY AND ALL INTEREST TO THE STATE  
OF WEST VIRGINIA

Mr. Thalman moved, seconded by Ms. Scatterday, that the Resolution be adopted, Motion carried. All in favor.

**THOSE WISHING TO BE HEARD**

Larry Cook, 1306 McColloch St, questions Council about a handicapped spot placed in front of his residence instead of 1300 McColloch Street., as requested.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time 12:24 p.m.

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City Clerk

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Mayor