

**July 2, 2019**

Council of the City of Wheeling met in Council Chambers, City-County Building, on the above date, with Mayor Glenn Elliott presiding.

On roll call, the following were present:

Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer -7

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the June 18, 2019 meeting be approved as received. Motion carried.

**MAYOR'S REPORT**

Mayor Elliott congratulates the West Virginia RoughRiders on winning the championship game and presents Owner Greg Fornario with a City Flag and a plaque. Mayor Elliott shares concern with the Suspension Bridge and will work with DOH on a solution. Mayor Elliott presented a proclamation to Bo McConaughy, proclaiming the week of July 1 to 7, 2019 as "*Beast of the East Week.*"

**CLERKS REPORT**

City Clerk Brenda J. Delbert presents Council a notice of application to operate a private club: Tiffany's LLC d.b.a Hideaway Grounds located at 16 S. Huron St. applicants are Jerry Nixon and Gary Glessner. Application was forwarded to ABCA without comment from Council.

**UNFINISHED BUSINESS**

WHEELING SYMPHONY- FIREWORKS DISPLAY- CITY MANAGER

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$40,000 WITH WHEELING SYMPHONY, OF WHEELING, WV, FOR CITY'S SHARE OF FIREWORK DISPLAY, \$30,000 TO BE CHARGED TO CITY MANAGER 001.4412.20.2142 AND \$10,000 CHARGED TO COAL SEVERANCE 022.4412.50.2263

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

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

OVER AND UNDER CONSTRUCTION- I-470 BALLFIELDS ADA SIDEWALKS- CDBG AND RCIP

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$50,490.00 WITH OVER & UNDER CONSTRUCTION, OF MARTINS FERRY, OH FOR ADA SIDEWALKS AT I-470 BALLFIELD, \$32,000 TO BE CHARGED TO CDBG I-470 BALLFIELD IMPROVEMENTS 1509-017-500; \$16,000 CDBG 2017 EY CONTINGENCIES 1500-017-100; \$2,490 TO RCIP

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:

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

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

O'BRIEN'S- WARWOOD AVE ACID MINE DIG- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$15,732 WITH O'BRIEN'S, OF WHEELING, WV, FOR 324 WARWOOD AVE ACID MINE DIG TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION 401.4001.02.0720.02

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, Palmer -7  
NOES: -0

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

Ms. Scatterday moved, seconded by Mr. Thorngate, that the, Wheeling Hall of Fame Board Minutes 5/14/19, Historic Landmarks Commission Minutes 5/2/19, Robert C. Byrd Intermodal Center Financial Statement 4/30/19, Wheeling Municipal Parking Financial Statement 4/30/19, Arts and Cultural Minutes 5/14/19, Financial Statement May 2019, which were held over, be accepted as received. Motion carried.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Palmer welcomes Beast of the East participants to the City of Wheeling. He also reminds the public about the use illegal fireworks in City limits. Ms. Koslik provides a recap of the Pride in Wheeling Event: 5 projects in Ward 3 with a total of 250 combined volunteer hours. Ms. Scatterday reminds citizen of ward 4 crime watch meeting.

**REPORT OF COMMITTEES**

Ms. Scatterday moved, seconded by Mr. Palmer to accept the Public Works Committee Minutes 6/18/19 and the Finance Committee Minutes 6/18/19 as received. For the record they are as follows:

**PUBLIC WORKS COMMITTEE REPORT  
JUNE 18, 2019**

The Public Works Committee of Wheeling City Council met on the above date at 4:45 p.m. in Council Chambers. Committee members present: Vice Chair Scatterday, and Member Palmer. Others present: Mayor Elliott, Councilors Thalman, Thorngate, City Manager Robert Herron City Solicitor Rosemary Humway-Warmuth, Public Works Director Rusty Jebbia, Lori Siburt Water Superintendent, City Clerk Brenda J. Delbert and media.

The following matters were discussed:

Ms. Siburt introduces Kendra Hatcher with Downstream Strategies, who presented Source Water Protection Plan. Ms. Hatcher explains Senate Bill 373 was signed into law April 1, 2014. SB 373 enacted all utilities must update or create source water protection plans, WVDEP must complete potential significant contaminate sources in the zones of critical concerns and inspect them annually and require individual permits, and new regulations in aboveground storage tanks. Ms. Hatcher presents the Source Water Protection Plan Components. Facts specific to Wheeling include:

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Wheeling takes water from the Ohio River, Watershed size is almost 25,000 square miles, Wheeling directly serves almost 30,000 people, with additional 14,600 more through bulk water purchases, Wheeling also maintains 5 wells which it blends with river water, but can also be used in the case of a contamination event on the river. Wheeling can maintain a 4-6-day supply of water in the case of a contamination event.

There being no further business to come before the Committee, Ms. Scatterday moved, seconded by Mr. Palmer, to adjourn. Time: 5:02 p.m.

#### FINANCE COMMITTEE REPORT

June 18, 2019

The Finance Committee of Wheeling City Council met on the above date at 5:00 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, Councilor Ty Thorngate; City Manager Robert Herron, City Solicitor Rose Humway-Warmuth, City Clerk Brenda J. Delbert, Finance Director Seth McIntyre and media

The following matters were discussed:

#### **Presentation from State Auditor's Office in re: Transparency Website Program**

Skylar Wotring and Anthony Woods presented the State's Financial transparency website (<http://www.wvcheckbook.gov/>). They would like to offer services to Wheeling as a pilot city. Currently the following cities are participating: Nitro, South Charleston, Elkins, Dunbar, and Ripley. The service would be no cost to the City and Auditors office would help set up and maintain the platform.

#### **Financial Statement May 2019**

City Manager Herron presented the May 2019 financial statement. We are 92.66% through the fiscal year and 95% through budget. There is only one month left in the fiscal year; June is historically a low revenue month. B&O is down some, Mr. McIntyre attributes to decline in Contracting Industry. Mr. Palmer moved, seconded by Ms. Scatterday, to accept the May Financial Statement as presented and forward it to Council. All in favor. Motion carried.

#### **Proposed Appropriations for a Portion of APP/City Gas Lease Signing Bonus**

Mr. Herron submitted a proposed list (see attached) of various projects around the city. A discussion ensues surrounding how the list came to fruition and if council had an adequate input and time for review. Mr. Herron states there are 12 properties bid ready for demolition. In the monies allocated for paving/storm sewer/parking 500k will go to paving. Mr. Palmer moved, seconded by Mr. Thalman to forward the list to Council. The vote on the motion is as follows: Ayes Palmer and Thalman, No: Scatterday. Motion carried.

There being no further business to come before the Committee, Mr. Palmer moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 5:51 p.m.

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

Mr. Herron reports we ended the fiscal year in the black, with just over one million in the general fund. There is about 600k planned in projects leaving cash carryover around 262k. Chief Helms introduces American Heart Association representative who presents the Fire Department with the American Heart Association's Mission: Lifeline® EMS Gold Award for implementing quality improvement measures for the treatment of patients who experience severe heart attacks. City Manager also informs there are measures being taken to set up procedures for robo calls in the event of a water emergency. Mr. Herron asks for two reads for ordinance in relation to the Citric Acid as it is a corrective Ordinance and original was approved with a mathematical error.

#### **REPORT OF OTHER OFFICERS**

Mr. Imer moved, seconded by Ms. Koslik, that the, Wheeling Housing Authority Minutes 5/8/19, Arts and Cultural Commission Minutes 4/9/19, Greater Wheeling Sports and Entertainment

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Authority Minutes 5/28/19, Greater Wheeling Sports and Entertainment Authority Financial Statement 5/19, Greater Wheeling Sports and Entertainment Authority Audited Financial Statement 2017 and 2018, Greater Wheeling Sports and Entertainment Budget 2020 be held over until next meeting Motion carried.

**ORIGINAL PROPOSITIONS**

AGREEMENT WITH THE OHIO COUNTY BOARD OF EDUCATION IN RE: GARDEN PARK- WARWOOD

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE OHIO COUNTY BOARD OF EDUCATION REGARDING USE OF A PORTION OF THE GARDEN PARK RECREATION COMPLEX – 2019-2020 SCHOOL YEAR

AMENDING CODIFIED ORDINANCE GENERAL OFFENSE CODE-PUBLIC NUISANCES

The following was then read:

AN ORDINANCE AMENDING THE CODIFIED LAWS OF THE CITY OF WHEELING ENACTING PART FIVE, GENERAL OFFENSES CODE, BY ENACTING ARTICLE 550 REGARDING ABATEMENT OF PUBLIC NUISANCES SUCH AS DRUG AND GANG HOUSES, HOUSES OF PROSTITUTION AND OTHER DISORDERLY PREMISES

PLAY AND PARK STRUCTURE- FULTON PLAYGROUND- CDBG

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$28,931.04 WITH PLAY AND PARK STRUCTURES OF CHATTANOOGA, TN, FOR FULTON PLAYGROUND IMPROVEMENTS \$25,522 CHARGED TO CDBG EY 2018 FULTON PLAYGROUND 1509- 018-500 AND \$3,409.04 TO CDBG CONTINGENCIES 1550-018- 100

EDGCO- ABATEMENT CONTRACT– OIL AND GAS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,035.00 WITH EDGCO, INC., OF LANSING, OH FOR ASBESTOS ABATEMENT TO BE CHARGED TO CIF OIL AND GAS

EDGCO- DEMOLITION CONTRACT - OIL AND GAS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$152,200.00 WITH EDGCO, INC., OF LANSING, OH FOR BUILDING DEMOLITION TO BE CHARGED TO CIF OIL AND GAS

STEPHENS AUTO CENTER- 2 DODGE RAM PICKUP TRUCKS- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$51,024.00 WITH STEPHENS AUTO CENTER, OF DANVILLE, WV FOR TWO 2019 DODGE RAM 1500, TO BE CHARGED TO WATER DISTRIBUTION 400.1128.05.00

SAL CHEMICAL- CITRIC ACID- CORRECTIVE ORDINANCE

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$54,384.00 WITH SAL CHEMICALS, OF WEIRTON, WV, FOR THE PURCHASE OF 6,600

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GAL. OF CITRIC ACID, TO BE CHARGED TO WATER TREATMENT  
PLANT FY 2019-2020 400.4012.03.0618.01

Ms. Scatterday seconded by Mr. Thalman requested a second reading. 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, Palmer -7  
NOES: -0

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

RESOLUTION HUD 108 INTEREST AND PRINCIPAL PAYMENT EY 2017 AND 2018-  
CDBG

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING  
AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE  
AMOUNT OF \$185,278.75 FROM CDBG 2017 AND 2018 EY SECTION 108  
INTEREST AND PRINCIPAL PAYMENTS; \$17,423.75 TO BE CHARGED  
TO #1513-017-140 AND \$167,855 TO BE CHARGED TO 1513-018- 140

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

RESOLUTION – JAG GRANT APPLICATION- SCHOOL RESOURCE OFFICER

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO MAKE  
APPLICATION TO THE WEST VIRGINIA DIVISION OF JUSTICE AND  
COMMUNITY SERVICES FOR THE FY 2019- 2020 PREVENTION  
RESOURCE OFFICER PROGRAM GRANT

Mr. Palmer moved, seconded by Mr. Thorngate, that the Resolution be adopted.  
All in favor. Motion carried.

**THOSE WISHING TO BE HEARD**

No one signed up to speak.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time 12:35 p.m.

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City Clerk

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Mayor