

September 3, 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, Koslik, Scatterday, Thorngate, and Palmer
Absent: Imer

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Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the August 6, 2019 meeting be approved as received. Motion carried.

PUBLIC HEARING

Mr. Thorngate, seconded by Ms. Scatterday to suspend the regular order of business to conduct a public hearing on Zone Change of 1154 National Road from R-1B to EMO. Gee Loftstead and David Croft spoke in favor of the zone change, and stated their clients have worked with the community's concerns. Ron Musser spoke as a resident of the neighborhood in favor on the change citing the process and comprehensive plan should be followed. The subsequent neighbors spoke in opposition: Amanda Wakim, Kathy Przybysz, and Robert Dorisio citing they want the neighborhood to keep residential integrity and do not want the excess traffic. Dr. Wakim submits a petition signed by residents opposed to the zone change. Mr. Thorngate, seconded by Ms. Scatterday to resume the regular order of business.

MAYOR'S REPORT

Mayor Elliott reports while the hard barrier in place is effective at stopping busses and large vehicles; there are still some not abiding by the weight limit set for the suspension bridge. He will continue to work with DOH for solutions to the problem.

UNFINISHED BUSINESS

ZONING DISTRICT CLASS CHANGE- 1154 NATIONAL ROAD- FROM R-1B TO EMO

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF LOTS 4, 5, 6, 7 & 8 ON THE MAP OF LENOX, NOW A PART OF THE CITY OF WHEELING CONSISTING OF 1154 NATIONAL ROAD AND 2 LAUREL AVENUE FROM R-1B SINGLE FAMILY RESIDENTIAL, MEDIUM DENSITY TO EMO EDUCATIONAL MEDICAL OFFICE.

Mr. Thorngate, seconded by Ms. Scatterday to table until the September 17, 2019 meeting, so the vote would fall on an evening meeting schedule and allow more residents to attend. All in favor. Motion carried.

EDGCO- CONFIRMING ORDINANCE- EMERGENCY DEMO JACOB ST- GAS AND OIL

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$38,820.00 WITH EDGCO, INC., OF LANSING, OH FOR EMERGENCY DEMOLITION 4001-4003 JACOB ST TO BE CHARGED TO CIF OIL AND GAS

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday, Thorngate, Palmer

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

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declared the ordinance adopted.

OHIO COUNTY HEALTH DEPARTMENT ANNUAL CONTRACT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$67,000.00 WITH OHIO COUNTY HEALTH DEPARTMENT, OF WHEELING, WV, FOR PROVISION OF HEALTH SERVICES AND USE OF PUBLIC HEALTH FACILITIES FOR FY 2019-2020. \$42,000 TO BE CHARGED TO GENERAL FUND 001.4414.50.5138 AND \$25,000 TO COAL SEVERANCE 002.4412.50.2264

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, Koslik, Scatterday, Thorngate, Palmer - 6

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

TRAFFIC RULE 4724- HANDICAPPED PARKING S. FRONT ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4724

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday, Thorngate, Palmer - 6

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

TRAFFIC RULE 4725 HANDICAPPED PARKING MARKET ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4725

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday, Thorngate, Palmer - 6

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

TRAFFIC RULE 4726 NO PARKING ZONE ALUM AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4726

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

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The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday, Thorngate, Palmer - 6

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

TRAFFIC RULE 4728 HANDICAPPED PARKING ON ALUM AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4728

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday, Thorngate, Palmer - 6

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

HUNTER TRUCK SALES- COMBINATION SEWER CLEANER- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$491,531.00 WITH HUNTER TRUCK SALES OF SMITHFIELD, PA, FOR 2020 VACTOR COMBINATION SEWER CLEANER MOUNTED ON A 2020 PETERBILT MODEL 348 CAB AND CHASSIS TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION 401.113.15.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday, Thorngate, Palmer - 6

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

FINLEY- DARLEY HERCULES PORTABLE PUMP- FIRE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$20,408.00 WITH FINLEY FIRE EQUIPMENT OF MCCONNELSVILLE, OH, FOR DARLEY HERCULES ULTRA HIGH PERFORMANCE PORTABLE PUMP TO BE CHARGED TO FIRE DEPARTMENT

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, Koslik, Scatterday, Thorngate, Palmer - 6

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

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Ms. Koslik moved, seconded by Ms. Scatterday, that the, Traffic Commission Minutes 8/8/19, BZA Minutes 7/18/19, Human Rights Commission Minutes 4/16/19, and Planning Commission Minutes 7/8/19, which were held over, be accepted as received. Motion carried.

REPORT OF COMMITTEES

Mr. Palmer seconded by Mr. Thalman, moved that the Finance Committee Report dated 8/20/19 be accepted as received. For the record they are as follows:

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, and Vice-Chair Dave Palmer. Member Wendy Scatterday was absent. Others present: Mayor Glenn Elliott, Councilor Imer, Councilor Koslik, Councilor Ty Thorngate, Assistant City Manager Bill Lanham, City Solicitor Rose Humway-Warmuth, City Clerk Brenda J. Delbert, Finance Director Seth McIntyre and media

The following matters were discussed:
Financial Statement July 2019

Mr. McIntyre presented the July 2019 financial statement. July is the first month in the current fiscal year. We are 500 thousand higher in expenses this month compared to last year in July due to two large insurance and workers compensation premiums came in earlier this year. Mr. Palmer confirms these are expenses that were accounted for but came earlier than expected. B&O tax is 120 thousand down from last year. Mr. Palmer moved to accept the July Financial Statement as presented and forward it to Council. All in favor. Motion carried.

There being no further business to come before the Committee, Mr. Palmer moved to adjourn. Motion carried. Time: 5:21 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron updated Council on the Washington Ave Bridge. DOH has rated it poor condition, thus the weight limit has been reduced to five tons. DOH has agreed to fund 80 percent of the project through grants. This leave the city responsible for estimated 1.4 million.

REPORT OF OTHER OFFICERS

Mr. Palmer moved, seconded by Mr. Thorngate, that the Greater Wheeling Sports and Entertainment Authority Income Statement 7/31/19, Greater Wheeling Sports and Entertainment Authority Minutes 6/27/19, Greater Wheeling Sports and Entertainment Audited Financial Statements 2017 and 2018 (on file in the Office of the City Clerk), Robert C. Byrd Intermodal Center Financial Statement 7/31/19, Wheeling Municipal Parking Financial Statement 7/31/19 be held over until next meeting Motion carried.

ORIGINAL PROPOSITIONS

AMENDING AND RE ADOPTING ARTICLE 1735 ENTITLED: INTERNATIONAL ENERGY CONSERVATION

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 1735 INTERNATIONAL ENERGY CONSERVATION CODE, TO AMEND SECTIONS 1735.01

PRECISION PUMP & VALVE SERVICE- COURTLAND AVE PUMP STATION- SALES TAX RCIP

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$56,900.00 WITH PRECISION PUMP VALVE SERVICE, OF CROSS LANES, WV

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FOR COURTLAND AVE PUMP STATION PUMP NO. 2
REBUILD TO BE CHARGED TO SALES TAX RCIP

TRANSFER FUNDS FROM ARENA RCIP TO WESBANCO FOR RESTROOM
RENOVATIONS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
TRANSFER FUNDS IN THE AMOUNT OF \$110,000.00 FROM
ARENA RCIP TO WESBANCO ARENA FOR RESTROOM
RENOVATIONS

EDGCO- ABATEMENT AND EMERGENCY DEMOLITION- OIL AND GAS

The following was then read:

A CONFIRMING ORDINANCE AUTHORIZING THE CITY
MANAGER TO EXPEND FUNDS IN THE AMOUNT OF
\$31,360.00 WITH EDGCO, INC., OF LANSING, OH FOR
ASBESTOS ABATEMENT AND EMERGENCY DEMOLITION
TO BE CHARGED TO CIF OIL AND GAS

HATCH- NEW FLOW METERS- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS IN THE AMOUNT OF \$42,362.58 WITH
HACH, OF LOVELAND, CO, FOR NEW FLOW METERS, TO BE
CHARGED TO WATER POLLUTION CONTROL DIVISION
401-4001-01-0736-02

MOODY'S- WELL NO. 3 REHAB- WATER

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS IN THE AMOUNT OF \$15,560.00 WITH
MOODY'S OF DAYTON INC, OF COLUMBUS, OH, FOR
REHABILITATION WELL NO. 3 TO BE CHARGED TO WATER
TREATMENT PLANT 400.4012.04.0636.01

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 12:48 p.m.

City Clerk

Mayor