

November 5, 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

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Absent:

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the October 15, 2019 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott announces the Suspension Bridge will remain closed until further notice from the WV DOT. Mayor Elliott introduces Emily Ward as a prospect for Human Rights Commission. Ms. Ward is present and introduces herself to Council. his Ms. Scatterday, seconded by Mr. Thorngate, moved to appoint Ms. Ward to the Human Rights Commission.

CLERK'S REPORT

City Clerk Delbert presented a Petition for Zoning Amendment for 1707 Wood Street from I2 to C2, applicant Grant Street Commons. Ms. Scatterday moved, seconded by Mr. Thorngate, to forward to the Planning Commission for review. City Clerk Delbert presented to Council a Notice of Application to Operate a Private Club- P.T.Z Lounge, 1044 Market St; the application was forwarded to the WVABCA without comment.

UNFINISHED BUSINESS

TRANSFER OF FUNDS FROM ARENA RCIP TO WESBANCO FOR MODULAR ICE SYSTEMS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS IN THE AMOUNT OF \$330,000.00 FROM ARENA RCIP TO WESBANCO ARENA FOR MODULAR ICE SYSTEM

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

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NO:

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

STRAUB- 6 DODGE CHARGER SEDANS- POLICE CRUISERS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$178,425.00 WITH STRAUB CHRYSLER, DODGE, JEEP AND RAM OF GLENDALE, WV, FOR SIX DODGE CHARGER POLICE PACKAGE SEDANS TO BE CHARGED TO POLICE

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

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NO:

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

DOAN FORD- DUMP TRUCK- OPERATIONS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$75,789 WITH DOAN FORD, OF BELMONT, OH FOR ONE-TON FOUR-WHEEL DRIVE DUMP TRUCK TO BE CHARGED TO OPERATIONS

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, Palmer - 7

NO:

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

DELL MARKETING LP & L-TRON CORP- E-CITATION EQUIPMENT- HIGHWAY SAFETY

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$39,715.37 WITH DELL MARKETING L.P. AND L-TRON CORPORATION FOR E-CITATION EQUIPMENT TO BE CHARGED TO POLICE DEPARTMENT HIGHWAY SAFETY PROGRAM FY 19-HS-04-405C

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, Imer, Koslik, Scatterday, Thorngate, Palmer - 7

NO:

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

TOTAL EQUIPMENT SOLUTIONS- PACKER BODY- SANITATION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$76,834.00 WITH TOTAL EQUIPMENT SOLUTIONS SALES OF NEWELL, WV, FOR PACKER BODY INSTALLED ON CITY SUPPLIED TRUCK SANITATION DEPARTMENT- EQUIPMENT FUND

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

NO:

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

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CHAMBER OF COMMERCE- CITY OF LIGHTS PROGRAM- COAL SEVERANCE

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,500 WITH WHEELING AREA CHAMBER OF COMMERCE FOR CITY OF LIGHTS PROGRAM TO BE CHARGED TO COAL SEVERANCE

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
NO:

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

REPORT OF COMMITTEES

Mr. Thalman, seconded by Mr. Palmer to accept the Finance Committee Minutes 10-15-19, Development Committee Minutes 10-15-19, Finance Committee Minutes 10-28-19, Public Works Committee Minutes 10-30-19 as received. For the record they are as follows:

FINANCE COMMITTEE REPORT

October 15, 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, and Vice-Chair Dave Palmer. Member Wendy Scatterday was absent. Others present: Mayor Glenn Elliott, Councilor Imer, Councilor Koslik, 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:

Financial Statement September 2019

Mr. Herron presented the September 2019 financial statement. September closed the first quarter of the current fiscal year, and Revenues are at 27%. B&O taxes have rebounded and 61 thousand ahead of LY. Mr. Herron discusses municipal parking and with the closure of OVMC the Centre Wheeling Parking garage is only at 10% capacity. Mr. Palmer, seconded by Ms. Scatterday, moved to accept the September Financial Statement as presented and forward it to Council. All in favor. Motion carried.

Audit Proposals 2019-2020

Finance Director Seth McIntyre presents the committee with an audit proposal score sheet summary, and explains that the incumbent has scored the highest. Mr. McIntyre scored three proposals. There is a chance for Council to add additional preference points, and it could change the scoring. Mr. Palmer, seconded by Ms. Scatterday, moved to table this to allow time to review score sheet. All in favor. Motion passes.

There being no further business to come before the Committee, Mr. Thalman moved to adjourn. Motion carried. Time: 5:30 p.m.

DEVELOPMENT COMMITTEE REPORT

October 15, 2019

The Development Committee of Wheeling City Council met on the above date at 4:00 p.m. in Council Chambers. Committee members present: Mayor Glenn Elliott, Vice Chair Wendy Scatterday, and Member Chad Thalman. Others present: City Manager Robert Herron, Economic

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and Community Development Director Nancy Prager, Economic and Community Development Assistant Director Tom Connelly, City Clerk Brenda J. Delbert and media.

The following matters were discussed:

Development / Redevelopment Designation: 135 Virginia St.

Assistant ECD director Tom Connelly explains this site is has previously been a bar/lounge however there has been a year lapse in use making it necessary for redevelopment designation. Mr. Connelly also states there is a Conditional Use Permit that is required to be approved by the Board of Zoning Appeals. Alex Coogan presents full-service restaurant and lounge idea to the committee. It is the staff recommendation to approve the request. Mr. Thalman moved, seconded by Ms. Scatterday to approve this request, and forward to Council.

Mr. Thalman moved, seconded by Ms. Scatterday, to enter into executive session to discuss property acquisition. Motion carried. Time 4:06 p.m.

Mr. Thalman moved, seconded by Ms. Scatterday, to exit executive session. Motion carried. Time 5:07 p.m.

Mr. Thalman moved, seconded by Ms. Scatterday, to recommend to Council to proceed with the transfer of the property located at 1400 Block to Ryan and Nikki Stoker. All in favor. Motion carried.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Time: 5:07 p.m.

FINANCE COMMITTEE REPORT
October 28, 2019

The Finance Committee of Wheeling City Council met on the above date at 12:00 p.m., in 3rd Floor Conference Room. Committee Members present: Chair Chad Thalman, and Vice-Chair Dave Palmer. Member Wendy Scatterday. Others present: Mayor Glenn Elliott, City Manager Robert Herron, Seth McIntyre Finance Director, and City Clerk Brenda J. Delbert

The following matters were discussed:

Audit Proposals 2019-2020

Mr. McIntyre presented the scoring for the submitted audit proposals, and explains how he arrived at the scoring. Before the scoring for cost is factored in Kozicki Hughes and Tinkerhoff are still the highest score; they are the incumbent and have been for many years. Mr. Thalman is inclined to vote for the lowest bidder, and thus also having a fresh perspective. MS. Scatterday, seconded by Mr. Thalman, moved to add 5 preference points to Suttle and Stalnaker. The vote on the motion is as follows: Yes: Scatterday and Thalman, No: Palmer. Motion passes. Mr. Palmer moves to add 5 points to Kozicki Hughes and Tinkerhoff. The vote on the motion is as follows: Yes: Palmer, No: Scatterday and Thalman. Motion denied. Ms. Scatterday moved to forward the recommendation of Suttle and Stalnaker to Council. The vote is as follows: Yes, Scatterday and Thalman, No, Palmer. Motion carried.

There being no further business to come before the Committee, Mr. Palmer moved to adjourn. Motion carried. Time: 12:43 p.m.

PUBLIC WORKS COMMITTEE REPORT
OCTOBER 30, 2019

The Public Works Committee of Wheeling City Council met on the above date at 5:15 p.m. in 3RD floor conference room. Committee members present: Chair Koslik, Vice Chair Scatterday, and Member Palmer. Others present: Mayor Elliott, Councilors Thalman, City Manager Robert Herron, Assistant City Manager Bill Lanham, Public Works Director Rusty Jebbia, City Clerk Brenda J. Delbert and media.

The following matters were discussed:

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Discussion on Strategic Assessment of Infrastructure Priorities

Mr. Jebbia presents a summary list of infrastructure projects; in no particular order. All projects reviewed are subject to funding by the City Service Fee. Mr. Jebbia gives his professional opinion on what projects must be outsourced and what can be completed with current staff. Any project selected to be outsourced will go through the bid process, the estimates given are a preliminary list and entails cost estimates based on staff projections. Discussions ensued around possible WVDOH joint funding on bridge repairs. Mr. Herron, along with City staff will rank the priorities and give recommendation to the committee by the end of the calendar year, as the fee will begin to be collected on January 1, 2020.

There being no further business to come before the Committee, Ms. Koslik moved to adjourn. Time: 6:46 p.m.

REPORT OF CITY MANAGER

Mr. Herron states the paving contract is not completed but they will continue to work as long as weather permits. Mr. Herron asks to two reads on the Auditor Ordinance in order to meet State deadlines. Hr. Herron asks Council for an executive session at the conclusion of the Council meeting to discuss property acquisition and pending litigation.

REPORT OF OTHER OFFICERS

Ms. Scatterday, seconded by Ms. Koslik to hold over Greater Wheeling Sports and Entertainment Authority Minutes 9-24-19, Greater Wheeling Sports and Entertainment Authority Financial Statement 9-30-19, City of Wheeling Planning Commission Minutes 8-12-19, Wheeling Hall of Fame Board Minutes 9-10-19, until the following meeting.

ORIGINAL PROPOSITIONS

AMENDING AND REENACTING ARTICLE 702.03: BUSINESS LICENSING FEE SCHEDULE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 702.03 BUSINESS LICENSING FEE SCHEDULE

AMENDING PART FIVE OF THE GENERAL OFFENSE CODE ADD SECTION 501.12 FIRE DEPARTMENT FALSE MEDICAL ALARMS

The following was then read:

AN ORDINANCE TO AMEND THE ORDINANCES FOR THE CITY OF WHEELING, WEST VIRGINIA, AMENDING PART FIVE OF THE GENERAL OFFENSES CODE TO PROVIDE FOR AN AMENDMENT TO ARTICLE 501 ENTITLED: ADMINISTRATION AND LAW ENFORCEMENT WITH SUCH NEW SECTION TO BE ADDED AS SECTION 501.12 - FIRE DEPARTMENT FALSE MEDICAL ALARMS

ADOPTING TRAFFIC RULE 4731- HANDICAPPED PARKING ZONE WARWOOD AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4731- HANDICAPPED PARKING WARWOOD AVE

ADOPTING TRAFFIC RULE 4732- TWO WAY STOP AT HAWTHORNE AND EMERSON

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4732- TWO-WAY STOP AT HAWTHORNE

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ADOPTING TRAFFIC RULE 4733- STOP INTERSECTION ARCHIBALD AND EMERSON

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4733- STOP INTERSECTION ARCHIBALD AND EMERSON

ADOPTING TRAFFIC RULE 4734- THROUGH INTERSECTION AT 18TH AND MARKET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4734- THROUGH INTERSECTION 18TH AND MARKET

SUTTLE AND STALNAKER- AUDIT- VARIOUS DEPARTMENTS

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH SUTTLE & STALNAKER OF CHARLESTON, WV, FOR SERVICES RENDERED IN CONNECTION WITH AN AUDIT OF THE CITY OF WHEELING FOR THE PERIOD JULY 1, 2018 THROUGH JUNE 30, 2019, IN THE AMOUNT OF \$50,000.00, PER YEAR

Mr. Palmer, seconded by Mr. Imer, to amend the Ordinance to read “Kozicki Hughes & Tickerhoof”

The vote on the motion resulted as follows:

AYES: Imer, Thorngate, Palmer - 3
NO: Elliott, Thalman, Koslik, Scatterday -4

A majority of all those elected to Council having voted in against, the Mayor thereupon declared the amended defeated.

Ms. Scatterday, seconded by Mr. Thorngate to read the original version a second time.

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH SUTTLE & STALNAKER OF CHARLESTON, WV, FOR SERVICES RENDERED IN CONNECTION WITH AN AUDIT OF THE CITY OF WHEELING FOR THE PERIOD JULY 1, 2018 THROUGH JUNE 30, 2019, IN THE AMOUNT OF \$50,000.00, PER YEAR

Mr. McIntyre confirms there is a typo and the 2nd year payment will be in the amount of \$52,000.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Koslik, Scatterday - 4
NO: Imer, Thorngate, Palmer -3

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

ATLANTIC EMERGENCY SOLUTIONS- AMBULANCE- SALES TAX RCIP

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The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$199,708.00 WITH ATLANTIC EMERGENCY SOLUTIONS, OF MANASSAS, VA, FOR THE PURCHASE OF A 2019 FORD E450 TYPE 3 AMBULANCE, TO BE CHARGED TO SALES TAX RCIP

AGREEMENT-SUSTAINABLE STRATEGIES DC- GRANT WRITING & RESOURCES ADVOCACY

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH SUSTAINABLE STRATEGIES DC TO PROVIDE REGULAR AND ONGOING STRATEGIC CONSULTING, FUNDING AND ADVOCACY SERVICES TO THE COORDINATED TEAM OF THE CITY OF WHEELING, THE WHEELING CONVENTION AND VISITORS BUREAU AND WHEELING HERITAGE ON A RANGE OF COMMUNITY REVITALIZATION, ECONOMIC DEVELOPMENT, INFRASTRUCTURE, AND OTHER PROJECTS AND INITIATIVES AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER A MEMORANDUM OF UNDERSTANDING AND OTHER DOCUMENTS TO EFFECTUATE THE INTENTIONS DESCRIBED HEREIN

RESOLUTION- TO ENTER INTO AGREEMENT WITH LEASING INC- FIRE TRUCK PURCHASE

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH LEASING 2, INC

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

RESOLUTION- DEVELOPMENT/REDEVELOPMENT- 135 VIRGINIA ST

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 135 VIRGINIA STREET AVE AS A DEVELOPMENT OR A REDEVELOPMENT SITE.

Mr. Thalman moved, seconded by Ms. Scatterday, that the Resolution be adopted. The vote on the motion is as follows:

AYES: Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate -6
NO: Palmer -1

THOSE WISHING TO BE HEARD

No one signed up to speak.

Mr. Thalman, seconded by Ms. Scatterday to enter into Executive Session to discuss property acquisition and pending litigation. Time 12:43.

Mr. Thalman, seconded by Ms. Scatterday to exit Executive Session and resume regular order of business. Mayor Elliott confirmed no decisions were made. Time 1:48 p.m.

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There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn.
Motion carried. Time 1:48 p.m.

City Clerk

Mayor