

October 15, 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
Absent:

-7

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the October 1, 2019 meeting be approved as received. Motion carried.

MAYOR’S REPORT

Mayor Elliott announces his Office Hours are every Wednesday from 10:00 am to 12:00 pm. Mayor Elliott also comments on the anticipation of the BUILD grant announcement on November 12, 2019 to fund the gap in the Street Scape Project.

CLERK’S REPORT

Brenda J. Delbert presented to Council a Notice of Application to Operate a Private Club-P.T.Z Lounge, 1200 Market St; the application was forwarded to the WVABCA without comment. Clerk Delbert presented a Petition for Zoning Amendment for 37th and Jacob from I2 to R4. Ms. Scatterday moved, seconded by Ms. Koslik, to forward to the Planning Commission for review.

UNFINISHED BUSINESS

TRANSFER OF PROPERTY- 126 15TH ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY AND IMPROVEMENTS LOCATED AT 126 15th STREET 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. Koslik, 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.

ADOPTING TRAFFIC RULE 4729- HANDICAPPED PARKING- ROCK POINT RD

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4729

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, 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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ADOPTING TRAFFIC RULE 4730- 2 HR PARKING METER ZONE- CHAPLINE ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4730

The ordinance was read a second time by title. Ms. Koslik, seconded by Mr. Imer, 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.

NORTHERN PANHANDLE HOME CONSORTIUM AGREEMENT-FIRST TIME HOME BUYER 2019 EY

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS FOR THE NORTHERN PANHANDLE HOME
CONSORTIUM FIRST TIME HOMEBUYER PROGRAM IN THE
AMOUNT OF \$318,343.00, AS PER HOUSING CONSORTIUM
COOPERATION AGREEMENT, TO BE CHARGED TO 2019 EY
FIRST TIME HOMEBUYER PROGRAM

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.

GRANT AGREEMENT US DEPARTMENT OF HUD HOME INVESTMENT PARTNERSHIP- 2019 EY

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING AUTHORIZING A GRANT AGREEMENT WITH
THE UNITED STATES DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, IN THE AMOUNT OF \$318,343.00
FOR 2019 EY HOME INVESTMENT PARTNERSHIP
PROGRAM.

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.

GRANT AGREEMENT US DEPARTMENT OF HUD- CDBG- 2019 EY

The following was then read:

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, IN THE AMOUNT OF \$1,163,231.00 FOR COMMUNITY DEVELOPMENT BLOCK GRANT.

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.

EAST WHEELING POOL OPERATIONS- 2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$15,000.00 WITH EAST WHEELING POOL OPERATIONS, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-190

The ordinance was read a second time by title. Mr. Palmer, seconded by Mr. Imer, 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.

NELSON JORDAN CENTER- 2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$33,000.00 WITH NELSON JORDAN CENTER, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-170

The ordinance was read a second time by title. Mr. Palmer, seconded by Mr. Imer, 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.

SOUP KITCHEN-2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$8,500.00 WITH THE SOUP KITCHEN, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-140

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

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The vote on the motion resulted as follows:

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

NOES:

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

WHEELING HEALTH RIGHT-2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$22,500.00 WITH WHEELING HEALTH RIGHT, TO BE CHARGED TO CDBG 2019 FY PUBLIC SERVICES #1511-019-150

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

The vote on the motion resulted as follows:

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

NOES:

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

CATHOLIC CHARITIES-2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 WITH CATHOLIC CHARITIES, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-115.

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

The vote on the motion resulted as follows:

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

NOES:

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

WHEELING HUMAN RIGHTS COMMISSION-2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 WITH WHEELING HUMAN RIGHTS COMMISSION, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-160.

The ordinance was read a second time by title. Ms. Koslik, seconded by Mr. Imer, 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

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ordinance adopted.

SEEING HAND ASSOCIATION-2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 WITH SEEING HAND ASSOCIATION, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-180.

The ordinance was read a second time by title. Ms. Koslik, seconded by Mr. Imer, 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.

GREATER WHEELING COALITION FOR THE HOMELESS 2019 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$8,500.00 WITH GREATER WHEELING COALITION FOR THE HOMELESS, TO BE CHARGED TO CDBG 2019 EY PUBLIC SERVICES #1511-019-130.

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

The vote on the motion resulted as follows:

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

NOES: -0

ABSTAIN: Scatterday -1

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

CAST AND BAKER- STREET RESURFACING- 2019 CDBG

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$298,368.75 WITH CAST AND BAKER CORPORATION, OF CANONSBURG, PA FOR STREET RESURFACING 2019, TO BE CHARGED TO CDBG 1507.019.110

The ordinance was read a second time by title. Ms. Koslik, seconded by Mr. Imer, 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.

AMENDING AND REENACTING ARTICLE 165- HALL OF FAME

The following was then read:

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART ONE ADMINISTRATIVE CODE CHAPTER SEVEN ENTITLED BOARDS AND COMMISSIONS AND ARTICLE 165 ENTITLED HALL OF FAME BOARD, TO AMEND VARIOUS SECTIONS IN ORDER TO IDENTIFY THE APPROPRIATE ENTITIES ASSOCIATED WITH THE BOARD AND TO UPDATE AND EXPAND UPON THE LANGUAGE CONTAINED

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, 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.

SUTPHEN-AERIAL/PLATFORM TRUCK- CDBG

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,254,951.00 WITH SUTPHEN CORPORATION, OF DUBLIN, OH, FOR THE PURCHASE OF SPH-100 AERIAL/PLATFORM TRUCK, TO BE CHARGED TO CDBG

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.

Mr. Thalman moved, seconded by Mr. Palmer, that the, Hall of Fame Board Minutes 6/11/19, Board of Zoning Appeals 8/15/19, Greater Wheeling Sports and Entertainment Authority Minutes 8/27/19, Greater Wheeling Sports and Entertainment Authority Financial Statement 8/31/19, which were held over, be accepted as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Scatterday reminds the public the Planning Commission meeting scheduled for October 21, 2019 will be held at WVNCC.

REPORT OF CITY MANAGER

Mr. Herron thanks the Finance Director for his significant amount of research for the User Fee, and states a mass mailing will go out this week providing clarification and facts/forms. Mr. Herron also announces the Wheeling Police Department secured a grant for 1 full time and 1 part time victim advocate staff position. In response to a question by Ms. Scatterday Mr. Herron says he will look into if handicapped parking request procedures are in compliance with HIPPA regulations.

ORIGINAL PROPOSITIONS

October 15, 2019

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

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

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

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 POLICEDEPARTMENT HIGHWAY SAFETY PROGRAM FY 19-HS-04- 405C

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

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

RESOLUTION-URBAN RENEWAL PROPERTY RELEASE- 20 23RD ST

The following was then read:

A CONFIRMATORY RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, ACTING IN ITS CAPACITY AS THE URBAN RENEWAL AUTHORITY OF THE CITY OF WHEELING, AUTHORIZING THE MAYOR TO ACT ON ITS BEHALF TO RELEASE THE PROPERTY KNOWN AS THE WHEELING TRUCK CENTER LOCATED AT 20 23RD STREET,

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WHEELING, WEST VIRGINIA FROM THE COVENANTS, RESTRICTIONS, RIGHTS, OR OTHER AGREEMENTS SET FORTH IN THE DEED, DATED NOVEMBER 9, 1966 (DB 479-PG 338).

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

RESOLUTION- RESTORATION AND REDEVELOPMENT- 163-167 16TH ST, 1513-1517 WOOD ST.

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING REGARDING THE RESTORATION AND REDEVELOPMENT OF 163-167 16TH STREET, 157 16TH STREET AND 1513-1517 WOOD STREET CONSISTING OF CERTAIN REAL PROPERTY AND IMPROVEMENTS AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THE INTENTIONS DESCRIBED HEREIN

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

RESOLUTION- FAÇADE GRANT- JUSTUS, INC -1144 MARKET ST

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, WEST VIRGINIA, TO AUTHORIZE, DIRECT AND EMPOWER THE OFFICERS AND ADMINISTRATORS OF THE CITY TO EXECUTE ALL NECESSARY DOCUMENTS AND PROCEDURES TO PROVIDE FOR A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR JUSTUS INC., 1144 MARKET ST, IN THE AMOUNT OF \$15,000.00

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

RESOLUTION- FAÇADE GRANT- NATIONAL EQUIPMENT- 1 14TH ST

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, WEST VIRGINIA, TO AUTHORIZE, DIRECT AND EMPOWER THE OFFICERS AND ADMINISTRATORS OF THE CITY TO EXECUTE ALL NECESSARY DOCUMENTS AND PROCEDURES TO PROVIDE FOR A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR NATIONAL EQUIPMENT CO. INC., 1 14TH ST, IN THE AMOUNT OF \$5,243.00

Ms. Koslik moved, seconded by Ms. Scatterday, 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 6:09 p.m.

City Clerk

Mayor