

April 21, 2020

Council of the City of Wheeling met Virtually, on the above date, at 5:30 pm, with Mayor Elliott presiding.

On roll call, the following were present:

Present: Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer - 7
Absent: - 0

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the April 7, 2020 meeting be approved as received. Motion carried.

MAYOR’S REPORT

Mayor Elliott discussed COVID-19 update and Governor’s Stay at Home Order is still in effect. All members of City Council have toured OVMC and City Manager is working on report to help decide if to move forward. Robert Felton is present online and introduces himself as a prospect commission member for Board of Zoning Appeals. Ms. Scatterday, seconded by Mr. Thorngate, to approve the appointment of Robert Felton. All in Favor.

CLERKS REPORT

City Clerk Delbert presented Council a Notice of Application to Operate a Private Club: Wheeling Moose Lodge 2621- 57-59 12th St. The applicants are Michael McCulley and Ronald Finsley. The application was forwarded to WVABCA without comment.

UNFINISHED BUSINESS

ABI Attachments- Ball Field Maintenance Machine- RCIP Oil and Gas

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$35,276.20 WITH ABI ATTACHMENTS, OF MISHAWAKA, IN, FOR THE PURCHASE OF LASER READY MULTI-FUNCTIONAL BALL FIELD MAINTENANCE MACHINE, TO BE CHARGED TO RCIP OIL AND GAS I-470

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

Municipal Council Levy Estimate - Fiscal Year 2020-2021

The following was then read:

AN ORDINANCE OF THE MUNICIPAL COUNCIL LEVY ESTIMATE, PRESCRIBED BY THE WEST VIRGINIA STATE AUDITOR, KNOWN AS THE ANNUAL APPROPRIATION FOR FISCAL YEAR 2020-2021 BUDGET FOR WHEELING MUNICIPALITY, OHIO COUNTY.

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

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Amending and Readopting- Article 1359- Signs and Outdoor Advertising

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART THIRTEEN – PLANNING AND ZONING CODE, CHAPTER THREE – ZONING ORDINANCE – ARTICLE 1359 – SIGNS AND OUTDOOR ADVERTISING STRUCTURES

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
NOES: - 0

A discussion ensues around the date Ordinance will take effect. The effective date will be July 1, 2020. All in favor.

BBR- Piling and Lagging Wall at Glenwood Rd and Augustwood

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$105,893 WITH BBR DRILLING COMPANY, OF BELMONT, OH, FOR PILING AND LAGGING WALLS FOR GLENWOOD ROAD AT AUGUSTWOOD AND GLENWOOD ROAD BEHIND 158 TO BE CHARGED TO CSF

The ordinance was read a second time by title. Mr. Thalman, 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: - 0

A&H Equipment- Blower Assembly- WPCD Truck 30

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$55,391.70 WITH A&H EQUIPMENT, OF ZELIENOPE, PA, FOR THE PURCHASE OF BLOWER ASSEMBLY FOR WPCD TRUCK UNIT-30, TO BE CHARGED TO WPCD

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
NOES: - 0

Mr. Imer, seconded by Ms. Koslik, that the Wheeling Housing Authority Minutes from 2/21/20 and 2/26/20, BZA Minutes 2/20/20, which were held over, be accepted as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Scatterday announced the City is working on a pilot program about managing storm water. The residents of Claytor neighborhood will be receiving a mailing education on downspouts and positive impact if all neighbors participate.

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REPORT OF CITY MANAGER

Mr. Herron recommends CJ Kaiser to be re-appointed to Historic Landmarks Commission. Mr. Thorngate moved, seconded by Ms. Scatterday to approve the appointment. All in favor. Motion passes. Parkmobile app will be ready to go live in about 6 weeks. Mr. Herron reads statement from State Auditor's Office stating there is a reeducation in budget tax revenue by \$329 based on an error in Marshall County Assessors Levy Percentage.

REPORT OF OTHER OFFICERS

Mr. Imer, seconded by Ms. Koslik, moved to hold over: Planning Commission Minutes 3/20/2020, Planning Commission Report to Council- Carmel Road until the following meeting.

ORIGINAL PROPOSITIONS

Amending and Reenacting Article 780- 100 ft Radius with Exceptions

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WHEELING BY AMENDING AND REENACTING PART SEVEN - BUSINESS REGULATION AND TAXATION - ARTICLE 780, ENTITLED STREET VENDORS.

Raven Retro Fit- Mixer Drive Replacement- Water Treatment Plant

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$45,454.00 WITH PHILADELPHIA MIXING SOLUTIONS OF PALMYRA, PA, FOR TWO RAVEN RETROFIT MIXER DRIVE REPLACEMENT TO BE CHARGED TO WATER TREATMENT PLANT 400.4012.03.0620.01

BBR- Greggsville Tank Retaining Wall - Water Distribution

The following was the read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$59,927 WITH BBR DRILLING COMPANY, OF BELMONT, OH, FOR GREGGSVILLE TANK RETAINING WALL TO BE CHARGED TO WATER DISTRIBUTION

Resolution- Centre TV Franchise Assignment

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL REQUIRED DOCUMENTS REGARDING THE ASSIGNMENT OF CENTRE TV CABLE FRANCHISE AGREEMENT TO PROVIDE SERVICES PRIMARY WITHIN CLEARVIEW AREA TO MASSILLON CABLE TV LOCATED IN OHIO

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

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

-7
-0

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Resolution- Opioid Nuisance Litigation

The following was then read:

A RESOLUTION DECLARING THAT THE UNLAWFUL DISTRIBUTION OF PRESCRIPTION CONTROLLED SUBSTANCES HAS CREATED A PUBLIC NUISANCE FOR THE CITIZENS OF THE CITY OF WHEELING

Mr. Thorngate 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, Palmer -7
NOES: -0

Resolution- Match Grant Agreement- Edgington Lane

The following was then read:

A RESOLUTION IN SUPPORT OF CITY OF WHEELING APPLICATION FOR WV LAND & WATER CONSERVATION FUND RESOURCES FOR THE RENOVATION OF EDGINGTON LANE PARK PROJECT

Mr. Thorngate 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, Palmer -7
NOES: -0

THOSE WISHING TO BE HEARD

Steve Rossen, 505 Wagner St., called with concern about homeless encampments, and response from the city.

Lewis Honaker, WVU Extension Office, wanted to invite the public to join in 2020 Arbor Day by planning trees in City's Parks.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time 6:21 p.m.

City Clerk

Mayor