

October 6, 2020

Council of the City of Wheeling met, on the above date, at 12:00 pm, in City Council Chambers with Mayor Elliott presiding.

On roll call, the following were present:

Present: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, and Palmer - 7
Absent: -0

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of September 15, 2020 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott states Council will still meet in person as long as deemed safe. Mayor Elliott is anticipating making appointments to Advisory Commission in October.

CLERK'S REPORT

City Clerk Delbert presented a Petition for Zoning Amendment, West side of McColloch St between LaBelle and 32nd St from I-2 to C-2. Mr. Palmer, seconded by Mr. Thorngate, to refer to Planning Commission.

UNFINISHED BUSINESS

Moody's- Well No. 2 Rehab- Water

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,900.00 WITH MOODY'S OF DAYTON INC, OF COLUMBUS, OH, FOR REHABILITATION WELL NO. 2 TO BE CHARGED TO WATER TREATMENT PLANT 400.4012.04.0636.01

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, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: - 0

H.E. Newman- HVAC System Temporary Space VPC Building- City Service Fee

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$25,670.00 WITH H.E. NEWMAN OF WHEELING, WV, FOR HVAC SYSTEM INSTILLATION FOR THE VALLEY PROFESSIONAL BUILDING TO BE CHARGED TO CITY SERVICE FEE

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, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: - 0

Mr. Thorngate, seconded by Ms. Ketchum, that the Historic Landmarks Commission Minutes 8/6/20, Hall of Fame Minutes 8/11/20 which were held over, be accepted as received. Motion carried. All in favor.

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REMARKS FROM MEMBERS OF COUNCIL

Ms. Ketchum announces a Ward 3 clean up on October 17th from 1 pm to 2 pm.

Mr. Sklavounakis is asking members on the Planning Commission to vote against amending the comprehensive plan involving Woodsdale Hill.

REPORT OF COMMITTEES

Ms. Ketchum, seconded by Mr. Seidler, moved to accept the Health and Recreation Committee 9/10/20; Finance Committee Minutes 9/15/20; Rules Committee 9/15/20 as received. Motion carried. All in favor. For the record they are as follows:

HEALTH AND RECREATION COMMITTEE
September 10, 2020

The Health and Recreation Committee of Wheeling City Council met on the above date at 4:00 a.m. in City Council Chambers. Committee members present: Chair Ketchum, Vice Chair Thalman, and Member Seidler. Others present: Mayor Elliott, Parks and Recreation Director Jesse Mestrovic, and City Clerk Brenda J. Delbert.

The following matters were discussed:

Discussion on Racism as a Public Health Crisis

Ms. Ketchum introduced Ron Scott and Lori Jones with YWCA. Mr. Scott and Ms. Jones described why they are asking for a change in approach by racism to be declared as a public health crisis. Ms. Jones presents letter to committee (attached). Ms. Ketchum, seconded by Mr. Thalman to declare racism as a public health crisis. All in Favor. Motion carried.

Discussion on Homelessness

Mr. Seidler pleads that all organizations come together to address homelessness. When organizations work fragmented there is no holistic plan or solutions. Mr. Seidler suggests the city should implement a compassionate work program for citizens with nonviolent criminal history. He is proposing the Municipal Civil Service Exam would not need apply, and not necessary for all positions. Ms. Ketchum asks for a new commission to be created. Entitled Vulnerable Communities Commission. Mayor Elliott suggests the city hire a community liaison, possibly under the Human Rights Commission. The city is not an expert in the problem but can help create collaboration amongst organizations. Mayor Elliott also stated he is meeting with legislatures to encourage the rebirth of Mental Health Court.

Discussion on Nelson Jordan Center

The Nelson Jordan Center is the only city owned recreation center, however the lack of air conditioner, poor lighting, lack of cameras for security, could all lead to unsafe space. Ms. Ketchum introduces Rod Lee facility coordinator. Mr. Lee gives brief background of the center. He testifies the center is very active in the community for at risk youth. He says money is needed or programing, beautification, and repair of access road. Jesse Mestrovic confirms the center is funded through CDBG at about \$33,000 annually. Ms. Ketchum asks for a feasibility study on keeping facility open in current location or possibility relocation. Ms. Ketchum asks for the return of the Recreation Commission to help guide the process and gather public input before any decisions would be made.

There being no further business to come before the Committee, Ms. Ketchum, seconded by Mr. Thalman, moved to adjourn. Time: 4:44 p.m.

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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 Palmer, Vice-Chair Thorngate, and Member Thalman. Others present: Mayor Glenn Elliott, Councilor Seidler, Councilor Ketchum, Councilor Sklavounakis, City Manager Robert Herron, City Clerk Brenda J. Delbert, City Solicitor Rose Humway-Warmuth, Finance Director Seth McIntyre and Media.

The following matters were discussed:

Financial Statement August 2020

Mr. Herron reviewed the August 2020 financial statement. Mr. Herron announced the city has received the first CARES Act Reimbursement and will send in future applications. We are 16% through the fiscal year. B&O Tax is down \$175,000 to LY. Bed Tax is down \$73,000; ½ directly effects general fund, and ½ to CVB. Mr. Thalman, seconded by Mr. Thorngate, to accept the August 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. Thalman moved, seconded by Mr. Thorngate to adjourn. Motion carried. Time: 5:20 p.m.

RULES COMMITTEE REPORT

September 15, 2020

The Rules Committee of Wheeling City Council met on the above date at 4:15 p.m. in Council Chambers. Committee members present: Chair Thalman, Vice Chair Sklavounakis. Others present: Councilor Ketchum, City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, Economy Development Director Nancy Prager, City Clerk Brenda J. Delbert and media.

The following matters were discussed:

Discussion on Amending Article 1765: Flood Damage Control

Mr. Herron discussed Federal Emergency Management Agency (FEMA) had made regulatory changes and City of Wheeling needs to update to ensure our regulations match. Joe Touvell presented last time Codified Ordinance was updated was early 1980s. FEMA flood plain management is consistent with state flood model. Mr. Sklavounakis confirms legal department has had a chance to review. Mr. Sklavounakis, seconded by Mr. Thalman to forward Ordinance to Council.

There being no further business to come before the Committee, Mr. Sklavounakis moved, seconded by Mr. Thalman, to adjourn. Time: 4:21 p.m.

REPORT OF CITY MANAGER

Mr. Herron states Park Mobile is live and citizens still need to adhere to time limits. Glenwood Road slips construction will begin and there will be detours; residents have been notified in person. Hr. Herron expects letters of intent for the former OVMC to be presented to the Development Committee. An application has been submitted to the WV DEP for the 19th St property. Me. Herron anticipated there will be a bond note forthcoming in regards to replacing water lines as it related to the Streetscape project. Construction on the project is still projected for Spring of 2021.

REPORT OF OTHER OFFICERS

Mr. Seidler, seconded by Mr. Sklavounakis, moved to hold over BZA Minutes 7/16/20, Planning Commission Minutes 8/10/20, and Planning Commission Zoning Subcommittee Minutes 8/20/20 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Lexis Nexis- Online Officer Reporting System- CESF- BJA Grant

The following was then read:

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AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$23,040.00 WITH LEXIS NEXIS, OF ALPHARETTA, GA, FOR DESK OFFICER REPORTING SYSTEM TO BE CHARGED TO CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING BJA-2020-218553

Ohio County Board of Education- Annual Agreement- Garden Park

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 – 2020-2021 SCHOOL YEAR.

Demolition Liens- Various properties

The following was then read: _

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING DILAPIDATED STRUCTURES ON CERTAIN PROPERTIES IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

Play and Park Structures- Belle Isle Playground- CDBG

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$40,895.71 WITH PLAY AND PARK STRUCTURES, OF CHATTANOOGA, TN, FOR BELLE ISLAND PLAYGROUND TO BE CHARGED TO CDBG

Northern Panhandle Conservation District- FY 2021-Operation & Maintenance Funds- Wheeling Creek Structures

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,500 WITH NORTHERN PANHANDLE CONSERVATION DISTRICT, OF MCMECHEN, WV, FOR THE PURCHASE OF FY 2021 OPERATION AND MAINTENANCE FUNDS FOR WHEELING CREEK STRUCTURE, \$15,000 TO BE CHARGED TO CAPITAL CONTRIBUTIONS 4414.50.5006 AND \$1,500 TO COAL SEVERANCE 002.4412.50.5001

Glessner Wharton & Andrews Insurance LLC- FY20-21- Insurance Payment- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$49,974.90 WITH GLESSNER WHARTON & ANDREWS INSURANCE LLC OF WHEELING, WV, FOR COMMERCIAL PROPERTY POLICY EFFECTIVE 8/15/20 TO 8/15/21 TO BE CHARGED TO PROJECT FUND

Hunter Truck Sales- 2021 Peterbilt Model 520 w. Packer Body- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$227,930.00 WITH HUNTER TRUCK SALES, OF SMITHFIELD, PA, FOR 2021 PETERBILT MODEL 520 WITH REAR LOADER PACKER BODY TO BE CHARGED TO PROJECT FUND

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Altec Industries- 2020 Alec Bucket Truck-Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$149,446.00 WITH ALTEC INDUSTRIES INC., OF ELKINS, WV, FOR 2020 ALTEC BUCKET TRUCK TO BE CHARGED TO PROJECT FUND

Northern Panhandle HOME Consortium Agreement-First Time Home Buyer 2020 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 NOT TO EXCEED \$321,835.00, AS PER HOUSING CONSORTIUM COOPERATION AGREEMENT, TO BE CHARGED TO 2020 EY FIRST TIME HOMEBUYER PROGRAM

Grant Agreement US Department of HUD HOME Investment Partnership- 2020 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 \$321,835.00 FOR 2020 EY HOME INVESTMENT PARTNERSHIP PROGRAM.

Grant Agreement US Department of HUD- CDBG- 2020 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 \$1,183,926.00 FOR COMMUNITY DEVELOPMENT BLOCK GRANT

Mr. Thalman, seconded by Mr. Thorngate, to consolidate the reading of Ordinance 12-21 for CDBG funding. All in favor. Motion carried.

The following was then read:

AN ORDINANCE AUTHORIZING TO ENTER INTO AN AGREEMENT AND EXPEND THE 2020 EY CDBG FUNDS AS FOLLOWS: \$15,000.00 WITH EAST WHEELING POOL OPERATIONS, \$33,000.00 WITH NELSON JORDAN CENTER, \$10,000.00 WITH THE SOUP KITCHEN, \$25,000.00 WITH WHEELING HEALTH RIGHT, \$10,000.00 WITH CATHOLIC CHARITIES, \$5,000.00 WITH WHEELING HUMAN RIGHTS COMMISSION, \$5,000.00 WITH SEEING HAND ASSOCIATION, \$8,500.00 WITH GREATER WHEELING COALITION FOR THE HOMELESS, \$5,000.00 WITH FAMILY SERVICES OF THE UPPER OHIO VALLEY, \$4,500.00 WITH YMCA

Amending and Readopting Article 1765- Flood Damage Control

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 1765 - FLOOD DAMAGE CONTROL ESTABLISHING THAT A FLOODPLAIN EXISTS AND REQUIRING ALL CONTRACTORS, PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR

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DEVELOPMENT AND THE CONSTRUCTION, SUBSTANTIAL IMPROVEMENT, OR RELOCATION OF ANY BUILDING OR STRUCTURE; PROVIDING FOR CERTAIN MINIMUM STANDARDS FOR CONSTRUCTION WITHIN THE FLOODPLAIN AREA AND SETTING FORTH SPECIAL PROCEDURES FOR SUBMISSION AND APPROVAL OF PLANS; AND ESTABLISHING PENALTIES FOR ANY PERSON WHO FAILS TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE

Resolution Declaring Racism as a Public Health Crisis:

The following was the read:

WHEREAS, prominent institutions such as the American Public Health Association, the American Medical Association, the American Association of Pediatrics, the National Partnership for Women and Families, and the American College of Emergency Physicians have each recognized racism as an urgent threat to public health in the United States; and

WHEREAS, while there is no epidemiologic definition of “crisis,” the health impact of racism as documented across the United States clearly rises to the definition of crisis having significant impacts on individuals and communities of color and their social determinants of health; and

WHEREAS, racism not only unfairly disadvantages specific individuals and communities by unfairly giving advantages to other individuals and communities, but it also serves to diminish the strength of society as a whole through the waste of human resources; and

WHEREAS, as stewards of civil society, elected officials have an obligation to raise awareness about the health impact of racism and encourage every sector of our society work to reverse this crisis; and

WHEREAS, the City of Wheeling has in modern times enacted civil rights protections to outlaw discrimination in employment and housing on the basis of race, color, national origin, and ancestry, as well as religion, sex, age, blindness, disability, familial status, sexual orientation, and gender identity, and veteran status; and

WHEREAS, by resolution in June, 2019, Wheeling City Council acknowledged that these civil rights protections and other efforts have not fully eradicated the effects of institutional racism from our community and that efforts to strive for equality and equity and opportunity in all areas of life for African Americans in Wheeling must persist; and

WHEREAS, members of Wheeling City Council to a person support proactive and meaningful efforts by our municipal government that focus on improving the quality of life and equity for each Wheeling resident by seeking to reverse the health and other impacts of racism wherever they may occur.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Councilmembers of Wheeling, West Virginia, in City Council assembled, that the City Manager be hereby directed take the following steps:

1. Work with City staff to review all City policies and procedures for the purposes of eradicating any implicit and explicit racial bias, and promote such policies and procedures that advance racial equity;
2. Require all classified and unclassified municipal employees to complete implicit bias training;
3. Require all new municipal employees to have implicit bias training as part of the new-hire process;
4. Work towards building a more diverse and inclusive workforce in which employees reflect the diversity of the community at all levels and where differences are welcomed and valued;
5. Incorporate inclusion and equity, and offer educational training to expand employees' understanding of how racism affects people; and
6. With work the City Council to build alliances and partnerships with other organizations that are confronting racism

Ms. Ketchum, seconded by Mr. Seidler, moved that the Resolution be adopted.

The vote on the motion resulted as follows:

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AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: - 0

THOSE WISHING TO BE HEARD

Rodger Edwards, speaks about a 627 Main St. being a drug house. Mr. Edwards submits petition containing signatures from neighbors wanted 627 Main St to be deemed Public Nuisance.

Margret Brennan, updates Council on the revitalization of Doughboy Statue.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 12:34 p.m.

City Clerk

Mayor