

**August 3, 2021**

Council of the City of Wheeling met, on the above date, at 12:00 pm, at 1500 Chapline St. with Mayor Elliott presiding.

On roll call, the following were present:

Present: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, and Palmer - 6  
Absent: Elliott -1

Mr. Sklavounakis moved, seconded by Mr. Thorngate, that the minutes of July 20, 2021 meeting be approved as received. Motion carried.

### **MAYOR'S REPORT**

Vice Mayor Thalman delivers Mayors Report on behalf of Mayor Elliott. Mr. Thalman reminds residents applications are still open for Love Your Neighbor Project. Joe Smith, WPCD, will be asking residents in the Claytor area to remove down spouts from sanitation lines.

### **CLERK'S REPORT**

The following were forwarded to the WVABCA without comment: Notice of Application to Operate a Private Club- Applicant-Sarah Lydick-Location- 2122 Main St.

### **UNFINISHED BUSINESS**

#### Advantage Plus Centrifuge- Centrifuge #2 Repairs – WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$32,331.16 WITH ADVANTAGE PLUS CENTRIFUGE, OF NITRO, WV FOR REPAIRS TO CENTRIFUGE NUMBER 2 TO BE CHARGED TO WATER POLLUTION CONTROL 401.1128.06.00

Ms. Ketchum, seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

#### Historic District Designation North Wheeling

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING DESIGNATING AN HISTORIC DISTRICT BOUNDED BY 6TH STREET TO THE NORTH, INTERSTATE 70 TO THE SOUTH, MARKET STREET TO THE EAST, AND THE WESTERN PROPERTY LINE OF THE PROPERTIES ON THE WEST SIDE OF MAIN STREET BETWEEN #619 AND #827 TO THE WEST, WHEELING WV, HEREAFTER TO BE SO DESIGNATED AS THE NORTH WHEELING HISTORIC DISTRICT, WHICH DISTRICT SHALL REQUIRE THE ADHERENCE TO THE PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS AS NOTED IN SECTION 173.09 FOR SUCH THINGS RELATIVE TO EXTERIOR FAÇADE AND ARCHITECTURAL FEATURE MODIFICATIONS AS SET FORTH IN THE DESIGN REVIEW GUIDELINES FOR THE DISTRICT

Mr. Thorngate, seconded by Mr. Seidler, moved that the ordinance be adopted.

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The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

Bob Robinson- Chevrolet Malibu LS Sedans Police- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$52,785 WITH BOB ROBINSON, OF TRIADELPHIA, WV FOR THREE 2022 CHEVROLET MALIBU LS SEDANS TO BE CHARGED TO PROJECT FUND

Mr. Palmer, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

USI- Excess Liability -Workers Compensation

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$124,382.36 WITH USI INSURANCE SERVICES, LLC, OF VIRGINIA BEACH, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY TO BE CHARGED TO WORKERS' COMPENSATION FUND

Mr. Sklavounakis, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

James White Construction- Phase III-B- Warwood Main- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$812,150.00 TO JAMES WHITE CONSTRUCTION, OF WEIRTON, WV FOR PHASE IIIB WASTEWATER COLLECTION AND TREATMENT SYSTEMS IMPROVEMENTS, WARWOOD FORCE MAIN REPLACEMENT IMPROVEMENTS, TO BE CHARGED TO WATER POLLUTION CONTROL

Mr. Sklavounakis, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

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Traffic Rule- 1 Hour Parking Zone- 2192 National Rd

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
WHEELING ADOPTING TRAFFIC RULE 4768

Mr. Palmer, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

Traffic Rule- Permit Parking Meter Zone- Intersection Chapline and West Chapline

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
WHEELING ADOPTING TRAFFIC RULE NO. 4769

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

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

Glessner Wharton Andrews- Cyber Insurance- GF, Water, WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO  
EXPEND FUNDS IN THE AMOUNT OF \$37,216.74 WITH  
GLESSNER WHARTON & ANDREWS INSURANCE LLC OF  
WHEELING, WV, FOR CYBER INSURANCE TO BE CHARGED  
AS FOLLOWS \$29,401.22 TO GENERAL FUND, \$5,024.26 TO  
WATER AND \$2,791.26 TO WPCD

Mr. Seidler, seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

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

Mr. Sklavounakis, seconded by Mr. Thorngate that the, Hall of Fame Minutes 6/8/21, Municipal Building Commission Minutes 7/6/21, Financial Statements June 2021 which were held over, be accepted as received. Motion carried. All in favor.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Sklavounakis reminds ward 4 residents about WPCD starting the downspout program in Claytor. Ms. Ketchum addresses criminal activity in ward 3, and long-term plans for 36<sup>th</sup> St. Playground. Palmer invited Police and Fire Chiefs to share statistics about new Fireworks Ordinance success rate over 4<sup>th</sup> of July weekend. There was a 49% reduction in in firework related calls and 53% reduction in officer calls.

**REPORT OF COMMITTEES**

Mr. Sklavounakis, seconded by Mr. Thorngate to accept the Finance Committee Minutes 7/20/21,

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Development Committee Minutes 7/20/21, and Development Committee Minutes 7/27/21 as received. For the record they are as follows:

### FINANCE COMMITTEE REPORT July 20, 2021

The Finance Committee of Wheeling City Council met on the above date at 5:15 p.m. Committee Members present: Chair Palmer, Vice Chair Thorngate, and Member Thalman. Others present: Mayor Glenn Elliott, Councilor Ketchum, City Manager Robert Herron, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

The following matters were discussed:

Cost of Living Increase-2018 and 2019 Pensions:

The Municipal Pension Board reviewed the COLA request. The account came back actuarial sound and was recommended increase for 2018 and 2019 at 1.55% and 2.49% respectively. Mr. Thalman moved, seconded by Mr. Thorngate, to accept the recommendation and forward to City Council. All in favor. Motion carried.

FY 2020-2021 General fund and Budget Revision:

Mr. Herron reviews the cash carryover from the end of fiscal year on 2020-2021. The balance is approximately \$3.5 million. Out of those funds \$700,000 are encumbered. Of the remaining unencumbered funds Mr. Herron recommends the following: \$160,000 for budget clean up, \$385,000 for salary adjustments, \$30,000 for Mental Health fund, through the Police Department, \$1.5 Million in paving, \$1,000 to each full-time city employee and assisting in Madison School Playground build (revisions attached). Mr. Thalman moved, seconded by Mr. Thorngate, to accept the recommendation and forward to City Council. All in favor. Motion carried

Coal Severance Budget Revision:

Mr. Herron reviewed the changes to the revision. The revision reflects correction in end of year revenues. \$11,000 will be added to the City Managers line item (attached). Mr. Thalman, seconded by Mr. Thorngate, to approve the budget revision as presented and forward to Council. All in favor. Motion carried

June 2021 Financial Statement:

Mr. Herron reviewed the financial statement. City is 13 million ahead in revenues credited to American Rescue Plan monies have been received. Mr. Thalman, seconded by Mr. Thorngate, to approve the Financial Statement as presented and forward 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: 5:13 p.m.

### DEVELOPMENT COMMITTEE REPORT July 20, 2021

The Development Committee of Wheeling City Council met on the above date at 4:45 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Ketchum, Palmer, City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, and City Clerk Brenda J. Delbert.

Development /Redevelopment Site: 2122 Main St- Sarah's on Main. Applicant Sarah Lydick was present to speak on behalf of request. Tom Connelly states ABCA license is needed because of other establishments within 1,000 feet. Ms. Lydick would like to serve alcohol with brunch and other meals, but does not intend to run a full bar. Mr. Connelly indicates staff recommends to approve the request. Mr. Thalman moved, seconded by Mr. Thorngate to approve this request, and forward to Council.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Time: 4:53 p.m.

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**DEVELOPMENT COMMITTEE REPORT**

July 27, 2021

The Development Committee of Wheeling City Council met on the above date at 9:00 a.m. Committee members present: Vice Chair Thalman, and Member Thorngate. Others present: Councilors Ketchum, Seidler, Palmer, City Solicitor Rosemary Humway-Warmuth, and City Clerk Brenda J. Delbert.

Mr. Thorngate moved, seconded by Mr. Thalman to enter executive session to discuss various real property. All in favor. Motion carried. Time: 9:07 a.m.

Mr. Thorngate moved, seconded by Mr. Thalman to exit executive session. All in favor. Motion carried. Time: 10:10 a.m.

Mr. Thalman confirmed no decisions were made.

There being no further business to come before the Committee, Mr. Thorngate moved, seconded by Mr. Thalman, to adjourn. Time: 10:11 a.m.

**REPORT OF CITY MANAGER**

Mr. Herron stated City Closed on the bonds for water and sewer projects. Refinanced the water treatment plant and past debt and had cost savings of 12.5% and 4.5% respectively, estimating \$400,000 a year in savings.

reappointed Vic Greco to the Historic Landmarks Commission. Mr. Thalman, seconded by Mr. Thorngate to approve. All in favor. Motion carried.

Mr. Herron stated Municipal Building Commission had the third read of Police Headquarters Bond Ordinance and was passed. A supplemental resolution will be in August. The bid opening will be July 28<sup>th</sup> at 2:00 pm.

**REPORT OF OTHER OFFICERS**

Mr. Thorngate, seconded by Ms. Ketchum, moved to hold over: Hall of Fame Minutes 6/8/21, Municipal Building Commission Minutes 7/6/21, and Financial Statement June 2021 until next meeting. Motion carried. All in favor.

**ORIGINAL PROPOSITIONS**

Agreement with Stromberg Garrigan and Associates- Robrecht Site

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND CARRY OUT THE TERMS OF THE MASTER CONSULTING SERVICE AGREEMENT BETWEEN THE CITY OF WHEELING AND STROMBERG GARRIGAN AND ASSOCIATES AND FURTHER AUTHORIZING THE CITY MANAGER TO COORDINATE THE EXECUTION OF ANY AND ALL AGREEMENTS AND OTHER ASSOCIATED DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE AGREEMENT AS THE GOVERNING BODY HAS INTENDED

CT Consultants- Phase III B Amendment Agreement- Project Fund WPCD

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE OWNER-ENGINEER AGREEMENT WITH CT CONSULTANTS, INC. OF MENTOR, OH FOR PROFESSIONAL ENGINEERING SERVICES AND WASTEWATER SYSTEM IMPROVEMENTS - PHASE III B BEING THE PORTION THEREOF IN AN AMOUNT OF THREE

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MILLION FIVE HUNDRED SIXTEEN THOUSAND DOLLARS \$3,516,000.00, SUCH SERVICES WHICH ARE REQUIRED TO COMPLY WITH THE LONG TERM CONTROL PLAN AND TO ADDRESS FAILING INFRASTRUCTURE NEEDS IN THE MUNICIPAL WASTEWATER SYSTEM

Waller Corporation- VPC Upgrades/Police HQ- MBC Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$6,570,700.00 TO WALLER CORPORATION, OF WASHINGTON, PA FOR WHEELING POLICE DEPARTMENT- VPC RENOVATIONS AND UPGRADE PROJECT, TO BE CHARGED TO POLICE HEADQUARTERS/ MUNICIPAL BUILDING COMMISSION PROJECT FUND

Carl Walker Construction- 10<sup>th</sup> St Parking Garage Repairs-Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$139,700.00 TO CARL WALKER CONSTRUCTION, OF PITTSBURGH, PA FOR 10TH STREET PARKING GARAGE REPAIRS, TO BE CHARGED TO PROJECT FUND

Resolution- Accepting the Terms and Conditions for the Highway Safety Grant

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO ACCEPT THE TERMS AND CONDITIONS OF THE CONTRACT RELATING TO MAINTAIN THE REGION 4 HIGHWAY SAFETY PROGRAM IN THE NORTHERN PANHANDLE OF WEST VIRGINIA GRANT UP TO THE AMOUNT OF \$241,600.00

The Resolution was read by title. Mr. Palmer, seconded by Mr. Thorngate, moved that the resolution be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

Resolution- Cost of Living Increase 2018- Pension Fund

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ESTABLISHING AN AD-HOC COST-OF LIVING INCREASE FOR RETIRED MEMBERS OF THE MUNICIPAL EMPLOYEES PENSION FUND AND THEIR BENEFICIARY'S FY 2018

The Resolution was read by title. Mr. Palmer, seconded by Mr. Thorngate, moved that the resolution be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

Resolution- Cost of Living Increase 2019- Pension Fund

The following was then read:

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**A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ESTABLISHING AN AD-HOC COST-OF LIVING INCREASE FOR RETIRED MEMBERS OF THE MUNICIPAL EMPLOYEES PENSION FUND AND THEIR BENEFICIARY'S FY 2019**

The Resolution was read by title. Mr. Palmer, seconded by Mr. Thorngate, moved that the resolution be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

Resolution- Business License- Streetscape Construction

The following was then read:

**A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO PROVIDE A ONE TIME EXEMPTION OF THE BUSINESS LICENSE FEE FOR CERTAIN AREAS IN DOWNTOWN AFFECTED BY ONGOING STREETScape PROJECT AND CONSTRUCTION**

The Resolution was read by title. Ms. Ketchum, seconded by Mr. Sklavounakis, moved that the resolution be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

**THOSE WISHING TO BE HEARD**

No one signed up to speak.

There being no further business, Mr. Thorngate moved, seconded by Mr. Sklavounakis, to adjourn. Motion carried. Time 12:23 p.m.

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City Clerk

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Mayor