

April 20, 2021

Council of the City of Wheeling met, on the above date, at 5:30 pm, at 1500 Chapline St. 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 April 6, 2021 meeting be approved as received. Motion carried.

Mr. Palmer moved, seconded by Mr. Thorngate to suspend the regular order of business and conduct public hearings: (1) Amending and Reenacting Article 1775 Entitled Administration and Enforcement (2) Creating and Enacting Article 356 of the Traffic Code Entitled Street Legal Special Purpose Vehicles (3) City’s Fiscal Year 2021 Annual Action Plan for the use of the Community Development Block Grant (CDBG) and the HOME Investment Partnership (HOME) funds. Joe Carey, spoke in favor of Council passing Article 356.

MAYOR’S REPORT

Mayor Elliott presents two Proclamations declaring April 18-24 2021 as “National Crime Victims’ Rights Week” in the City of Wheeling and April 20, 2021 as “American Legion, Post 89 Day” in the City of Wheeling.

UNFINISHED BUSINESS

Tri State Ford- Ford F-350 with Snow Plow- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$45,550 WITH TRI STATE FORD, OF EAST LIVERPOOL, OH FOR 2022 FORD F-350 REGULAR CAB EQUIPPED WITH SNOW PLOW TO BE CHARGED TO WATER POLLUTION CONTROL 401.1114.0500

The ordinance was read a second time by title. Mr. Thalman, seconded by Mr. Sklavounakis, 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

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

James White Construction- Glenwood Rd Slip Repair- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$35,000 WITH JAMES WHITE CONSTRUCTION CO, OF WEIRTON, WV FOR 115 GLENWOOD RD SLIP REPAIR, TO BE CHARGED TO WPCD 401.4001.02.0720.02

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Sklavounakis, 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

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

Stephens Auto Center- Dodge Pickup Trucks- Water

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$45,534 WITH STEPHENS AUTO CENTER, OF DANVILLE, WV FOR TWO 2021 DODGE RAM PICKUP TRUCKS TO BE CHARGED TO WATER DISTRIBUTION 400.1128.05.00

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Sklavounakis, 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

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

Traffic Rule 4765- No Parking Section of N. 19th St

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4765 TO ESTABLISH A NO PARKING ZONE ON THE SOUTH SIDE OF N. 19TH ST AT THE SOUTHWEST CORNER OF N. 19TH ST, IN THE CITY OF WHEELING, AND EXTENDING IN A EASTERNLY DIRECTION ON 19TH ST FOR 142 FEET FROM THE HOURS OF 10:30 AM TO 2:30 PM

Mr. Thalman, moved by Mr. Thorngate to allow public comment. Rob Taylor, Warwood Tool, requested Council approve the traffic rule to allow safer deliveries to his business.

The ordinance was read a second time by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the ordinance be tabled.

The vote on the motion resulted as follows:

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

Traffic Rule 4766- Pedestrian only Right of Way- Lane 16- Northwood Health Systems

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4766 TO ESTABLISH A PEDESTRIAN ONLY RIGHT OF WAY ON A PORTION OF LANE 16, IN THE CITY OF WHEELING

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Seidler, 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

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

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Amending and Reenacting Article 1775 Entitled Administration and Enforcement

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING AMENDING AND REENACTING ARTICLE 1775
ENTITLED ADMINISTRATION AND ENFORCEMENT

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Seidler, 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

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

Creating and Enacting Article 356 of the Traffic Code

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING, WEST VIRGINIA, CREATING AND ENACTING
ARTICLE 356 OF THE TRAFFIC CODE ENTITLED STREET
LEGAL SPECIAL PURPOSE VEHICLES

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

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

Street Rename- Maple Lane in Elm Grove Section to Lydia Lane

The following was then read:

AN ORDINANCE CHANGING THE NAME OF A STREET IN
THE ELM GROVE SECTION OF WHEELING, IN ORDER TO
ELIMINATE DUPLICATE ROAD NAMES AND POTENTIAL
CONFUSION OF VARIOUS DELIVERY CARRIERS AND
EMERGENCY SERVICES PROVIDED BY WHEELING-OHIO
COUNTY 911 CENTER SO THAT MAPLE LANE WILL
BECOME LYDIA LANE

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, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
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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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 2021-2022 BUDGET FOR WHEELING MUNICIPALITY, OHIO COUNTY.

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

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

Vacating and Abandoning- Portion of Southerly Line Lane 26-Quitclaim Deed

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING A PORTION OF McCOLLOCH STREET RIGHT OF WAY FROM THE SOUTHERLY LINE OF LANE 26 NORTH A DISTANCE OF 100' WITHIN SQUARE 44 OF THE SPRIGG AND RITCHIE ADDITION TO THE CITY OF WHEELING AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Seidler, 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

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

Wheeling Area Chamber- City of Lights Program- Coal Severance

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,500.00 WITH WHEELING AREA CHAMBER OF COMMERCE, OF WHEELING, WV, FOR CITY OF LIGHTS PROGRAM. TO BE CHARGED TO COAL SEVERANCE 002.4412.50.2262

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

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

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Mr. Thalman moved, seconded by Mr. Palmer, that the Traffic Commission minutes 2/11/21 which were held over, be accepted as received. Motion carried.

REPORT OF COMMITTEES

Mr. Thalman, seconded by Mr. Thorngate to accept the Development Committee Minutes 4/6/21 as received. All in favor. Motion carried. For the record they are as follows:

DEVELOPMENT COMMITTEE REPORT April 6, 2021

The Development Committee of Wheeling City Council met virtually on the above date at 5:00 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Ketchum, Seidler, Palmer, City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, and City Clerk Brenda J. Delbert.

Lane Abandonment: Lane 26 to tax parcel W84-284

Director of Building and Planning, Tom Connelly, presents request from Play n Stay Pet Camp. Mr. Connelly stated all agencies who would have a potential interest were informed and no objections were received. Staff recommends approval. A portion has already been abandoned. Mr. Thalman moves, seconded by Mr. Thorngate to approve this request and forward to council. Motion carried. All in favor.

Façade Program Changes

Mr. Thalman, introduces Nancy Prager, Economic Development Director, to review the changes to the façade expansion program. The current program is downtown, and the committee would like to expand the boundaries. Businesses and residents located in zoning districts for C-1 and C-2 will be eligible to apply. Applications will now be reviewed on a quarterly basis. Mr. Thalman moves, seconded by Mr. Thorngate to approve this request and forward to council. Motion carried. All in favor.

Demolition Review Ordinance

CJ Kiser, Chair of Historic Landmarks Commission, presents draft ordinance. The Historic Landmarks Commission has voted to recommend draft to Council. Currently Wheeling does not have an historical permit demolition process. The proposed ordinance will allow for an application and appeals process, it is not to inhibit demolition. Mr. Thorngate moves, seconded by Mr. Thalman to approve this request and forward to council. Motion carried. All in favor.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Time: 5:26 p.m.

REPORT OF CITY MANAGER

Mr. Herron updates on the progress of Main and Market Streets water main replacement; there will be I disruption of service as the project progresses through downtown.

REPORT OF OTHER OFFICERS

Mr. Thalman, seconded by Mr. Palmer, moved to holdover the following until the next meeting: Hall of Fame Minutes 3/9/21, Planning Commission Minutes 2/8/21, BZA Minutes 3/18/21. All in favor. Motion carried.

ORIGINAL PROPOSITIONS

Stephens Auto- 2021 Dodge Ram Pickup- Sanitation

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$26,492 WITH STEPHENS AUTO CENTER, OF DANVILLE, WV FOR 2021

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DODGE RAM PICKUP TRUCK TO BE CHARGED TO
SANITATION DEPARTMENT

Bob Robinson- Parts and Repairs 2018 Tacoma- UAR

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,793.28 WITH BOB ROBINSON, OF TRIADELPHIA, WV FOR PARTS INSTALLATION AND REPAIRS 2018 TOYOTA TACOMA CHARGED TO WATER UAR 400.4014.07.0650.01

Creating and Enacting Section 13- Historic Review for Demolition

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING CREATING AND ENACTING SECTION 13- ENTITLED HISTORIC REVIEW FOR DEMOLITION PERMITS- OF ARTICLE 173 HISTORIC LANDMARKS COMMISSIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING

Option Agreement- 17th and Wood St- Fire Department

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO CARRY OUT THE TERMS OF AN OPTION AGREEMENT FOR THE PURCHASE OF REAL PROPERTY, BEING SEVERAL PARCELS, LOCATED AT THE INTERSECTION OF 17TH AND WOOD STREET, WITH STREET ADDRESSES BEING 164-188 17TH ST, AND FURTHER AUTHORIZING THE CITY MANAGER TO COORDINATE THE EXECUTION OF ANY AND ALL AGREEMENTS, DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THE CONVEYANCE AS THE GOVERNING BODY HAS INTENDED WITHIN SAID OPTION AGREEMENT

Advanced Auto Parts- Heavy Duty Truck Hoist- Vehicle Maintenance Department

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$55,999.99 WITH ADVANCED AUTO PARTS, OF WHEELING, WV FOR HEAVY DUTY TRUCK HOIST TO BE CHARGED TO VEHICLE MAINTENANCE DEPARTMENT

Pierpont- EMT Training Course- Fire

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$20,000 WITH PIERPONT COMMUNITY & TECHNICAL COLLEGE, OF FAIRMONT, WV, FOR AEMT COURSE TO BE CHARGED TO FIRE DEPARTMENT 4706.20.2152

Resolution- Participation in HOME Consortium

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING PARTICIPATION IN THE NORTHERN PANHANDLE HOME CONSORTIUM FOR THE PERIOD OF JULY 1, 2021 TO JUNE 30, 2022

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

The vote on the motion resulted as follows:

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

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

Resolution- Land and Water Conservation Fund

The following was then read:

TO ESTABLISH BOUNDARIES AND COVENANTS FOR A
LAND AND WATER CONSERVATION FUND ON PROPERTY
OWNED BY THE CITY OF WHEELING, OHIO COUNTY,
WEST VIRGINIA

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

The vote on the motion resulted as follows:

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

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

Resolution- Expanding Façade Program

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING TO AUTHORIZE, DIRECT AND EMPOWER THE
OFFICERS AND ADMINISTRATORS OF THE CITY TO
EXPAND THE GEOGRAPHIC BOUNDARIES OF THE FAÇADE
IMPROVEMENT PROGRAM

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

The vote on the motion resulted as follows:

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

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

THOSE WISHING TO BE HEARD

Josh Riffle, 66 Economy St., speaks in opposition of code enforcement officers.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 6:08 p.m.

City Clerk

Mayor