

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

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of May 18, 2021 meeting be approved as received. Motion carried.

MAYOR’S REPORT

Mayor Elliott recognized the return of City Summer Events. Mayor Elliott thanked members of Leadership Wheeling in attendance.

UNFINISHED BUSINESS

Traffic Rule 4766- Converting Meter to Handicapped Meter at 2217 Chapline St

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4766 TO DESIGNATE THE METERED PARKING SPACE AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LANE 19 AND CHAPLINE ST TO BE HANDICAPPED PARKING METER WITH A TWO-HOUR TIME LIMIT. THE METER IS LOCATED 21 FEET SOUTHWARDLY FROM SAID INTERSECTIONS

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, 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 4767- Converting Meters 905 and 907 from 30 Min to Two Hour

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4767 TO DESIGNATE THE METER NUMBERS 905 AND 907 TO TWO-HOUR TIME LIMIT. THE METERS ARE LOCATED ON MARKET PLAZA

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, 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.

June 1, 2021

Wheeling Symphony- Fireworks Display- City Manager, Coal Severance

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$40,000 WITH WHEELING SYMPHONY, OF WHEELING, WV, FOR CITY'S SHARE OF FIREWORK DISPLAY, \$30,000 TO BE CHARGED TO CITY MANAGER 001.4412.20.2142 AND \$10,000 CHARGED TO COAL SEVERANCE 022.4412.50.2263

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, 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.

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

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, 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- Slip Repair Indian Point- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$20,500.80 WITH JAMES WHITE CONSTRUCTION CO, OF WEIRTON, WV FOR INDIAN POINT SLIP REPAIR, TO BE CHARGED TO WPCD 401.4001.02.0720.02

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

The vote on the motion resulted as follows:

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

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

June 1, 2021

declared the Ordinance adopted.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Sklavounakis stated he is in opposition of the proposed Fireworks amendment, believing it is government overreach. Mr. Palmer is in support citing safety concerns.

REPORT OF COMMITTEES

Mr. Sklavounakis, seconded by Mr. Palmer, moved to accept the Public Safety Committee 4-26-21, Public Safety Committee 5-12-21, and Finance Committee 5-18-21 as received. For the record they are as follows:

PUBLIC SAFETY COMMITTEE
April 26, 2021

The Public Safety Committee of Wheeling City Council met on the above date at 5:00 p.m. Committee members present: Chair Seidler, Vice Chair Palmer, and Member Ketchum. Others present: William Lanham, Tom Connelly, Rose Humway-Warmuth, and Brenda J. Delbert.

The following matters were discussed:

Rental Inspection Program:

Mr. Seidler presented the draft rental inspection program. The proposal is a self-inspection with different categories broken down into levels based on severity. The properties would be registered once a year. Mr. Seidler indicates there will be no decision made today and he wants to hear the opinions of the community before proceeding. Mr. Palmer states he is not in support of fees being associated with program. The following individuals spoke in favor of the program: Linda Yost, Lou Smith, John Basil, Ed Jagaczewski, Chyenne Little, David Watkins, and Nancy Bates. The following individuals spoke against the program: Alex Coogan, Elisa Campiti, Morgan Wood, and Pam Fleming. The main support was for living conditions offered to tenants. Opposition came from landlords citing government overreach and financial feasibility. Mr. Seidler asks for another work session next week to continue discussion and take consideration of revisions.

There being no further business to come before the Committee, Mr. Seidler, seconded by Ms. Ketchum, moved to adjourn. Time: 6:23 p.m.

PUBLIC SAFETY COMMITTEE
May 12, 2021

The Public Safety Committee of Wheeling City Council met on the above date at 5:00 p.m. Committee members present: Chair Seidler, Vice Chair Palmer, and Member Ketchum. Others present: Tom Connelly and Brenda J. Delbert.

The following matters were discussed:

Rental Inspection Program:

Mr. Seidler presented the draft rental inspection program. The proposal is a self-inspection with different categories broken down into levels based on severity. Mr. Palmer states he is not in support of fees being associated with program and does not believe the current Building Department could staff the changes. Mr. Seidler indicates the idea of self-inspection will take burden off of city departments and allow freedom for landlords. The following individuals spoke against the program: Alex Coogan, Tamara Molnar, Morgan Wood, Chuck Wood, Missy Ashmore, Bill Valput, Casey Coyne, Lambert Jones, Mark Glass, and Chris Figaretti. Citing price increase would be passed on to the tenants and there are already systems in place for grievances. Example: HUD inspections, magistrate court, and exterior code enforcements. Mr. Palmer, seconded by Ms. Ketchum, moved to table the proposal as written indefinitely. The vote on the motion was as follows: AYES: Palmer and Ketchum NOES: Seidler. Motion passed.

June 1, 2021

There being no further business to come before the Committee, Mr. Palmer, seconded by Ms. Ketchum, moved to adjourn. Time: 6:16 p.m.

FINANCE COMMITTEE REPORT

May 18, 2021

The Finance Committee of Wheeling City Council met on the above date at 5:00 p.m. Committee Members present: Chair Palmer, Vice-Chair Thorngate, and Member Thalman. Others present: Mayor Elliott, Councilors Ketchum and Sklavounakis, City Manager Robert Herron, City Clerk Brenda J. Delbert, City Solicitor Rose Humway-Warmuth, Finance Director Seth McIntyre.

The following matters were discussed:

Assigned Vehicle Program

Mr. Palmer presented the AVP was presented to the Public Safety Committee. The committee supported the program and recommended finance committee to review funding sources. Mr. Herron indicated funding would come through Project Fund and each time cruisers were ordered the requisition would come to Council in the form of Ordinance. Mr. Thalman, seconded by Mr. Thorngate, moved to accept the program and forward it to Council. All in favor. Motion carried.

Statement April 2021:

Mr. Herron reviewed the April 2021 financial statement, and states we have exceeded B&O budget expectations for the fiscal year. Mr. Herron indicated there has not been any transfer this year from the budget stabilization fund. However, revenue line items can be skewed because of CARES Act funding. Mr. Thalman, seconded by Mr. Thorngate, to accept the April 2021 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: 5:11 p.m.

REPORT OF CITY MANAGER

Mr. Herron announced the Valley Professional bid opening for Police Headquarters will be on June 22, 2021, and Fire Headquarters expected to be in Spring of 2022. Bid for Marking Structure at Market St. and 11th is expected to be ready in November 2021. The mentioned project all require debt, with payments made by user fee and sales tax. City of Wheeling will enact the Municipal Building Commission. The Building Commission will act on behalf of City Council. Mr. Herron reviews the proposed bond ordinances. The first one is a new bond ordinance supported by the rate increase. While the other two are refinancing existing bonds.

REPORT OF OTHER OFFICERS

Mr. Thorngate, seconded by Ms. Ketchum, moved to hold over: BZA Minutes 4-15-21, Greater Wheeling Sports and Entertainment Authority Minutes 4/27/21 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Edgco- Demolition Contract No. 1- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$192,642.00 WITH EDGCO, INC., OF LANSING, OH FOR ABATEMENT AND DEMOLITION, TO BE CHARGED TO PROJECT FUND

Edgco- Demolition Contract No. 2- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$87,986.00 WITH

June 1, 2021

EDGCO, INC., OF LANSING, OH FOR ABATEMENT AND
DEMOLITION, TO BE CHARGED TO PROJECT FUND

Amending and Reenacting Article 1535- Fireworks

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING AMENDING AND REENACTING ARTICLE 1535
OF THE CODIFIED ORDINANCES OF THE CITY OF
WHEELING, ENTITLED FIREWORKS

Environmental Protection Brownfields Revolving Fund Loan Agreement

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 THE WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BROWNFIELDS REVOLVING FUND LOAN AGREEMENT
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

M&G Architects- Design Services- Fire HQ

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS IN THE AMOUNT OF \$494,910.00 WITH
M&G ARCHITECTS & ENGINEERS OF WHEELING, WV, FOR
DESIGN SERVICES AND BUILDING CONSTRUCTION FOR
FIRE STATION HEADQUARTERS TO BE CHARGED TO CITY
SERVICE FEE

Payment in Full of the Series 2018 Notes and the Series 2020 Notes and the Issuance of
Waterworks and Sewerage System Revenue Bonds, Series 2021 A

The following was then read:

AN ORDINANCE AUTHORIZING THE PAYMENT IN FULL OF
THE SERIES 2018 NOTES AND THE SERIES 2020 NOTES AND
THE DESIGN, ACQUISITION, CONSTRUCTION AND
EQUIPPING OF CERTAIN ADDITIONS, BETTERMENTS AND
IMPROVEMENTS TO THE WATERWORKS PORTION AND
THE SEWERAGE PORTION OF THE EXISTING COMBINED
WATERWORKS AND SEWERAGE SYSTEM OF THE CITY OF
WHEELING AND THE FINANCING OF THE COST THEREOF,
NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE
BY THE CITY OF NOT MORE THAN \$50,000,000 IN
AGGREGATE PRINCIPAL AMOUNT OF COMBINED
WATERWORKS AND SEWERAGE SYSTEM REVENUE
BONDS, SERIES 2021 A (TAX-EXEMPT); PROVIDING FOR
THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR,
THE REGISTERED OWNERS OF SUCH BONDS;
AUTHORIZING THE EXECUTION AND DELIVERY OF A
BOND PURCHASE AGREEMENT, A CONTINUING
DISCLOSURE AGREEMENT, TAX CERTIFICATE, TAX
COMPLIANCE POLICY, CONTINUING DISCLOSURE POLICY
AND OTHER DOCUMENTS RELATING TO THE BONDS; AND
ENACTING OTHER PROVISIONS WITH RESPECT TO SUCH
BONDS.

June 1, 2021

Refunding of the Issuer's Outstanding Combined Waterworks and Sewerage System Revenue Bonds Series 2013 and the Issuance of Combined Waterworks and Sewerage System Refunding Revenue Bonds Series 2021 B

The following was then read:

AN ORDINANCE AUTHORIZING THE REFUNDING OF THE ISSUER'S OUTSTANDING COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2013 AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, FUNDING A DEBT SERVICE RESERVE FUND AND PAYING COSTS OF ISSUANCE AND RELATED COSTS, THROUGH THE ISSUANCE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2021 B (TAXABLE) OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$35,000,000 PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX CERTIFICATE, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AN ESCROW AGREEMENT AND OTHER DOCUMENTS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ADOPTING OTHER PROVISIONS RELATING THERETO

Refunding of the Issuer's Outstanding Combined Waterworks and Sewerage System Refunding Revenue Bonds Series 2015 A and the Issuance of Combined Waterworks and Sewerage System Refunding Revenue Bonds Series 2021 C

The following was then read:

AN ORDINANCE AUTHORIZING THE REFUNDING OF THE ISSUER'S OUTSTANDING COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2015 A AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, FUNDING A DEBT SERVICE RESERVE FUND AND PAYING COSTS OF ISSUANCE AND RELATED COSTS, THROUGH THE ISSUANCE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2021 C (TAXABLE) OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$10,000,000 PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX CERTIFICATE, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AN ESCROW AGREEMENT AND OTHER DOCUMENTS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ADOPTING OTHER PROVISIONS RELATING THERETO

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate the readings of Original Propositions 9-12 as routine chemical purchases for the WPCD. Motion carried all in favor.

The following was then read:

9-12 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR ROUTINE CHEMICAL PURCHASES FOR WATER POLLUTION CONTROL DIVISION AS FOLLOWS:

June 1, 2021

\$72,000 WITH JCI JONES FOR THE PURCHASE OF SODIUM HYPOCHLORITE; \$176,160.00 WITH SNF POLYDYNE, OF RICEBORO, GA, FOR THE PURCHASE OF POLYMER; \$29,100.00 WITH SAL CHEMICALS CO FOR THE PURCHASE OF SODIUM BISULFITE; \$42,834.00 WITH JCI JONES FOR THE PURCHASE OF CITRIC ACID

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate the readings of Original Propositions 13-19 as routine chemical purchases for the Water Treatment Plant. Motion carried all in favor.

The following was then read:

13-19 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS AS ROUTINE CHEMICAL PURCHASES FOR WATER TREATMENT PLANT AS FOLLOWS:

\$68,670.00 WITH PVS TECHNOLOGIES FOR THE PURCHASE OF FERRIC CHLORIDE; \$40,860.00 WITH SHANNON CHEMICAL CORPORATION FOR THE PURCHASE OF PHOSPHATE LIQUID CORROSION INHIBITOR; \$50,560.00 WITH BONDED CHEMICALS INC FOR THE PURCHASE OF POTASSIUM PERMANGANATE; \$22,650.00 UNIVAR SOLUTIONS FOR THE PURCHASE OF SODIUM HYDROXIDE; \$55,230.00 UNIVAR SOLUTIONS FOR THE PURCHASE OF SODIUM HYPOCHLORITE

Resolution- Municipal Building Commission

The following was then read:

A RESOLUTION APPOINTING THE MEMBERS OF THE CITY OF WHEELING MUNICIPAL BUILDING COMMISSION

WHEREAS, the City of Wheeling has established a Municipal Building Commission pursuant to the powers and authorities as set forth in WV Code Article 8-33 et.seq. and City of Wheeling Codified Ordinance Article 153; and

WHEREAS, the Municipal Building Commission Board shall consist of three (3) members appointed by City Council for staggered terms; and

WHEREAS, the members of the Board and initial terms are set as follows:

- Mike Nau- initial terms of one (1) year
- Gene Fahey- initial term of three (3) years
- David Miller initial term of five (5) years

As the term of each such initial appointee expires the successor to fill the vacancy created by the expired term or members reappointed shall be appointed for a term of five (5) years

NOW, THEREFORE, BE IT RESOLVED that the initial appointments to the City of Wheeling Municipal Building Commission Board be made accordingly as detailed above.

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

June 1, 2021

The vote on the motion resulted as follows:

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

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

Resolution- Approving General Fund Budget Revisions

The following was then read:

RESOLUTION APPROVING THE REVISION OF THE
GENERAL FUND BUDGET

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer - 6
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

No one signed up to speak.

Mr. Thalman moved, seconded by Mr. Thorngate to enter into executive session to discuss property acquisition. Time 12:26. Mr. Thalman, seconded by Mr. Thorngate to exit executive session and resume regular order of business. Time 12:41. Mayor Elliott declared no decisions were made.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 12:42 p.m.

City Clerk

Mayor