

September 7, 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, Seidler, Ketchum, Sklavounakis, Thorngate, and Palmer - 7
Absent: -0

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of August 17, 2021 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott recognized Youth Service Systems and proclaimed the weekend of September 17-19, 2021 as *West Virginia Days of Hope*.

CLERK'S REPORT

Clerk Delbert presented a Notice of Application to Operate a Private Club- Wheeling Coin LLC- 1 Virginia St. The application was forwarded to WVABCA without commit.

Clerk Delbert presented a Petition for Zone Change- 50 Virginia St- C-1 to I-1. Mr. Palmer, seconded by Mr. Seidler, moved to forward to the Planning Commission.

Clerk Delbert presented a Petition for Zone Change 2 Hawk Court- R-4 to C-. Mr. Palmer, seconded by Mr. Thalman, moved to forward to the Planning Commission.

UNFINISHED BUSINESS

Grant Agreement US Department of HUD HOME Investment Partnership- 2021 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 \$305,207.00 FOR 2021 EY HOME INVESTMENT PARTNERSHIP PROGRAM

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

Grant Agreement US Department of HUD- CDBG- 2021 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 \$1,186,308.00 FOR COMMUNITY DEVELOPMENT BLOCK GRANT

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

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Northern Panhandle HOME Consortium Agreement-First Time Home Buyer 2021

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 \$305,207.00, AS PER HOUSING CONSORTIUM COOPERATION AGREEMENT, TO BE CHARGED TO 2021 EY FIRST TIME HOMEBUYER PROGRAM

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

East Wheeling Pool Operations- 2021 EY- CDBG; Nelson Jordan Center- 2021 EY- CDBG; Soup Kitchen-2021 EY- CDBG; Wheeling Health Right-2021 EY- CDBG; Wheeling Human Rights Commission-2021 EY- CDBG; Seeing Hand Association-2021 EY- CDBG; Greater Wheeling Coalition for the Homeless 2021 EY- CDBG; Family Services of the Upper Ohio Valley- 2021 EY-CDBG; YMCA- 2021 EY- CDBG; Catholic Charities - 2021 EY- CDBG; Information Helpline- 2021 EY- CDBG

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate readings of Unfinished Business 4-14. Motion carried. All in favor.

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS FOR CDBG 2021 EY PUBLIC SERVICES AMOUNTS NOT TO EXCEED AS FOLLOWS:

\$15,000 TO EAST WHEELING POOL OPERATIONS

\$33,000 TO NELSON JORDAN CENTER

\$10,000 TO SOUP KITCHEN

\$25,000 TO WHEELING HEALTH RIGHT

\$5,000 TO WHEELING HUMAN RIGHTS COMMISSION

\$5,000 TO SEEING HAND ASSOCIATION

\$8,500 TO GREATER WHEELING COALITION FOR THE HOMELESS

\$5,000 TO FAMILY SERVICES OF THE UPPER OHIO VALLEY

\$4,500 TO YMCA

\$10,000 TO CATHOLIC CHARITIES

\$5,000 TO INFORMATION HELPLINE

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

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James White Construction- Gateway Park Phase I- RCIP/Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$409,950 WITH JAMES WHITE CONSTRUCTION CO, OF WEIRTON, WV FOR PHASE I-WHEELING ISLAND AND GATEWAY PROJECT, TO BE CHARGED AS FOLLOWS: \$260,000 RCIP AND \$150,000 TO PROJECT FUND

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

House of Carpenter- Madison School Playground- General Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$32,000 WITH HOUSE OF CARPENTER, OF WHEELING, WV, FOR CITY CITY'S ALLOCATION OF FUNDS FOR MADISON SCHOOL PLAYGROUND PROJECT TO BE CHARGED TO GENERAL FUND

The ordinance was read a second time by title. Mr. Thorngate, 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
ABS: Seidler -1

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

Hall of Fame Minutes 7/13/21, Historic Landmarks Commission Minutes 7/1/21, and Arts and Cultural Commission Minutes 7/13/21

Mr. Sklavounakis moved, seconded by Mr. Thorngate, that the: Hall of Fame Minutes 7/13/21, HLC Minutes 7/1/21, Arts and Cultural Commission Minutes 7/1/21 which were held over, be accepted as received. Motion carried

REMARKS FROM MEMBERS OF COUNCIL

Councilors report crime watch and ward meets are meeting regularly.

REPORT OF COMMITTEES

Mr. Palmer, seconded by Mr. Thorngate, moved to accept the Finance Committee Report as received. For the record they are as follows:

FINANCE COMMITTEE REPORT August 17, 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, Councilors Seidler, Ketchum, and Sklavounakis, City Manager Robert Herron, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

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The following matters were discussed:
July 2021 Financial Statement:

Mr. Herron reviewed the financial statement for the first fiscal month of 2021-2022. There is 5 million in the Budget Stabilization fund due to ARP funds. Sales Tax revenue is up about \$110,000 above last year. Expenditures are up about 11% from last year. Mr. Herron explains the city has 56 more employees this year than last, mostly in parks and recreation as pools and activities were cancelled last year. There was also a \$1,000 pay out to full time employees. 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: 5:20 p.m.

REPORT OF CITY MANAGER

Mr. Herron reports the 10th St Parking Garage has been painted with City Flag. The homeless liaison position has been filed.

REPORT OF OTHER OFFICERS

Mr. Palmer, seconded by Mr. Thorngate, moved to hold over: Municipal Building Commission Minutes 7/20/21, Municipal Building Commission Minutes 8/17/21, Greater Wheeling Sports and Entertainment Authority Minutes 7/7/21 until next meeting. Motion carried. All in favor.

PETITIONS OF ALL OTHER KINDS

Clerk Delbert presented a petition for annexation of Danfield Drive. Mr. Palmer, seconded by Mr. Thorngate, moved to accept as received. All in favor. Motion carried.

ORIGINAL PROPOSITIONS

Amending and Reenacting Part Nine- 903.08 Outdoor and Street Dining

The following was then read:

AN ORDINANCE TO AMEND AND REENACT PART NINE ENTITLED STREETS, UTILITIES, AND PUBLIC SERVICE CODE OF THE CODIFIED ORDINANCE OF THE CITY OF WHEELING BY CREATING A NEW SECTION IN ARTICLE 903 DESIGNATED AS SECTION 903.08 ENTITLED OUTDOOR DINING AND OUTDOOR STREET DINING

House of Carpenter- 2021 EY- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 WITH HOUSE OF THE CARPENTER, TO BE CHARGED TO CDBG 2021 EY PUBLIC SERVICES #1511-021-125.

Dukes Root Control- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$46,263.72 WITH DUKES ROOT CONTROL, OF SYRACUSE, NY, FOR THE PURCHASE OF ROOT CONTROL SYSTEM, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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HE Neuman- 20 Ton Pump- Center Market

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$29,801.00 WITH H.E. NEWMAN OF WHEELING, WV, FOR REPLACEMENT OF 20-TON PUMP FOR CENTRE MARKET HOUSE TO BE CHARGED TO RCIP

Transfer of Property- 1055 Short Market St-OVADC

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED AT 1055 SHORT MARKET STREET TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE

Bob Robinson Chevy- 2 Chevy Colorado Trucks- Water

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$53,382.00 WITH BOB ROBINSON CHEVY OF TRIADELPHIA, WV, FOR TWO 2022 CHEVY COLORADO TRUCKS TO BE CHARGED TO WATER DEPARTMENT

Bob Robinson Chevy- Chevy Colorado Truck- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$26,691.00 WITH BOB ROBINSON CHEVY OF TRIADELPHIA, WV, FOR 2022 CHEVY COLORADO TRUCK TO BE CHARGED TO WPCD

Bob Robinson Toyota - Toyota RAV4- Water

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$34,554.00 WITH BOB ROBINSON TOYOTA OF TRIADELPHIA, WV, FOR 2022 TOYOTA RAV 4 TO BE CHARGED TO WATER DISTRIBUTION

Bob Robinson Chevy- Chevy Silverado- Sanitation

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$31,251.00 WITH BOB ROBINSON CHEVY OF TRIADELPHIA, WV, FOR 2022 CHEVY SILVERADO TRUCK TO BE CHARGED TO SANITATION DEPARTMENT

Triton Construction Inc- Phase III G Lift Station Improvements- Sewer Bonds

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$8,995,000.00 TO TRITON CONSTRUCTION, INC., OF ST. ALBANS, WV FOR PHASE III-G WASTEWATER COLLECTION AND

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TREATMENT SYSTEMS IMPROVEMENTS, WASTEWATER TREATMENT PLANT AND LIFT STATION IMPROVEMENTS, TO BE CHARGED TO SEWER BONDS PROJECT FUND

Shi International- For City-Wide Cybersecurity Endpoint Protection Tools

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH SHI INTERNATIONAL FOR CITY-WIDE CYBERSECURITY ENDPOINT PROTECTION TOOLS IN THE TOTAL AMOUNT OF \$64,590.00 AMORTIZED OVER FIVE (5) YEARS, TO BE CHARGED AS FOLLOWS: GENERAL FUND 4439-40-4151 IN THE AMOUNT OF \$51,093.58 OVER FIVE YEARS OR \$10,218.72 PER YEAR; WATER POLLUTION CONTROL IN THE AMOUNT OF \$4,820.15 OVER FIVE YEARS OR \$964.03 PER YEAR; WATER DEPARTMENT IN THE AMOUNT OF \$8,676.27 OVER FIVE YEARS OR \$8,676.27 PER YEAR TO BEGIN WITH FISCAL YEAR 2021/2022.

Chromalox- Tank Heater- Water Department

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,830.00 WITH CHROMALOX OF PITTSBURGH, PA, FOR TANK HEATER TO BE CHARGED TO WATER DEPARTMENT

Resolution- JAG Grant- Accept Terms

The following was then read:

RESOLUTION AUTHORIZING THE CITY OF WHEELING TO ACCEPT THE TERM AND CONDITIONS OUTLINED IN THE 2021 JUSTICE ASSISTANCE GRANT, APPLICATION FOR \$33,667.00 AND TO ABIDE BY ALL THE JUSTICE ASSISTANCE GRANT PROGRAM AND AGENCY REQUIREMENTS

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

The vote on the motion resulted as follows:

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

Resolution- National Recreation and Parks Association-Youth Mentoring

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO ACCEPT THE TERMS AND CONDITIONS OF THE MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL RECREATION AND PARK ASSOCIATION FOR MENTORING OPPORTUNITIES FOR YOUTH

The Resolution was read by title. Mr. Seidler, seconded by Mr. Sklavounakis, moved that the resolutions 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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Resolution- Backflow Preventor Program

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING TO AUTHORIZE AND EMPOWER THE OFFICERS AND ADMINISTRATORS OF THE CITY OF WHEELING TO EXAMINE COMMUNITY IMPACT, REVIEW INFORMATION AND POTENTIAL PROCEDURES TO PROVIDE A STORMWATER FLOODING PREVENTION PROGRAM

The Resolution was read by title. Mr. Sklavounakis, seconded by Mr. Thalman, moved that the resolutions be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate - 6
NOES: Palmer -1

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate readings of Original Propositions 17-26. Motion carried. All in favor

Resolution- Façade- Earl Brown- 1228 Market St.; Resolution- Façade- Kahlie Wilson- 2800 Wood Street; Resolution- Façade- Ten 69, LLC- 1069 Main St.; Resolution- Façade- Roxby Development- 77-81 12th St.; Resolution- Façade- Diana and Greg Myers- 2251 Market St; Resolution- Façade- Bruce Futey- 132-132 ½ Kruger St.; Resolution- Façade- Roxby McLure, LLC- 1200 Market St.; Resolution- Façade- David Fristick 388 National Rd; Resolution- Façade- Jacob Robinson Sr.- 3601 Jacob St.; Resolution- Façade- Artur Burnside- 655 Main St.; Resolution- Façade- Marty Maness- 66 15th Street ; Resolution- Façade- Grendall Group LLC- 1201 Chapline Street

The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, WEST VIRGINIA, TO AUTHORIZE, DIRECT AND EMPOWER THE OFFICERS AND ADMINISTRATORS OF THE CITY TO EXECUTE ALL NECESSARY DOCUMENTS AND PROCEDURES TO PROVIDE FOR A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR THE FOLLOWING:

- Earl Brown- 1228 Market St.- \$15,000
- Kahlie Wilson- 2800 Wood Street- \$7,489.50
- Ten 69, LLC- 1069 Main St.- \$12,700
- Roxy Development- 77-81 12th St.- \$15,000
- Diana and Greg Myers- 2251 Glenwood Rd- \$6,767.50
- Bruce Futey- 132-132 ½ Kruger St.- \$5,268
- Roxby McLure, LLC- 1200 Market St.- \$15,000
- David Fristick 388 National Rd-\$10,122.40
- Jacob Robinson Sr.- 3601 Jacob St.- \$15,000
- Artur Burnside- 655 Main St.-\$11,180
- Marty Maness- 66 15th Street- \$3,919.79
- Grendall Group LLC- 1201 Chapline Street- \$5,268.00

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

The vote on the motion resulted as follows:

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

Resolution- Creating an Entertainment Endowment Fund and an Ad-Hoc Committee

The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING CREATING AN ENTERTAINMENT
ENDOWMENT FUND AND AN AD-HOC COMMITTEE TO
ASSIST IN EXPEDITING AND ATTRACTING VARIOUS
ENTERTAINMENT ACTS TO CITY VENUES SUCH AS
WESBANCO ARENA, CAPITAL THEATER, WHEELING
WATERFRONT AMPHITHEATER, ETC.

The Resolution was read by title. Mr. Thalman, seconded by Mr. Palmer, 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

THOSE WISHING TO BE HEARD

Craig Roberts and Mario Perez speak in opposition of incident with Wheeling Police Department.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 12:37 p.m.

City Clerk

Mayor