

October 19, 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: Thalman, Seidler, Ketchum, Sklavounakis, and Palmer - 5
Absent: Elliott and Thorngate - 2

Mr. Seidler moved, seconded by Mr. Palmer, that the minutes of October 19, 2021 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mr. Thalman announced dates and times for Trick or Treat, Winter on the Plaza, and the Christmas Parade. Bishop Dunkin, chair of Human Rights Commission, presented the "Crown Act" which provides protections against discrimination based on hair. Tom Connelly gave brief explanation for proposed software for the Building and Planning Department.

CLERK'S REPORT

Clerk Delbert presents Council with a Petition for Zone Change at 150 N. 17th St from R-1C to I-2. Mr. Palmer, seconded by Mr. Seidler, moved to forward to Planning Commission. All in favor. Motion carried.

UNFINISHED BUSINESS

Savage Construction- Dog Park at Wheeling Park- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$58,794 WITH SAVAGE CONSTRUCTION, OF WHEELING, WV, FOR DOG PARK AT WHEELING PARK TO BE CHARGED TO PROJECT FUND

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: -0

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

Digital Ally- Body Cameras and Equipment- Police Grant

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$18,268.00 WITH DIGITAL-ALLY OF LENEXA, KS, FOR BODY CAMERAS AND ACCESSORY EQUIPMENT TO BE CHARGED TO JAG GRANT DJ-BX- 0624 AND POLICE DEPARTMENT

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: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
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.

Amending and Reenacting Article 1721- International Building Code

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 1721 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED INTERNATIONAL BUILDING CODE

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: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: -0

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

Glessner Wharton & Andrews Insurance LLC- FY21-22- Insurance Payment- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$51,779.43 WITH GLESSNER WHARTON & ANDREWS INSURANCE LLC OF WHEELING, WV, FOR COMMERCIAL PROPERTY POLICY EFFECTIVE 9/16/21 TO 9/16/22 TO BE CHARGED TO THE OVMC TIFF PORTION OF PROJECT FUND

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: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: -0

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

Stephens Auto Center- 5 2022 Police Interceptor Utility AWD- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$187,575.00 WITH STEPHENS AUTO OF DANVILLE, WV, FOR FIVE FORD POLICE INTERCEPTOR UTILITY AWD VEHICLES TO BE CHARGED TO PROJECT FUND

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: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
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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BBR Drilling- Floral Drive Piling and Lagging Wall – City Service Fee

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$126,475 WITH BBR DRILLING COMPANY, OF BELMONT, OH, FOR FLORAL DRIVE PILING WALL TO BE CHARGED TO CITY SERVICE FEE

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: -0

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

JT Sauer and Associates- Design and Construction Services/ Edgington Lane Park-Land and Water Conservation Grant

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$24,800 WITH JT SAUER AND ASSOCIATES, OF BURGETTSTOWN, PA, FOR DESIGN AND CONSTRUCTION DOCUMENT SERVICES FOR EDGINGTON LANE PARK TO BE CHARGED TO LAND AND WATER CONSERVATION GRANT

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: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: -0

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

Mr. Sklavounakis moved, seconded by Mr. Seidler, that Hall of Fame Minutes 8/10/21, Greater Wheeling Sports and Entertainment Authority Minutes 8/18/21 which were held over, be accepted as received. All in favor. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Councilors provided update on information in their wards regarding clean ups and crime watch meetings.

REPORT OF COMMITTEES

Mr. Palmer, seconded by Mr. Thorngate, moved to accept the Finance Committee Report 9/21/21 as received. For the record they are as follows:

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**FINANCE COMMITTEE REPORT
September 21, 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

The following matters were discussed:
August 2021 Financial Statement:

Mr. Herron reviewed the financial statement for the August 2021. Cash balance is 2.8 million, there were a lot of encumbered funds carried over from last fiscal year. Expenditures are at 16% for the year, but there were 3 pay period the first month, this is anticipated to level off next month. B&O revenues are up \$470,000 from last year. 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. Thorngate moved, seconded by Mr. Thalman to adjourn. Motion carried. Time: 5:18 p.m.

REPORT OF CITY MANAGER

Mr. Herron reported the Municipal Building Commission met and Public Hearing and vote on Bond Ordinance will take place on November 2, 2021. Earmarks have passed in the Senate and will go to the House for appropriations. Mr. Herron updated on WPCD centrifuge and the private contractor who is aiding in sludge removal.

REPORT OF OTHER OFFICERS

Ms. Ketchum, seconded by Mr. Seidler, moved to hold over: Human Rights Commission Minutes 8/17/21, September 2021 Financial Statement until next meeting. Motion carried. All in favor.

ORIGINAL PROPOSITIONS

Savage Construction- Nailer's Way Extension- Project Fund

The following was the read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$400,585.00 WITH SAVAGE CONSTRUCTION, OF WHEELING, WV FOR NAILER'S WAY EXTENSION PROJECT, TO BE CHARGED TO PROJECT FUND

Bond Consideration Centre Wheeling Parking Garage Project

The following was the read:

AN ORDINANCE AUTHORIZING AND APPROVING THE DEMOLITION, DESIGN, ACQUISITION, CONSTRUCTION, IMPROVEMENT, FURNISHING AND EQUIPPING OF REAL PROPERTY TO BE ACQUIRED FROM OHIO VALLEY ADC, INC. BY THE CITY OF WHEELING MUNICIPAL BUILDING COMMISSION (THE "BUILDING COMMISSION") LOCATED AT 2200 CHAPLINE STREET, WHEELING, WEST VIRGINIA, FOR USE AS A PARKING GARAGE (THE "CENTER WHEELING PARKING GARAGE PROJECT") BY THE CITY AND THE ISSUANCE BY THE BUILDING COMMISSION OF ITS LEASE REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,000,000 (THE "BONDS"), TO FINANCE THE COSTS THEREOF, THE PAYMENT OF CAPITALIZED INTEREST ON THE BONDS, THE FUNDING OF A DEBT SERVICE RESERVE

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FUND FOR THE BONDS, IF REQUIRED, AND THE PAYMENT OF COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS; AUTHORIZING THE LEASING OF THE PROPERTY OF THE PARKING GARAGE TOGETHER WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH BY THE CITY FROM THE BUILDING COMMISSION PURSUANT TO A LEASE AGREEMENT TO BE EXECUTED AND DELIVERED BY THE MAYOR OF THE CITY; AUTHORIZING THE EXECUTION AND DELIVERED OF A CREDIT LINE DEED OF TRUST, SECURITY AGREEMENT AND FIXTURE FILING BY THE CITY AND THE BUILDING COMMISSION IN FAVOR OF THE PURCHASER OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR OF THE CITY OF A BOND PURCHASE AGREEMENT AMONG THE CITY, THE BUILDING COMMISSION AND THE PURCHASER OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

Bond Consideration Market Street Parking Garage Project

The following was then read:

AN ORDINANCE AUTHORIZING AND APPROVING THE DEMOLITION, DESIGN, ACQUISITION, CONSTRUCTION, IMPROVEMENT, FURNISHING AND EQUIPPING OF REAL PROPERTY TO BE ACQUIRED FROM OHIO VALLEY ADC, INC. BY THE CITY OF WHEELING MUNICIPAL BUILDING COMMISSION (THE "BUILDING COMMISSION") LOCATED AT 1104 AND 1114 MARKET STREET, WHEELING, WEST VIRGINIA, FOR USE AS A PARKING GARAGE (THE "MARKET STREET PARKING GARAGE PROJECT") BY THE CITY AND THE ISSUANCE BY THE BUILDING COMMISSION OF ITS LEASE REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$19,500,000 (THE "BONDS"), TO FINANCE THE COSTS THEREOF, THE PAYMENT OF CAPITALIZED INTEREST ON THE BONDS, THE FUNDING OF A DEBT SERVICE RESERVE FUND FOR THE BONDS, IF REQUIRED, AND THE PAYMENT OF COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS; AUTHORIZING THE LEASING OF THE PROPERTY OF THE PROPOSED PARKING GARAGE TOGETHER WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH BY THE CITY FROM THE BUILDING COMMISSION PURSUANT TO A LEASE AGREEMENT TO BE EXECUTED AND DELIVERED BY THE MAYOR OF THE CITY; AUTHORIZING THE EXECUTION AND DELIVERED OF A CREDIT LINE DEED OF TRUST, SECURITY AGREEMENT AND FIXTURE FILING BY THE CITY AND THE BUILDING COMMISSION IN FAVOR OF THE PURCHASER OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR OF THE CITY OF A BOND PURCHASE AGREEMENT AMONG THE CITY, THE BUILDING COMMISSION AND THE PURCHASER OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

Robinson Chevrolet- 2022 Silverado- RCIP

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$30,950 WITH BOB

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ROBINSON, OF TRIADELPHIA, WV FOR 2022 CHEVROLET SILVERADO TO BE CHARGED TO RCIP

Agreement-ProChamps and GovPiolt- Building and Planning

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS BETWEEN THE CITY OF WHEELING AND PROPERTY REGISTRATION CHAMPIONS, LLC DBA "PROCHAMPS"; AND PROPERTY PILOT, LLC DBA "GOVPILOT" FOR PROFESSIONAL SERVICES TO ASSIST THE BUILDING AND PLANNING DEPARTMENT.

Resolution- Approving General Fund- Budget Revision

The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE GENERAL FUND BUDGET REVISIONS

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

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: -0

THOSE WISHING TO BE HEARD

Julia Chaplin, spoke in displeasure with City Council, and over spending.

There being no further business, Mr. Sklavounakis moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time 6:05 p.m.

City Clerk

Mayor