

**December 3, 2019**

Council of the City of Wheeling met in Council Chambers, City-County Building, on the above date, with Vice Mayor Thalman presiding.

On roll call, the following were present:

Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer -6  
Absent: Elliott -1

Mr. Thorngate moved, seconded by Mr. Palmer, that the minutes of the November 19, 2019 meeting be approved as received. Motion carried.

**MAYOR’S REPORT**

Vice Mayor Thalman presented a proclamation to Easterseals and Russell Nesbitt Executive Director, proclaiming Tuesday, December 3, 2019, as the Day of Persons with Disabilities.

Vice Mayor Thalman invites Police and Fire Chief to speak in regards to Public Safety Building. Betsy Sweeney, Wheeling Heritage, is also invited to speak in regards to her involvement with the 1400 block.

**CLERK’S REPORT**

City Clerk Delbert presented to Council a Notice of Application to Operate a Private Club-Victoria Theater, 1228 Market St.; the application was forwarded to the WVABCA without comment.

**UNFINISHED BUSINESS**

MCKINLEY ARCHITECTURE- SURVEYS, ANALYSIS, AND REPORTS- PARKING GARAGES

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH MCKINLEY ARCHITECTURE ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR CONDITION SURVEYS, ANALYSIS AND REPORTS FOR THE 10TH STREET AND CENTRE WHEELING MUNICIPAL PARKING GARAGES AND FURTHER AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$38,200 TO BE CHARGED TO THE MUNICIPAL PARKING FUND

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: Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer - 6  
NO: -0

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

KENNEDY HARDWARE- CUB CADET ZERO TURN MOVER- RCIP OIL AND GAS I-470

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$22,398 WITH KENNEDY HARDWARE, OF WHEELING, WV, FOR THE PURCHASE OF TWO CUB CADET PRO ZERO TURN MOWERS, TO BE CHARGED TO RCIP OIL AND GAS I-470

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

The vote on the motion resulted as follows:

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AYES: Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer - 6  
NO: -0

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

### HILL INTERNATIONAL- FLATBED TRUCK- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$104,539.04 WITH HILL INTERNATIONAL TRUCKS LLC, OF WHEELING, WV, FOR THE PURCHASE OF 2019 REGULAR CAB WITH AIR RIDE AND STEEL FLATBED, TO BE CHARGED TO WATER DISTRIBUTION

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer - 7  
NO:

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

Ms. Scatterday, seconded by Ms. Koslik, that the Arts and Cultural Commission Minutes 9/10/19, Traffic Commission Minutes 10/10/19, Financial Statements 10/2019, which were held over, be accepted as received. Motion carried.

### **REPORT OF COMMITTEES**

Mr. Thalman, seconded by Mr. Palmer to accept the Finance Committee Minutes 11-19-19, Public Works Committee Minutes 11-21-19 as received. For the record they are as follows:

#### FINANCE COMMITTEE REPORT

November 19, 2019

The Finance Committee of Wheeling City Council met on the above date at 5:15 p.m., in City Council Chambers. Committee Members present: Chair Chad Thalman, and Vice-Chair Dave Palmer, and Member Wendy Scatterday. Others present: Mayor Glenn Elliott, Councilor Imer, Councilor Koslik, Councilor Ty Thorngate, City Manager Robert Herron, City Solicitor Rose Humway-Warmuth, City Clerk Brenda J. Delbert, Finance Director Seth McIntyre and media

The following matters were discussed:

#### **Financial Statement October 2019**

Mr. Herron presented the October 2019 financial statement. October marks 33% of the fiscal year completed. Revenues are at 39% and Expenditures are 33%. Budget Stabilization is the same as LY. Mr. Palmer, seconded by Ms. Scatterday, moved to accept the October Financial Statement as presented and forward it to Council. All in favor. Motion carried.

There being no further business to come before the Committee, Ms. Scatterday moved, seconded by Mr. Palmer to adjourn. Motion carried. Time: 5:17 p.m.

#### PUBLIC WORKS COMMITTEE

November 21, 2019

The Public Works Committee of Wheeling City Council met on the above date at 5:15 p.m. in 3<sup>RD</sup> floor conference room. Committee members present: Chair Koslik, Vice Chair Scatterday, and

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Member Palmer. Others present: Mayor Elliott, Councilor Thalman, City Manager Robert Herron, Assistant City Manager Bill Lanham, Public Works Director Rusty Jebbia, City Clerk Brenda J. Delbert.

The following matters were discussed:

**Discussion on Strategic Assessment of Infrastructure Priorities**

Mr. Jebbia presents a list of infrastructure projects that he has prioritized in first, second, third order; list attached. All projects reviewed are subject to funding by the City Service Fee. Mr. Jebbia gives his professional opinion on what projects should be completed first. Mr. Jebbia believes Floral Drive Slip and Road Repair is top priority (item no. 9); followed by non-utility relocation slips located on Glenwood Road (items no. 14 and 16); then Shilling Bridge Repair (item no. 3); then Baker St Bridge (item no. 2). Mr. Palmer, seconded by Ms. Scatterday to forward recommendations to Council.

There being no further business to come before the Committee, Mr. Palmer, seconded by Ms. Scatterday, moved to adjourn. Time: 6:05 p.m.

**REPORT OF CITY MANAGER**

Mr. Herron expresses this paving contract has been concluded for this year due to weather. Nine out of 33 still need completed, and it projected to be done by spring. Mr. Herron explains Unfinished Business item no. 1 will focus on the Centre Wheeling and 10<sup>th</sup> St Parking Garage.

**REPORT OF OTHER OFFICERS**

Mr. Imer, seconded by Ms. Koslik to hold over, Planning Commission Report to Council- 3700 and 3724 Jacob St, Wheeling Housing Authority Minutes 8/14/19, 9/11/19, 10/9/19, Human Rights Commission Minutes 9/17/19, Traffic Commission Minutes 11/14/19 until the following meeting.

**ORIGINAL PROPOSITIONS**

AMENDING AND REENACTING -TRAFFIC CODE 361.06

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART THREE: TRAFFIC CODE ARTICLE 361 – ACCESSIBLE PARKING TO CREATE SUBSECTION 361.06 (J) CONCERNING THE DESIGNATION OF CITY STAFF AND THE CITY MANAGER AS ADMINISTRATORS OF SUCH ACCESSIBLE PARKING

OPTION TO PURCHASE PROPERTIES LOCATED AT THE INTERSECTION OF 19<sup>TH</sup> AND JACOB

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE AN OPTION AGREEMENT FOR THE PURCHASE OF REAL PROPERTY, BEING SEVERAL PARCELS, LOCATED AT THE INTERSECTION OF 19TH AND JACOB STREET 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

TRANSFERRING 1400 BLOCK TO OVADC- RYAN AND NIKKI STOKER

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY AND IMPROVEMENTS

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LOCATED AT 1425, 1429, 1433 AND 1437 MARKET STREET IN WHEELING, WV AND FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING AND DELIVER SUCH DEEDS AND ANY AND ALL OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE TO THE ADC/ REGIONAL ECONOMIC DEVELOPMENT AUTHORITY AND THE INTENTIONS OF THE GOVERNING BODY CONCERNING SUCH

METRON-FARNIER- ANTENNA RADIO READ REGISTERS- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$19,180.10 WITH METRON-FARNIER LLC, OF BOULDER, CO, FOR RADIO READ REGISTERS, TO BE CHARGED TO WATER DISTRIBUTION 4013.06.0620.01

STEPHENS AUTO CENTER- F250 PICK-UP TRUCK- FIRE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$30,412 WITH STEPHENS AUTO CENTER, OF DANVILLE, WV, FOR THE PURCHASE OF F250 4WD PICK UP TRUCK, TO BE CHARGED TO GENERAL FUND

TRAFFIC RULE 4736- HANDICAPPED PARKING- ELMWOOD PLACE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4736- HANDICAPPED PARKING ELMWOOD PLACE

TRAFFIC RULE 4737- HANDICAPPED PARKING JACOB ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4737- HANDICAPPED PARKING JACOB ST

TRAFFIC RULE 4738- HANDICAPPED PARKING PEARL AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4738- HANDICAPPED PARKING PEARL AVE

TRAFFIC RULE 4739- HANDICAPPED PARKING WETZEL STREET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4739- HANDICAPPED PARKING WETZEL ST

TRAFFIC RULE 4740- NO PARKING ZONE WELLS ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4740- NO PARKING ZONE WELLS STREET

TRAFFIC RULE 4741- 2 HR. PARKING METER ZONE- CHAPLINE

The following was then read:

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4741-2-HR PARKING METER ZONE CHAPLINE ST

TRAFFIC RULE 4742- 2 HR. PARKING METER ZONE- MARKET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4742 – 2HR PARKING METER ZONE MARKET ST

TRAFFIC RULE 4743- NO PARKING ZONE MAIN ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4743- NO PARKING ZONE MAIN ST

RESOLUTION- FAÇADE GRANT- PAUL AND KELLY BECK

The following was then read:

A 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 PAUL AND KELLY BECK, 2240 MAIN ST, IN AN AMOUNT NOT TO EXCEED \$11,804.60

Ms. Koslik moved, seconded by Mr. Imer, that the Resolution be adopted. The vote on the motion is as follows:

AYES: Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer -6  
NO: -0

RESOLUTION- ACCEPTING PUBLIC WORKS COMMITTEE SUGGESTIONS

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING THE RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE OF COUNCIL FOR VARIOUS PROJECTS TO OCCUR IN CALENDAR YEAR 2020

Ms. Koslik moved, seconded by Mr. Palmer, that the Resolution be adopted. The vote on the motion is as follows:

AYES: Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer -6  
NO: -0

RESOLUTION- FOOD FOR FINES- OVERTIME PARKING TICKETS

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING PROPOSING A CANNED FOOD DONATION PROCESS, IN LIEU OF OVERTIME PARKING FINES, TO BE DISTRIBUTED TO MUNICIPAL FOOD PANTRIES - "FOOD FOR FINES."

Ms. Thorngate moved, seconded by Mr. Imer, that the Resolution be adopted. The vote on the motion is as follows:

AYES: Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer -6  
NO: -0

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**THOSE WISHING TO BE HEARD**

Jerry Jacobs spoke in opposition on the purchase of 19<sup>th</sup> Street.

Helen Potter spoke in opposition on the purchase of 19<sup>th</sup> Street.

Josh Riffle, 66 Economy St., spoke on various topics and appeared very agitated with Council. After Mr. Riffle approached the dais where Council was seated. Therefore, Chief of Police, for safety concerns, removed him from Council Chambers.

There being no further business, Ms. Scatterday moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time 12:38 p.m.

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City Clerk

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Mayor

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