

December 17, 2019

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

On roll call, the following were present:

Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, and Palmer

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Absent:

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the December 17, 2019 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott explains that public interruptions and outburst out of order will not be allowed; the meeting will follow Roberts Rules of Order as always.

CLERK'S REPORT

City Clerk Delbert presented to Council a Notice of Application to Operate a Private Club-Bogeys South Wheeling Hot spot- 62 28th St, applicant Larry Lewis; the application was forwarded to the WVABCA without comment.

UNFINISHED BUSINESS

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

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

In response to a question Mr. Herron explains this is making a streamlined process for accessible parking.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Koslik, Scatterday, Thorngate, Palmer

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NO:

OPTION TO PURCHASE PROPERTIES LOCATED AT THE INTERSECTION OF 19TH 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

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

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Mr. Thalman moves, seconded by Ms. Scatterday to suspend the regular order of business to allow for public comment before the vote. All in favor. Motion carried.

Jerry Jacob, 114 Elm Crest Drive, addresses Council unfavorable to the option agreement.
David Wittneberrrt, 4717 Jacob St., addresses Council unfavorable to the option agreement.
Dan Armstrong, 21 Greentree Rd., addresses Council unfavorable to the option agreement.

Mr. Thalman moves, seconded by Ms. Scatterday to resume the regular order of business. All in favor. Motion carried.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Thorngate, Palmer - 5
NO: Koslik, Scatterday -2

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 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

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

Mr. Thalman moves, seconded by Ms. Scatterday to suspend the regular order of business to allow for public comment before the vote. All in favor. Motion carried.

Betsey Sweeney, Wheeling Heritage, speaks in favor professionally and personally in regards to transfer.

Jeanne Finstein, 105 Carmel Rd, speaks in favor in regards to transfer of property

Peggy Niebergall, 1 Park Rd, speaks in favor in regards to transfer of property.

Mr. Thalman moves, seconded by Ms. Scatterday to resume the regular order of business. All in favor. Motion carried

The vote on the motion resulted as follows:

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

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

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:

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

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

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, Imer, Koslik, Scatterday, Thorngate, Palmer - 7
NO:

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

The ordinance was read a second time by title. Ms. Scatterday, 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:

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

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

The vote on the motion resulted as follows:

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

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

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

The vote on the motion resulted as follows:

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

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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

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

The vote on the motion resulted as follows:

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

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

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

The vote on the motion resulted as follows:

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

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

The following was then read:

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

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:

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

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:

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

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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:

Mr. Palmer, seconded by Ms. Thorngate, that the 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, which were held over, be accepted as received. Motion carried.

REPORT OF CITY MANAGER

Mr. Herron presents a proposed schedule for budget work sessions and applicable deadlines for the 2020-2021 general fund and coal severance budget.

REPORT OF OTHER OFFICERS

Mr. Imer, seconded by Ms. Koslik to hold over, Arts and Cultural Commission Minutes 10/8/19, Planning Commission Minutes 10/22/19, Greater Wheeling Sports and Entertainment Authority Minutes 10/25/19, Greater Wheeling Sports and Entertainment Authority Financial Statement 10/31/19, Hall of Fame Minutes 10/8/19, Financial Statement 11/2019 until the following meeting.

ORIGINAL PROPOSITIONS

PLAY AND PARK STRUCTURES- N. 3RD ST PLAYGROUND- RCIP OIL AND GAS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$39,997.55 WITH PARK AND PLAY STRUCTURES, OF CHATTANOOGA, TN, FOR THE PURCHASE OF PLAYGROUND N. 3RD STREET, TO BE CHARGED TO RCIP OIL AND GAS

ZONE CHANGE- 3700 TO 3724 JACOB ST.- FROM I-2 GENERAL INDUSTRY TO R-4 RESIDENTIAL

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF LOTS 1, 2, 3, 4 & N ½ OF 5 IN SQUARE 24 ON THE PLAT OF SPRIGG AND RITCHIE’S ADDITION TO THE TOWN OF SOUTH WHEELING, NOW A PART OF THE CITY OF WHEELING CONSISTING OF THE ADDRESS RANGE BETWEEN 3700 AND 3724 JACOB STREET FROM I2 GENERAL INDUSTRY TO R-4 RESIDENTIAL

THOSE WISHING TO BE HEARD

Josh Riffle, 66 Economy St., spoke disapproving of city operations.

There being no further business, Mr. Thalman moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time 6:43 p.m.