

July 20, 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: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, and Palmer - 6
Absent: Seidler -1

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of July 6, 2021 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott recognized Boy Scout Troop 6 in attendance, and reminded about the State of the City Address on Tuesday July 27, 2021.

Mayor Elliott reappointed Kevin Duffin, Ned George, David Croft to GWSEA. Mr. Thalman, seconded by Mr. Thorngate, moved to accept the re appointments. All in favor. Motion carried.

Mayor Elliott reappointed Jason Smith and Ron Sinclair to BZA. Mr. Thalman, seconded by Mr. Thorngate, moved to accept the re appointments. All in favor. Motion carried.

CLERK'S REPORT

The following were forwarded to the WVABCA without comment. Notice of Application to Operate a Private Club- Silver Rail- 222 29th St and Notice of Application to Operate a Private Club- Teeker D's Inc.- 4421 Jacob St.

UNFINISHED BUSINESS

Authorizing the transfer to and subsequent leasing from the Wheeling Municipal Building Commission of certain real property and improvements located thereon at 2000 Eoff Street to be used a Police Headquarters and the approval of the financing of the costs of design, acquisition, construction and equipping of certain additions, betterments and improvements thereto through the issuance of lease revenue bonds by the Wheeling Municipal Building Commission in an amount not to exceed \$8,000,000

The following was then read:

AN ORDINANCE AUTHORIZING AND APPROVING THE DESIGN, ACQUISITION, CONSTRUCTION, IMPROVEMENT, FURNISHING AND EQUIPPING OF PROPERTY TO BE CONVEYED BY THE CITY OF WHEELING (THE "CITY") TO THE CITY OF WHEELING MUNICIPAL BUILDING COMMISSION (THE "BUILDING COMMISSION") LOCATED AT 2000 EOFF STREET, WHEELING, WEST VIRGINIA, FOR USE AS A POLICE HEADQUARTERS (THE "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 \$8,000,000 (THE "BONDS"), TO FINANCE THE COSTS THEREOF, 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 AND APPROVING THE CONVEYANCE OF ALL REAL AND PERSONAL PROPERTY CONSTITUTING THE PROPERTY OF THE PROPOSED POLICE HEADQUARTERS WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH BY THE CITY TO THE BUILDING COMMISSION; AUTHORIZING THE LEASING OF THE PROPERTY OF THE

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PROPOSED POLICE HEADQUARTERS 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 PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR OF THE CITY OF A CONTINUING DISCLOSURE AGREEMENT, AN OFFICIAL STATEMENT, AND A BOND PURCHASE AGREEMENT AMONG THE CITY, THE BUILDING COMMISSION AND THE UNDERWRITER FOR THE BONDS; APPROVING THE ADOPTION BY THE CITY OF CONTINUING DISCLOSURE POLICIES AND PROCEDURES WITH RESPECT TO THE CONTINUING DISCLOSURE AGREEMENT TO BE EXECUTED BY THE CITY IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING

Mr. Palmer, seconded by Mr. Thalman, 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.

Amending and Reenacting Article 175 Entitles Centre Market Commission

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 175 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED CENTRE MARKET COMMISSION

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.

Cast and Baker- 2021 Paving Contract- General Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,079,722.05 WITH CAST AND BAKER OF CANONSBURG PA, OH FOR STREET RESURFACING 2021, TO BE CHARGED TO GENERAL FUND

Mr. Thorngate, seconded by Mr. Thalman, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

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

USI Insurance- Annual Insurance Policy

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$930,593 WITH USI INSURANCE SERVICES LLC, OF WHEELING, WV FOR 2020-2021 INSURANCE PREMIUMS, TO BE CHARGED AS FOLLOWS: \$701,393.48 GENERAL FUND, \$97,646.88 WATER AND \$107,331.64 WATER POLLUTION CONTROL DIVISION

Mr. Sklavounakis, seconded by Mr. 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.

Mills Group – Design Development, Construction Documents Et al – Sales Tax RCIP & Project

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN AN AMOUNT OF \$785,200 WITH MILLS GROUP FOR DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, BIDDING NEGATIONS, AND CONSTRUCTION ADMINISTRATION TO BE CHARGED TO SALES TAX RCIP AND PROJECT FUND AND REIMBURSED FROM BOND PROCEEDS

Mr. Palmer, seconded by Mr. Thalman, 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.

Agreement Ohio County Board of Education and Garden Park

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE OHIO COUNTY BOARD OF EDUCATION REGARDING USE OF A PORTION OF THE GARDEN PARK RECREATION COMPLEX – 2021-2022 SCHOOL YEAR

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.

Pro Tech Systems- Upgrade Water Treatment Plant SCADA- Water

The following was then read:

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AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$60,025.00 WITH PRO TECH SYSTEMS GROUP, OF AKRON, OH, FOR THE PURCHASE OF UPGRADES TO WATER TREATMENT PLANT SCADA, TO BE CHARGED TO WATER

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.

Ms. Ketchum, seconded by Mr. Sklavounakis that the, BZA Minutes 5/20/21, Planning Commission Minutes 4/12/21, Municipal Building Commission Minutes 6/15/21, Historic Landmarks Commission Report to Council 7/1/21, Historic Landmarks Commission Minutes 6/3/21 which were held over, be accepted as received. Motion carried. All in favor.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Palmer invited Police and Fire Chiefs to share statistics about new Fireworks Ordinance success rate over 4th of July weekend. There was a 49% reduction in in firework related calls and 53% reduction in officer calls.

REPORT OF COMMITTEES

None

REPORT OF CITY MANAGER

Mr. Herron reappointed Vic Greco to the Historic Landmarks Commission. Mr. Thalman, seconded by Mr. Thorngate to approve. All in favor. Motion carried.

Mr. Herron stated Municipal Building Commission had the third read of Police Headquarters Bond Ordinance and was passed. A supplemental resolution will be in August. The bid opening will be July 28th at 2:00 pm.

REPORT OF OTHER OFFICERS

Mr. Thorngate, seconded by Ms. Ketchum, moved to hold over: Hall of Fame Minutes 6/8/21, Municipal Building Commission Minutes 7/6/21, and Financial Statement June 2021 until next meeting. Motion carried. All in favor.

ORIGINAL PROPOSITIONS

Advantage Plus Centrifuge- Centrifuge #2 Repairs – WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$32,331.16 WITH ADVANTAGE PLUS CENTRIFUGE, OF NITRO, WV FOR REPAIRS TO CENTRIFUGE NUMBER 2 TO BE CHARGED TO WATER POLLUTION CONTROL 401.1128.06.00

Historic District Designation North Wheeling

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING DESIGNATING AN HISTORIC DISTRICT

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BOUNDED BY 6TH STREET TO THE NORTH, INTERSTATE 70 TO THE SOUTH, MARKET STREET TO THE EAST, AND THE WESTERN PROPERTY LINE OF THE PROPERTIES ON THE WEST SIDE OF MAIN STREET BETWEEN #619 AND #827 TO THE WEST, WHEELING WV, HEREAFTER TO BE SO DESIGNATED AS THE NORTH WHEELING HISTORIC DISTRICT, WHICH DISTRICT SHALL REQUIRE THE ADHERENCE TO THE PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS AS NOTED IN SECTION 173.09 FOR SUCH THINGS RELATIVE TO EXTERIOR FAÇADE AND ARCHITECTURAL FEATURE MODIFICATIONS AS SET FORTH IN THE DESIGN REVIEW GUIDELINES FOR THE DISTRICT

Bob Robinson- Chevrolet Malibu LS Sedans Police- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$52,785 WITH BOB ROBINSON, OF TRIADELPHIA, WV FOR THREE 2022 CHEVROLET MALIBU LS SEDANS TO BE CHARGED TO PROJECT FUND

USI- Excess Liability -Workers Compensation

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$124,382.36 WITH USI INSURANCE SERVICES, LLC, OF VIRGINIA BEACH, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY TO BE CHARGED TO WORKERS' COMPENSATION FUND

James White Construction- Phase III-B- Warwood Main- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$812,150.00 TO JAMES WHITE CONSTRUCTION, OF WEIRTON, WV FOR PHASE IIIB WASTEWATER COLLECTION AND TREATMENT SYSTEMS IMPROVEMENTS, WARWOOD FORCE MAIN REPLACEMENT IMPROVEMENTS, TO BE CHARGED TO WATER POLLUTION CONTROL

Traffic Rule- 1 Hour Parking Zone- 2192 National Rd

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE 4768

Traffic Rule- Permit Parking Meter Zone- Intersection Chapline and West Chapline

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4769

Glessner Wharton Andrews- Cyber Insurance- GF, Water, WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$37,216.74 WITH GLESSNER WHARTON & ANDREWS INSURANCE LLC OF

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WHEELING, WV, FOR CYBER INSURANCE TO BE CHARGED AS FOLLOWS \$29,401.22 TO GENERAL FUND, \$5,024.26 TO WATER AND \$2,791.26 TO WPCD

Resolution- Development/Redevelopment- Teeker D's- 4421 Jacob St

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 4421 JACOB ST. AS A DEVELOPMENT OR A REDEVELOPMENT SITE.

The Resolution was read by title. Ms. Ketchum, seconded by Mr. Thorngate, 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.

Resolution- Culture and History Development Grant- State of WV

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO CARRY OUT THE TERMS OF THE WEST VIRGINIA DEPARTMENT OF CULTURE AND HISTORY STATE DEPARTMENT AGREEMENT AND FURTHER AUTHORIZING THE CITY MANAGER TO COORDINATE THE EXECUTION OF ANY AND ALL ASSOCIATED DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE GRANT AGREEMENT AS THE GOVERNING BODY HAS INTENDED

The Resolution was read by title. Ms. Ketchum, seconded by Mr. Palmer, 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.

Resolution- Approving Coal Severance Budget Revision

The following was then read:

RESOLUTION APPROVING THE REVISION OF THE GENERAL FUND BUDGET

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

Resolution- Approving General Fund Budget Revision

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The following was then read:

**RESOLUTION APPROVING THE REVISION OF THE COAL
SEVERANCE BUDGET**

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

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 5:58 p.m.

City Clerk

Mayor