

June 15, 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, Seidler, Ketchum, Thorngate, and Palmer - 6
Absent: Sklavounakis -1

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of June 1, 2021 meeting be approved as received. Motion carried.

Mr. Palmer moved, seconded by Mr. Thorngate to suspend the regular order of business and conduct a public hearing: Amending and Reenacting Article 1535- Fireworks. Police and Fire Chief both spoke in support of the changes and the importance of firework safety. Mr. Palmer moved, seconded by Mr. Thorngate to resume regular order of business. Motion carried. All in favor.

MAYOR'S REPORT

Mayor Elliott announced July 27, 2021 he will hold annual State of the City Address at Wheeling-Island-Casing-Racetrack. The third annual Juneteenth event will talk place on Market Plaza on June 19, 2021 at 5:00pm with celebration continuing at the Waterfront. Mayor Elliott introduce State Auditor J.B. McCuskey and Skylar Wotring presented a transparency website developed by the State to be used in the municipality. The website is intended to assist in decision making and provide transparency for citizens and staff. Mayor Elliott recognized the Neighborhood Assistance Volunteers, and present plaques to the individuals who have 10 years of service.

CLERK'S REPORT

Notice of Application to Operate a Private Club- Bob Evans located at 775 National Rd. The Clerk forwarded to WVABCA without comment.

UNFINISHED BUSINESS

Edgco- Demolition Contract No. 1- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$192,642.00 WITH EDGCO, INC., OF LANSING, OH FOR ABATEMENT AND DEMOLITION, TO BE CHARGED TO PROJECT FUND

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer - 6
NOES: -0

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

Edgco- Demolition Contract No. 2- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$87,986.00 WITH EDGCO, INC., OF LANSING, OH FOR ABATEMENT AND DEMOLITION, TO BE CHARGED TO PROJECT FUND

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

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The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, 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 1535- Fireworks

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 1535 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED FIREWORKS

The ordinance was read a second time by title

Mr. Seidler asked if the Ordinance could be sent to Committee for further review. After discussion regarding procedures City Solicitor confirmed it does not need to originate in Committee. Mr. Seidler objects to the wording pertaining to possession. Mayor Elliott asked if a sunset provision be added, so the Ordinance could take affect before July 4th holiday but can also be reviewed at a later date.

Mr. Palmer, seconded by Mr. Thalman, moved to approve the amendments, with the October 2021 as sunset provision.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Thorngate, Palmer - 5
NOES: Seidler -1

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Thorngate, Palmer - 5
NOES: Seidler -1

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the Ordinance with sunset provision adopted.

Environmental Protection Brownfields Revolving Fund Loan Agreement

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO CARRY OUT THE TERMS OF THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BROWNFIELDS REVOLVING FUND LOAN AGREEMENT AND FURTHER AUTHORIZING THE CITY MANAGER TO COORDINATE THE EXECUTION OF ANY AND ALL AGREEMENTS AND OTHER ASSOCIATED DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE AGREEMENT AS THE GOVERNING BODY HAS INTENDED

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, 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.

M&G Architects- Design Services- Fire HQ

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$494,910.00 WITH M&G ARCHITECTS & ENGINEERS OF WHEELING, WV, FOR DESIGN SERVICES AND BUILDING CONSTRUCTION FOR FIRE STATION HEADQUARTERS TO BE CHARGED TO CITY SERVICE FEE

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer - 6
NOES: -0

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

Payment in Full of the Series 2018 Notes and the Series 2020 Notes and the Issuance of Waterworks and Sewerage System Revenue Bonds, Series 2021 A

The following was then read:

AN ORDINANCE AUTHORIZING THE PAYMENT IN FULL OF THE SERIES 2018 NOTES AND THE SERIES 2020 NOTES AND THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WATERWORKS PORTION AND THE SEWERAGE PORTION OF THE EXISTING COMBINED WATERWORKS AND SEWERAGE SYSTEM OF THE CITY OF WHEELING AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$50,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2021 A (TAX-EXEMPT); PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, TAX CERTIFICATE, TAX COMPLIANCE POLICY, CONTINUING DISCLOSURE POLICY AND OTHER DOCUMENTS RELATING TO THE BONDS; AND ENACTING OTHER PROVISIONS WITH RESPECT TO SUCH BONDS.

No Action taken. Third and final read will be July 6, 2021.

Refunding of the Issuer's Outstanding Combined Waterworks and Sewerage System Revenue Bonds Series 2013 and the Issuance of Combined Waterworks and Sewerage System Refunding Revenue Bonds Series 2021 B

The following was then read:

AN ORDINANCE AUTHORIZING THE REFUNDING OF THE ISSUER'S OUTSTANDING COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2013 AND

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THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, FUNDING A DEBT SERVICE RESERVE FUND AND PAYING COSTS OF ISSUANCE AND RELATED COSTS, THROUGH THE ISSUANCE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2021 B (TAXABLE) OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$35,000,000 PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX CERTIFICATE, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AN ESCROW AGREEMENT AND OTHER DOCUMENTS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ADOPTING OTHER PROVISIONS RELATING THERETO

No Action taken. Third and final read will be July 6, 2021.

Refunding of the Issuer's Outstanding Combined Waterworks and Sewerage System Refunding Revenue Bonds Series 2015 A and the Issuance of Combined Waterworks and Sewerage System Refunding Revenue Bonds Series 2021 C

The following was then read:

AN ORDINANCE AUTHORIZING THE REFUNDING OF THE ISSUER'S OUTSTANDING COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2015 A AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, FUNDING A DEBT SERVICE RESERVE FUND AND PAYING COSTS OF ISSUANCE AND RELATED COSTS, THROUGH THE ISSUANCE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING REVENUE BONDS, SERIES 2021 C (TAXABLE) OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$10,000,000 PROVIDING FOR THE RIGHTS AND REMEDIES OF, AND THE SECURITY FOR, THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX CERTIFICATE, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AN ESCROW AGREEMENT AND OTHER DOCUMENTS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ADOPTING OTHER PROVISIONS RELATING THERETO

No Action taken. Third and final read will be July 6, 2021.

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate the readings of Unfinished Business 9-12 as routine chemical purchases for the WPCD. Motion carried all in favor.

The following was then read:

9-12 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR ROUTINE CHEMICAL PURCHASES FOR WATER POLLUTION CONTROL DIVISION AS FOLLOWS:

\$72,000 WITH JCI JONES FOR THE PURCHASE OF SODIUM HYPOCHLORITE; \$176,160.00 WITH SNF POLYDYNE, OF

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RICEBORO, GA, FOR THE PURCHASE OF POLYMER;
\$29,100.00 WITH SAL CHEMICALS CO FOR THE PURCHASE
OF SODIUM BISULFITE; \$42,834.00 WITH JCI JONES FOR
THE PURCHASE OF CITRIC ACID

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, Thorngate, Palmer - 6
NOES: -0

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

Mr. Thalman, seconded by Mr. Thorngate, moved to consolidate the readings of Original Propositions 13-19 as routine chemical purchases for the Water Treatment Plant. Motion carried all in favor.

The following was then read:

13-19 AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO EXPEND FUNDS AS ROUTINE CHEMICAL PURCHASES
FOR WATER TREATMENT PLANT AS FOLLOWS:

\$68,670.00 WITH PVS TECHNOLOGIES FOR THE PURCHASE
OF FERRIC CHLORIDE; \$40,860.00 WITH SHANNON
CHEMICAL CORPORATION FOR THE PURCHASE OF
PHOSPHATE LIQUID CORROSION INHIBITOR; \$50,560.00
WITH BONDED CHEMICALS INC FOR THE PURCHASE OF
POTASSIUM PERMANGANATE; \$22,650.00 UNIVAR
SOLUTIONS FOR THE PURCHASE OF SODIUM HYDROXIDE;
\$55,230.00 UNIVAR SOLUTIONS FOR THE PURCHASE OF
SODIUM HYPOCHLORITE

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, Thorngate, Palmer - 6
NOES: -0

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

Mr. Thorngate, seconded by Mr. Palmer that the, BZA Minutes 4/15/21, GWSEA Minutes 4/27/21 which were held over, be accepted as received. Motion carried. All in favor.

REMARKS FROM MEMBERS OF COUNCIL

REPORT OF COMMITTEES

Mr. Thorngate, seconded by Mr. Palmer, moved to accept the Finance Committee 6/1/21 as received. For the record they are as follows:

**FINANCE COMMITTEE REPORT
June 1, 2021**

The Finance Committee of Wheeling City Council met on the above date at 11:30 a.m. Committee Members present: Chair Palmer, Vice-Chair Thorngate, and Member Thalman. Others present: Mayor Glenn Elliott, Councilors 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:
General Fund Budget Revision:

Mr. Herron explained the revisions are due to the State Auditor's Office. We are eleven months through the fiscal year and the revisions are simply balancing the budget accordingly. The American rescue plan will be 14.1 million dollars. The City of Wheeling is calculated a loss revenue of 1.9 million. This is placed in contingency fund. We will follow all federal guidelines and have been in contact with State Auditor's office who are agreeable with figures. Mr. Thalman, seconded by Mr. Thorngate, to approve the budget revision as presented. 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: 11:38 p.m.

REPORT OF CITY MANAGER

Assistant City Manager Bill Lanham is present. Mr. Lanham announced the Municipal Building Commission held their first meeting. Mike Nau was appointed Chair, and by laws were adopted.

REPORT OF OTHER OFFICERS

Mr. Seidler, seconded by Ms. Ketchum, moved to hold over: Wheeling Housing Authority Minutes 5/12/21, Traffic Commission Minutes 5/13/21, Historic Landmarks Report to Council 6/3/21, Historic Landmarks 5/6/21, Arts and Cultural Commission Minutes 4/13/21 and 5/13/21 until the following meeting. Motion carried. All in favor.

ORIGINAL PROPOSITIONS

Robinson Pipe Cleaning- CT Phase III B- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,487,470.00 TO ROBINSON PIPE CLEANING, OF PITTSBURGH, PA FOR PHASE III-B WASTEWATER COLLECTION AND TREATMENT SYSTEMS IMPROVEMENTS, BIG WHEELING CREEK INTERCEPTOR CLEANING AND TELEVISIONING, TO BE CHARGED TO WATER POLLUTION CONTROL

Resolution- Approving Coal Severance Budget Revisions

The following was then read:

RESOLUTION APPROVING THE REVISION OF THE COAL SEVERANCE 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, Seidler, Ketchum, 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 Revisions

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.

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The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer - 6
NOES: -0

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

A Resolution Authorizing Free Admission to City of Wheeling Pools on July, 2nd, 3rd, 4th, and 5th Of July

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, 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 6:40 p.m.

City Clerk

Mayor