

October 4, 2022

Council of the City of Wheeling met, on the above date, at 12:00 pm, at 1500 Chapline St. with Mayor Elliott presiding.

On roll call, the following were present:

Present: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
Absent: - 0

Mr. Thalman, seconded by Mr. Thorngate, that the minutes of September 20, 2022, meeting be approved as received. Motion carried.

Mr. Palmer, seconded by Mr. Thorngate, to suspend regular order of business to conduct a Public Hearing: Tax increment revenue and refunding bonds, authorizing the use of the proceeds of the bonds to refund the tax increment refunding and revenue bonds. No one signed up to speak. Mr. Palmer, seconded by Mr. Thorngate to resume regular order of business.

MAYOR’S REPORT

Mayor Elliott Proclaims proclaim October 2022 as “Active People, Healthy Nation Month.” Lauren Thomas, Development Director of North Central West Virginia with American Heart Association was present to accept.

CLERK’S REPORT

Mr. Palmer, seconded by Mr. Sklavounakis, moved to forward the Petition for Zoning Amendment for 3 Pearl Ave from R1-C to C-2. All in favor. Motion carried.

UNFINISHED BUSINESS

Savage Construction- Edgington Lane Playground- Grants/Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$538,550 WITH SAVAGE CONSTRUCTION, OF WHEELING, WV FOR EDGINGTON LANE PARK IMPROVEMENT PROJECT TO BE CHARGED AS FOLLOWS: \$280,119.70 LAND AND WATER CONSERVATION GRANT, \$100,000 COMMUNITY FOUNDATION GRANT, AND \$158,380.30 PROJECT FUND

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

Aster Oilfield Services- Demolition- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$206,400.00 WITH ASTER OILFIELD SERVICES, INC, OF BELLAIRE, 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:

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AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

CT Consultants- Engineering Services- Project Fund

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE OWNER-ENGINEER AGREEMENT WITH CT CONSULTANTS, INC. OF MENTOR, OH FOR PROFESSIONAL ENGINEERING SERVICES AND WASTEWATER SYSTEM IMPROVEMENTS - PHASE III AMOUNT OF ~~UP TO~~ UP TO \$738,000 TO BE CHARGED TO THE ~~PROJECT FUND~~ ARPA FUNDS

The ordinance was read a second time by title. Mr. Thalman, seconded by Mr. Thorngate, to amend the language as shown above. All in favor. Motion carried.

Mr. Sklavounakis, seconded by Mr. Seidler, moved that the ordinance be adopted as amended.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

Witmer Public Safety Group- Turnout Gear- Fire Department

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$26,992 WITH WITMER INC., OF COATESVILLE, PA, FOR FIRE TURNOUT GEAR TO BE CHARGED TO FIREFIGHTING EQUIPMENT FUND 001.4706.30.3234

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, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

Grove Lawn and Marine- Rescue Boat Engine- Public Safety

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$23,990 WITH GROVE LAWN AND MARINE, OF TRIADELPHIA, WV, FOR FIRE RESCUE BOAT ENGINE TO BE CHARGED TO PUBLIC SAFETY ACCOUNT

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:

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AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
NOES: -0

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

Tax Increment Revenue and Refunding Bonds- Combined Redevelopment District No. 1 & 2

The following was then read:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT MORE THAN \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAX INCREMENT REVENUE AND REFUNDING BONDS, IN ONE OR MORE SERIES (THE "BONDS"), OF THE CITY OF WHEELING (THE "CITY"); AUTHORIZING THE USE OF THE PROCEEDS OF THE BONDS TO REFUND THE TAX INCREMENT REFUNDING AND REVENUE BONDS, SERIES 2016 (BANK QUALIFIED) OF THE CITY (THE "SERIES 2016 BONDS"), TO FINANCE COSTS OF THE DESIGN, PERMITTING, ACQUISITION, CONSTRUCTION AND EQUIPPING OF INFRASTRUCTURE AND OTHER IMPROVEMENTS WITHIN, OR FOR THE BENEFIT OF, THE CITY OF WHEELING COMBINED REDEVELOPMENT DISTRICT NO. 1 AND NO. 2 AND ALL NECESSARY APPURTENANCES AND RELATED FACILITIES, OTHER EXPENSES AND COSTS RELATED THERETO AND TO ISSUANCE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, ONE OR MORE DEVELOPMENT AGREEMENTS AND A BOND PURCHASE AGREEMENT; AUTHORIZING EXECUTION AND DELIVERY OF OTHER DOCUMENTS, INSTRUMENTS, AGREEMENTS AND CERTIFICATES IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND THE UNDERTAKING OF SUCH IMPROVEMENTS; AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF SUCH BONDS; PROVIDING PARAMETERS FOR THE PRINCIPAL AMOUNTS, MATURITIES, INTEREST RATES AND OTHER TERMS OF SUCH BONDS; AUTHORIZING THE MAYOR AND CITY MANAGER TO APPROVE, EXECUTE AND DELIVER A BOND PURCHASE AGREEMENT RELATING TO THE FINAL TERMS OF THE BONDS AND THE USES OF THE BOND PROCEEDS; APPOINTING A TRUSTEE, REGISTRAR, PAYING AGENT AND OTHER PARTICIPANTS IN THE FINANCING; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS RELATING TO COMBINED PROJECT PLAN NO. 1 AND THE ISSUANCE OF SUCH BONDS

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, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
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 the following: Historic Landmarks Commission Minutes 8/4/22; Hall of Fame Minutes 8/9/22, Arts and Cultural Minutes 8/9/22; Traffic Commission Minutes 8/11/22, which were held over be accepted as received.

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REMARKS FROM MEMBERS OF COUNCIL

Mr. Seidler asks for a Public Safety Committee Meeting, and thanks City Administration and Council for ongoing demolition contracts.

Ms. Ketchum gives updates on Smart Growth Plan for Centre Market.

REPORT OF COMMITTEES

Mr. Thalman moved, seconded by Mr. Thorngate, that the following: Development Committee Minutes 9/20/22; Rules Committee Minutes 9/20/22; Finance Committee Minutes 9/22/22, which were held over be accepted as received. For the record they are as follows:

DEVELOPMENT COMMITTEE REPORT

September 20, 2022

The Development Committee of Wheeling City Council met on the above date at 4:30 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Seidler and Sklavounakis, City Manager Robert Herron, Community Development Director Nancy Prager, and City Clerk Brenda Delbert

Discussion on Home Owner-Occupied Repair Assistance Program:

Mayor Elliott gives background information supporting the request for assistance program and invites Ms. Prager to expound on program. Ms. Prager states the program is modeled from the City of Moundsville. Homeowners can receive up to \$5,000 for exterior repairs, if they meet applicable guidelines, including but not limited to household income below \$65,000. Ms. Prager indicates applications will be received on a first come first serve basis and properties must be owner occupied. A brief discussion ensued about language in application to preclude residents from qualifying if they have any citations or judgements against. Ms. Prager explained the intent was if they owed the City outstanding fees. (Examples: Fire Service Fee or B&O taxes). She will clarify the language, as the money can be used to help residents currently in municipal court. Mr. Thalman moves, seconded by Mr. Thorngate to approve with a \$200,000 ARPA budget allocation and forward to council. Motion carried. All in favor.

Discussion on Urban 3 Proposal:

Urban 3 made a proposal to Council in the fall of last year. Mr. Thalman indicated Urban 3 will use city and county public information to analyze tax data. The Economic Analysis will provide insights and metrics of community's financial health. Mr. Thalman moves, seconded by Mr. Thorngate to forward proposal to council. Motion carried. All in favor.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Time: 4:55 p.m.

RULES COMMITTEE REPORT

September 22, 2022

The Rules Committee of Wheeling City Council met on the above date at 5:15 p.m. in Council Chambers. Committee members present: Chair Thalman, Vice Chair Sklavounakis, Member Palmer. Others present: Mayor Elliott, Councilors Seidler, Ketchum, Thorngate, City Manager Robert Herron, and media.

The following matters were discussed:

Amending Article 111.01 Entitled: Time and Place of Meetings

Mr. Thalman proposes to change the first City Council meeting of the month to 5:30 p.m. He believes there would be more public participation and attendance. Mr. Sklavounakis and Ms. Ketchum agree it would be easier for Councilors and citizen to attend evening meeting without interrupting workday. Mr. Sklavounakis, seconded by Mr. Palmer, moved to forward ordinance to City Council.

There being no further business to come before the Committee, Mr. Sklavounakis moved, seconded by Mr. Palmer, to adjourn. Time: 5:22 p.m.

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FINANCE COMMITTEE REPORT
September 22, 2022

The Finance Committee of Wheeling City Council met on the above date at 12:00 p.m. Committee Members present: Chair Palmer, Vice Chair Thorngate, and Member Thalman. Others present: Councilor Ketchum, City Manager Robert Herron, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

The following matters were discussed:
August 2022 Financial Statement:

Mr. Herron reviewed the financial statement for August 2022. He indicated revenues are down approximately \$400,000 compared to LY. He attributes to reduction in construction B&O taxes. Month cash balance is \$1,358,000. Mr. Thalman, seconded by Mr. Thorngate, move to approve the Financial Statement as presented and forward to Council. All in favor. Motion carried.

ARPA Allocation Request for GrowOV:

Mr. Palmer invited Glynis Board, GrowOV, to present her request. Ms. Board indicates GrowOV is a recipient of a grant and is seeking administrative cost of \$120,000 over a three-year period. Ms. Board intends to ask Ohio County for matching funds. Mr. Palmer states administrative costs are not ARPA eligible. However, believes in assisting with project, and asks Mr. Herron to explore funding options. Mr. Thalman, seconded by Mr. Thorngate, move to approve, and forward to Council. All in favor. Motion carried.

There being no further business to come before the Committee, Mr. Thalman, seconded by Mr. Palmer, moved to adjourn. Motion carried. Time: 5:18 p.m.

REPORT OF CITY MANAGER

Mr. Herron gave updates on bonds as they relate to State of West Virginia's proposed Amendment 2. The election is November 8, 2022, and Request for Proposals is due on November 14, 2022.

REPORT OF OTHER OFFICERS

Mr. Palmer, seconded by Mr. Sklavounakis, moved to hold over: Financial Statement August 2022, GWSEA Minutes 8/30/22, Human Rights Commission Minutes 7/19/22 and 8/16/22 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Amending and Reenacting Article 111.01- Time and Place of Meetings

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 111.01 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED TIME AND PLACE OF MEETINGS

Hill International- Dump Truck- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$154,787.00 WITH HILL INTERNATIONAL TRUCKS LLC, OF ST. CLAIRSVILLE, OH, FOR THE PURCHASE OF 2024 INTERNATIONAL CONSTRUCTION DUMP TRUCK TO BE CHARGED TO WPCD

Dukes Root Control- Sanitary Sewer Treatments- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$49,997.14 WITH DUKES ROOT CONTROL, OF SYRACUSE, NY, FOR THE

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**PURCHASE OF ROOT CONTROL SERVICE, TO BE CHARGED
TO WATER POLLUTION CONTROL DIVISION**

Helping Heroes- 2022 EY City Wide Projects- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND
EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED
\$253,988.00 WITH HELPING HEROES, TO BE CHARGED TO
CDBG 2022 EY CITY-WIDE PROJECTS #1509-022-150

Laughlin Chapel- 2022 EY City Wide Projects- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND
EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED
\$100,000.00 WITH LAUGHLIN CHAPEL, TO BE CHARGED TO
CDBG 2022 EY CITY-WIDE PROJECTS #1509-022-225

YWCA- 2022 EY City Wide Projects- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND
EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED
\$250,000.00 WITH YWCA, TO BE CHARGED TO CDBG 2022
EY CITY-WIDE PROJECTS #1509-022-400

GrowOV- Grant Administration Costs- General Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
EXPEND FUNDS IN THE AMOUNT OF \$120,000 WITH GROW
OV, OF WHEELING, WV, FOR GRANT ADMINISTRATION
COSTS TO BE CHARGED TO GENERAL FUND

Savage Construction- Grandview Pool Improvements- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND
EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED
\$218,675.00 WITH SAVAGE CONSTRUCTION, OF WHEELING
WV, TO BE CHARGED TO CDBG GRANDVIEW POOL
IMPROVEMENTS: 1509-021-025

Resolution- Home Owner-Occupied Repair Assistance Program

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING TO AUTHORIZE, DIRECT, AND EMPOWER THE
OFFICERS AND ADMINISTRATORS OF THE CITY TO
EXECUTE ALL NECESSARY DOCUMENTS AND
PROCEDURES TO PROVIDE FOR A PROGRAM UTILIZING IN
PART, AMERICAN RESCUE PLAN FUNDS TO PROVIDE
FINANCIAL ASSISTANCE TO AID RESIDENTS IN EXTERIOR
HOME IMPROVEMENTS

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, Sklavounakis, Thorngate, Palmer - 7
NOES: - 0

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

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Resolution- Outdoor Dining- 1055 Short Market St

The following was then read:

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 AN OUTDOOR DINING GRANT FOR, 1055 MARKET LLC, 1055 MARKET STREET, IN THE AMOUNT OF \$20,000

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 7
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.

Mr. Thalman, seconded by Mr. Thorngate, to enter Executive Session to discuss property acquisition. Time: 12:31. Mr. Thalman, seconded by Mr. Thorngate to resume regular business. Time 12:54. Mayor Elliott confirmed no decisions were made.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 12:54 p.m.

City Clerk

Mayor