

March 1, 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 February 15, 2022, meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott announced there will be a Council Work Session on Monday March 7, 2022 at 5:00 pm in City Council Chambers regarding American Rescue Plan Funding.

CLERK'S REPORT

City Clerk Delbert presents a Notice of Application to Operate a Private Club for SFR X Holdings LLC dba Pizza Hut. The application was forwarded to WVABCA without comment.

UNFINISHED BUSINESS

Transfer of Funds Arena RCIP to WesBanco Arena- Video Boards

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS IN THE AMOUNT OF \$26,500.00 FROM ARENA RCIP TO WESBANCO ARENA FOR SWITCHER BOARD FOR THE VIDEO BOARD SYSTEM

The ordinance was read a second time by title. Mr. Palmer, 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.

CT Consultants Flow Monitoring Extension to 2023-WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS AND EXECUTE THE APPROPRIATE DOCUMENTS TO EXTEND THE SERVICE OF CT CONSULTANTS FOR TWELVE MONTHS TO CONTINUE PROVIDING FLOW MONITORING, DATA MANAGEMENT, EQUIPMENT OPERATIONS AND MAINTENANCE IN ACCORD WITH THE CITY'S PHASE II STATUS & PHASE III WASTEWATER SYSTEM IMPROVEMENTS

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Seidler, 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.

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Holtz Industries- Replacement Tailgate Assembly- Sanitation

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$35,323.18 WITH HOLTZ INDUSTRIES, OF NEWARK, OH FOR REPLACEMENT TAILGATE ASSEMBLY, TO BE CHARGED TO SANITATION EQUIPMENT REPLACEMENT FUND

The ordinance was read a second time by title. Mr. Sklavounakis, 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.

Ohio County Board of Education- School Playground Project – Steenrod

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$42,000 WITH OHIO COUNTY BOARD OF EDUCATION, OF WHEELING, WV FOR STEENROD ELEMENTARY SCHOOL PLAYGROUND PROJECT, TO BE CHARGED TO RCIP

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Seidler, 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 Ms. Ketchum, that the following: Hall of Fame Minutes 1/11/22, Historic Landmarks Commission Minutes 1/6/22, Planning Commission Minutes 1/10/22, Financial Statement January 2022, which were held over be accepted as received.

REMARKS FROM MEMBERS OF COUNCIL

REPORT OF COMMITTEES

Mr. Palmer moved, seconded by Mr. Thorngate, that the Finance Committee Minutes 2/15/22 and Development Committee Minutes 2/22/22 be accepted as received. For the record they are as follows:

FINANCE COMMITTEE REPORT
February 15, 2022

The Finance Committee of Wheeling City Council met on the above date at 5:15 p.m. Committee Members present: Chair Palmer, and Member Thalman. Others present: Councilors Ketchum and Sklavounakis, City Manager Robert Herron, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

The following matters were discussed:
January 2022 Financial Statement:

Mr. Herron reviewed the financial statement for January 2022. December marks 64% through the

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fiscal year and 58% through expenditures. Sales tax is up from last year, indication local economy is recovering from covid. Cash balance is 2.9 million, compared to 2.6 last year and 2.9 in 2019. Mr. Thalman, seconded by Mr. Palmer, move to approve the Financial Statement as presented and forward to Council. All in favor. Motion carried.

Mr. Herron states General Fund and Coal Severance Budget will be sent to City Council by tomorrow (2/16/22) to review prior to the work session on 2/22/22.

There being no further business to come before the Committee, Mr. Thalman moved to adjourn. Motion carried. Time: 5:20 p.m.

DEVELOPMENT COMMITTEE REPORT February 22, 2022

The Development Committee of Wheeling City Council met on the above date at 4:45 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Seidler, City Manager Robert Herron, and City Clerk Brenda Delbert

Development / Redevelopment Designation 1913 Warwood Ave:

Applicant Thomas Gilson was present. Mr. Connelly presents the designation request. He confirms Planning Commission has approved Special Use Permit. The site is zoned C-1. Mr. Connelly indicated there is no objection from City Staff. Mayor Elliott recused himself from the vote and discussion as his business partner owns the building of the proposed location. Mr. Thalman moved, seconded by Mr. Thorngate, to approve and forward to City Council. All in favor. Motion carried.

Development / Redevelopment Designation 753 Main St.:

Applicant Jeramie Alvarado was present. Mr. Connelly presents the designation request. He confirms Planning Commission has approved Special Use Permit. The site is zoned C-1. Mr. Connelly indicated there is no objection from City Staff. Mr. Thalman reviews some city funding that applicants might qualify for including façade and outdoor dining grants. Mr. Thalman moved, seconded by Mr. Thorngate, to approve and forward to City Council. All in favor. Motion carried.

Lane Abandonment: 3900 McColloch St

Director of Building and Planning, Tom Connelly, presents request explaining the South end has previously been abandoned. Mr. Connelly indicates in abandoned the intended use is green space. The applicants confirm they have been maintaining the grass for approximately 30 years. There are no objections received. Mr. Connelly recommends approval. Mr. Thalman moves, seconded by Mr. Thorngate to approve this request and forward 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: 4:49 p.m.

REPORT OF CITY MANAGER

Mr. Herron informed the Municipal Building Commission had the first read on Bond Lease Ordinance. Bid opening for the Fire Headquarters will be April 14 2022, demolition will continue to have site prepared for construction. Mr. Herron updates on the Environmental Standards as related to Clay School Project.

REPORT OF OTHER OFFICERS

Ms. Ketchum, seconded by Mr. Sklavounakis, moved to hold over the following: until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Lease Revenue Bond- Fire Department Headquarters Project

The following was then read:

AN ORDINANCE AUTHORIZING AND APPROVING THE DESIGN, ACQUISITION, CONSTRUCTION, IMPROVEMENT, FURNISHING AND EQUIPPING OF PROPERTY TO BE

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CONVEYED BY THE CITY OF WHEELING (THE "CITY") TO THE WHEELING MUNICIPAL BUILDING COMMISSION (THE "BUILDING COMMISSION") LOCATED WEST OF WOOD STREET, BETWEEN SEVENTEENTH STREET AND LANE 15, WHEELING, WEST VIRGINIA, FOR USE AS A FIRE DEPARTMENT 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 \$9,000,000 (THE "SERIES 2022 A 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 FIRE DEPARTMENT 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 PROPOSED FIRE DEPARTMENT 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 EXECUTION AND DELIVERY OF A CREDIT LINE DEED OF TRUST, SECURITY AGREEMENT AND FIXTURE FILING BY THE CITY AND THE BUILDING COMMISSION IN FAVOR OF THE PURCHASER OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR OF THE CITY OF A BOND PURCHASE AGREEMENT BETWEEN THE BUILDING COMMISSION AND THE PURCHASER OF THE BONDS, WITH THE ACKNOWLEDGEMENT AND AGREEMENT OF THE CITY; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

Metron Farnier- Smart Water Meters- Water Distribution

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$198,600.00 WITH METRON FARNIER OF BOULDER, CO FOR SMART WATER METERS & SYSTEMS, TO BE CHARGED TO WATER DISTRIBUTION – 400.1128.03.00

Stephens Auto- 4 2022 Ford Explorers- Police

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$118,532.00 WITH STEPHENS AUTO OF DANVILLE, WV, FOR FOUR 2022 FORD EXPLORER AWD VEHICLES TO BE CHARGED TO ASSIGNED VEHICLE PROGRAM/ PROJECT FUND

Lane Abandonment- Portion of McColloch St- Right of Way

The following was then read:

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING A PORTION OF McCOLLOCH STREET RIGHT OF WAY ADJACENT TO LOTS 1 & 2 IN SQUARE 44 OF THE SPRIGG AND RITCHIE ADDITION TO THE CITY OF WHEELING AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT

Resolution- Requesting Planning Commission Review Zoning Ordinance- Signs

The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, REQUESTING THAT THE PLANNING COMMISSION UNDERTAKE THE REQUIRED PROCESS TO CONSIDER AMENDING THE ZONING ORDINANCE TEXT TO MODIFY SIGN REGULATIONS IN THE RESIDENTIAL ZONES

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.

Resolution- Development/Redevelopment Site- 753 Main Street – Jeramie Alvarado

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 753 MAIN STREET AS A DEVELOPMENT OR A REDEVELOPMENT SITE

The resolution was read by title. Mr. Seidler, seconded by Mr. Thalman, 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.

Resolution- Development/Redevelopment Site- 1913 Warwood Avenue – Thomas Gilson

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 1913 WARWOOD AVENUE AS A DEVELOPMENT OR A REDEVELOPMENT SITE

The resolution was read by title. Mr. Thalman, seconded by Mr. Palmer, moved that the resolution be adopted. Mayor Elliott stated his business partner owned the property in question and he will be abstaining from the vote.

The vote on the motion resulted as follows:

AYES: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer -6
NOES: -0
ABSTAIN: Elliott -1

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

Resolution- Outdoor Dining Program- 753 Main Street – Jeramie Alvarado

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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, JERAMIE ALVARADO, 753 MAIN STREET, IN THE AMOUNT OF \$20,000

The resolution was read by title. Mr. Seidler, seconded by Mr. Thalman, 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.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 12:22 p.m.

City Clerk

Mayor