

August 2, 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 July 19, 2022 meeting be approved as received. Motion carried.

Mr. Thalman, seconded by Mt. Thorngate, moved to exit the regular order of business to conduct Public Hearing Centre Market Lease- American Pie. No one signed up to speak. Mr. Thalman, seconded by Mr. Thorngate, moved to exit Public Hearing and resume regular order of business. Motion carried. All in favor.

MAYOR'S REPORT

Mayor Elliott introduced Susie Nelson with Community Foundation for the Ohio Valley and Jessica Rine with the United Way. Ms. Nelson gave a synopsis on how the CFOV can assist the City of Wheeling in distributions of ARPA funds.

UNFINISHED BUSINESS

Glessner Wharton and Andrews Insurance- Cyber Insurance Renewal

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$43,824.00 WITH GLESSNER WHARTON & ANDREWS INSURANCE LLC OF WHEELING, WV, FOR CYBER INSURANCE TO BE CHARGED AS FOLLOWS \$31,991.52 TO GENERAL FUND, \$7,669.20 TO WATER AND \$4,163.28 TO WPCD

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

Savage Construction- Cap Wall- Water

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$96,601 WITH SAVAGE CONSTRUCTION, OF WHEELING, WV TO CAP EXISTING WALL AT WATER TREATMENT PLANT TO BE CHARGED TO WATER 400.1131.02.12

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

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the ordinance adopted.

Mansuetto Roofing- EPDM Roof System- Water

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$133,797 WITH MANSUETTO ROOFING AND SHEET METAL, OF MARTINS FERRY, OH FOR ROOF REPLACEMENT AT WATER TREATMENT PLANT TO BE CHARGED TO WATER 400.1131.04.00

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.

USI Insurance- Excess Liability Policy for Worker's Compensation

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$139,578.48 WITH USI INSURANCE SERVICES, LLC, OF VIRGINIA BEACH, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY TO BE CHARGED TO WORKERS' COMPENSATION FUND

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

ARPA Allocation- Community Foundation for the Ohio Valley

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE COMMUNITY FOUNDATION FOR THE OHIO VALLEY'S REQUEST FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN AN AMOUNT OF \$1,000,000.00 TO ADMINISTER PORTION OF ARPA FUNDS FOR THE CITY OF WHEELING, AUTHORIZING THE ALLOCATION AND TRANSFER OF SUCH FUNDS FROM THE CITY'S ARPA ALLOCATION TO THE COMMUNITY FOUNDATION FOR THE OHIO VALLEY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING AND COMMUNITY FOUNDATION FOR THE OHIO VALLEY

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

Traffic Rule- Establishing Two Way Traffic on Lane 7

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ESTABLISH LANE 7 AS A TWO-WAY STREET BEGINNING AT MARKET STREET AND EXTENDING TO CHAPLINE STREET

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

Traffic Rule- Establishing Stop Intersection at Lane 7 and Market Street

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING DESIGNATING THE INTERSECTION OF LANE 7 AND MARKET STREET AS A STOP INTERSECTION FOR TRAFFIC MOVING WEST ON LANE 7

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

Traffic Rule- Establishing Permit Parking Zone at 11th and Water Street

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ESTABLISH A PERMIT PARKING ONLY ZONE ON THE NORTH SIDE OF 11TH STREET AT THE INTERSECTION OF 11TH AND WATER STREET

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Palmer, 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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Mr. Sklavounakis moved, seconded by Mr. Thorngate, that the following: Historic Landmarks Commission Minutes 6/2/22, Planning Commission Minutes 6/13/22, Wheeling Housing Authority Minute 6/8/22, which were held over be accepted as received.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thorngate reminded citizens to utilize the backflow reimbursement program where 75% of project costs can be reimbursed in an amount not to exceed \$3,000.

Mr. Seidler introduced Angelica Radevski, who gave a presentation on disapproval of Pride Festival occurrences.

REPORT OF COMMITTEES

Mr. Thorngate, seconded by Mr. Palmer, moved to accept the Finance Committee Minutes 7/19/22 as received. For the record they are as follows:

FINANCE COMMITTEE REPORT July 19, 2022

The Finance Committee of Wheeling City Council met on the above date at 5:00 p.m. Committee Members present: Chair Palmer, Vice Chair Thorngate, and Member Thalman. Others present: Mayor Elliott, Councilors Ketchum, and Seidler, City Manager Robert Herron, City Solicitor Humway-Warmuth, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

The following matters were discussed:

June 2022 Financial Statement:

Mr. Herron reviewed the financial statement for June 2022. This represents the final month for 2021-2022 FY. Net cash carryover is \$804,000, there are encumbered funds for police department, paving, and transfers. Expenditures ended the year at 92%, 96% actual when encumbered funds are accounted. Mr. Herron indicated there are 27 pays in this fiscal year, and \$670,000 of the \$804,000 will be used for payroll expense of the additional pay. Mr. Thalman, seconded by Mr. Thorngate, move to approve the Financial Statement as presented and forward to Council. All in favor. Motion carried.

Budget Revision Number 1 2022-2023:

Mr. Herron reviews the budget revision. There is a direct financial benefit to Pension Bond of approximately \$630,000 to the general fund. The revision reflects 3% pay raise to all municipal employees as well as market rate wages for Police and Fire Departments. Mr. Thalman, seconded by Mr. Thorngate, move to approve the Budget Revision as presented and forward to Council. All in favor. Motion carried.

ARPA Allocations: Capitol Theatre- \$365,900

Mr. Herron indicates the last proposal for Capitol Theatre was funding the Fly System, as requested by the CVB. There are other necessary improvements to the Capitol Theatre and an addition request of \$365,900. Mr. Thalman, seconded by Mr. Thorngate, move to approve the request as presented and forward to Council. All in favor. Motion carried.

ARPA Allocations: American Legion Post 1- \$50,000

Mr. Palmer indicated Post 1 has purchased the former Italian American Club and will undergo extensive renovations. The request is 12% of project rehabilitation budget. Mr. Herron stated expense will be to be vetted for qualification. Mayor Elliott suggested possible qualification for activating outdoor space. Mr. Thalman, seconded by Mr. Thorngate, move to approve the request, pending qualification, as presented and forward to Council. All in favor. Motion carried.

ARPA Allocations: American Legion Post 89- \$50,000

Mr. Palmer indicated Post 89 intends to undergo expansions and purchase adjacent lot to activate outdoor space. Mr. Herron stated expense will be to be vetted for qualification. Mr. Thalman, seconded by Mr. Thorngate, move to approve the request, pending qualification, as presented and forward to Council. All in favor. Motion carried.

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ARPA Allocations: Community Foundation- \$1,000,000

Mr. Palmer indicated other cities, namely Parkersburg, have given the local Community Foundations ARPA funds to assist in distribution to community agencies. The CFOV would vet, qualify, and distribute funds to qualifying nonprofit agencies. Mayor Elliott confirms this does not preclude City Council to make disbursements outside of the CFOV. Mr. Thalman, seconded by Mr. Thorngate, move to approve the request as presented and forward to Council. All in favor. Motion carried.

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

REPORT OF CITY MANAGER

Mr. Herron indicated the current paving contract will be completed in the next couple days. Thus, he is asking for two reads on new proposed contract so contractor can begin next set of streets. Mr. Herron is also asking for two reads on parking structure shoring citing safety concerns.

REPORT OF OTHER OFFICERS

Mr. Thorngate, seconded by Mr. Sklavounakis, moved to hold over: Human Rights Commission Minutes 6/28/22 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Cast and Baker Paving Contract- Project Fund

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,850,239.70 WITH CAST AND BAKER OF CANONSBURG PA, OH FOR STREET RESURFACING, TO BE CHARGED TO PROJECT FUND

Mr. Thalman, seconded by Mr. Thorngate, moved for a second read. Motion carried all in favor. The ordinance was read a second time by title. 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, 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.

USI- Property and Casualty Insurance- All Departments

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,001,441 ONE MILLION ONE THOUSAND FOUR HUNDRED FORTY-ONE DOLLARS WITH USI INSURANCE SERVICES LLC, OF WHEELING, WV FOR FY 2022-2023 INSURANCE PREMIUMS, TO BE CHARGED AS FOLLOWS: \$720,123.87 GENERAL FUND, \$12,986.23 PROJECT ACCOUNT (OVMC), \$7,973.06 PARKING FUND, \$145,588.89 WATER AND \$114,768.95 WATER POLLUTION CONTROL DIVISION

Amended Project Plan No. 3 for TIF-City of Wheeling Redevelopment Project District No. 1

The following was then read:

AN ORDINANCE APPROVING CERTAIN AMENDMENTS TO AMENDED PROJECT PLAN NO. 3 FOR THE TAX INCREMENT FINANCING DISTRICT IN THE CITY OF WHEELING, WEST VIRGINIA KNOWN AS "CITY OF WHEELING REDEVELOPMENT PROJECT DISTRICT NO. 1" AS APPROVED BY THE WEST VIRGINIA DEPARTMENT OF

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ECONOMIC DEVELOPMENT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

Combination Existing TIF Districts- Redevelopment Project District No. 1 and District No. 2

The following was then read:

AN ORDINANCE APPROVING THE COMBINATION OF THE EXISTING TAX INCREMENT FINANCING DISTRICTS IN THE CITY OF WHEELING, WEST VIRGINIA KNOWN AS “CITY OF WHEELING REDEVELOPMENT PROJECT DISTRICT NO. 1” AND “CITY OF WHEELING REDEVELOPMENT DISTRICT NO. 2” AS APPROVED BY THE WEST VIRGINIA DEPARTMENT OF ECONOMIC DEVELOPMENT; COMBINING THE TAX INCREMENT FINANCING FUND FOR THE EXISTING DISTRICTS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

Carl Walker Construction- Shoring Centre Wheeling Parking Garage- Project Fund and RCIP

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$135,220.00 WITH CARL WALKER CONSTRUCTION OF PITTSBURGH, PA, FOR SHORING AT CENTRE WHEELING PARKING GARAGE TO BE CHARGED TO PROJECT FUND AND REGULAR RCIP TO BE REIMBURSED BY TIF

Mr. Thalman, seconded by Mr. Thorngate, moved for a second read. Motion carried all in favor. The ordinance was read a second time by title. 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, 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.

ARPA Allocation- GWSEA- Capitol Theatre Improvements

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY REQUEST FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN AN AMOUNT OF \$365,000.00 FOR CAPITOL THEATRE UPGRADES, AUTHORIZING THE ALLOCATION AND TRANSFER OF SUCH FUNDS FROM THE CITY’S ARPA ALLOCATION TO THE GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING AND GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY

Resolution- Adoption of CDBG and HOME Annual Action Plan

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE FISCAL YEAR 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAMS, AND AUTHORIZING THE FILING OF THE FY 2022 ANNUAL ACTION PLAN WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

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The resolution was read by title. Ms. Ketchum, seconded by Mr. Seidler, 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- 2nd Draw Brownfield- 58 19th St

The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING INVOICES RELATING TO THE CLEANUP AND REMEDIATION OF 58 19TH STREET PROPERTY LOCATED IN THE CITY OF WHEELING, WEST VIRGINIA AND AUTHORIZING PAYMENT THEREOF

The resolution was read by title. Ms. Ketchum, seconded by Mr. Seidler, 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- Outdoor Dining- Cheese Melt

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, THOMAS GILSON, 1915 WARWOOD AVE., IN THE AMOUNT OF \$20,000

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: Thalman, Seidler, Ketchum, 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- Centre Market Lease- American Pie

The following was then read:

A RESOLUTION ON THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH DAN & MELINDA STEVEY, FOR A PORTION OF THE CENTRE MARKET PROPERTY LOCATED AT 2200 BLOCK OF MARKET STREET

The resolution was read by title. Ms. Ketchum, 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, 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

Julia Chaplin and Tim Dolan addressed Council in regard to displeasure in Pride Festival.

Michael Borsuk encouraged youth to get involved with local government.

There being no further business, Mr. Sklavounakis moved, seconded by Mr. Thalman, to adjourn. Motion carried. Time 12:43 p.m.

City Clerk

Mayor

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