

March 7, 2023

Council of the City of Wheeling met, on the above date, at 5:30 pm, at 1500 Chapline St. with Vice Mayor Thalman presiding.

On roll call, the following were present:

Present: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate Palmer - 6
Absent: Elliott -1

Mr. Palmer, seconded by Mr. Thorngate, that the minutes of February 21, 2023, meeting be approved as received. Motion carried.

Mr. Thorngate, seconded by Mr. Palmer, moved to suspend the regular order of business to conduct a public hearing regarding Lease of Municipal owned parcels to SWN. No one signed up to speak. Mr. Thorngate, seconded by Mr. Palmer, moved to resume the regular order of business.

MAYOR'S REPORT

Vice Mayor Thalman proclaimed February 2023, as *National Social Work Month* and recognize WV Northern Community College

UNFINISHED BUSINESS

Indoff Inc.- Change Order PD Furniture- CSF

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$35,686.46 WITH INDOFF INC. OF WHEELING, WV FOR CHANGE ORDER TO POLICE DEPARTMENT FURNITURE CONTRACT, TO BE CHARGED TO CITY SERVICE FEE

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: Thalman, Seidler, Ketchum, Sklavounakis, Palmer - 5
NOES: Thorngate -1

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

Conveyance of OVMC Property to Municipal Building Commission

The following was then read:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEELING (THE "CITY") AUTHORIZING THE CONVEYANCE BY THE CITY TO THE WHEELING MUNICIPAL BUILDING COMMISSION (THE "BUILDING COMMISSION") OF CERTAIN REAL PROPERTY OWNED BY THE CITY THAT WAS THE SITE OF THE FORMER HOSPITAL KNOWN AS "OHIO VALLEY MEDICAL CENTER" (THE "PROPERTY") FOR THE PURPOSE OF FACILITATING THE REDEVELOPMENT OF THE PROPERTY THROUGH A FUTURE ISSUANCE OF LEASE REVENUE BONDS BY THE BUILDING COMMISSION; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THE CONVEYANCE; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING

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

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The vote on the motion resulted as follows:

AYES: Thalman, Seidler, 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.

Traffic Rule- No Parking South Side 5th St.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO CONTINUE NO PARKING ZONE ON THE SOUTH SIDE OF 5TH STREET FOR THE ENTIRE LENGTH OF STREET

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: Thalman, Seidler, 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.

Mr. Sklavounakis moved, seconded by Mr. Seidler, that the following: Hall of Fame Minutes 1/10/23, Planning Commission Minutes 12/12/22, BZA Minutes 11/17/22, Financial Statement January 2023, which were held over be accepted as received.

REPORT OF CITY MANAGER

Mr. Herron states Police Department is nearing completion and it is anticipated to open March 20th. Mr. Herron indicates paving will resume May 1st.

REPORT OF OTHER OFFICERS

Mr. Seidler, seconded by Ms. Ketchum, moved to hold over: Historic Landmarks Commission Minutes 2/2/23, Greater Wheeling Sports and Entertainment Authority Minutes 1/31/23 until the following meeting. Motion carried all in favor.

ORIGINAL PROPOSITIONS

Demolition Liens for Contract Number 1

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING DILAPIDATED STRUCTURES ON CERTAIN PROPERTIES IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING

Amending and Reenacting Schedule 5A in the D3 district

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING PART THIRTEEN PLANNING AND ZONING CODE, CHAPTER THREE – ZONING ORDINANCE – ARTICLE 1339 – COMMERCIAL DISTRICTS, SCHEDULE 5.A SCHEDULE OF DIMENSIONAL REQUIREMENTS

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Resolution- Oil and Gas Lease SWN Production

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE AN OIL AND GAS LEASE WITH SWN PRODUCTION COMPANY LLC., FOR A PORTION OF MUNICIPALLY OWNED REAL PROPERTY

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

The vote on the motion resulted as follows:

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

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

Resolution- 4th 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: Thalman, Seidler, Ketchum, Sklavounakis, Thorngate, Palmer - 6
NOES: -0

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

Resolution- Business License Fees- Streetscape

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO PROVIDE A ONE TIME EXEMPTION OF THE BUSINESS LICENSE FEE FOR CERTAIN AREAS IN DOWNTOWN AFFECTED BY ONGOING STREETSCAPE PROJECT AND CONSTRUCTION

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

The vote on the motion resulted as follows:

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

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

Resolution – Affirming Support of Civil Rights for Residents

The following was then read:

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A RESOLUTION OF THE CITY COUNCIL OF WHEELING
AFFIRMING ITS SUPPORT FOR THE CIVIL RIGHTS OF ALL
OF ITS RESIDENTS

Mr. Thorngate, seconded by Mr. Palmer, moved to exit regular order of business to allow public comment. Motion Carried. All in favor.

Ms. Amy Miesel spoke against council adopting resolution.

Mr. Thorngate, seconded by Mr. Palmer, moved to resume regular order of business.

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: Thalman, Ketchum, Thorngate	- 3
NOES: Seidler, Sklavounakis, Palmer	-3

Motion fails for lack of majority.

THOSE WISHING TO BE HEARD

Everette Gray spoke in favor of development.

Carlee Ditmar spoke against actions of councilors.

There being no further business, Mr. Thalman moved, seconded by Ms. Ketchum, to adjourn. Motion carried. Time 6:13 p.m.

City Clerk

Mayor