

**May 2, 2023**

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

Mr. Thalman, seconded by Mr. Thorngate, that the minutes of April 18th, 2023 meeting be accepted as received. Motion Carried.

**MAYOR’S REPORT**

Mayor Elliott proclaimed May 2<sup>nd</sup> 2023 as “Day of Outstanding Achievement in Competitive Robotics” and thanked Councilman Sklavounakis for proposing the proclamation. Mayor Elliott presented the proclamation to three local valley schools, Triadelphia Middle School, Bridge Street Middle School and Wheeling Park High School who competed and placed in the National Robotics Championship.

Mayor Elliott addressed schedule of the TBT Basketball tournament, Italian Festival and Grecian Festival all happening the last week in July 2023, though it will be a busy time in downtown he is confident the events will feed into one another will be a success.

Mayor Elliott invited Historic Landmarks Commission Chair CJ Kaiser to speak on behalf of the commission and the work they are doing. Mr. Kaiser explained the 13 Historic Districts (soon to be 14 with the addition of the Dimmeydale neighborhood) and the impact they have on our community. Mr. Kaiser explained the process of following city codes while honoring the architectural and historical preservation of buildings. Mr. Kaiser remarked the main purpose of the Historic Landmarks Commission is preservation not demolition.

Mayor Elliott proclaimed May 6<sup>th</sup> 2023 as “Wheeling Dog Day” in the City of Wheeling, presented to Cassie Minder and Betsy Sweeney of Wheeling Heritage in support of the “Fido Fest”, happening on Saturday May 6<sup>th</sup> beginning at 11am at the Fitzsimmons Family Dog Park at Tunnel Greene.

Mayor Elliott appointed Mr. Isaiah Keez to the Arts and Cultural Commission for a six-year term.

Mayor Elliott handed the floor to Councilwoman Ketchum for a few minutes to allow Ms. Mary Clark to share her story surrounding addiction and the loss of her daughter, Amanda in September of 2022. Ms. Clark shared she began an organization named Amanda’s Angels for hope which will provide support to families struggling with addictions. Ms. Clark’s hope is to help provide awareness and support to all those who have been affected by addiction.

**UNFINISHED BUSINESS**

**Vacating and Abandoning Parcels to the West Side of Water Street**

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING PARCELS TO THE WEST SIDE OF WATER STREET, WHICH WERE UNNAMED LOTS 1,2,3,4,5,6,7 AND 8 ON THE PLAT OF EOFF AND CHAPLINE’S ADDITION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT.

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: Elliot, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer, Seidler -7  
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.

**Name change of Park Road to Schmulbach Road in Mozart**

The following was then read by title:

AN ORDINANCE CHANGING THE NAME OF A STREET IN THE MOZART SECTION OF WHEELING, IN ORDER TO ELIMINATE DUPLICATE ROAD NAMES AND POTENTIAL CONFUSION OF VARIOUS DELIVERY CARRIERS AND EMERGENCY SERVICES PROVIDED BY WHEELING-OHIO COUNTY 911 CENTER SO THAT PARK ROAD WILL BECOME SCHMULBACH ROAD.

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

The vote on the motion resulted as follows:

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

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

**Name change of Esther Avenue to Lucinda Lane in Mozart**

The following was then read by title:

AN ORDINANCE CHANGING THE NAME OF A STREET IN THE MOZART SECTION OF WHEELING, IN ORDER TO ELIMINATE DUPLICATE ROAD NAMES AND POTENTIAL CONFUSION OF VARIOUS DELIVERY CARRIERS AND EMERGENCY SERVICES PROVIDED BY WHEELING-OHIO COUNTY 911 CENTER SO THAT ESTHER AVENUE WILL BECOME LUCINDA LANE.

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

The vote on the motion resulted as follows:

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

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

**Savage Construction I470 Field Repairs- ARPA**

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$82,780.22 WITH SAVAGE CONSTRUCTION OF WHEELING, WV FOR I-470 FIELD RENOVATIONS, TO BE CHARGED TO ARPA ALLOCATIONS-RECREATION

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer, Seidler - 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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**Sutphen Corporation WFD Ladder 6 Repairs- Regular RCIP**

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$31,196.19 WITH SUTPHEN CORPORATION OF CHICAGO IL FOR REPAIRS TO LADDER 6 FIRE DEPARTMENT, TO BE CHARGED TO THE REGULAR RCIP

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

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

**Jarvis, Downing & Emch Inc.-WFD Stations 2 and 10-Project Fund**

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$655,000 WITH JARVIS, DOWNING & EMCH INC. OF WHEELING WV FOR STRUCTURAL REPAIRS TO FIRE STATIONS 2 AND 10 TO BE CHARGED TO THE PROJECT FUND

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

The vote on the motion resulted as follows:

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

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

**Southeastern Equipment Company- Leaf Machine- General Fund**

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$96,040.01 WITH SOUTHEASTERN EQUIPMENT COMPANY OF CAMBRIDGE OHIO FOR A LEAF MACHINE, TO BE CHARGED TO THE GENERAL FUND

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer, Seidler - 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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**Century Realty LLC- Market Street Garage**

The following was then read by title:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CENTURY REALTY LLC TO PROVIDE LEASING SERVICES FOR MARKET STREET PARKING GARAGE COMMERCIAL SPACES AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING AND CENTURY REALTY LLC REGARDING THE MARKETING OF THE COMMERCIAL SPACE TO BE CREATED IN THE NEW MARKET STREET PARKING STUCTURE

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

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

**James White Construction- Georgetown Sewer- WPC Bond Fund**

The following was then read by title:

AN ORDINANCE AUTHORING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$312,939.00 TO THE JAMES WHITE CONSTRUCTION COMPANY OF WEIRTON WV FOR GEORGETOWN SEWER IMPROVEMENTS TO BE CHARGED TO WATER POLLUTION CONTROL BOND FUND

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

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

Mr. Thalman moved, seconded by Mr. Thorngate that the following: Centre Market Commission Minutes 3/7/23, Wheeling Hall of Fame Board Minutes 3/14/23, Arts and Cultural Commission Minutes 3/14/23, which were held over be accepted as received.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Palmer stated the family- friendly event “Groovin in the Grove” will be held on Saturday May 13<sup>th</sup> and invited the community to attend. Mr. Palmer addressed the sewer rate controversy with the City of Benwood, where the Supreme Court of WV ruled in the City of Wheeling’s favor. Mr. Palmer commended The City Manager and team that worked helping to make the wrong a right. Mr. Herron explained that the ruling was very significant, and very thankful for the Supreme Court ruling and the positive impact it will have on Water Pollution Control fund.

Ms. Ketchum congratulated Wheeling Heritage on their recognition with the National Organization of Trail System for the art placed along Heritage Trail and encouraged residents to get out an see the beautiful art and trail. Ms. Ketchum thanked The Water Pollution Control Division and Ohio County Solid Waste Authority for their impact on a successful Earth Day event.

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Mr. Sklavounakis stated the Ward 4 Community Crime Watch will be held at Temple Shalom Tuesday May 9<sup>th</sup> at 7pm. Mr. Sklavounakis congratulated the Robotics team, and expressed passion for why the City of Wheeling is such a great place to live and raise a family.

### **REPORT OF COMMITTEES**

Mr. Palmer moved, seconded by Ms. Ketchum to accept Finance Committee Minutes dated April 18, 2023 as received. For the Record they are as follows:

#### **FINANCE COMMITTEE REPORT April 18, 2023**

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

#### **March 2023 Financial Statement:**

Mr. Herron reviewed the financial statement for March 2023. We are nine months through the FY and 70% expenditures. Mr. Palmer asked if there have been any issues with the permits allocated to Home Owner Assistance program, Mr. Herron replied with no issues with those projects, 88 completed and 202 in progress. Mr. Herron stated slight decrease in B&O as expected due to Highway project. Mr. Thalman, seconded by Mr. Thorngate, move to accept the Financial Statement 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: 5:19 p.m.

### **REPORT OF CITY MANAGER**

Mr. Herron stated there will be press around this project but he is happy to announce that Building and Planning Permits are now able to be accessed online by residents to be able to submit from the comfort of their homes.

Mr. Herron addressed concerns received around downtown events and the streetscape project. Mr. Herron has confirmed that Triton Construction will move aside and be accommodating to all events such as the Ogden Race and Christmas Parade.

Ms. Ketchum asked Mr. Herron for an update on Market Street Bridge, Mr. Herron updated the DOH is working on a new deck for that project.

Mayor Elliott asked Mr. Herron if the DOH has extended their contract or time frame for the Streetscape projects, Mr. Herron said DOH has not confirmed an extension but anticipates date will slide.

Mr. Sklavounakis asked for an update on the road slip found on Forest Hills Road, Mr. Herron confirmed the Engineering department, consultants and Operations are all working together for a solution to the slip.

### **REPORT OF OTHER OFFICERS**

Mr. Sklavounakis, seconded by Mr. Seidler moved to hold over: Greater Wheeling Sports & Entertainment Authority Minutes 3/28/23.

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**ORIGINAL PROPOSITIONS**

Savage Construction-East Cardinal Street Road Slip

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$23,500.00 TO SAVAGE CONSTRUCTION INC. FOR EAST CARDINAL STREET ROAD SLIP REPAIR TO BE CHARGED TO THE CITY SERVICE FEE

Doty Salvage 4414 Wood Street Demolition

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$38,000 WITH DOTY SALVAGE, OF MOUNDSVILLE, WV FOR DEMOLITION OF 4414 WOOD STREET TO BE CHARGED TO ARPA FUNDS

Aster Oilfield Contract #5 Demolition

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$60,000.00 WITH ASTER OILFIELD SERVICES, OF BELLAIRE, OH FOR ABATEMENT AND DEMOLITION, TO BE CHARGED TO ARPA

Amending and Re-enacting Noise and Peace Disturbance- Dog Barking

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING SECTION 509.05 OF THE GENERAL OFFENSES CODE UNNECESSARY NOISE AND PEACE DISTURBANCES AT SECTION 509.05 (3) ANIMALS AND FOWL ADDRESSING FREQUENT LONG CONTINUED NOISE BY ANIMALS DISTURBING COMFORT AND REPOSE OF PERSONS IN THE VICINITY TO FURTHER INCLUDE PARTICULAR DELINEATION FOR SUCH DISTURBANCES AND TO NOTE ADDITIONAL SECTIONS OF THE CODIFIED ORDINANCES ADDRESSING SAME

Stone Center Improvements -2022 TIF

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,759,745.00 WITH OHIO VALLEY INDUSTRIAL & BUSINESS DEVELOPMENT CORPORATION OF WHEELING, WV FOR ADDITIONAL IMPROVEMENTS TO THE STONE CENTER TO BE CHARGED TO 2022 TIF BOND AND TIF EXCESS

Top Notch Landscaping-Grass Cutting 2023

The following was then read by title:

AN ORDINANCE AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TOP NOTCH LANDSCAPING AND SUPPLY TO PROVIDE GRASS CUTTING SERVICES FROM APRIL TO SEPTEMBER OF 2023 AND FURTHER AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS BI-WEEKLY UP TO THE AMOUNT OF \$8795.00

O'Brien's Rent All & Sales Inc. 23<sup>rd</sup> Street Storm Reconstruction-WPCB

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$405,600.00 TO O'BRIEN'S RENT ALL & SALES INC. OF WHEELING WV FOR 23RD STREET STORM SEWER RECONSTRUCTION TO BE CHARGED TO WATER POLLUTION CONTROL BOND FUND

**May 2, 2023**

Resolution CDBG, HOME, HUD Annual Action Plan

The following was then read by title:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE FISCAL YEAR 2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAMS, AND AUTHORIZING THE FILING OF THE FY 2023 ANNUAL ACTION PLAN WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

The resolution was read by title. Mr. Thalman, seconded by Ms. 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 those elected to Council having voted in favor, the mayor thereupon declared the resolution adopted.

**THOSE WISHING TO BE HEARD**

Ms. Barb Knollinger addressed council regarding Ordinances that were passed to designate the South Side of 5<sup>th</sup> Street to be no parking. Ms. Knollinger wants to understand why the ordinances were passed but not followed.

Ms. Carlee Dittmar spoke against the Pride on the Plaza event scheduled for June 10<sup>th</sup> 2023. Councilmen Seidler walked out of council chambers to show opposition to Ms. Dittmar's remarks.

There being no further business to discuss Mr. Thalman moved, seconded by Mr. Thorngate to adjourn. Time 6:40 pm.

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City Clerk

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Mayor