

June 6, 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 - 5
Absent: Seidler, Palmer -2

Mr. Thalman, seconded by Mr. Thorngate, that the minutes of May 16th, 2023 meeting be accepted as received. Motion Carried.

MAYOR’S REPORT

Mayor Elliott reminded about the State of the City Address scheduled for July 25th at noon at Wheeling Island Hotel and Casino, free event, lunch tickets only \$15 reach out to City Clerk for reservations.

Mayor Elliott congratulated Kelly Tucker from Wesbanco Arena on a great turnout for the “Whiskey Meyers” concert and shared excitement for bigger and more shows to come to the city. Mayor Elliott congratulated the upcoming Hall of Fame inductees and invited all available to come to the induction ceremony on Saturday June 10th, 6pm at Wesbanco Arena.

Mayor Elliott asked City Solicitor Rosemary Humway-Warmuth in regards to a previous Health and Recreation Committee meeting, on the proper procedures of agenda items going through commissions before they appear on City Council Agenda. Ms. Warmuth explained that Mayor Elliott was correct in that it is not necessary procedure to go through a committee first. Agenda items must be brought to council through a Council member initiative or from City Manager. Being clarified Mayor Elliott asked for a motion to table ordinances regarding splash pads. Mr. Thalman motioned; Mr. Thorngate seconded to table Splash Pad ordinances.

Mayor Elliott presented Proclamations to the following: “Alzheimer’s and Brain Awareness Month” presented to Trisha Painter with IC Care, “Pride Day in Wheeling” to Orrick, and “Juneteenth” to members of Wheeling Heritage and Juneteenth Committee Ron Scott Jr. and Owens Brown.

CLERK’S REPORT

Clerk Zalenski presented a request for an ABCA application for operation of a Private Club Restaurant for Flying Spoon LLC located at 87 33rd Street from Donn and Clayton McCombs.

UNFINISHED BUSINESS

Savage Construction-WFD Retaining Wall- City Service Fee

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$29,974.00 TO SAVAGE CONSTRUCTION INC OF WHEELING WV FOR RETAINING WALL REPAIRS AT 17th STREET WHEELING FIRE DEPARTMENT HEADQUARTERS TO BE CHARGED TO CITY SERVICE FEE

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate -5
NOES: -0
ABSENT: Seidler, Palmer -2

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

CT Consultants- Clator, 36th Street, Elm Terrace Playgrounds-ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$26,000 WITH CT CONSULTANTS, OF MENTOR, OH, FOR PROFESSIONAL ENGINEERING SERVICES FOR CLATOR, 36TH STREET AND ELM

June 6, 2023

TERRACE PLAYGROUNDS TO BE CHARGED TO ARPA FUND

The ordinance was read a second time by title. 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	-5
NOES:	-0
ABSENT: Seidler, Palmer	-2

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

Traffic Rule 5th Street-No Parking

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO CONTINUE NO PARKING ZONE ON THE SOUTH SIDE OF 5TH STREET TO THE DRIVEWAY ENTRANCE

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate	-5
NOES:	-0
ABSENT: Seidler, Palmer	-2

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

Cattrell Companies Inc. 12th Street Archway- RCIP

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$79,000 WITH CATTRELL COMPANIES INC OF TORONTO OHIO FOR 12TH STREET ARCHWAY TO BE CHARGED TO 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	-5
NOES:	-0
ABSENT: Seidler, Palmer	-2

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

M&G- Center Wheeling Parking Garage- 2022 TIF BOND

The following was then read by title:

AN ADDENDUM TO THE ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO ANY AND ALL NECESSARY AGREEMENTS AND EXPEND FUNDS WITH M&G ARCHITECTS & ENGINEERS OF WHEELING, WV, FOR ARCHITECTURAL AND ENGINEERING SERVICES ASSOCIATED WITH THE DEMOLITION OF THE CENTER WHEELING PARKING GARAGE ADJACENT TO THE VALLEY PROFESSIONAL BUILDING CONSTRUCTION OF THE POLICE HEADQUARTERS TO BE CHARGED TO 2022 TIF BOND

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

The vote on the motion resulted as follows:

June 6, 2023

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate -5
NOES: -0
ABSENT: Seidler, Palmer -2

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: Planning Commission Minutes 2-13-23, Hall of Fame Board Minutes 4-11-23, Centre Market Commission Minutes 4-4-23, BZA Minutes 4-20-23, Human Rights Commission 4-19-23, Planning Commission Zone Change Request which were held over be accepted as received.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thorngate asked Mr. Herron for opening time line for Edgington Lane Playground. Mr. Herron said he would find out; little work needs to be completed.

Ms. Ketchum congratulated Appalachian Outreach on their ribbon cutting of their new location at 39th Wood Street. Ms. Ketchum stated she will hold office hours on June 13th at Centre Market Café. Ms. Ketchum encouraged East Wheeling and other residents to complete the online survey provided by Tipping Point regarding the Clay School will be live until June 30th. Ms. Ketchum announced Wheeling Arts Festival will be happening August 5th at West Virginia Northern Community College and any interested vendors should reach out on website or email.

REPORT OF COMMITTEES

Mr. Thalman moved, seconded by Mr. Thorngate to accept Finance Committee Minutes dated May 16, 2023, Ms. Ketchum moved, seconded by Mr. Thalman to accept Health and Recreation Committee Minutes dated May 12, 2023 as received. For the Record they are as follows:

FINANCE COMMITTEE REPORT May 16th, 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, Seidler City Manager Robert Herron, City Clerk Jessica Zalenski, members of the public and press.

April 2023 Financial Statement:

Mr. Herron reviewed the financial statement for April 2023. We are at 76% expenditures and 83% through the fiscal year. Mr. Herron stated there are some inaccuracies with April's financial reports due to the resignation of Financial Director last month and new staff, there is 1.5 million in sales tax that is showing in the general fund. No issues or questions regarding the statement from the committee. Mr. Palmer requested the June finance meeting begin at 4:30pm to allow more time for a robust discussion of year end financials. 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: 5:18 p.m.

HEALTH AND RECREATION COMMITTEE May 12, 2023

The Health and Recreation Committee of Wheeling City Council met on the above date at 4:00 p.m. in City Council Chambers. Committee members present: Chair Ketchum and Vice Chair Thalman, Others present: City Manager Robert Herron, Parks and Recreation Director Rochelle Barry, City Clerk Jessica Zalenski and Mayor Elliott. Absent: Member Seidler

The following matters were discussed:

General Playground updates:

June 6, 2023

Ms. Ketchum asked City Manager Mr. Herron roughly how much money is still left in ARPA funding. Mr. Herron stated that number is around 4 million. Mr. Thalman asked for an update on splash pad progress at Garden Park and Heritage Port. Mr. Herron stated that the projects are ready to go out for bid now and that CT consultants has done the engineering and planning. Ms. Barry requested for construction to not begin on those until after the summer season to not interfere with summer activities and events. Mr. Herron stated work would not begin until the fall. Mr. Thalman requested that splash pad funding be on next council agenda. Ms. Barry also stated that swings are the number one request from residents for playgrounds.

Pulaski and 36th street playground:

Ms. Ketchum requested updates for Elm Terrace, Clator and Pulaski Playground redesigns, Mr. Herron stated that the ordinance for funding the projects is set to hit council agenda on May 16th.

Parks and Recreation Master Plan:

Ms. Ketchum asked Ms. Barry for an update on the Parks and Recreation Master Plan. Ms. Barry stated to have the plan created is \$20,000 and that a proposal for a comprehensive plan with a proposed budget of \$125,000. Ms. Ketchum asked Mr. Herron if there is CBDG eligibility for grants, he confirmed there may be. Mayor Elliott requested bike trails be implemented into the comprehensive plan and existing bike lanes be re-designated. Zoning codes and land usage needs to be part of the planning process, recommendation for Urban Design Ventures as a consultant for the project. Ms. Barry requested for an extensive meeting after a year of gathering data of trends, surveys and community meetings.

Mr. Thalman asked about turning existing courts and spaces to Pickleball courts since the game has become very popular.

Parks and Recreation Commission:

Ms. Ketchum requested applications and resumes be submitted for Recreation Commission to be appointed by Mayor Elliott as soon as possible to get that commission up and running as a resource to the Parks and Recreation department. Ms. Zalenski confirmed she will partner with Michele Rejonis in Marketing and Communications to get media around accepting resumes for the commission.

Beautification fund:

Ms. Ketchum stated that herself and Member Seidler have been wanting to implement a beautification fund to support art, cleanliness, flowers etc. to improve look and feel of the city. Mr. Herron stated finding the funding source would not be a problem but that it is expensive to keep the upkeep requiring a greater work load for our operations department. A discussion ensued over utilizing different local groups and organizations to help with beautification projects such as Russell Nesbitt and Volunteer Wheeling. Mr. Thalman asked Mr. Herron what kind of cleanup and updating we can do in regards to Department of Highway property overpasses, bridges and debris on interstate, Mr. Herron said district engineer Tony Clark would be a great resource to ask. Ms. Barry stated a request for funding for themed painted basketball courts throughout the city, total cost would be \$18,000 budgeting \$3,000 per court cost. Mr. Thalman asked if Ms. Barry could choose the 3 courts that would benefit most from these updates.

There being no further business to come before the Committee, Ms. Ketchum motioned, seconded by Mr. Thalman to adjourn at 4:34pm

REPORT OF CITY MANAGER

Mr. Herron stated City Hall will be closed to observe Juneteenth holiday and WV Day on June 20th, which will push City Council meeting to Wednesday June 21st,2023.

Mr. Herron stated a tentative date of ribbon cutting for new Police Headquarters for June 21st at 4pm, subject to change due to vacations and holidays.

Mr. Herron updated on ARPA funds stating little over \$2 million remains in fund. Ms. Ketchum asked Mr. Herron about OVRTA City buses and their location at Intermodal Parking Garage and Nailer's Way. Mr. Herron confirmed the long-term plan is for the buses to be around back but are temporarily there due to construction.

Mayor Elliott asked for update on new Finance Director search, Mr. Herron stated there is one candidate he is ready to send to council for interviews. Mayor Elliott also requested plans to be made for a meeting to discuss Life Hub project and also a Development Committee meeting regarding Sidewalk Grant plan.

June 6, 2023

REPORT OF OTHER OFFICERS

Ms. Ketchum motioned, Mr. Thorngate seconded to hold over, Greater Wheeling Sports and Entertainment Authority Minutes 4-25-23 and Historic Landmarks Commission Minutes 5-4-23.

ORIGINAL PROPOSITIONS

Zoning District Change 108 South Huron

The following was then read by title:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF PARCEL 137 ON THE MAP OF W42 IDENTIFIED 108 SOUTH HURON STREET FROM R-3 RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL.

Authorizing Property Lien at 2419 Jacob Street

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENT FOR THE COST OF RAZING A DILAPIDATED STRUCTURE ON REAL PROPERTY IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

Virco Contracting Inc. GC&P Sewer Replacement

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$4,150,786.50 TO THE VIRCO CONTRACTING INC OF CHARLESTON WV FOR GC&P ROAD SEWER REPLACEMENT TO BE CHARGED TO WATER POLLUTION CONTROL BOND FUND

Pedestrian Trail Bridge Painting- Saffo Contractors City Service Fee

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$441,500.00 TO SAFFO CONTRACTORS OF KITTY HAWK NORTH CAROLINA FOR PEDESTRIAN TRAIL BRIDGE PAINTING TO BE CHARGED TO THE CITY SERVICE FEE

Wheeling Symphony- Fireworks Display-City Manager- Coal Severance

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$50,000 WITH WHEELING SYMPHONY, OF WHEELING, WV, FOR CITY'S SHARE OF FIREWORK DISPLAY, \$30,000 TO BE CHARGED TO CITY MANAGER 001.4412.20.2142 AND \$20,000 CHARGED TO COAL SEVERANCE 022.4412.50.2263

Northern Panhandle Conservation District-Wheeling Creek Structures

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,500 WITH NORTHERN PANHANDLE CONSERVATION DISTRICT, OF MCMECHEN, WV, FOR THE PURCHASE OF FY 2024 OPERATION AND MAINTENANCE FUNDS FOR WHEELING CREEK STRUCTURE, \$15,000 TO BE CHARGED TO CAPITAL CONTRIBUTIONS – N.P.S.C.D 4414.50.5006 AND \$1,500 TO COAL SEVERANCE

June 6, 2023

Mr. Thalman moved, seconded by Mr. Thorngate to consolidate the readings of Original Propositions numbered 7-20 for readings of annual chemical purchases. The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS ON THE FOLLOWING TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION 401-4003-05-0718

To: Chemstream of Nitro, WV in the amount of \$21,280 for Caustic Soda

To: SNF Polydyne of Richboro, GA in the amount of \$253,184 for Polymer

To: JCI Jones Chemical Inc of Barberton, OH in the amount of \$193,500 for Sodium Hypochlorite

To: Sal Chemical of Weirton, WV in the amount of \$45,750 for Sodium Bisulfite

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS ON THE FOLLOWING, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION 401-4001-02-0720-02

To: Dell Marketing LP in the amount of \$15,600 for the purchase of three Autodesk Autocad three-year subscriptions

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS ON THE FOLLOWING TO BE CHARGED TO WATER 400.4012.03.0618.01

To: Carbon Activated Corporation of Mt. Hope, WV in the amount of \$62,500 for Powdered Activated Carbon

To: Thorton, Musson & Bellemin of Zachary, LA in the amount of \$84,150 for Citric Acid 50%

To: PVS Technologies of Detroit, MI in the amount of \$130,200 for Ferric Chloride

To: Univar Solutions of Fairfield, OH in the amount of \$18,000 for Hydrofluosilicic Acid

To: Shannon Chemical Corporation of Malvern, PA in the amount of \$78,570 for Phosphate Liquid Corrosion Inhibitor

To: Bonded Chemical of Columbus, OH in the amount of \$65,440 for Potassium Permanganate

To: Chemstream of Nitro, WV in the amount of \$20,100 for Sodium Bisulfite 38%

To: Univar Solutions of Fairfield, OF in the amount of \$43,410 for Sodium Hydroxide 25%

To: JCI Jones Chemicals of Sarasota, FL in the amount of \$166,600 for Sodium Hypochlorite 12.5%

The following Original Propositions numbered 21,22,23 were tabled, moved by Mr. Thalman and seconded by Mr. Thorngate to send the following back to Health and Recreation Committee:

CT Consultants Splash Pad Engineering Services
Savage Construction Wesbanco Splash Pad ARPA
Savage Construction Warwood Splash Pad ARPA

Resolution- Budget Fiscal Year Revision

The following was then read by title:

Resolution- Budget Revision: That subject to approval of the State Auditor's Office (as required), the COUNCIL OF THE CITY OF WHEELING does hereby direct that the budget

June 6, 2023

be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision BR2023.01.04, a copy of which is entered as part of this record.

Mr. Thalman moved, seconded by Mr. Thorngate to consolidate the readings of Original Propositions numbered 25-35 of Façade Resolutions: 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 A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR THE FOLLOWING:

- Roger Malone 2231 Chapline Street for \$15,000
- Jeff Johnson 76 15th Street for \$10,140
- David Kappel MD. 2265 and 2267 Market Street for \$15,000
- Edwin Boyd 2210 Market Street for \$9,500
- Derek Weisenborn 637 Market Street for \$5,600
- Rebecca Regrut 649 Main Street for \$6,519
- Elsa Campiti- Vaughn 15 7th Street for \$7,278
- Fulton Lending LLC 538 National Road for \$8,800
- Rod Haller 1420 Market Street for \$3,410
- Trinity Luthern Church 3536 Eoff Street for \$15,000
- P. Pepper and Gary Ford 617 Fulton Street for \$8,500

THOSE WISHING TO BE HEARD

Ms. Darlene Nolan spoke regarding border security and immigrants.

Ms. Lori Jones executive director of YWCA requested ARPA funding to help with construction costs.

Ms. Nancy Kadar spoke on concerns with paving of alley ways that may lead to flooding of garages and properties.

Ms. Carla Daniels spoke concerning properties located on Indiana Street the conditions and rodent infestations.

There being no further business to discuss Mr. Thalman moved, seconded by Mr. Thorngate to adjourn. Time 6:20 pm.

City Clerk

Mayor