

# November 19, 2024

Council of the City of Wheeling met, on the above date, at 5:30pm, at 1500 Chapline Street Wheeling, WV with Mayor Magruder presiding.

On roll call, the following were present:

Present: Assaro, Cain, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -7  
Absent: -0

Mr. Palmer moved, seconded by Mr. Sklavounakis that the minutes of November 6, 2024 meeting be accepted as received. All in favor. Motion Carried.

## MAYOR'S REPORT

Mayor Magruder invited residents to attend Winter on the Plaza also known as Light up Night to the rescheduled date of Tuesday November 26<sup>th</sup> beginning at 5:30pm, also invited residents to attend the Christmas Parade on Friday November 22<sup>nd</sup>. Mayor Magruder asked Councilman Seidler to read and present a proclamation honoring Jamie and Shaun Viles for their "Christmas House" located on Wheeling Island. Mayor Magruder remarked on Senator Manchin's visit to the Wheeling Police Department last Friday. Mayor Magruder announced the Military Banner Program and thanked all those helping to make the program possible.

## CLERK'S REPORT

### UNFINISHED BUSINESS

#### **TS Elliott LLC- Flood Damaged Main Sewage Pump Inlet Gates-WPCD**

##### **The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$36,610 WITH TS ELLIOTT LLC CONTRACTING OF WELLSBURG, WV FOR CUSTOM MADE GUIDES AND STOPS FOR MAIN SEWAGE PUMP INLET GATES DUE TO FLOOD DAMAGE TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Magruder, Sklavounakis, Palmer, Seidler, Thorngate -7

NOES: -0

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

### **Grade 8 Solutions LLC-Replacement Flood Damaged Heater-WPCD**

#### **The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,680 WITH GRADE 8 SOLUTIONS LLC OF WARREN, OH FOR PURCHASE OF REPLACEMENT FLOOD DAMAGED HEATER TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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

The vote on the motion resulted as follows:

AYES: Assaro, Palmer, Magruder, Sklavounakis, Seidler, Cain, Thorngate -7

NOES: -0

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

### **Dilapidated structures-Demolition Property Liens**

#### **The following was then read by title:**

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.

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -7

NOES: -0

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

### **CT Consultants- Boggs Hill Station- Water Main Improvements-Water**

#### **The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$781,700 WITH CT CONSULTANTS OF WHEELING WV FOR BOGGS HILL BOOSTER STATION AND WATER MAIN IMPROVEMENTS TO BE CHARGED TO WATER 400.1131.0900

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -7

NOES: -0

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

### **ERB Electric- Flood Damaged Electric Components-WPCD**

#### **The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$31,605.68 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR TIME AND MATERIALS FOR ELECTRICAL COMPONENTS DAMAGED IN FLOOD TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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

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The vote on the motion resulted as follows:

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -7

NOES: -0

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

## **ERB Electric- Flood Repair- Winterizing Centrifuge-WPCD**

### **The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$22,239.74 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR FLOOD REPAIR MATERIALS AND WIRING SERVICES TO WINTERIZE CENTRIFUGE ENCLOSURE TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -7

NOES: -0

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

Mr. Seidler, seconded by Mr. Sklavounakis moved to exit the regular order of business to allow comment.

All in favor. Motion Carried. Time 5: 46 pm

Police Chief Shawn Schwertfeger spoke in support of the police departments request for opioid funding.

Ohio County Prosecuting Attorney Shawn Turak spoke in support of the police departments request for opioid funding.

Mr. Seidler seconded by Mr. Sklavounakis moved to resume the regular order of business. All in favor. Motion Carried. Time 5:54pm

## **Wheeling Police Department- Opioid Settlement Funds**

### **The following was then read by title:**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING WV AUTHORIZING THE CITY MANAGER TO ALLOCATE A PORTION OF THE WV OPIOID SETTLEMENT FUNDS TO ASSIST THE WHEELING POLICE DEPARTMENT IN PROVIDING OPIOID RELATED ABATEMENT

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

The vote on the motion resulted as follows

AYES: Assaro, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -6

NOES: -0

ABSTAIN: Cain -1

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

## **Mid- Atlantic Maintenance-Line Painting and restriping-City Service Fee**

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**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,201.20 WITH MIDATLANTIC MAINTENANCE OF PARKERSBURG WV FOR LINE PAINTING AND RESTRIPIING TO BE CHARGED TO CITY SERVICE FEE

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler, Thorngate -7

NOES: -0

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

Mr. Thorngate, seconded by Mr. Sklavounakis moved to accept the Greater Wheeling Sports & Entertainment Authority Minutes from September 24,2024 Recreation Commission minutes from September 26,2024 and Planning Commission Report to Council from October 21,2024. All in favor. Motion Carried.

**REMARKS FROM MEMBERS OF COUNCIL**

Ms. Cain reminded all to come out to the Winter on the Plaza event on Tuesday November 26<sup>th</sup> and noted there will be no South Wheeling Crime Watch meeting in December.

Mr. Thorngate invited all to register for the Inagural Turkey Trot being held on Thanksgiving morning November 28<sup>th</sup> at Wheeling University's campus, hosted by the Parks and Rec department and Recreation Commission.

Mr. Seidler requested a motion to table Resolution #10, to get reassurance that the proposed developer provides deli and convenient services to the location at 141 Zane Street.

Mr. Palmer invited all to attend Light up Night in Elm Grove on November 30<sup>th</sup>. Mr. Palmer also requested assistance with cleaning up service lines as AEP has been placing new utility poles, other companies, such as Frontier, Comcast and Verizon have refused to remove their lines off the poles causing safety hazards. Mr. Palmer requested assistance from administration to check franchise agreements to ensure the companies are in compliance.

Mr. Assaro invited all to Light up night in Warwood on December 3<sup>rd</sup> at 7pm.

**REPORT OF COMMITTEES**

Mr. Palmer, seconded by Mr. Seidler moved to accept the minutes from the Development Committee meeting from November 6<sup>th</sup>, 2024 as received. All in favor. Motion Carried.

**REPORT OF CITY MANAGER**

Mr. Herron noted the previously purchase rescue vehicle for the Fire Department is almost complete and will be delivered in December. Mr. Herron informed the ordinance that was passed regarding Pedestrian and Public Safety will fully take effect after January 1<sup>st</sup>, there will also be information distributed throughout the process. There will be a ribbon cutting on Friday November 22<sup>nd</sup> for the new Market Street Parking structure at 10am. Water will be shut off to the decorative splash pad at Heritage port on December 2<sup>nd</sup>. The Wheeling Inn demolition project is 90% complete, OVMC, and Centre Market Garage demos all are ahead of schedule. Mayor Magruder, asked for clarification on the letters sent to residents regarding lead pipes, Mr. Herron explained the process and stated if there are questions the Water department is happy to assist, the letters were sent out due to a mandate from the EPA.

**REPORT OF OTHER OFFICERS**

Mr. Thorngate, seconded by Mr. Sklavounakis moved to Hold Over the Hall of Fame minutes from October 8, 2024.

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**ERB Electric- Flood Damaged Emergency Generator**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$59,309.91 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR TIME AND MATERIALS FOR REROUTING FLOOD DAMAGED EMERGENCY GENERATOR TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

**Leonardo US Cyber and Security Solutions-Equip & Services- RCIP**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$84,144.29 WITH LEONARDO US CYBER AND SECURITY SOLUTIONS LLC OF GREENSBORO, NC FOR THE PURCHASE OF SOFTWARE SERVICES, EQUIPMENT AND ANNUAL SUBSCRIPTION TO BE CHARGED TO RCIP

**Motorola Solutions-Police Cruiser Radios-WPD Capital Outlays**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$18,497.08 WITH MOTOROLA SOLUTIONS OF CORAOPOLIS, PA FOR THE PURCHASE OF POLICE CRUISER RADIOS TO BE CHARGED TO POLICE CAPITAL OUTLAYS

**Montrose Environmental- Professional Services Clay School- EPA Grant**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$125,374.64 WITH MONTROSE ENVIRONMENTAL OF WHEELING, WV, FOR PROFESSIONAL ENVIRONMENTAL SERVICES FOR CLAY SCHOOL TO BE CHARGED TO US EPA BROWNFIELD CLEANUP GRANT

**WTRF-Media Programming- Opioid Settlement Funding**

**The following was then read by title:**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING WV AUTHORIZING THE CITY MANAGER TO ALLOCATE A PORTION OF THE WV OPIOID SETTLEMENT FUNDS TO ASSIST WTRF IN PROVIDING OPIOID RELATED ABATEMENT VIA THE USE OF MEDIA TO EDUCATE UPON AND PREVENT OPIOID USE

**Bearcom-Police Equipment and Installation-WPD Capital Outlays**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$66,192.09 WITH BEARCOM OF DALLAS, TX, FOR EQUIPMENT TO OUTFIT POLICE VEHICLES TO BE CHARGED TO CAPITAL OUTLAYS

**Hunter Truck Sales-Sanitation Truck- Sanitation/Recycling Maintenance/ Replacement Fund**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$338,454.00 WITH HUNTER TRUCK SALES OF SMITHFIELD PA FOR SANITATION TRUCK TO BE CHARGED TO SANITATION/RECYCLING MAINTENANCE AND REPLACEMENT FUND

**CEC- Wheeling Heritage Trail Connector Project-WVDOT DOH Grant**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND EXECUTE ANY AND ALL DOCUMENTS WITH CIVIL AND ENVIRONMENTAL CONSULTANTS INC. OF BRIDGEPORT, WV FOR WHEELING HERITAGE TRAIL CONNECTOR PROJECT IN AN AMOUNT NOT

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TO EXCEED \$40,000 TO BE REIMBURSED BY WEST VIRGINIA DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS, TRANSPORTATION ALTERNATIVES PROGRAM GRANT

**Digital Ally- WPD Annual Subscription- WPD Capital Outlays**

**The following was then read by title:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$46,240.00 WITH DIGITAL-ALLY OF LENEXA, KS, FOR BODY CAMERAS AND EQUIPMENT FOR POLICE CRUISERS TO BE CHARGED TO CAPITAL OUTLAYS

**Resolution Development Redevelopment Site 141 Zane Street**

**The following was then read by title:**

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 141 ZANE STREET AS A DEVELOPMENT OR A REDEVELOPMENT SITE

The resolution was read by title. Mr. Seidler seconded by Mr. Assaro, moved that the resolution be tabled.

The vote on the motion resulted as follows

AYES: Magruder, Sklavounakis, Cain, Assaro, Seidler -5

NOES: Thorngate, Palmer -2

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

**Resolution- HUD and CBDG Substantial Amendments**

**The following was then read by title:**

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, OHIO COUNTY APPROVING AND AUTHORIZING THE SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) OF SUBSTANTIAL AMENDMENTS TO THE FY 2020, FY 2021, FY 2022 AND FY 2023 ANNUAL ACTION PLANS FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

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

The vote on the motion resulted as follows

AYES: Magruder, Thorngate, Palmer, Sklavounakis, Cain, Assaro, Seidler -7

NOES: -0

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

Mr. Thorngate, seconded by Mr. Palmer moved to consolidate readings of Original Propositions #12-14, Façades.

All in favor. Motion Carried.

**Resolution Façade- 827 Main Street- Preeminent Domains LLC**

**Resolution Façade- 1920 Main Street-Marianne Cracolici**

**Resolution Façade 1070 Market Street- AC Real Estate LLC**

**The following was then read by title:**

RESOLUTIONS 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 PREEMINENT DOMAINS LLC 827 MAIN STREET, IN THE AMOUNT OF \$15,000, FOR MARIANNE CRACOLICI 1920 Main Street, IN THE AMOUNT OF \$15,000 AND FOR A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR AC REAL ESTATE LLC/ ANGELA CRAWFORD 1070 Market Street, IN THE AMOUNT OF \$12,233.96

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

The vote on the motion resulted as follows

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AYES: Magruder, Thorngate, Palmer, Sklavounakis, Cain, Assaro, Seidler -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**

Susie Downing of Wheeling, WV spoke on the proposed redevelopment at 141 Zane Street.  
Carlee Dittmar of Wheeling, WV spoke on immigration and the homeless population.

There being no further business to discuss Mr. Seidler moved, seconded by Mr. Sklavounakis to adjourn. Time 6:23 pm.

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City Clerk

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Mayor

