

December 3, 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 19, 2024 meeting be accepted as received. All in favor. Motion Carried.

MAYOR'S REPORT

Mayor Magruder gave congratulations for a successful Christmas Parade and Light up Night on Market Plaza.

UNFINISHED BUSINESS

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

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.

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

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Assaro, 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.

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

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

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

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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.

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

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Assaro, 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.

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

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

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

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.

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

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Assaro, 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.

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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

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

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

Mr. Seidler, seconded by Mr. Thorngate, moved to lift off the table. All in favor. Motion passes.

Mr. Seidler, seconded by Mr. Sklavounakis, moved to exit the regular order of business and allow public comment. All in favor. Motion carried.

Mr. Seidler addresses the Resolution. The LVL requested is for the former WesBanco Bank drive-thru building. There is a need for a convenience type store on the Island, thus he is supporting this project due to providing necessary grocery and convenience items.

Larry Lewis, Project Developer, spoke about business model and plans for the location to resemble his other locations. The building and renovations allow approximately 2000 square feet of space with LVL operating in about 300 square feet. There will be deli options, frozen and fresh foods. Mr. Lewis indicated he has given a sketch to Mr. Seidler of the proposed layout.

Shawn Viles, 44 Kentucky St., spoke in opposition of issuing the development/redevelopment designation citing too many gambling parlors in short radius.

Susie Downing, 418 N. Huron, spoke in opposition to the LVL licensing.

Courtney Droginske, 601 N. Erie St., spoke in opposition to the LVL licensing.

Mr. Seidler, seconded by Mr. Thorngate, moved to exit the regular order of business and allow public comment. All in favor. Motion carried.

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: 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 resolution adopted.

Mr. Thorngate, seconded by Mr. Sklavounakis moved to accept the Hall of Fame minutes from October 8, 2024. All in favor. Motion Carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Cain reminded all to come out to the Wild and Wonderful Winter event on Saturday December 7, 2024. Ms. Cain asked City Manager Herron to address the items left outside the Life Hub during the day.

Mr. Seidler asked about replacing streetlights on Wheeling Island with LED models.

Mr. Assaro reminded all no Crime Watch in December.

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REPORT OF COMMITTEES

Mr. Palmer, seconded by Mr. Seidler moved to accept the minutes from the Public Works, Development, and Finance Committee meeting from November 19th, 2024, as received. All in favor. Motion Carried.

REPORT OF CITY MANAGER

Mr. Herron noted Montrose Environmental Ordinance passed tonight was in reference to remediation for the former Clay School. The City Council needs to decide on recommendations to redevelop or demolish. The grant will cover remediation, but the process is different depending on the outcome and decision.

Mr. Herron informed that the ordinance that was passed regarding line striping will occur on December 9th and 10th and a backup date on December 16th and 17th weather dependent. If necessary, will be pushed to spring.

REPORT OF OTHER OFFICERS

Mr. Thorngate, seconded by Mr. Sklavounakis, moved to Hold Over the GWSEA minutes from October 29, 2024 and BZA minutes from October 17, 2024.

ORIGINAL PROPOSITIONS

REAL Builders LLC-Storage Building-Water

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$29,000.00 WITH REAL BUILDERS LLC OF SALESVILLE, OH FOR CONSTRUCTION OF POLE BARN STORAGE BUILDING TO BE CHARGED TO WATER

OVADC- Economic Development Transfer- 2022 TIF Bond Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS IN THE AMOUNT OF \$1,350,000.00 TO OHIO VALLEY AREA DEVELOPMENT CORPORATION (OVADC) FOR TIF DISTRICT ECONOMIC DEVELOPMENT PURPOSES TO BE CHARGED TO 2022 TIF BOND FUND

Amending and Reenacting Article 927- Sewer Use

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 935 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENLTITLED "SEWER USE"

Transfer 1107 Main Street-OVADC

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED AT 1101 - 1107 MAIN STREET TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEEDS AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE.

Safehold USI Insurance- Insurance Premiums- WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$27,907.00 WITH SAFEHOLD USI INSURANCE SERVICES LLC, OF WHEELING, WV FOR FY 2024-2025 FLOOD INSURANCE PREMIUMS, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Resolution Food for Fines 2024

The following was then read by title:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING PROPOSING A DONATION PROCESS, IN LIEU OF OVERTIME PARKING FINES, TO BE DISTRIBUTED TO MUNICIPAL NON-PROFITS - "FOOD FOR FINES."

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

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.

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Resolution Façade 1052 Main Street- Jessica Barclay

The following was then read by title:

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 JESSICA BARCLAY 1052 MAIN STREET, IN THE AMOUNT OF \$15,000.00

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

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

No one additional signed up to speak.

There being no further business to discuss Mr. Thorngate, seconded by Mr. Seidler, moved to adjourn. Time: 6:12