

May 21, 2024

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

On roll call, the following were present:

Present: Elliott, Ketchum, Seidler, Sklavounakis, Thalman, Thorngate, Palmer -7
Absent: -0

Mr. Thalman moved, seconded by Mr. Thorngate that the minutes of May 7, 2024 meeting be accepted as received. All in favor. Motion Carried.

Mr. Thalman, seconded by Mr. Thorngate moved to exit the regular order of business to conduct public hearings on amending Article 1103 Littering and Article 547 Tobacco Restrictions, All in favor. Motion Carried. No members of the public signed up to speak on the matters. Mr. Thalman, seconded by Mr. Thorngate moved to resume regular order of business. All in favor. Motion Carried.

MAYOR'S REPORT

Mayor Elliott noted the next public meeting for the city's Comprehensive Plan will be held Thursday May 23rd from 5:30pm to 7:30pm at Wheeling University. Mayor Elliott remarked on all candidates who placed names on the election ballot and congratulated all candidates on their wins. Mayor Elliott also remarked with excitement on recently announced downtown development on water street, where a new hotel is to be constructed in partnership with Mr. Barry Allen.

UNFINISHED BUSINESS

Mr. Thorngate, seconded by Mr. Thalman moved to exit regular business to allow for public comment. All in favor. Motion Carried.

Jasmine Donner of Wheeling commented on proper spending of Opioid settlement funding.

Vincent DeGeorge of Wheeling commented on process of applications for Opioid settlement funding.

Zane Miller of Wheeling commented on proper spending of Opioid settlement funds, yielded his remaining time to John Russell of Wheeling who asked for a pause on Opioid settlement funds.

Kenneth Powell commented on ethical obligations regarding Opioid settlement funds.

Mr. Thorngate, seconded by Mr. Thalman moved to resume regular order of business. All in favor. Motion Carried.

Opioid Settlement Funding- Wheeling Police Department

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. Thorngate seconded by Mr. Thalman, moved that the ordinance be amended to reduce one UTV from the proposal.

The vote on the motion resulted as follows

AYES: Thalman, Thorngate, Ketchum, Sklavounakis, Elliott -5

NOES: Palmer, Seidler -2

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

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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: Thalman, Thorngate, Elliott, Seidler, Sklavounakis, Palmer -6

NOES: Ketchum -1

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

Opioid Settlement Funding- Wheeling Fire Department

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 FIRE DEPARTMENT IN PROVIDING OPIOID RELATED ABATEMENT

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

The vote on the motion resulted as follows

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

NOES: -0

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

Traffic Rule- Handicap Meter #17

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ESTABLISH HANDICAP PARKING AT METER 17 ON 15th STREET

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

The vote on the motion resulted as follows

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

NOES: -0

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

Adopting 2023 Replacement Pages, City Codified Ordinances

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING AND ADOPTING THE 2023 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHEELING

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -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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Wheeling-Ohio County Health Department- Fee Revisions

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING APPROVING REVISIONS TO WHEELING-OHIO COUNTY BOARD OF HEALTH FEES FOR PERMITS AND ENVIROMENTAL HEALTH SERVICES

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

XYLEM- Emergency Flood Services-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$75,840.00 TO XYLEM DEWATERING SOLUTIONS OF CHICAGO, IL FOR EMERGENCY FLOOD SERVICES TO BE CHARGED WATER POLLUTION CONTROL DIVISION

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

The vote on the motion resulted as follows

AYES: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -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 Services-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$28,707.84 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR FLOOD REPAIR SERVICES TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

Amending and Reenacting Article 1103- Littering

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 1103 OF THE OF THE CITY OF WHEELING HEALTH AND SANITATION CODE ENTITLED LITTERING TO AMEND §1103.18, §1103.99 AND ADDING §1103.19

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

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

NOES: -0

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

Amending and Reenacting Article 547-Tobacco Use Restrictions

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 547 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ENTITLED TOBACCO USAGE RESTRICTIONS TO INCLUDE, E-CIGARETTE AND VAPOR (VAPE) PRODUCTS

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

The vote on the motion resulted as follows

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

NOES: -0

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

OVADC-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 \$790,000 TO OHIO VALLEY AREA DEVELOPMENT CORPORATION (OVADC) FOR TIF DISTRICT ECONOMIC DEVELOPMENT PURPOSES TO BE CHARGED TO 2022 TIF BOND FUND

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

US Army Corp Engineers-Elm Run Stormwater- RCIP

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS, PITTSBURGH DISTRICT IN THE AMOUNT OF \$173,666.67 FOR LOCAL MATCH ELM RUN STORMWATER MANAGEMENT PROJECT TO BE CHARGED TO RCIP

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

Cast & Baker Corporation- Valley View Sanitary Sewer-ARPA

The following was then read by title:

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AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$1,649,905 TO CAST AND BAKER CORPORATION OF CANNONSBURG PA FOR VALLEY VIEW SANITARY SEWER IMPROVEMENTS TO BE CHARGED TO ARPA

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

James White Construction- Valley View-Storm Sewer-ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$700,314 WITH JAMES WHITE CONSTRUCTION CO, OF WEIRTON, WV FOR VALLEY VIEW STORM SEWER IMPROVEMENTS TO BE CHARGED TO ARPA

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

Mr. Thalman, seconded by Mr. Thorngate moved to accept the Planning Commission Minutes from March 11, 2024 which were held over, as received. All in favor. Motion Carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Palmer expressed sincere gratitude to all of council, many who he has served the last eight years with.

Mr. Seidler echoed Mr. Palmer's remarks, and asked City Manager to help with getting a temporary dock in place in time for July 4th weekend until a permanent structure can be rebuilt.

Ms. Ketchum congratulated Ms. Connie Cain on her Ward 3 win, and noted the Market Street bridge is now reopened to traffic. Ms. Ketchum also noted she has been contacted by many concerned with at minimum keeping facades of some of the buildings on 14th and water that are going to be reconstructed with the newly announced hotel project.

Mr. Sklavounakis congratulated all those who placed their names on the election ballot and asked for patience from residents in the Valley View and ABC street area as they work through the sewer and gas line projects, and requested police presence to help direct and monitor traffic.

REPORT OF CITY MANAGER

City Manager Herron announced the city received a \$500,000 Brownfield grant for asbestos abatement which will cover the full cost for the abatement at the Clay School building and also a US EAP planning grant that can be put towards the building redevelopment. Mr. Herron respectfully asked for two reads on original proposition number twelve, which involves emergency slip repair on Stratford Road. Mr. Herron noted the 12th street archway letters will be painted gold as they were intended to be originally. Ms. Ketchum asked for an update on the Fire Headquarters, Mr. Herron stated waiting for court system to release so that new general contractor can get to work as soon as possible. Mr. Seidler asked for updated resumes on Finance Director position, Mr. Palmer asked when mobilization is happening for bridge painting, City Manager stated crews will begin to mobilize on May 27th.

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REPORT OF OTHER OFFICERS

Mr. Sklavounakis, seconded by Mr. Thorngate moved to hold over the Planning Commission Minutes from April 8, 2024 and the Board of Zoning Appeals minutes from April 18, 2024. All in favor. Motion Carried.

ORIGINAL PROPOSITIONS

Traffic Rule- Two Hour Parking Meters- Market Street

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ADD FIVE TWO HOUR PARKING METERS IN FRONT OF 2131 MARKET STREET

Jim Shorkey Ford- Truck Water Department-Vehicle Replacement Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$94,359.70 WITH JIM SHORKEY FORD OF WHITE OAK, PA FOR A 2025 FORD TRUCK FOR THE WATER DEPARTMENT TO BE CHARGED TO VEHICLE REPLACEMENT FUND

Municipal Council Levy Estimate FY 2024-2025

The following was then read by title:

AN ORDINANCE OF THE MUNICIPAL COUNCIL LEVY ESTIMATE, PRESCRIBED BY THE WEST VIRGINIA STATE AUDITOR, KNOWN AS THE ANNUAL APPROPRIATION FOR FISCAL YEAR 2024-2025 BUDGET FOR WHEELING MUNICIPALITY, OHIO COUNTY

Wheeling Symphony Orchestra- Fireworks- City Manager- Coal Severance

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$60,000 WITH WHEELING SYMPHONY, OF WHEELING, WV, FOR CITY'S SHARE OF FIREWORK DISPLAY, \$35,000 TO BE CHARGED TO CITY MANAGER 001.4412.20.2142 AND \$25,000 CHARGED TO COAL SEVERANCE 022.4412.50.2263

Konecranes-Power Supply Dry Pit Crane WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$15,085.85 WITH KONECRANES OF PITTSBURGH, PA FOR UPGRADE TO POWER SUPPLY FOR DRY PIT CRANE TO BE CHARGED WATER POLLUTION CONTROL DIVISION

Warwood Armature Repair Co.- Main Sewage Pump #3- WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$26,892.00 WITH WARWOOD ARMATURE REPAIR CO. OF WHEELING, WV FOR REBUILD OF MAIN SEWAGE PUMP #3 TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Atlas Environmental Management-Flood Cleaning Services-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,135.00 WITH ATLAS ENVIRONMENTAL MANAGEMENT OF YOUNGSTOWN OH FOR EMERGENCY FLOOD RELATED CLEANING SERVICES TO BE CHARGED WATER POLLUTION CONTROL DIVISION

Xylem- Dewatering Sewage Plant-WPCD

The following was then read by title:

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AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$24,859.80 WITH XYLEM DEWATERING SOLUTIONS INC OF CHICAGO, IL FOR EMERGENCY FLOOD DEWATERING OF THE SEWAGE PLANT TO BE CHARGED WATER POLLUTION CONTROL DIVISION

TS Elliott LLC-Emergency Flood Services-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$88,444.00 WITH TS ELLIOTT LLC CONTRACTING OF WELLSBURG, WV. FOR EMERGENCY FLOOD RELATED SERVICES TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Xylem- Sewer Plant Pump Rental- WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$57,885.50 WITH XYLEM DEWATERING SOLUTIONS INC OF CHICAGO IL FOR SEWER PLANT PUMP RENTAL TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Emergency Assistance Collaboratives-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 THE EMERGENCY ASSISTANCE COLLABRATIVES IN PROVIDING OPIOID RELATED ABATEMENT

James White Construction Company-Emergency Repair Stratford Road-Water

The following was then read by title:

AN ORDINANCE AUTHORING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$59,980.00 WITH JAMES WHITE CONSTRUCTION CO, OF WEIRTON, WV FOR EMERGENCY REPAIR STRATFORD ROAD WATERLINE TO BE CHARGED TO WATER

Mr. Sklavounakis, seconded by Mr. Palmer moved for a second read of the ordinance. All in favor. Motion carried.

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: Thalman, Thorngate, Ketchum, Seidler, Sklavounakis, Palmer, Elliott -7

NOES: -0

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

Indoff-Outdoor Enhancements Centre Market- ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$46,775.00 WITH INDOFF OF WHEELING, WV FOR THE PURCHASE OF OUTDOOR FURNITURE FOR CENTRE MARKET TO BE CHARGED TO ARPA

THOSE WISHING TO BE HEARD

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There being no further business to discuss Mr. Thorngate moved, seconded by Mr. Thalman to adjourn. Time 6:27 pm.

City Clerk

Mayor

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