

Council of the City of Wheeling met in Council Chambers, City-County Building, on the above date, with Mayor Glenn Elliott presiding.

The invocation was offered by Second Ward Councilor Ken Imer.

On roll call, the following were present:

Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer

- 7

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the December 20, 2016 meeting be approved as received. Motion carried.

### **MAYOR'S REPORT**

Mayor Elliott extended Happy New Year wishes to those present. He updated those present on the following Ad Hoc Committee meetings: Regional Industrial Development - Thursday, January 12 at 8:00 a.m. in Council Chambers and Thursday, January 26 at 8:00 a.m. in Council Chambers; Workforce Housing Committee is still accepting survey responses. The link is posted at the top of the City's Facebook page; Retention Committee is preparing to launch a survey this week to gauge why residents have left Wheeling as well as why they've returned or chosen to stay.

Mayor Elliott thanked the Wheeling Fire Department and Police Department for their quick, professional response to the multi-home fire that occurred on Virginia Street.

Mayor Elliott welcomed the new Director of Parks and Strategic Planning, Jesse Mestrovic, to Council. He announced that trash will be delayed one day and that residents can put their Christmas trees out with their trash to be picked up by the Operation Department.

As he mentioned at the last meeting, Mayor Elliott said that the Wheeling Young Preservationists have volunteered to clean up city-owned buildings at 1107 and 1109 Main Street. That is scheduled for Saturday, January 7 from 10:00 a.m. to 4:00 p.m.

He announced that the Show of Hands will take place February 22, 2017 and applications can be submitted now. More than \$20,000 has been reinvested in Downtown Wheeling through this event.

He also announced that, tentatively, January 17 will be the first televised City Council meeting and again that the February 7<sup>th</sup> City Council meeting will be held at The Linsly School at 12:00 noon.

Mayor Elliott payed tribute to Mark Nardone, Wheeling Park High School coach, who recently passed away after an 18<sup>th</sup> month battle with ALS.

Mayor Elliott addressed the shooting that recently occurred in East Wheeling. He and the rest of Council recognize that something has to be done in that area other than the "status quo." This behavior is totally unacceptable. He said that meetings will be held with the Administration and the Police Chief to address this issue.

Prior to Mayor Elliott reading a proclamation for the 240<sup>th</sup> Anniversary of the first siege of Fort Henry, he recognized Jay Frey, president of the Fort Henry Chapter, National Society, Sons of the American Revolution, who gave brief remarks about the history of Fort Henry. He also recognized Debbie Smith, President of the Wheeling Chapter, National Society, Daughters of the American Revolution and Deborah Jones, Site Manager for WV Independence Hall.

### **CLERK'S REPORT**

City Clerk Janice Jones announced that the International Institute of Municipal Clerks will hold its Region II meeting at Oglebay on January 10 through January 13, 2017. It will be the first time in 25 years that West Virginia has hosted the Region meeting. Clerks from New Jersey, Pennsylvania, Virginia, Delaware, Maryland and West Virginia will be attending the conference.

### UNFINISHED BUSINESS

#### ZONE CHANGE - 4.328 ACRE TRACT OF LAND ON THE WESTERLY SIDE OF WOOD ST. - I-2 TO C-2

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF A 4.328 ACRE TRACT OF LAND SITUATE ON THE WESTERLY SIDE OF WOOD STREET, SOUTH OF THE INTERSTATE 470 OFF-RAMP ONTO WEST VIRGINIA ROUTE 2 AS DEPICTED ON THE ATTACHED SURVEY FROM I-2 GENERAL INDUSTRY TO C-2 GENERAL COMMERCIAL.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, Palmer - 7

NOES: - 0

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

#### SHOOK CONSTRUCTION - SUPPLEMENTAL HEATING - WATER TREATMENT PLANT PROJECT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$38,555.00 WITH SHOOK CONSTRUCTION, OF DAYTON, OH, FOR SUPPLEMENTAL HEATING (TO BE REIMBURSED BY C. T. CONSULTANTS) FOR FILTRATION UPGRADE AND PLANT IMPROVEMENTS PROJECT, TO BE CHARGED TO WATER - #400.1304.03.00.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, Palmer - 7

NOES: - 0

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

#### T.L. VELAS DIVING & SUPPLY - EQUIPMENT & TRAINING - FIRE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$21,966.00 WITH T. L. VELAS DIVING & SUPPLY, OF WHEELING, WV, FOR EQUIPMENT & TRAINING FOR FIRE DEPARTMENT, TO BE CHARGED TO GENERAL FUND - HOMELAND SECURITY GRANT.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, Palmer - 7

NOES: - 0

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

ROCK-N-RESCUE/J.E. WEINEL, INC. - EQUIPMENT - FIRE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,009.17 WITH ROCK-N-RESCUE/J. E. WEINEL, INC., OF BUTLER, PA, FOR EQUIPMENT FOR FIRE DEPARTMENT, TO BE CHARGED TO GENERAL FUND - HOMELAND SECURITY GRANT.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, Palmer - 7

NOES: - 0

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

TRANSFER TO OVADC - TAX PARCEL 30A - 334 ALONG MT. WOOD ROAD

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED IN THE NORTH PARK AREA OF THE CITY OF WHEELING AT TAX PARCEL 30A-334 ALONG MT. WOOD ROAD, TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEED AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, Palmer - 7

NOES: - 0

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

DEDICATION - PORTION OF CORLISS AVENUE AND CORLISS TERRACE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ACCEPTING THE OFFER OF DEDICATION OF A PORTION OF A PUBLIC WAY IN THE CITY OF WHEELING, WEST VIRGINIA, KNOWN AS CORLISS AVENUE AND CORLISS TERRACE, AS SET FORTH ON THE ATTACHED MAP WHICH IS ON FILE IN THE OFFICE OF THE CITY CLERK AND CITY ENGINEER.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, Palmer - 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. Palmer, that the Wheeling Municipal Parking System Financial Report, 10/31/16; Robert C. Byrd Intermodal Transportation Center Financial Report, 10/31/16; CDBG Program Status Report, 11/30/16; HOME Program Status Report, 11/30/16; Wheeling Housing Authority Minutes, 10/12/16; Human Rights Commission Minutes, 10/18/16; Historic Landmarks Commission Minutes, 11/6/16; and Financial Statement, 11/30/16; which were held over, be approved as received. Motion carried.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Palmer also thanked the Police and Fire Departments for their quick response to the fire on Wheeling Island and also thanked the Rusty Jebbia and the Water and Operations Department for a flooding issue in the Elm Grove area.

Ms. Scatter expressed her condolences to the Nardone family as well. She indicated that she is working on a time and place to host 4<sup>th</sup> Ward meetings on a monthly basis. She also said that she will not be in attendance at the February 7<sup>th</sup> City Council meeting as she will be out of town attending a conference on drug prevention in Washington, DC.

Mr. Thalman also welcomed Jesse Mestrovic, the new Parks and Strategic Planning Director. In regard to the East Wheeling shooting that occurred this past week-end, Mr. Thalman commented that the East Wheeling residents deserve a peaceful neighborhood and said that something has to change so that this can occur. He, too, indicated that this type of violence is totally unacceptable. He said that public safety is a top priority of this Council and said that they will be working on this so that it never happens again.

Mr. Wilson said that, because of the holiday, the East Wheeling Crime Watch meeting will be held January 9<sup>th</sup> at the Homeless Coalition, 68 - 15<sup>th</sup> Street.

**REPORT OF COMMITTEES**

Mr. Thalman moved, seconded by Mr. Palmer, to dispense with the reading of the minutes of the Finance Committee meeting of 12/20/16 and accept them as received. Motion carried. For the record, the minutes are as follows:

### **FINANCE COMMITTEE REPORT - DECEMBER 20, 2016**

The Finance Committee of Wheeling City Council met on Tuesday, December 20, 2016 at 5:00 p.m. in City Council Chambers. Committee Members present: Chair Chad Thalman, Vice Chair Dave Palmer, Member Wendy Scatterday. Others present: Mayor Glenn Elliott, Councilors Ken Imer, Brian Wilson and Ty Thorngate; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth; Finance Director Seth McIntyre, City Clerk Janice Jones and the media.

The following matters were discussed:

#### **Financial Statement - November 30, 2016**

City Manager Robert Herron reported that revenues for November are \$2,725,000.00 and expenses are \$2,245,000.00. There is still \$1,055,000.00 in the budget stabilization fund and the cash balance at the end of November is \$4, 115,000.00, which Mr. Herron pointed out is pretty strong. One item that will lower that cash balance is approximately \$300,000.00 for paving, which is under contract but has not been paid for yet. Another is a pass through from the Wheeling Park Commission that will be going to OVRTA in the amount of approximately \$200,000.00. Mr. Herron noted that the revenue for the year is about 48% of budget and expenditures are at about 39%. Mr. Herron said that there may be future budget revisions. Following some discussion, Member Palmer moved, seconded by Member Scatterday, to accept the November 30, 2016 Financial Statement as presented. Motion carried.

#### **General Fund Budget Revision No. 2 and Coal Severance Budget Revision No.1**

City Manager explained General Fund Budget Revision No. 2 and Coal Severance Budget Revision No. 1, copies of which are attached, along with a detailed account by line item. He said that all of the adjustments will be offset by Business and Occupation Tax and Federal Government Grants.

Following a short discussion, Mr. Thalman moved, seconded by Ms. Scatterday, to approve both Budget Revisions as received. Motion carried.

There being no further business to come before the Committee, Ms. Scatterday moved, seconded by Mr. Palmer, to adjourn. Time: 5:10 p.m.

### **REPORT OF OTHER OFFICERS**

Ms. Scatterday moved, seconded by Mr. Imer, that the Board of Zoning Appeals Minutes, 11/17/16, be held over until the next meeting. Motion carried.

### **ORIGINAL PROPOSITIONS**

#### **DESIGNATING DEPOSITORIES - 2017**

The following was then read:

AN ORDINANCE DESIGNATING BRANCH BANKING AND TRUST COMPANY (BB & T), UNITED BANK, PROGRESSIVE BANK, N.A., WHEELING, WESBANCO BANK WHEELING, J. P. MORGAN CHASE AND COMPANY, AND MAIN STREET BANK WHEELING, AS BANKS WITHIN THE CITY WHICH SHALL BE CITY DEPOSITORIES FOR CALENDAR YEAR 2017, AND AUTHORIZING AN AGREEMENT BETWEEN THE CITY AND EACH SUCH DEPOSITORY WHICH SHALL FIX ALL TERMS AND CONDITIONS OF THE DEPOSIT OF PUBLIC

MONEY, IN ACCORDANCE WITH ARTICLE 185 OF THE  
CODIFIED ORDINANCES OF THE CITY OF WHEELING.

POMEROY & APS - LAPTOPS, PRINTERS, FOR NORTHERN REGIONAL HIGHWAY  
SAFETY PROGRAM

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE  
CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF  
\$82,290.39 WITH POMEROY OF DUNBAR, WV AND APS OF  
DEERFIELD BEACH, FL FOR E-CITATION LAPTOPS,  
PRINTERS, AND PAPER FOR NORTHERN REGIONAL  
HIGHWAY SAFETY PROGRAM, TO BE CHARGED TO  
POLICE DEPARTMENT -WV HIGHWAY SAFETY  
PROGRAM.

RESOLUTION - GENERAL FUND BUDGET REVISION NO. 2

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
WHEELING DIRECTING THAT THE GENERAL FUND  
BUDGET BE REVISED AS PER BUDGET REVISION NO. 2.

Mr. Thalman moved, seconded by Ms.Scatterday, that the Resolution be adopted.  
Motion carried.

RESOLUTION - COAL SEVERANCE BUDGET REVISION NO. 1

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
WHEELING DIRECTING THAT THE COAL SEVERANCE  
BUDGET BE REVISED AS PER BUDGET REVISION NO. 1.

Mr. Thalman moved, seconded by Ms.Scatterday, that the Resolution be adopted.  
Motion carried.

RESOLUTION - SECTION 108 LOAN REPAYMENT - CDBG

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
WHEELING AUTHORIZING THE CITY MANAGER TO  
EXPEND FUNDS IN THE AMOUNT OF \$18,961.25 FROM  
CDBG 2015 EY - SECTION 108 LOAN REPAYMENT -  
#1513-015-140 FOR COSTS ASSOCIATED WITH HUD 108  
PROGRAM.

Mr. Wilson moved, seconded by Mr. Palmer, that the Resolution be adopted.  
Motion carried.

RESOLUTION - APPROVING INVOICES - WATER TREATMENT PLANT PROJECT

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
WHEELING APPROVING INVOICES RELATING TO THE  
CONSTRUCTION AND OTHER SERVICES FOR THE WATER  
TREATMENT PLANT PROJECT AND AUTHORIZING

PAYMENT THEREOF.

Mr. Thalman moved, seconded by Mr. Thorngate, that the Resolution be adopted. Motion carried.

**THOSE WISHING TO BE HEARD**

Larry Bandi, President of Central Catholic High School, addressed Council with concern about the safety of residents, students and visitors to East Wheeling. He believes that immediate action is necessary to halt this unacceptable behavior.

Eugene Burney, Bellaire, OH, manager of the Legion Bar in East Wheeling, said that the Legion gets blamed for things that they have no control over and that happens a block away. He suggests that people hang out outside the Legion, on the sidewalk or in Lane E.

Will Wallace, a resident of 33 - 15th St., East Wheeling, also agreed that this behavior is unacceptable. He has made a significant investment in his property and fears for his family and his neighbors safety.

Bill Fuller, West Cardinal St., 47 year member of the Legion. He said that most of the incidences on Lane E are not coming from people that frequent the Legion.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 12:45 p.m.

---

City Clerk

---

Mayor