

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

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Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the September 5, 2017 meeting be approved as received. Motion carried.

Mr. Thalman moved, seconded by Mr. Thorngate, to suspend the regular order of business to conduct a public hearing. Motion carried.

**“Public Hearing - Home Investment Partnership (HOME) Program and
Community Development Block Grant (CDBG) Program - Performance Hearing -
Fiscal Year 2016 (July 1, 2016 to June 30, 2017)”**

Mayor Elliott noted that no one signed up to speak at this public hearing and asked if anyone present wished to do so. As there was no one to speak, Mr. Thalman moved, seconded by Mr. Thorngate, to conclude the public hearing and resume the regular order of business. Motion carried.

MAYOR’S REPORT

Mayor Elliott announced that the Bike Rodeo will take place at the Heritage Port on September 30th from 9:00 a.m. to 12:00 p.m. They will have a free bike check, bike helmets and an obstacle course to participate in. Also, on September 30, an Oktoberfest Celebration will take place at Centre Market from 12:00 a.m. to 11:00 p.m., with music, food vendors and craft beers. The event is sponsored by the City and United Way of the Upper Ohio Valley.

The Mayor updated Council and the public about the status of the 26th St. Playground, Wilson Playground, Jensen and Grandview. The next playground project, on this evening’s agenda, includes Patterson, Mozart and Bridge Street Playgrounds. Mayor Elliott announced that ribbon cutting ceremonies for the Disc Golf on Wheeling Island and the Dog Park will be scheduled in the near future.

At this time, Mayor Elliott introduced Gus Suwaid, District 6 Engineer, with the WV Division of Highways who gave a thirty minute presentation on the Road Bond Amendment, which will be voted upon at a special election on October 7, 2017, and the impact it will have on Ohio County and the State. He outlined various local projects and funding amounts.

Mayor Elliott recognized Brenda Danehart, News Director at WTRF7 for many years and who will be inducted into the WV Broadcasters Hall of Fame in Huntington, WV, on September 30, 2017. He presented her a proclamation proclaiming September 30 as Brenda Danehart Day in the City of Wheeling.

UNFINISHED BUSINESS

PREISER SCIENTIFIC - LABORATORY EQUIPMENT - WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$48,869.00 WITH PREISER SCIENTIFIC, OF ST. ALBANS, WV, FOR THE PURCHASE LABORATORY EQUIPMENT FOR WATER TREATMENT PLANT, TO BE CHARGED TO WATER TREATMENT - 400.4012.03.0620.02.

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.

WHEELING AREA CHAMBER OF COMMERCE - 2017 CITY OF LIGHTS FESTIVAL

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,500.00 WITH THE WHEELING AREA CHAMBER OF COMMERCE FOR SUPPORT OF THE 2017 CITY OF LIGHTS FESTIVAL TO BE CHARGED TO COAL SEVERANCE 002.4412.50.2262.

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.

CUNNINGHAM RECREATION - PATTERSON, MOZART, BRIDGE ST. PLAYGROUNDS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$89,941.75 WITH CUNNINGHAM RECREATION, OF CHARLOTTE, NC., FOR PATTERSON, MOZART AND BRIDGE PARK PLAYGROUNDS, TO BE CHARGED TO PLAYGROUNDS - #001.4979.40.9002.

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.

ADOPTING TRAFFIC RULE NO. 4609 - HANDICAPPED PKG. 833 GRANDVIEW ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF

WHEELING ADOPTING TRAFFIC RULE NO. 4609.

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.

ADOPTING TRAFFIC RULE NO. 4610 - ONE HR. PKG. METER ZONE - E, & W. SDS. OF CHAPLINE ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4610.

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.

ADOPTING TRAFFIC RULE NO. 4611 - NO PKG. ZONE - EAST SD. OF SOUTH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4611.

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.

ADOPTING TRAFFIC RULE NO. 4612 - NON-RESTRICTIVE INTERSECTION - HEISKELL AVE. & PINE AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4612.

The ordinance was read a second time by title. Ms. Scatterday moved, seconded by Mr. Palmer, 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.

ADOPTING TRAFFIC RULE NO. 4613 - STOP INTERSECTION AT HEISKELL AVE. & MAPLE AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4613.

The ordinance was read a second time by title. Ms. Scatterday moved, seconded by Mr. Palmer, 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.

ADOPTING TRAFFIC RULE NO. 4614 - NO PKG. ZONE - N. SD. OF MAPLE AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4614.

The ordinance was read a second time by title. Ms. Scatterday moved, seconded by Mr. Palmer, 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.

ADOPTING TRAFFIC RULE NO. 4615 - NO PKG. ZONE - S. SD. OF ARCADIA

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4615.

The ordinance was read a second time by title. Ms. Scatterday moved, seconded by Mr. Palmer, 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.

ADOPTING TRAFFIC RULE NO. 4616 - COMMERCIAL LOAD. ZONE - W. SD. OF MARKET ST. (CENTER MARKET).

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4616.

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.

ADOPTING TRAFFIC RULE NO. 4617 - 2 HR. HANDICAPPED PKG. ZONE - W. SD. OF MARKET ST. (CENTER MARKET)

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE 4617.

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.

ADOPTING TRAFFIC RULE NO. 4618 - COMMERCIAL LOAD. ZONE & HANDICAPPED PKG. ZONE - W. SD. OF MARKET ST. - SOUTHBOUND - CENTER MARKET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4618.

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.

ADOPTING TRAFFIC RULE NO. 4619 - 2 HR. HANDICAPPED PKG. ZONE - W. SD. OF MARKET ST. SOUTHBOUND - CENTER MARKET

The following was then read:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4619.

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.

ADOPTING TRAFFIC RULE NO. 4620 - 2 HR. HANDICAPPED PKG. ZONE - E. SD. OF MARKET ST, NORTHBOUND - CENTER MARKET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4620.

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.

ADOPTING TRAFFIC RULE NO. 4621 - COMMERCIAL LOAD. ZONE & HANDICAPPED PKG. ZONE - E. SD. OF MARKET ST. NORTHBOUND - CENTER MARKET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4621.

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.

ADOPTING TRAFFIC RULE NO. 4622 - 2 HR.HANDICAPPED PKG. ZONE - E. SD. OF MARKET ST. NORTHBOUND - CENTER MARKET.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4622.

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.

ADOPTING TRAFFIC RULE NO. 4623 - COMMERCIAL LOADING ZONE - E. SD. OF MARKET ST. NORTHBOUND - CENTER MARKET

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4623.

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.

Mr. Thorngate moved, seconded by Mr. Palmer, that the Planning Commission Minutes, 7/10/17; Human Rights Commission Minutes, 7/18/17; Wheeling Housing Authority Minutes, 7/12/17; Wheeling Traffic Commission Minutes, 8/10/17; Wheeling Municipal Parking System Financial Statement, 7/31/17; Robert C. Byrd Intermodal Transportation Center Financial Statement, 7/31/17; and Planning Commission Annual Report, FY 2016-2017; that were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Scatterday inquired of District Engineer, Gus Suwaid, about the road work that will be taking place on Bethany Pike in the next couple of weeks. He commented that the paving will begin at on Bethany Pike, near Sheetz, and go to Warden's Run.

Mr. Wilson also inquired about the traffic signal behind the old state police barracks on 26th Street.

Ms. Scatterday updated the public about flood relief and she announced that there will be a special number for Ohio County Residents to call to see if they are eligible to get assistance for their "UnMet" needs. The number is (304) 233-4850 from 10 - 4.

Vice Mayor Thalman reminded everyone that every Tuesday evening from 5 to 7 p.m., there is a Farmers Market at Garden Park. This will take place throughout September and into October.

REPORT OF COMMITTEES

Mr. Wilson moved, seconded by Ms. Scatterday to dispense with the reading of the Public Works Committee Minutes for 9/5/17 and accept them as received. Motion carried. For the record, they are as follows:

PUBLIC WORKS COMMITTEE REPORT - SEPTEMBER 5, 2017

The Public Works Committee of Wheeling City Council met on Tuesday, September 5, 2017 10:30 a.m. at Madison Elementary School. Committee Members present: Chair Brian Wilson, Vice Chair Wendy Scatterday, Member Dave Palmer. Others present: Mayor Glenn Elliott, Vice Mayor Chad Thalman, Councilors Imer and Thorngate; City Manager Robert Herron, Public Works Director Rusty Jebbia, City Solicitor Rosemary Humway-Warmuth, City Clerk Janice Jones and the media.

The following matters were discussed:

Discussion of Phase III of Water Pollution Control Division's Long Term Control Plan Project and Sewer Rates

Chair Brian Wilson convened the meeting and turned it over to City Manager Robert Herron. Mr. Herron said that several months ago a presentation was made by C. T. Consultants in regard to approximately \$20,000,000 worth of projects for Water Pollution Control Division Projects. Since then, Vice Chair Scatterday requested that an additional \$8,000,000 of Long Term Control Plan Projects be added back into the list of projects for Phase III for a total of approximately \$28,000,000 in projects. City Manager Herron reviewed the Debt Service Covenant Projection and Rate Plan (both attached hereto and made part of the record). Two scenarios were presented (1) the actual debt service coverage at 136.87% and (2) the actual debt service coverage at 140.40%. The Rate Plan is proposing a 17% increase in O & M to help with operations at the Water Pollution Control Division Plant. For a \$20,000,000 bond issue, it would necessitate an approximately 32% rate increase. With a \$28,000,000 bond issue, an approximately 40% rate increase would be necessitated. The increase to the customer for the 40% rate increase is approximately \$36/per month and the increase for a 32% rate increase is approximately \$33.97/per month. A question and answer period ensued. Following further discussion, Vice Chair Scatterday moved, seconded by Member Palmer, to recommend the 17% O & M increase to City Council. Motion carried. The next motion was made by Member Palmer, seconded by Vice Chair Scatterday, to recommend to City Council the \$28,000,000 bond issue. Motion carried. Mr. Palmer pointed out that it would mean a difference of \$2.00/per month to customers for an additional \$8,000,000 in projects. Vice Chair Scatterday suggested that an informational meeting be scheduled for the public in the near future.

There being no further business to come before the Committee, Mr. Palmer moved, seconded by Ms. Scatterday to adjourn. Time: 11:15 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron announced that Governor Justice will be at Oglebay Park tomorrow at 3:00 p.m. to talk to the public about the various road projects that will be taking place throughout the State. Mr. Herron announced that, at the request of Councilor Scatterday, he is scheduling a public informational meeting following the October 17, 2017 City Council meeting, to talk about the Water Pollution Control Division's Long Term Control Plan Projects and Sewer Rates.

REPORT OF OTHER OFFICERS

Mr. Palmer moved, seconded by Mr. Thorngate, that the Historic Landmarks Commission Minutes, 6/1/17; CDBG Program Status Report, 8/31/17; HOME Program Status Report, 8/31/17; Planning Commission Minutes, 8/14/17; and Financial Statement, 8/31/17; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

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.

RESOLUTION - SUPPORT FOR "ROADS TO PROSPERITY" ROAD BOND AMENDMENT

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING SUPPORTING THE "ROAD TO PROSPERITY"
ROAD BOND AMENDMENT TO BE VOTED UPON ON
OCTOBER 7, 2017.

Mayor Elliott commented that the West Virginia Municipal League is encouraging municipalities to adopt a Resolution in support of this Road Bond Amendment. He fully supports such an amendment and encourages council and the public to consider supporting this also.

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

RESOLUTION - FACADE IMPROVEMENT GRANT - WHEELING JAMBOREE, INC. - 944
MAIN ST.

The following was then read:

A 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 FACADE IMPROVEMENT GRANT FOR
WHEELING JAMBOREE, INC., 944 MAIN STREET, IN THE
AMOUNT OF \$14,881.77.

Ms. Scatterday moved to table this Resolution in order to receive some additional information about this grant. Mr. Thalman seconded the motion and the motion carried. Mayor Elliott commented that he believes the amount contained in the Resolution should be half of the amount listed.

RESOLUTION - AGREEMENT - JUSTICE ASSISTANCE GRANT - FY 2017

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING
TO ACCEPT THE TERMS AND CONDITIONS OUTLINED IN
THE SUBMITTED JUSTICE ASSISTANCE GRANT
APPLICATION 2017-H2513-WV-DJ FOR \$27,044.00 AND TO
ABIDE BY ALL THE JUSTICE ASSISTANCE GRANT
PROGRAM AND AGENCY REQUIREMENTS.

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

THOSE WISHING TO BE HEARD

Mr. Charles Ballouz, 1143 Main Street, appeared before Council, said that he appreciated Mr. Suwaid's presentation as it was very concise and explained the Road Bond Amendment well. He also voiced some concerns about the proposed snow removal ordinance.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 6:35 p.m.

City Clerk

Mayor