

Council of the City of Wheeling met at Warwood Middle School, 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, and Palmer

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Mr. Thalman moved, seconded by Mr. Palmer, that the minutes of the October 17, 2017 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott thanked Principal Bauer and Warwood Middle School for hosting Council today. He introduced Lauren Taylor, Student Council President, who will be assisting him with today's meeting. Mayor Elliott announced that the sixth and final meeting that Council will be having in schools is scheduled for December 5th at Bridge Street Middle School.

Mayor Elliott announced that the Fantasy in Lights Parade will take place on Friday, November 17th at 6:30 p.m. and City Offices will be closed on November 10th for Veterans Day. Garbage pick-up will not be affected.

He reported that the Centre Market Sidewalk Project is about 75% completed. Mayor Elliott commented on some recreational projects that have been completed or are in the process of being completed. Garden Park Playground Improvement Project will have a second reading this evening. If approved, it will be installed in Spring 2018.

Mayor Elliott congratulated Allison Skibo, the City's Marketing Specialist, for winning "Dancing with the Stars" this past week-end.

UNFINISHED BUSINESS

AGREEMENT - HUD - COMMUNITY DEVELOPMENT BLOCK GRANT EY 2017 (CDBG)

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING AUTHORIZING A GRANT AGREEMENT WITH
THE UNITED STATES DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, IN THE AMOUNT OF \$1,072,464.00
FOR COMMUNITY DEVELOPMENT BLOCK GRANT.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

AGREEMENT - HUD - 2017 HOME INVESTMENT PARTNERSHIP PROGRAM (CDBG)

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF

WHEELING AUTHORIZING A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, IN THE AMOUNT OF \$242,636.00 FOR 2017 EY HOME INVESTMENT PARTNERSHIP PROGRAM.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

FIRST TIME HOMEBUYER PROGRAM - NORTHERN PANHANDLE HOME CONSORTIUM 2017 (CDBG)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR THE NORTHERN PANHANDLE HOME CONSORTIUM FIRST TIME HOMEBUYER PROGRAM IN THE AMOUNT OF \$242,636.00, AS PER HOUSING CONSORTIUM COOPERATION AGREEMENT, TO BE CHARGED TO 2017 EY FIRST TIME HOMEBUYER PROGRAM.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

WHEELING POLICE DEPARTMENT (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$10,000.00 WITH WHEELING POLICE DEPARTMENT, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-165.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

WHEELING HUMAN RIGHTS COMISSION (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 WITH WHEELING HUMAN RIGHTS COMMISSION, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-160.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

SEEING HAND ASSOCIATION (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$2,500.00 WITH SEEING HAND ASSOCIATION, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-180.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

GREATER WHEELING COALITION FOR THE HOMELESS (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$4,500.00 WITH GREATER WHEELING COALITION FOR THE HOMELESS, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-130.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Palmer - 5

NOES: - 0

Ms Scatterday abstained from voting due to a possible conflict of interest.

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

WHEELING HEALTH RIGHT (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$20,000.00 WITH WHEELING HEALTH RIGHT, TO BE CHARGED TO CDBG 2017 FY PUBLIC SERVICES #1511-017-150.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Palmer - 6

NOES: - 0

Mr. Wilson abstained from voting due to a possible conflict of interest.

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

EAST WHEELING POOL OPERATIONS (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$15,000.00 WITH EAST WHEELING POOL OPERATIONS, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-190.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

CATHOLIC CHARITIES (CDBG)

 The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$4,000.00 WITH CATHOLIC CHARITIES, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-115.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

NELSON JORDAN CENTER (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$33,000.00 WITH NELSON JORDAN CENTER, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-170.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

FAMILY SERVICES OF THE UPPER OHIO VALLEY (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$4,000.00 WITH FAMILY SERVICES OF THE UPPER OHIO VALLEY, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-120.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

WILSON, KOZICKI & GWYNN - AUDIT FY 7/1/16 TO 6/30/18

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH WILSON, KOZICKI, & GWYNN, OF WHEELING, WV, FOR SERVICES RENDERED IN CONNECTION WITH AN AUDIT OF THE CITY OF WHEELING FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2018, IN THE AMOUNT OF \$60,000.00, TO BE CHARGED TO VARIOUS DEPARTMENTS.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6
NOES: - 0

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

SERVICE SUPPLY LIMITED, INC. - GARDEN PARK PLAYGROUND

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$100,000.00 WITH SERVICE SUPPLY LIMITED, INC., OF REYNOLDSBURG, OH, FOR GARDEN PARK PLAYGROUND, TO BE CHARGED TO PLAYGROUNDS - #001.4979.40.9002.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6
NOES: - 0

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

SOUP KITCHEN (CDBG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 WITH THE SOUP KITCHEN, TO BE CHARGED TO CDBG 2017 EY PUBLIC SERVICES #1511-017-140.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6
NOES: - 0

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

Ms. Scatterday moved, seconded by Mr. Wilson, that the Wheeling Housing Authority Minutes, 8/9/17 and Financial Statement, 9/30/17; which were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thalman announced that the Ward 1/Crime Watch meeting will be held this Thursday, November 9th at the Warwood Christian Church at 7:00 p.m.

Ms. Scatterday also expressed her gratitude to Principal Bauer for hosting today's meeting. She announced that Ward 4 Neighborhood and Crime Watch meeting will take place next Tuesday, September 14 at Temple Shalom at 7:00 p.m. She also reminded the public to

call the hotline for unmet needs at (304) 233-3850 if you or someone experienced flooding during the two July dates this summer.

REPORT OF COMMITTEES

Mr. Thalman moved, seconded by Mr. Palmer, that the reading of the minutes of the Finance Committee for 10/17/17 be dispensed with and accepted as received. Motion carried. For the record, they are as follows:

FINANCE COMMITTEE REPORT - OCTOBER 17, 2017

The Finance Committee of Wheeling City Council met on Tuesday, October 17, 2017 at 5:15 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, Finance Director Seth McIntyre, City Clerk Janice Jones and the media.

The following matters were discussed:

Financial Statement - September 30, 2017

City Manager Robert Herron explained that this report completes the first quarter of the fiscal year and it has been a pretty strong quarter and that we are right on budget. Expenditures are at 23% of budget and Revenue is at 26% of budget. He commented that the B & O line item is similar to last year at the same time; however, the Hotel/Motel Tax is starting to bounce back. Following a short discussion, Mr. Palmer moved, seconded by Ms. Scatterday, to accept the September 30, 2017 Financial Statement as presented. Motion carried.

Other Items for Discussion

Ms. Scatterday inquired about the status of FEMA reimbursements to the City. Mr. Herron indicated that they are still working on figures and will be submitting the reports soon.

There being no further business to come before the Committee, Ms. Scatterday moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time: 5:23 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron commented that the City's Tax Increment Plan and Application have been submitted to West Virginia Department of Development for the OVMC Garage Project and it has been approved. He said written approval should be received this week and then City Council will consider ordinances implementing both the Project Plan and the Project Application. The assessed valuation for purposes is around \$30,000,000, which is what was anticipated; however, we have not yet received the final property tax assessment which could delay the final approval. Hopefully, the ordinances will be either on the next meeting's agenda or the first meeting in December as it needs to be finalized before the end of the year.

Mr. Herron respectfully requested two readings on the Ordinance with Savage Construction for a repair project on East Cardinal Avenue so that it can be completed as soon as possible.

In response to a question from Mr. Imer in regard to Edgco's Demolition Project, Mr. Herron indicated that Edgco has completed about 50% of the project and should be moving to South Wabash St. soon.

REPORT OF OTHER OFFICERS

Ms. Scatterday moved, seconded by Mr. Imer, that the Wheeling Traffic Commission Minutes, 10/12/17; Human Rights Commission Minutes, 9/19/17; Board of Zoning Appeals Minutes, 9/21/17; Wheeling Municipal Parking System Financial Statement, 9/30/17; and Robert C. Byrd Intermodal Transportation Center Financial Statement, 9/30/17; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

ADOPTING TRAFFIC RULE NO. 4629 - HANDICAPPED PKG. - 3 PEARL AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4629.

ADOPTING TRAFFIC RULE NO. 4630 - HANDICAPPED PKG. - 3701 WOOD ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4630.

ADOPTING TRAFFIC RULE NO. 4631 - COMMERCIAL LOADING ZONE - S. SD. OF
20TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4631.

ADOPTING TRAFFIC RULE NO. 4632 - TRUCK ROUTE - NATIONAL RD. - FULTON
AREA

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4632.

ADOPTING TRAFFIC RULE NO. 4633 - UNRESTRICTED PKG. - EAST & WEST SDS. OF
BYRON ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4633.

ADOPTING TRAFFIC RULE NO. 4634 - COMMERCIAL LOADING ZONE - WEST SD. OF
BYRON ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4634.

ADOPTING TRAFFIC RULE NO. 4635 - TWO-WAY STOP INTERSECTION - HEISKELL
AVE. & KENWOOD PLACE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING
ADOPTING TRAFFIC RULE NO. 4635.

ADOPTING TRAFFIC RULE NO. 4636 - TWO-WAY STOP INTERSECTION - HEISKELL
AVE. & MAPLE AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4636.

SAVAGE CONSTRUCTION CO. - EAST CARDINAL AVENUE PAVEMENT REPAIRS

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$24,186.00 WITH SAVAGE CONSTRUCTION CO., OF WHEELING, WV, FOR EAST CARDINAL AVENUE PAVEMENT REPAIRS, TO BE CHARGED TO SALES TAX RCIP.

Mr. Thalman moved, seconded by Ms. Scatterday, that the ordinance be read a second time this evening. Motion carried.

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$24,186.00 WITH SAVAGE CONSTRUCTION CO., OF WHEELING, WV, FOR EAST CARDINAL AVENUE PAVEMENT REPAIRS, TO BE CHARGED TO SALES TAX RCIP.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Palmer - 6

NOES: - 0

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

AMENDING CODIFIED ORDINANCE - SECTION 543.01 & 543.02 REMOVAL OF SNOW & ICE FROM SIDEWALKS

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 543 - STREETS AND SIDEWALKS, TO AMEND SECTIONS 543.01 AND 543.02, AS WELL AS THE TABLE OF CONTENTS FOR ARTICLE 543 - CONCERNING REMOVAL OF SNOW AND ICE FROM SIDEWALKS; NOTICE AND PENALTY FOR NON-COMPLIANCE.

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. Palmer, that the Resolution be adopted. Motion carried.

THOSE WISHING TO BE HEARD

Doug Sarkis, 7 Golden Drive, spoke to Council about water and sewer problems at this home and distributed pictures to Council.

Gerald Antigo, a Wheeling Island resident, addressed Council with his concerns about allowing tiny houses on Wheeling Island.

There being no further business, Mr. Thalman moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time: 12:55 p.m.

City Clerk

Mayor