

June 19, 2018

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 June 5, 2018 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 on FY 2018 Community Development Block Grant Program- and the HOME program. Charlie Ballouz addressed council his desire for council to use funding on sidewalk repairs throughout all wards. No one else signed up to be heard. Mr. Thalman, seconded by Mr. Thorngate to resume regular order of business.

MAYOR'S REPORT

Mayor Elliott re-appoints Stewart Levy, Randy Geese, and Wyatt Hoffman to the Northern Panhandle HOME Consortium Council. Ms. Scatterday seconded by Mr. Thalman Council's concurrence in the appointment. Motion carried.

Mayor Elliott introduces Jennifer Kellner-Muscar, prospective members for Arts and Cultural Commission. Ms. Scatterday moved and second by Mr. Thalman Council's concurrence in the appointment of Ms. Kellner-Muscar for the Arts and Cultural Commission. Motion carried

CLERK'S REPORT

City Clerk Brenda J. Delbert presented Council with a Notice of Application to Operate a Private Club- The Island Lounge, located at 9 S. Broadway. The applicant is Kevin Denholm

City Clerk Brenda J. Delbert presented Council with a Notice of Application to Operate a Private Club Bogey's Bethany Pike Carryout and More, located at 231 Bethany Pike. The applicant is Larry Lewis

UNFINISHED BUSINESS

UTILITY SERVICE CO-OLD STACKYARD TANK INSTALL WASHOUT DISINFECTION -WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,391.00 WITH UTILITY SERVICE CO., INC., OF ATLANTA, GA, FOR OLD STACK YARD TANK PAX INSTALL, WASHOUT, AND DISINFECTION TO BE CHARGED TO WATER DISTRIBUTION 400.1128.01.01

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

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CENTRAL PAINTING & SAND BLASTING- STACKYARD TANK PAINTING- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$165,000.00 WITH CENTRAL PAINTING AND SAND BLASTING, OF NAVARRE, OH, FOR STACK YARD TANK PAINTING TO BE CHARGED TO WATER DISTRIBUTION 400.1128.01.01

The ordinance was read a second time by title. Ms. Scatterday, 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.

THOMAS AUTO CENTERS- 5 DODGE CHARGERS- POLICE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$176,890.00 WITH THOMAS AUTO CENTERS OF ST. CLAIRSVILLE, OH, FOR FIVE DODGE CHARGER POLICE PURSUIT ALL-WHEEL DRIVE VEHICLES TO BE CHARGED TO POLICE VEHICLES 4976-40-9102

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

OHIO COUNTY COMMISSION- HP PROLIANT SERVER- POLICE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$23,212.00 WITH OHIO COUNTY COMMISSION, OF WHEELING, WV, FOR HP PROLIANT DL380 G9 SERVER, TO BE CHARGED TO POLICE ACCOUNT

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

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NOES: -0

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

BSN SPORTS- REIMBURSEMENT FOR EQUIPMENT WESBANCO ARENA- ARENA RCIP

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO TRANSFER ARENA RCIP FUNDS IN THE AMOUNT OF \$33,025.53 TO THE GREATER WHEELING SPORTS AND ENTERTAINMENT AUTHORITY FOR REIMBURSEMENT FOR SPORTS EQUIPMENT AT WESBANCO ARENA, TO BE CHARGED TO ARENA RCIP.

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

USI INSURANCE SERVICES EXCESS LIABILITY POLICY WORKERS COMPENSATION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$86,531.00 WITH USI INSURANCE SERVICES, LLC, OF VIRGINIA BEACH, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY (FY 2018 TO 2019), TO BE CHARGED TO WORKERS' COMPENSATION #2335830788

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

Ms. Scatterday, seconded by Mr. Wilson, Planning Commission Minutes 4/9/18 Board of Zoning Appeals Minutes 3/15/18, Board of Zoning Appeals Minutes 4/19/18, Wheeling Municipal Parking Financial Statement 4/30/18, Robert C. Byrd Intermodal Transportation Center Financial Statement 4/30/18, Wheeling Arts and Cultural Commission Minutes 2/13/18 and 3/13/18; which were held over, be accepted as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Imer announces Ward 2 meeting will be Tuesday June 26, 2018 at Wheeling Island Community Center.

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REPORT OF COMMITTEES

Mr. Thalman, seconded by Mr. Palmer that the Finance Committee Report dated 6-5-18 be accepted as received. Motion carried. For the record they are as follows:

FINANCE COMMITTEE REPORT - JUNE 5, 2018

The Finance Committee of Wheeling City Council met on Tuesday, June 5, 2018 at 11:30 a.m. in City Council Chambers. Committee Members present: Chair Chad Thalman, Vice Chair Dave Palmer, Member Wendy Scatterday. Others present: Mayor Elliott; Councilors Ken Imer and Ty Thorngate; City Manager Robert Herron, City Solicitor Rose Humway-Warmuth, Finance Director Seth McIntyre, City Clerk Brenda J. Delbert and the media.

The following matters were discussed:

General Fund Budget Revision No. 2

City Manager Robert Herron explained the reason for this special Finance Committee meeting is that the Budget Revision needs to be submitted to the State Auditor. As such, Mr. Herron would like for Council to approve the Budget Revision by Resolution at the Council meeting following this meeting. He indicated that this Budget Revision cleans up line items for the year end and results in a \$64,000 reduction. Finance Director Seth McIntyre reviews the various line items that were affected with the Committee (copy attached). Mr. Herron speaks we are completing the Fiscal Year and this is only the second revision there is typically 4-5. Finance Director Seth McIntyre told the Committee that he would be happy to answer any questions that they may have. Following a question and answer period, Mr. Palmer moved, seconded by Ms. Scatterday, to forward Budget Revision No. 2 to City Council. Motion carried.

There being no further business to come before the Committee, Ms. Scatterday moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time: 11:53 p.m.

Respectfully submitted,

Mr. Thalman, Chair

Mr. Palmer, Vice-Chair

Ms. Scatterday, Member

REPORT OF CITY MANAGER

Mr. Herron gives update on TIFF bonds for OVMC parking garage; first step is hiring engineer. A Request for Proposals and qualifications. The initial amount of 1.5 million dollars has been received and deposited in separate account.

Mr. Herron explains Water Treatment Plant has requested to remove item number 13 from agenda until further testing can be done on the Carbon.

REPORT OF OTHER OFFICERS

Ms. Scatterday moved, seconded by Mr. Wilson, that the, Planning Commission Minutes 5/14/18, Zoning Subcommittee Minutes 6/4/18, Wheeling Planning Commission-Report to Council- Zoning Map Amendment, Wheeling Housing Authority Minutes 4/18/18 be held over until next the meeting. Motion carried.

ORIGINAL PROPOSITIONS

**ENACTING ARTICLE 1112 OF HEALTH AND SANITATION CODIFIED ORDINANCE-
CROSS CONNECTION AND BACKFLOW PREVENTION**

The following was then read:

AN ORDINANCE BY THE CITY OF WHEELING ENACTING
ARTICLE 1112 OF ARTICLE 11 – HEALTH AND

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SANITATION - OF THE CODIFIED ORDINANCE OF THE CITY OF WHEELING ENTITLED CROSS-CONNECTION AND BACKFLOW PREVENTION

AMENDING AND REENACTING ARTICLE 176- ARTS AND CULTURAL COMMISSION

The following was then read:

AMENDING AND REENACTING THE CODIFIED ORDINANCE OF THE CITY OF WHEELING PART ONE ADMINISTRATIVE CODE CHAPTER SEVEN: BOARDS AND COMMISSIONS ARTICLE 176 ENTITLED ARTS AND CULTURAL COMMISSION

MID-ATLANTIC STORAGE SYSTEMS- NEW STACK YARD TANK PHASE 8- WATER CONSTRUCTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$185,136.62 WITH MID-ATLANTIC STORAGE SYSTEMS, INC., OF WASHINGTON COURT HOUSE, OH, FOR NEW STACK YARD TANK – PHASE 8, TO BE CHARGED TO WATER - CONSTRUCTION ACCOUNT - 400.1131.04.00.

UTILITY SERVICES CO.- PATTERSON TANK ROOF REINFORCEMENT- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$71,547.00 WITH UTILITY SERVICE CO., INC., OF DALLAS, TX, FOR PATTERSON TANK ROOF REINFORCEMENT, PAX INSTALL, AND WASHOUT TO BE CHARGED TO WATER DISTRIBUTION 400.1128.01.01

JCI JONES CHEMICAL- LIQUID CHLORINE- WATER POLLUTION CONTROL

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$25,000.00, WITH JCI JONES CHEMICAL INC., OF BARBERTON, OH, FOR THE PURCHASE OF 50 TONS OF LIQUID CHLORINE, TO BE CHARGED TO WATER POLLUTION CONTROL DIV.- 401.4003.05.0718.01 - CHEMICALS (FY 2018-2019).

BARBERS CHEMICAL- SODIUM BISULFITE- WATER POLLUTION CONTROL

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$27,675.00 WITH BARBER'S CHEMICAL, INC., OF SHARPSVILLE, PA, FOR THE PURCHASE OF 15,000 GALLONS OF SODIUM BISULFITE, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - 401.4003.05.0718.01. CHEMICALS (FY 2018-2019).

SNF POLYDYNE- POLYMER- WATER POLLUTION CONTROL

The following was then read:

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AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$156,360.00 WITH SNF POLYDYNE, OF RICEBORO, GA, FOR THE PURCHASE OF 16,000 GALLONS OF POLYMER, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - 401.4003.05.0718.01. CHEMICALS (FY 2018-2019).

UNIVAR- SODIUM HYDROXIDE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,096.00 WITH UNIVAR, OF BUNOLA, PA, FOR THE PURCHASE OF 30,000 GALLONS OF SODIUM HYDROXIDE 25%, TO BE CHARGED TO WATER TREATMENT PLANT- FY 2018-2019- 400.4012.03.0618.01

BRENNTAG MID-SOUTH- POTASSIUM PERMANGANATE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$47,360.00 WITH BRENNTAG MID-SOUTH INC., OF HENDERSON, KY, FOR THE PURCHASE OF 16,000 LBS. OF POTASSIUM PERMANGANATE, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

CARUS- PHOSPHATE LIQUID CORROSION INHIBITOR- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,840.00 WITH CARUS CORPORATION OF PERU, IL, FOR THE PURCHASE OF 90,000 LBS. OF PHOSPHATE LIQUID CORROSION INHIBITOR, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019- 400.4012.03.0618.01

PVS CHEMICAL- FERRIC CHLORIDE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$49,350.00 WITH PVS CHEMICAL SOLUTIONS, OF DETROIT, MI, FOR THE PURCHASE OF 210,000 LBS. OF FERRIC CHLORIDE TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

SHANNON CHEMICAL- CITRIC ACID- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$37,582.00 WITH SHANNON CHEMICAL CORP., OF EXTON, PA, FOR THE PURCHASE OF 4,300 GAL. OF CITRIC ACID, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

JACOBI CARBONS- POWDERED ACTIVATED CARBON- WATER TREATMENT

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PLANT

Mr. Thalman moves, seconded by Ms. Scatterday to remove Ordinance from agenda.

UNIVAR- SODIUM HYPOCHLORITE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$52,010.00 WITH UNIVAR, OF BUNOLA, PA, FOR THE PURCHASE OF 70,000 GALLONS OF SODIUM HYPOCHLORITE TO BE CHARGED TO WATER TREATMENT PLANT - FY 2018-2019 - 400.4012.03.0618.01

RESOLUTION - DOWNTOWN FAÇADE 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 FAÇADE IMPROVEMENT GRANT FOR WHEELING JAMBOREE INC., 944 MAIN STREET, IN THE AMOUNT OF \$13,533.00

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

THOSE WISHING TO BE HEARD

Mr. Ben Seidler, 120 North Front Street, spoke in regards to Wheeling Island property conditions and need for more code enforcement and communication from Councilor Imer.

Mr. Thalman, seconded by Ms. Scatterday to suspend regular order of business to conduct an executive session to discuss personal matters and property acquisition. Motion carried. Time 5:57 pm

Mr. Thalman moved, seconded by Ms. Scatterday to conclude the executive session. Motion carried. Time: 7:22 p.m.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 7:22 p.m.

City Clerk

Mayor