

October 16, 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 Ward 2 Councilor Imer.

On roll call, the following were present:

Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate, and Palmer -7
Absent: -0

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the October 2, 2018 meeting be approved as received. Motion carried.

MAYORS REPORT

Mayor Elliott informs the public next City Council meeting will be on Wednesday November 7, 2018; due to election day. Mayor Elliott reviews police and fire station tour dates, and encourages citizens to vote on public safety building and attend the town hall meeting if they are unsure.

Mayor Elliott introduces Jeff Knierim, prospective members for Traffic Commission. Ms. Scatterday moved and second by Mr. Thalman Council's concurrence in the appointment of Mr. Knierim for the Traffic Commission. Motion carried

Mayor Elliott introduces Jeremy Richter, prospective member for Arts and Cultural Commission. Ms. Scatterday moved and second by Mr. Wilson Council's concurrence in the appointment of Mr. Richter for the Arts and Cultural Commission. Motion carried

Mayor Elliott introduces Sean Duffy, prospective member for Arts and Cultural Commission. Ms. Scatterday moved and second by Mr. Wilson Council's concurrence in the appointment of Mr. Duffy for the Arts and Cultural Commission. Motion carried

Mayor Elliott introduces Laura Chapman, prospective member for Wheeling-Ohio County Board of Health. Mr. Thalman moved and second Ms. Scatterday Council's concurrence in the appointment of Ms. Chapman for the Wheeling-Ohio County Board of Health. Motion carried

City Manager Herron introduces William Schwartz, as a recommended perspective member of the planning commission. Mr. Thalman moved and second Ms. Scatterday Council's concurrence in the appointment of Mr. Schwartz for the Planning Commission. Motion carried

Lisa Badia with Greater Wheeling Coalition for the Homeless, Kathie Brown with Health Right, and Karen Haught with Seeing Hand Association were all present to speak on behalf of their organizations receiving CDBG funds. No one was present to represent Catholic Charities or Family Services. Mayor Elliott read a letter of appreciation from Catholic Charities.

Will Turani, chair of Waterfront Enhancement ad-hoc committee, delivers report on perspective ideas and visions for Wheeling Waterfront.

UNFINISHED BUSINESS

TRAFFIC RULE 4688- PARKING METER ZONE MAIN ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4688

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

TRAFFIC RULE 4689- DESIGNATING THE INTERSECTION OF EDGINGTON LANE, STORCH AVE, AND DAMIAN

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4689

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, and Palmer -6
NOES: Thorngate -1

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

AGREEMENT- OHIO COUNTY BOARD OF EDUCATION- GARDEN PARK RECREATION COMPLEX 2018-2019

The following was then read:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE OHIO COUNTY BOARD OF EDUCATION REGARDING USE OF A PORTION OF THE GARDEN PARK RECREATION COMPLEX – 2018-2019 SCHOOL YEAR

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- HUD COMMUNITY DEVELOPMENT BLOCK GRANT (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 \$1,162,941.00 FOR COMMUNITY DEVELOPMENT BLOCK GRANT.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and 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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AGREEMENT- HOME INVESTMENT- 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 \$325,571.00 FOR 2018 EY HOME INVESTMENT PARTNERSHIP PROGRAM.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- FIRST TIME HOME BUYERS PROGRAM- 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 \$325,571.00, AS PER HOUSING CONSORTIUM COOPERATION AGREEMENT, TO BE CHARGED TO 2018 EY FIRST TIME HOMEBUYER PROGRAM

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- CATHOLIC CHARITIES- 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 CATHOLIC CHARITIES, TO BE CHARGED TO CDBG 2018 EY PUBLIC SERVICES #1511-018-115.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- FAMILY SERVICES- CDBG

The following was then read:

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AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$7,000.00 WITH FAMILY SERVICES OF THE UPPER OHIO VALLEY, TO BE CHARGED TO CDBG 2018 EY PUBLIC SERVICES #1511-018-120.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- HOMELESS COALITION- CDBG

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$8,500.00 WITH GREATER WHEELING COALITION FOR THE HOMELESS, TO BE CHARGED TO CDBG 2018 EY PUBLIC SERVICES #1511-018-130.

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

The vote on the motion resulted as follows:

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

Ms. Scatterday abstains from vote 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.

AGREEMENT- 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 \$3,500.00 WITH SEEING HAND ASSOCIATION, TO BE CHARGED TO CDBG 2018 EY PUBLIC SERVICES #1511-018-180-018-120.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- 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 \$22,500.00 WITH WHEELING HEALTH RIGHT, TO BE

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CHARGED TO CDBG 2018 FY PUBLIC SERVICES #1511-018-150

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

The vote on the motion resulted as follows:

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

Mr. Wilson abstains from vote 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.

AGREEMENT- WHEELING HUMAN RIGHTS COMMISSION- 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 2018 EY PUBLIC SERVICES #1511-018-160

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- 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 2018 EY PUBLIC SERVICES #1511-018-165.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- 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 2018 EY PUBLIC SERVICES #1511-018-170

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

AGREEMENT- EAST WHEELING POOL- 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 2018 EY PUBLIC SERVICES #1511-018-190.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Wilson, Scatterday, Thorngate and Palmer -7
NOES: -0

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

Mr. Palmer moved, seconded by Mr. Thorngate, that the, the Human Rights Commission Minutes 7/17/18 Board of Zoning Appeals Minutes 8/16/18, Traffic Commission Minutes 9/13/18; which were held over, be accepted as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Scatterday introduces Jolynn Nugent and foreign exchange student from the capitol of Mongolia. Ms. Nugent is hosting the student for the year who was the recipient of a merit scholarship.

Mr. Palmer invites public to attend ward 6 meeting; the meeting will be a round table discussion in regards to public safety building.

REPORT OF CITY MANAGER

Mr. Herron speaks in favor of the shared use agreement Resolution. Ohio County Schools will open up playgrounds to the public.

REPORT OF OTHER OFFICERS

Mr. Imer moved, seconded by Mr. Wilson, that, Wheeling Housing Authority Minutes 8/8/18 Robert C. Byrd Intermodal Financial Statement 8/31/18, Wheeling Municipal Parking Financial Statement 8/31/18 be held over until next meeting. Motion carried

ORIGINAL PROPOSITIONS

RESOLUTION- OHIO COUNTY SCHOOLS SHARED USE AGREEMENT

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING TO ACCEPT THE TERMS AND CONDITIONS OF THE OHIO

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**COUNTY BOARD OF EDUCATION AND CITY OF WHEELING
SHARED USE OF FACILITIES**

Principal Minch, Woodsdale Elementary, is present to speak on behalf of agreement and very passionate about kids' health and play.

Dr. Kathleen Wack, also speaks in favor of the Resolution. The partnership will be first in the state, of its kind.

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

THOSE WISHING TO BE HEARD

Robert Morgan, 2113 Marshall St., believes residents have an easement on alley behind Austin and Marshall Ave. This is his second time addressing Council. The alley has already been blocked and he would like it opened.

Gary Beighley, 2105 Marshall Ave, is also contesting the blocking of alley. Alley has been blocked without permission and consent of residents from Marshall Ave and Auston Ave. Concerns this has not been done fairly or legally.

Michael Kuzma, 626 6th street Glendale WV 26030, present Flag Display Boxes that are made for Veterans families. He is seeking funding to keep project going.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time 6:47 p.m.

City Clerk

Mayor