

November 6, 2024

Council of the City of Wheeling met, on the above date, at 5:30pm, at 1500 Chapline Street Wheeling, WV with Mayor Magruder presiding.

On roll call, the following were present:

Present: Assaro, Cain, Palmer, Magruder, Sklavounakis, Seidler -6
Absent: Thorngate -1

Mr. Palmer moved, seconded by Mr. Sklavounakis that the minutes of October 15, 2024 meeting be accepted as received. All in favor. Motion Carried.

Mr. Seidler, seconded by Mr. Sklavounakis moved to exit the regular order of business to conduct public hearing on Article 375 Traffic Code- Pedestrian and Vehicle Safety. All in favor. Motion Carried. Time 5:33pm.

Kellie White of Wheeling, WV spoke in opposition to enacting Article 375.

John Russell of Wheeling, WV spoke in opposition to enacting Article 375.

JC Arrietta of Wheeling, WV spoke in opposition to enacting Article 375.

Elizabeth Hoarek of Wheeling, WV spoke in opposition to enacting Article 375.

Thomas Haluscak of Wheeling, WV spoke in favor of enacting Article 375.

Logan Schmitt of Wheeling, WV spoke in opposition to enacting Article 375.

Joseph Roxby of Wheeling, WV spoke in opposition to enacting Article 375.

Mr. Seidler, seconded by Mr. Sklavounakis moved to resume regular order of business. All in favor. Motion Carried. Time 5:46pm.

MAYOR'S REPORT

Mayor Magruder invited residents to attend Winter on the Plaza also known as Light up Night being held on Wednesday November 20th at Market Plaza beginning at 5:30pm. Mayor Magruder noted that Council will be joining in the Chamber of Commerce's Christmas parade being held on Friday November 22nd. Mayor Magruder nominated Anthony Edmund and Ken Siburt to the Human Rights Commission. Mr. Assaro moved, seconded by Mr. Sklavounakis to accept nominations. All in favor. Motion Carried. Mayor presented a proclamation honoring Jay Frey and the Fort Henry Chapter of the Son's of the American Revolution tenth anniversary.

CLERK'S REPORT

UNFINISHED BUSINESS

Leslie Equipment Co.-Conveyor Belt Flood Cleanup-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$59,000 WITH LESLIE EQUIPMENT CO. OF MARIETTA, OH FOR FLOOD RELATED CONVEYOR BELT TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Magruder, Sklavounakis, Palmer, Seidler -6

NOES: -0

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

Enacting Article 375- Traffic Code-Pedestrian and Vehicle Safety

The following was then read by title:

AN ORDINANCE CREATING ARTICLE 375 ENTITLED - PEDESTRIAN AND VEHICLE SAFETY PART THREE CHAPTER NINE OF THE TRAFFIC CODE IN THE CODIFIED ORDINANCES OF THE CITY OF WHEELING

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

The vote on the motion resulted as follows

AYES: Assaro, Palmer, Magruder, Sklavounakis, Seidler -5

NOES: Cain -1

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

Traffic Rule- 4 way stop intersection- 13th and Jacob Street

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO CREATE A 4 WAY STOP INTERSECTION AT 13th STREET AND JACOB STREET

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

Straub Nissan-Nissan Leaf-Parking Authority-Regular RCIP

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$55,191 WITH STRAUB NISSAN OF TRIADELPHIA WV FOR PURCHASE OF TWO 2024 NISSAN LEAF ELECTRIC CARS TO BE CHARGED TO REGULAR RCIP

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

ERB Electric- Flood Materials and Services-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$29,999.88 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR FLOOD REPAIR MATERIALS AND SERVICES TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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

The vote on the motion resulted as follows

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AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

Edgco- Emergency Demolition 77 12th Street-ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$88,000 WITH EDGCO, INC., OF LANSING, OH FOR EMERGENCY DEMOLITION OF 77 12th STREET DUE TO COLLAPSE BE CHARGED TO ARPA

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

Mr. Sklavounakis, seconded by Mr. Seidler moved that the Hall of Fame minutes from September 10, 2024, Greater Wheeling Sports & Entertainment Authority Minutes from August 27, 2024 Traffic Commission Minutes from September 12, 2024 which were Held Over be accepted as received. All in favor. Motion Carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Palmer remarked and expressed gratitude for the reopening of the Monument Bridge in Elm Grove today.

Mr. Assaro reminded of the Warwood Community Crime Watch on November 14th at 7pm.

REPORT OF COMMITTEES

Mr. Palmer, seconded by Ms. Cain moved to accept the minutes from the Finance and Development Committee meetings from October 15th, 2024 as received. All in favor. Motion Carried.

REPORT OF CITY MANAGER

Mr. Herron informed that third floor city offices will be relocating beginning Tuesday November 12th as major renovations will begin to the city/county building, offices are will be relocated to the first floor, where the former Wheeling Police Department was. Renovations should take approximately six to eight weeks. The City received a \$75,000 WV infrastructure grant that will be used for EV chargers at the Intermodal and Market Street garages and at Centre Market. Market Street Garage will be open beginning Tuesday November 12th. The Comprehensive Plan will begin public comment period beginning this Friday with first reading at council on December 17th and a second read planned for January 7th. Mr. Herron respectfully asked for two readings on Original Propositions numbers 8, 9 and 10 to expedite payments due to contract price expiration dates.

REPORT OF OTHER OFFICERS

Mr. Assaro, seconded by Mr. Sklavounakis moved to Hold Over the Greater Wheeling Sports & Entertainment Authority Minutes from September 24,2024 Recreation Commission minutes from September 26,2024 and Planning Commission Report to Council from October 21,2024. All in favor. Motion Carried.

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ORIGINAL PROPOSITIONS

TS Elliott LLC- Flood Damaged Main Sewage Pump Inlet Gates-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$36,610 WITH TS ELLIOTT LLC CONTRACTING OF WELLSBURG, WV FOR CUSTOM MADE GUIDES AND STOPS FOR MAIN SEWAGE PUMP INLET GATES DUE TO FLOOD DAMAGE TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Grade 8 Solutions LLC-Replacement Flood Damaged Heater-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,680 WITH GRADE 8 SOLUTIONS LLC OF WARREN, OH FOR PURCHASE OF REPLACEMENT FLOOD DAMAGED HEATER TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Dilapidated structures-Demolition Property Liens

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING DILAPIDATED STRUCTURES ON CERTAIN PROPERTIES IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

CT Consultants- Boggs Hill Station- Water Main Improvements-Water

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$781,700 WITH CT CONSULTANTS OF WHEELING WV FOR BOGGS HILL BOOSTER STATION AND WATER MAIN IMPROVEMENTS TO BE CHARGED TO WATER 400.1131.0900

ERB Electric- Flood Damaged Electric Components-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$31,605.68 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR TIME AND MATERIALS FOR ELECTRICAL COMPONENTS DAMAGED IN FLOOD TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

ERB Electric- Flood Repair- Winterizing Centrifuge-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$22,239.74 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR FLOOD REPAIR MATERIALS AND WIRING SERVICES TO WINTERIZE CENTRIFUGE ENCLOSURE TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

Wheeling Police Department- Opioid Settlement Funds

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING WV AUTHORIZING THE CITY MANAGER TO ALLOCATE A PORTION OF THE WV OPIOID SETTLEMENT FUNDS TO ASSIST THE WHEELING POLICE DEPARTMENT IN PROVIDING OPIOID RELATED ABATEMENT

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USA EPA-120 Water Notification-Water

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH 120 WATER AND EXPEND FUNDS IN THE AMOUNT OF \$27,780.48 FOR SERVICES ASSOCIATED WITH THE USA EPA NOTIFICATION REQUIREMENT LETTERS TO BE SENT TO WHEELING WATER UTILITY CUSTOMERS TO BE CHARGED TO WATER

Mr. Palmer, seconded by Mr. Sklavounakis moved for a second read of the ordinance. All in favor. Motion Carried.

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

Kalkreuth Sheet Metal and Roofing-Chemical Building-Water

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$39,675.00 WITH KALKREUTH ROOFING & SHEET METAL, OF WHEELING, WV FOR ROOF ON CHEMICAL BUILDING AT WATER TREATMENT PLANT TO BE CHARGED TO WATER

Mr. Seidler, seconded by Mr. Assaro moved for a second read of the ordinance. All in favor. Motion Carried.

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

James White Construction Company Valve Insertion-Water

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$138,550.00 WITH JAMES WHITE CONSTRUCTION CO, OF WEIRTON, WV FOR VALVE INSERTION PROJECT TO BE CHARGED TO WATER

Mr. Sklavounakis, seconded by Ms. Cain moved for a second read of the ordinance. All in favor. Motion Carried.

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

The vote on the motion resulted as follows

AYES: Cain, Assaro, Palmer, Magruder, Sklavounakis, Seidler -6

NOES: -0

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

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Mid- Atlantic Maintenance-Line Painting and restriping-City Service Fee

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,201.20 WITH MIDATLANTIC MAINTENANCE OF PARKERSBURG WV FOR LINE PAINTING AND RESTRIPIING TO BE CHARGED TO CITY SERVICE FEE

THOSE WISHING TO BE HEARD

There being no further business to discuss Mr. Seidler moved, seconded by Mr. Sklavounakis to adjourn. Time 6:16 pm.

City Clerk

Mayor

DRAFT

November 6, 2024

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