

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 March 7, 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 - Franchise Renewal Agreement - Centre TV, Inc.”**

Mayor Elliott asked if there was anyone who wished to speak at this public hearing. As there was no one to speak, Mayor Elliott asked for a motion to conclude the public hearing. 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 next meeting, which is scheduled for April 4, 2017, will be held at Wheeling Park High School. He asked that the public enter by the school’s main entrance and to have a photo ID.

Mayor Elliott updated Council and the public on the status of the American Legion Post 89. He indicated that there will be no decision today and reported that he and Mr. Wilson will be meeting on Thursday at 4:00 p.m. with the new management team of the legion. Mayor Elliott said that there will be an executive session at the end of tonight’s meeting to discuss legal issues with the City Solicitor.

Mayor Elliott introduced Ezra Hamilton and Jean-Anne Renshaw, both of whom he is considering for appointments to the Arts and Culture Commission. Mr. Thalman moved, seconded by Ms. Scatterday, Council’s concurrence in the appointments to the Arts and Culture Commission. Motion carried.

At this time, Mayor Elliott read a Proclamation recognizing the week of March 19 through March 25, 2017 as Wheeling Health Right Week in the City of Wheeling. Kathie Brown, executive director, was present to receive the proclamation.

Mayor Elliott then introduced the Workforce Housing Committee’s Co-chairs, Susan Hagan and Jon-Erik Gilot, who gave a summary of their final report to Council, a copy of which is on file and available to review in the City Clerk’s office.

**UNFINISHED BUSINESS**

**JUNIOR LEAGUE OF WHEELING - HERITAGE PORT PLAYGROUND (CDBG)**

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000.00 WITH THE JUNIOR LEAGUE OF WHEELING, FOR HERITAGE PORT PLAYGROUND IMPROVEMENTS, TO BE CHARGED TO CDBG 2017 EY PUBLIC FACILITIES IMPROVEMENT #1509-016-120.

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

GROW OHIO VALLEY - GREENHOUSE PROJECT (CDG)

The following was then read:

AN ORDINANCE TO ENTER INTO AN AGREEMENT AND EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED \$9,000.00 WITH GROW OHIO VALLEY, FOR THE DEVELOPMENT OF A GREENHOUSE ON VINEYARD HILLS, TO BE CHARGED TO CDBG 2017 EY PUBLIC FACILITIES IMPROVEMENT #1509-016-110.

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.

FRANCHISE RENEWAL AGREEMENT - CENTRE TV, INC., 510 WARWOOD AVENUE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO ENTER INTO A CABLE SYSTEM FRANCHISE RENEWAL AGREEMENT WITH CENTRE, TV, INC., OF WHEELING, WEST VIRGINIA.

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, 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 CENTER - TWO (2) 2017 DODGE RAM 2500 TRADESMAN (WATER)

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$64,036.00 WITH THOMAS AUTO CENTER OF ST. CLAIRSVILLE, OH, FOR THE PURCHASE OF TWO (2) 2017 DODGE RAM 2500

TRADESMAN, PER BID SPECIFICATIONS, TO BE  
CHARGED TO WATER DISTRIBUTION - #400.1341.05.00.

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.

Mr. Palmer moved, seconded by Ms. Scatterday, that the Wheeling Municipal Parking System Financial Report, 1/31/17; and Robert C. Byrd Intermodal Transportation Center Financial Report, 1/31/17; which were held over be approved as received. Motion carried.

### **REMARKS FROM MEMBERS OF COUNCIL**

Mr. Palmer announced that the Public Works Committee will be meeting on Tuesday, March 28, 2017 at 12:00 noon in Council Chambers. The agenda will include a discussion on a Rental Inspection Program.

Ms. Scatterday introduced Olivia Kiger-Camillo, a student at the Linsly School, who will be assisting in passing out information about the help line for substance abuse and addiction. This information is being provided by the Impact Coalition. She also point out that the City has drug take back locations at our Police Department and other Police Departments in surrounding areas. The National Drug Take Back Day is scheduled for April 29, 2017.

### **REPORT OF CITY MANAGER**

City Manager Robert Herron commented on Item 9/2, listed under Original Propositions, regarding Parking Meter fines. He said that there will be a public hearing on the ordinance on April 4<sup>th</sup> and then final reading and a vote will be taken on April 18<sup>th</sup>. This four week time span allows for a comment period on the ordinance.

He also explained Item 9/3, which is an Agreement with the WV Department of Transportation in regard to the Downtown Streetscape Project, an \$8.7 million dollar project., which will include paving, sidewalk improvements, infrastructure improvements, signalization, etc.

Ms. Scatterday asked if the public hearing on the parking meter fines could be held at the April 18<sup>th</sup> City Council meeting, as the April 4<sup>th</sup> meeting may not be as easily accessible to the public. Mr. Palmer agreed but suggested that the final vote on the matter be at the May 2<sup>nd</sup> meeting.

### **REPORT OF OTHER OFFICERS**

Mr. Palmer moved, seconded by Ms. Scatterday, that the Human Rights Commission Minutes, 1/17/17; Wheeling Housing Authority Minutes, 1/18/17; Historic Landmarks Commission Minutes, 2/2/17; Planning Commission Minutes, 2/13/17; Board of Zoning Appeals Minutes, 2/16/17; CDBG Program Status Report, 2/28/17; HOME Program Status Report, 2/28/17' and Financial Statement, 2/28/17; be held over until the next meeting. Motion carried.

### **ORIGINAL PROPOSITIONS**

#### **EDGCO, INC. - DEMOLITION & ABATEMENT - WATER FILTRATION BLDG. (WATER)**

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO

EXPEND FUNDS IN THE AMOUNT OF \$170,980.00 WITH EDGCO, INC., OF LANSING, OH, FOR DEMOLITION AND ABATEMENT OF WATER FILTRATION BUILDING, TO BE CHARGED TO WATER - 400.1304.02.00.

AMENDING AND REENACTING CODIFIED ORDINANCES - ART. 363 - PARKING METERS - SECTIONS 363.15; 363.16 AND 363.99

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART THREE - TRAFFIC CODE, ARTICLE 363 - PARKING METERS, TO AMEND SECTION 363.15 - CONCERNING HANDICAP METERS, SECTION 363.16 - CONCERNING PARKING METER RENTAL, AND SECTION 363.99 - CONCERNING OVERTIME AND IMPROPER PARKING FINES AND PENALTIES.

AGREEMENT - WVDOT - DIVISION OF HIGHWAYS - STREETScape PROJECT

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, REGARDING IMPLEMENTATION AND FUNDING OF MODIFICATIONS ALONG CERTAIN ROADWAYS, WITHIN THE CITY OF WHEELING, IN OHIO COUNTY.

RESOLUTION - ADOPTION OF GENERAL FUND BUDGET - FY 2017-2018

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE FY 2017-2018 GENERAL FUND BUDGET.

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

Ms. Scatterday asked City Manager Herron to clarify the ordinance in regard to the demolition and abatement of the Water Filtration Plant. Mr. Herron indicated that a study had been done in 2004, and at that time, the plant was in pretty bad shape. It would have been cost prohibitive to try to bring the old filtration plant up to standards that were required; therefore, the decision to build a new filtration plant was made. Additionally, very few repairs have been made in the past 13 years. Another area that was of concern was security in regard to the location of the old plant.

RESOLUTION - ADOPTION OF COAL SEVERANCE BUDGET - FY 2017-2018

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE FY 2017-2018 COAL SEVERANCE BUDGET.

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

RESOLUTION - APPLICATION - PREVENTION RESOURCE OFFICER GRANT - FY 2017

The following was then read:

A RESOLUTION AUTHORIZING THE CITY OF WHEELING  
TO MAKE APPLICATION TO THE WV DIVISION OF  
JUSTICE AND COMMUNITY SERVICES FOR THE FY 2017  
PREVENTION RESOURCE OFFICER PROGRAM GRANT  
(JAG) - FY2017.

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

**THOSE WISHING TO BE HEARD**

Mr. Chuck Fair, 1290 National Rd., offered various suggestions to beautify the  
City.

Mr. Lawrence Cook, 1306 McColloch St., addressed Council about a handicapped  
parking space that was placed next door to his residence that he believes was put in the wrong  
place. He made unsubstantiated accusations about workers from the Operations Department.  
Mayor Elliott said that he would look into this matter. City Solicitor Humway-Warmuth asked  
Mr. Cook to see her at the end of the meeting so that she could get his contact information.

Mr. Demetrius Lathan, 8 East Paxton Ave., addressed Council in regard to a ticket  
that was issued to his wife in East Wheeling, that he believes was not warranted.

Mr. Thalman moved, seconded by Mr. Thorngate, to suspend the regular order of  
business to conduct an executive session for the purpose of advice of Counsel. Motion carried.  
Time: 6:22 p.m. Mayor Elliott reiterated his earlier comments that no action will be taken after  
the executive session.

Mr. Thalman moved, seconded by Mr. Thorngate, to resume the regular order of  
business. Motion carried. Time: 8:35 p.m.

There being no further business, Mr. Thalman moved, seconded by Mr. Palmer, to  
adjourn. Motion carried. Time: 8:35 p.m.

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City Clerk

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Mayor