

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 Pastor Ted Dodd of C3 Church.

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 November 1, 2016 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott congratulated all local, state and federal winners of the November 8, 2016 election. He reported on a trip to Las Vegas, sponsored by the Kresge Foundation, that he, Jake Dougherty, Don Rigby, Jim Pennington and Bob Herron took last week. The topic of the workshop that they attended was on Capital Absorption.

Mayor Elliott said that he expects to announce a new Parks and Strategic Planning person at the next Council meeting.

Mayor Elliott asked for Council's concurrence in the reappointment until June 30, 2017 of Diana Bell to the Human Rights Commission. Mr. Palmer moved, seconded by Mr. Thorngate, Council's concurrence in the reappointment. Motion carried. He then introduced Melinda Koslik whom he would like to appoint to the Arts and Culture Commission. Ms. Koslik introduced herself and thanked Council for their consideration of her appointment. Mr. Palmer moved, seconded by Brian Wilson, Council's concurrence in the appointment. Motion carried.

Mayor Elliott read a proclamation for Saturday, November 26, 2016 as Small Business Saturday in the City of Wheeling.

Mayor Elliott announced that the Public Hearing on the proposed Anti-Discrimination Ordinance will be on November 29, 2016 at 6:00 p.m. at the Wheeling Park White Palace, second floor. If anyone wishes to speak at this public hearing, they may do so that evening as the doors will open early. City of Wheeling residents will be given first priority and all speakers will be given three minutes to speak.

Beginning in 2017, Mayor Elliott is planning to hold Council meetings in each of the six wards. He will announce the meetings, possibly at the next Council meeting.

He also informed Council that the West Virginia Municipal League Annual Winter Meeting will be held on February 19, 20 and 21, 2017 in Charleston, WV. He asked Council members to let City Clerk Janice Jones know if they plan to attend.

CLERK'S REPORT

NOTICE OF APPLICATION TO OPERATE A PRIVATE CLUB - AMERICAN LEGION POST 1 - 2700 CHAPLINE STREET

City Clerk Janice Jones presented Council with a Notice of Application to Operate a Private Club for American Legion Post 1, located at 2700 Chapline Street. The applicants are Joe Fatigati and John Powell.

UNFINISHED BUSINESS

RESOLUTION - TO ALLOW WLU TO TELEVISION CITY COUNCIL MEETINGS (TABLED 11/1/16)

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING TO ALLOW WEST LIBERTY UNIVERSITY'S
COLLEGE OF ARTS AND COMMUNICATIONS TO
TELEWISE CITY COUNCIL MEETINGS.

Mr. Thalman moved, seconded by Mr. Thorngate, to lift this Resolution from the table. Motion carried. Mayor Elliott said that a representative from West Liberty planned to attend this evening but was unable to at the last minute. He hopes to initiate the televising of the meetings sometime after the first of the year.

Mr. Thalman moved, seconded by Mr. Thorngate, that the Resolution be adopted. Motion carried. Mr. Palmer voted no.

ADOPTING TRAFFIC RULE NO. 4578 - HANDICAPPED PARKING ZONE - 438 N.
FRONT ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4578.

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.

ADOPTING TRAFFIC RULE NO. 4579 - HANDICAPPED PARKING ZONE - 20TH &
MARKET STS.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4579.

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.

Mr. Palmer moved, seconded by Ms. Scatterday, that the Wheeling-Ohio County Board of Health Minutes, 7/12/16; Historic Landmarks Commission Minutes, 8/04/16; Planning Commission Minutes, 8/08/16; Human Rights Commission Minutes, 9/20/16; Greater Wheeling Sports & Entertainment Authority Minutes, 8/30/16 9/27/16; Greater Wheeling Sports & Entertainment Authority Income Statement, 9/30/16; Planning Commission Report to Council, 10/18/16; and Wheeling Traffic Commission Minutes, 10/13/16; which were held over be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Palmer announced that Elm Grove will hold their Crime Watch/Ward Meeting tomorrow evening at the Elm Grove Civics at 7:00 p.m.

Ms. Scatterday reported on the success of the City Wide Clean Up Day that took place this past Saturday. She said that 114 volunteers showed up to help. They collected an estimated 268 bags of trash. She thanked everyone who partnered with the City in order to make all of this come together. Special thanks to Rusty Jebbia, Tim Birch, Allison Skibo and the Operations Department. Mayor Elliott thanked Ms. Scatterday and all the volunteers for their efforts.

Mr. Thalman reported that the tennis courts are under construction and are coming along smoothly. He also thanked the Public Works Director Russell Jebbia and the Operations Department for repairing the slip on Warwood Terrace.

Mr. Thalman briefly reviewed discussion that took place at the Ohio County Board of Health meeting today. He also updated that public about what occurred at the Finance Committee meeting prior to this evening's meeting. He noted that the Finance Committee agreed to give \$10,000.00 to \$15,000.00 to Centre Market for Christmas Lights. A Finance Committee Report will be presented at the next meeting.

REPORT OF CITY MANAGER

City Manager Robert Herron explained that the first item on the Agenda this evening under Original Propositions is an ordinance amending the Planning and Zoning Code to allow for up to five unrelated individuals to reside in the same household if they meet the criteria for ADA or are disabled.. This amendment is necessary to allow us to be compliant with Federal Law. Relevant to the Ordinance reimbursing Shook Construction for power consumption, Mr. Herron said that the Water Department was the one that was actually using the power during this time; therefore, the reason for the reimbursement. He respectfully requested two readings on the ordinance this evening. In regard to the Resolution for a Water Monitoring Grant, he explained that this is in conjunction with Bel-o-Mar to apply for a Water Treatment Plant Early Warning Monitoring System Grant.

REPORT OF OTHER OFFICERS

Ms. Scatterday moved, seconded by Mr. Wilson, that the Building Code Board of Appeals Minutes, 5/13/16; Wheeling Housing Authority Minutes, 9/21/16; Historic Landmarks Commission Minutes, 10/06/16; Wheeling Municipal Parking System Financial Report, 9/30/16; Robert C. Byrd Intermodal Transportation Center Financial Report, 9/30/16; CDBG Program Status Report, 10/31/16; HOME Program Status Report, 10/31/16; Human Rights Commission Annual Report, FY 2015-2016 and Financial Statement, 10/31/16; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

AMENDING AND REENACTING PART THIRTEEN - PLANNING & ZONING CODE - ART. 1327.02 & ART. 1335.12

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING PART THIRTEEN – PLANNING AND ZONING CODE, CHAPTER THREE – ZONING ORDINANCE – ARTICLE 1327.02 – DEFINITIONS AND ARTICLE 1335 RESIDENTIAL DISTRICTS §1335.12 ENTITLED, ADDITIONAL RESIDENTIAL REGULATIONS: GROUP HOMES.

SAVAGE CONSTRUCTION CO. - OVERBROOK AVENUE SEWER SEPARATION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$125,089.30 WITH SAVAGE CONSTRUCTION CO., OF WHEELING, WV, FOR OVERBROOK AVENUE SEWER SEPARATION, TO BE

CHARGED TO STREETS & HIGHWAYS #001.4750.40.4151
(\$90,000.00) AND SALES TAX RCIP (\$35,089.30).

SAVAGE CONSTRUCTION CO. - WOODLAWN COURT STORM SEWER

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$46,592.00 WITH SAVAGE CONSTRUCTION CO., OF WHEELING, WV, FOR WOODLAWN COURT STORM SEWER, TO BE CHARGED TO SALES TAX - RCIP.

SHOOK CONSTRUCTION - REIMBURSEMENT FOR POWER CONSUMPTION - WATER TREATMENT PLANT PROJECT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$35,970.32 WITH SHOOK CONSTRUCTION, OF DAYTON, OH, FOR REIMBURSEMENT FOR POWER CONSUMPTION FOR FILTRATION UPGRADE AND PLANT IMPROVEMENTS PROJECT, TO BE CHARGED TO WATER - #400.4013.05.0615.01.

Mr. Thalman moved, seconded by Mr. Palmer, that the Ordinance be read for 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 \$35,970.32 WITH SHOOK CONSTRUCTION, OF DAYTON, OH, FOR REIMBURSEMENT FOR POWER CONSUMPTION FOR FILTRATION UPGRADE AND PLANT IMPROVEMENTS PROJECT, TO BE CHARGED TO WATER - #400.4013.05.0615.01.

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.

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.

RESOLUTION - AUTHORIZING SUBMISSION OF A 2016 LOCAL SOURCE WATER PROTECTION GRANT APPLICATION

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, WEST VIRGINIA, AUTHORIZING THE SUBMISSION OF A 2016 LOCAL SOURCE WATER PROTECTION GRANT APPLICATION AND THAT ROBERT HERRON, CITY MANAGER, IS THE CITY OFFICIAL AUTHORIZED TO SIGN THE APPLICATION FOR THE WATER TREATMENT PLANT EARLY WARNING MONITORING SYSTEM.

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

In regard to a request by Mr. Thalman to explain the two ordinances with Savage Construction that are listed under original propositions, City Manager Herron said that the first one on Overbrook Avenue is a sewer separation project that City Council approved as part of the budget carryover. The second ordinance with Savage Construction is actually the construction of a Storm Sewer that will handle to run-off from the hillside on Woodlawn Court.

THOSE WISHING TO BE HEARD

Chuck Fair, 1290 National Road, talked to Council and offered various suggestions to bring more visitors and tourists to the City of Wheeling.

There being no further business, Mr. Thalman moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time: 6:05 p.m.

City Clerk

Mayor