

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 November 15 and November 29, 2016 meetings be approved as received. Motion carried.

Mr. Thalman moved, seconded by Mr. Palmer, to suspend the regular order of business to conduct a public hearing. Motion carried.

Public Hearing - Lease Agreement - Ohio Valley Peace

Mayor Elliott announced that no one signed up to speak at the public hearing.

Mr. Thalman moved, seconded by Mr. Palmer to close the public hearing and resume the regular order of business. Motion carried.

MAYOR'S REPORT

Mayor Elliott updated Council on the Ad Hoc Committee on Affordable Housing, which met yesterday. He said they are releasing a Housing Survey today, which will be available on the City's website or facebook page, as well as Survey Monkey. He also noted that the Ad Hoc Committee on Retention met last evening and they are working on a Retention Survey as well.

Mayor Elliott commented on the Public Hearing, in regard to the Anti-discrimination Ordinance, that was held on November 29, 2016 at Wheeling Park White Palace. He said that approximately 350 people attended and 42 people signed up to speak. The majority of people spoke in favor of the ordinance and several spoke against the ordinance. Mayor Elliott said that he has met with City Solicitor Rosemary Humway-Warmuth to try to incorporate some of the concerns into the ordinance. The draft of the ordinance is available on the City's website. The first reading of the ordinance is this evening, with final reading and action taking place at the December 20, 2016 meeting.

Mayor Elliott said that Council met with the Historic Landmarks Commission last Thursday in a work session to discuss a demolition review process of historic property located in historic districts. Another meeting will be held in the near future to discuss this further.

Mayor Elliott announced that he will be speaking at the Project Best Breakfast tomorrow at Oglebay Park.

Mayor Elliott commented that last week he spoke to students of Wheeling Middle School about a project they are undertaking to redesign Wheeling in 2117. He thanked Principal McCardle and Mrs. Bennett for the great job they are doing with the students.

Mayor Elliott announced that in 2017, six of the 12:00 City Council meetings will be held at schools in all of the six wards in the City. They are as follows: February 7, 2017 - Linsly; March 7, 2017 - Wheeling Central; April 4, 2017 - Wheeling Park; September 5, 2017 - Madison Elementary; November 7, 2017 - Warwood Middle School; and December 5, 2017 - Bridge Street School.

Mayor Elliott commented that City Manager Robert Herron will be announcing and introducing the new Parks and Strategic Planning Director under his report.

Mayor Elliott asked for Council's concurrence in the reappointment of Bernadette Smith to the Wheeling Housing Authority. Mr. Thalman moved, seconded by Mr. Thorngate, Council's concurrence in the appointment. Motion carried.

UNFINISHED BUSINESS

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.

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

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).

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

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.

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

Mr. Thalman moved, seconded by Mr. Thorngate, 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; which were held over, be approved as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Scatterday expressed her gratitude to Wheeling Central High School for inviting her to speak to the students last week on Community Service. She also announced that they are having their 46th Annual Food Drive and students will be collecting the grocery bags on Saturday, December 10, 2016. She also announced that Project Impact, a community-wide drug prevention program, will be having a Mix and Mingle on December 13th from 5:00 p.m. to 7:00 p.m. at Christ United Methodist Church. Also, on December 21st there will be a Memorial Service for the homeless people of our community at St. John's Church, in Centre Market at 6:00 p.m.

REPORT OF COMMITTEES

Mr. Thalman moved, seconded by Mr. Palmer, to dispense with the reading of the Finance Committee Report and accept them as received. Motion carried. Mr. Thalman briefly reviewed the report with Council. For the record, they are as follows:

FINANCE COMMITTEE REPORT - NOVEMBER 15, 2016

The Finance Committee of Wheeling City Council met on Tuesday, November 15, 2016 at 5:00 p.m. in City Council Chambers. Committee Members present: Chair Chad Thalman, Vice Chair Dave Palmer, Member Wendy Scatterday. Others present: Mayor Glenn Elliott, Councilors Ken Imer, Brian Wilson and Ty Thorngate; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth; Finance Director Seth McIntyre, City Clerk Janice Jones and the media.

The following matters were discussed:

Financial Statement - October 31, 2016

City Manager Robert Herron reported that the cash balance as of October, 2016 is approximately \$3,635,000.00. Mr. Herron said that expenditures are at about 33% of budget and revenues to date are approximately \$13,303,000.00, compared to \$12,785,000.00 last year. He believes that we are right on target for this fiscal year. As was discussed at the last Finance Committee meeting, the property tax revenue that was showing a deficit has bounced back and is \$84,000.00 ahead compared to the same time period as last year. Following some discussion, Member Palmer moved, seconded by Member Scatterday, to accept the October 31, 2016 Financial Statement as presented. Motion carried.

In another matter, Mr. Herron indicated that General Fund Budget Revision No. 2 will be presented at the December 2016 Finance Committee meeting. Some of the items that will be included in the revision are funding for the Parks and Strategic Planning Position, Police and Fire Pensions, employee gift cards, preservation loan fund, and lights at Centre Market.

There being no further business to come before the Committee, Ms. Scatterday moved, seconded by Mr. Palmer, to adjourn. Time: 5:08 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron explained the Resolution for a Lease Agreement with Ohio Valley Peace. He said that the small building has been vacant since the 1960's and Ohio Valley Peace would like to use it to operate a small radio station. Relevant to the Franchise Renewal Agreement with Comcast, Mr. Herron said their current franchise agreement expired in October and this is a renewal to allow them to operate in the City's rights-of-ways. At this time, Mr. Herron introduced the new Parks and Strategic Planning Director, Jesse Mestrovic, to Council and the public.

REPORT OF OTHER OFFICERS

Mr. Imer moved, seconded by Mr. Wilson, that the Board of Zoning Appeals Minutes, 9/15/16; Wheeling-Ohio County Board of Health Minutes, 10/11/16; Planning Commission Minutes, 11/17/16; Greater Wheeling Sports & Entertainment Authority Minutes, 10/15/16; Greater Wheeling Sports & Entertainment Authority Income Statement, 10/31/16; Wheeling Traffic Commission Minutes, 11/10/16; and Planning Commission Report to Council, 11/15/16; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

ADOPTING TRAFFIC RULE NO. 4580 - HANDICAPPED PARKING ZONE - 3822 EOFF ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4580.

ADOPTING TRAFFIC RULE NO. 4581 - NO PARKING ZONE - WARWOOD AVENUE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4581.

ADOPTING TRAFFIC RULE NO. 4582 - STOP INTERSECTION - NICHOLAS WAY & JAYSON DRIVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4582.

FRANCHISE RENEWAL AGREEMENT - COMCAST OF ILLINOIS/WEST VIRGINIA

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 COMCAST OF ILLINOIS/WEST VIRGINIA.

AMENDING AND REENACTING ARTICLE 169 - HUMAN RIGHTS COMMISSION - ANTI-DISCRIMINATION ORDINANCE

The following was then read:

AN ORDINANCE BY THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 169 OF THE ADMINISTRATIVE CODE, ENTITLED HUMAN RIGHTS COMMISSION.

RESOLUTION - LEASE AGREEMENT - OHIO VALLEY PEACE

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH OHIO VALLEY PEACE, A NOT-FOR-PROFIT CORPORATION, FOR A PORTION OF CITY-OWNED PROPERTY IN THE GRANDVIEW AREA WHICH PREVIOUSLY HOUSED THE CITY'S REPEATER RADIO SYSTEM AND HAS NOT BEEN UTILIZED SINCE THE 1960'S.

Mr. Imer moved, seconded by Mr. Wilson, to adopt the Resolution. Motion carried.

RESOLUTION - APPROVING INVOICES - WATER TREATMENT PLAN 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. Thorngate, to adopt the Resolution. Motion carried.

THOSE WISHING TO BE HEARD

No one signed up to speak.

There being no further business, Mr. Thalman moved, seconded by Mr. Palmer, to adjourn. Motion carried. Time: 12:22 p.m.

City Clerk

Mayor