

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 Reverend Ralph Dunkin.

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 December 6, 2016 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 - Comcast of Illinois/West Virginia”

No one signed up to speak at the public hearing.

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

MAYOR’S REPORT

Mayor Elliott gave an update on the Ad Hoc Workforce Housing Committee which will be meeting on Tuesday, December 27, 2016 at 1:00 p.m. in Council Chambers. He noted that the housing survey is still available and can be accessed through the City’s Facebook page.

He thanked Public Works Director Rusty Jebbia and the Operations Department for their quick response in treating snow and icy roads last week. He reminded the public about removing snow on sidewalks especially in our business district.

Mayor Elliott commented that in January, the City will request proposals from qualified consultants for commission-based grant analysis and writing services. He said that the consultant will operate on a commission-based basis from successful results. This type of model has been employed by our Fire and Police Departments.

Mayor Elliott announced that the Wheeling Young Preservationists have volunteered to clean-up city-owned property at 1107 and 1109 Main Street in early January 2017.

He also announced that, effective January, Council meetings will be televised. We are working with Theresa Gretchen of WLU Television on logistics.

Mayor Elliott again reminded the public that during 2017, Council meetings will be held in each ward. The schedule is as follows: February 7 - The Linsly School; March 7 - Wheeling Central Catholic High School; April 4 - Wheeling Park High School; September 5 - Madison Elementary School; November 7 - Warwood School; and December 5 - Bridge Street Middle School.

At this time, Mayor Elliott turned the meeting over to City Manager Robert Herron, who in turn introduced John Rowan Jr. to those present. Mr. Rowan’s father, John Rowan, Sr., who recently passed away, was a longtime firefighter with the City of Wheeling. At his funeral, the family requested, that in lieu of flowers, donations be made to the Fire Department. John Rowan Jr. was present to present a check on behalf of his father to the Fire Department.

CLERK’S REPORT

City Clerk Janice Jones presented Council with a Notice of Application to Operate a Private Club for Up on the Lane, located at 97 Edgington Lane. The applicant is Lauren Jones.

UNFINISHED BUSINESS

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.

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.

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.

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.

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.

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.

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.

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

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.

The ordinance was read a second time by title. Mr. Thalman moved, seconded by Ms. Scatterday, to suspend the regular order of business to allow public comment at this time. Motion carried.

Betty Hissam, Wheeling and James Hyst, St. Clairsville, spoke in opposition to the ordinance.

B. Mitchell Haddad, David Miller, Susan Hagan, all of Wheeling, and Andrew Schneider, Charleston, WV., spoke in favor of the ordinance.

Mr. Thalman moved, seconded by Ms. Scatterday, to resume the regular order of business. Motion carried.

Mr. Thalman then moved, seconded by Ms. Scatterday, to adopt the ordinance.

Mayor Elliott explained that this has been a long process and he is proud of his colleagues for their diligence and perseverance in this sensitive matter. He said that it is a culmination of public work sessions and a public hearing in which over 300 people attended. Mayor Elliott clarified the language pertaining to religious exemptions. Mr. Thalman, Mr. Thorngate, Ms. Scatterday and Mr. Wilson, all commented in a positive manner about the process in getting to this point and thanked the public for their respectful input.

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

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thalman also thanked the Operations Department for their quick response to the icy road conditions this past week-end. He also urged residents to take the housing survey that is available on the City's website. He also announced that the tennis courts in Warwood will be completed in the spring of 2017.

Ms.Scatterday thanked the Water Department for their work on a waterline issue in the Fourth Ward. She also announced that applications are being accepted until January 13, 2016 for Probationary Police Officers

REPORT OF COMMITTEES

Ms. Scatterday moved, seconded by Mr. Thalman to dispense with the reading of the minutes of the Development Committee meeting that was held on December 6, 2016. Ms. Scatterday gave a brief summary of the meeting. For the record, the minutes are as follows:

DEVELOPMENT COMMITTEE REPORT - DECEMBER 6, 2016

The Development Committee of Wheeling City Council met on Tuesday, December 6, 2016 at 11:15 a.m. in Council Chambers. Committee members present: Mayor Glenn Elliott, Vice Chair Wendy Scatterday, and Member Chad Thalman. Others present: Councilors Imer, Thorngate, and Palmer; City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth, ECD Director Nancy Prager, Assistant ECD Director Tom Connelly, City Clerk Janice Jones.

The following matters were discussed:

Discussion of Facade Improvement Program

City Manager Robert Herron explained that the City had a Downtown Facade Rehabilitation Loan Program a few years ago that was limited to the downtown historic district and it had to be used on exterior portions of the building or to correct code violations relating to the facade. It was up to a \$50,000 loan, which was forgivable over a five year period. The program had a building selection committee, which would review the applications, score them and then forward them to the Development Committee. Because they were using CDBG funds, there had to be SHPO review of the applications. ECD Director Nancy Prager confirmed that 15 building owners took advantage of these loans. Mr. Herron indicated that the difference between the Greenville, NC Program and our program was that Greenville's loan was a \$10,000 maximum loan and limited to several districts. The funding portion of the program was a little different from ours also. Mayor Glenn Elliott thought this would be a good program to pursue and commented that he liked the funding method that Greenville used, with a maximum loan of \$10,000. A discussion ensued in regard to the boundaries, should we decide to go ahead with the program. All three members of the Committee agreed that the focus should be on the Downtown and Centre Market District. Ms. Scatterday would also like to make sure covenants are attached to these loans. City Solicitor Humway-Warmth assured the Committee that this would be done as it was done in the past and additional research on this will be done. The possibility of using CDBG funds on this program was also discussed. Ms. Scatterday offered the suggestion, that if this would be a long term program, there would be some type of procurement that would be on a rotating basis for consulting services. The Committee agreed to ask the City Manager and City Solicitor to come up with a program, utilizing some of the concepts of the Greenville Facade Improvement Program, and present them at a future Development Committee meeting.

Discussion of Property Transfer - Tax Parcel 30A - 334 Along Mt. Wood Road.

City Manager Herron explained that the he recently received a request from Tina Guler, 18 Quail Court, to purchase city-owned property that they have been maintaining for several years. Ms. Guler addressed the Committee and explained that they would like to place a concrete pad in that area for additional parking. Following a question and answer period, Mr. Thalman moved, seconded by Ms. Scatterday, to move forward with the transfer of this property. Motion carried. Ms. Scatterday suggested that Mrs. Guller contact the Planning Department to make sure that her project meets all the requirements for a parking pad in that area. Mr. Herron said that the process would be to transfer the property to the OVADC and they in turn could transfer it to Mr. & Mrs.Guler.

Request for Development/Redevelopment Site for Property Located 62-28th Street - J. B. Thomas Acquisition

City Manager Robert Herron said that we have received a request for a Development/Redevelopment Site for property located at 62 - 28th St., from J. B. Thomas Acquisitions. Mr. Thomas was present and explained that he would like to have video lottery machines at this location. Assistant Economic and Community Development Director Tom Connelly explained the map which contained the criteria for a Development/Redevelopment designation to the Development Committee. Mr. Connelly indicated that he has not received any opposition from surrounding properties concerning this request. Following a question and answer period, Mr. Thalman moved, seconded by Ms. Scatterday, to recommend the Request for Development/Redevelopment Site to City Council. Motion carried.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Time: 11:55 a.m.

REPORT OF CITY MANAGER

City Manager Robert Herron reported that Garbage Pick-Up for the next two weeks will be delayed one day as the Landfill will be closed the day after Christmas and the day after New Years. He also announced that 5 new police officers have graduated from the WV State Police Academy and will be on full duty soon.

Mr. Herron distributed the 2017-2018 Budget Schedule to City Council and briefly reviewed it. He asked that Council be thinking about suggestions on proposed capital projects and also proposed CDBG projects to include in the new budget.

Mr. Herron commented on an article that appeared in the newspaper on Saturday in regard to regionalization of Uber services. To clarify a misunderstanding in the article, he indicated to the Moundsville City Manager that the City of Wheeling would be willing to partner with other communities in the region to provide additional critical mass and, to support that, he sent Moundsville the Resolution regarding Uber that City Council had passed in August.

REPORT OF OTHER OFFICERS

Mr. Palmer moved, seconded by Mr. Thorngate, that the Wheeling Municipal Parking System Financial Report, 10/31/16; Robert C. Byrd Intermodal Transportation Center Financial Report, 10/31/16; CDBG Program Status Report, 11/30/16; HOME Program Status Report, 11/30/16; Wheeling Housing Authority Minutes, 10/12/16; Human Rights Commission Minutes, 10/18/16; Historic Landmarks Commission Minutes, 11/6/16; and Financial Statement, 11/30/16; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

ZONE CHANGE - 4.328 ACRE TRACT OF LAND ON THE WESTERLY SIDE OF WOOD ST. - I-2 TO C-2

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF A 4.328 ACRE TRACT OF LAND SITUATE ON THE WESTERLY SIDE OF WOOD STREET, SOUTH OF THE INTERSTATE 470 OFF-RAMP ONTO WEST VIRGINIA ROUTE 2 AS DEPICTED ON THE ATTACHED SURVEY FROM I-2 GENERAL INDUSTRY TO C-2 GENERAL COMMERCIAL

SHOOK CONSTRUCTION - SUPPLEMENTAL HEATING - WATER TREATMENT PLANT PROJECT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$38,555.00 WITH SHOOK CONSTRUCTION, OF DAYTON, OH, FOR SUPPLEMENTAL HEATING (TO BE REIMBURSED BY C. T. CONSULTANTS) FOR FILTRATION UPGRADE AND PLANT IMPROVEMENTS PROJECT, TO BE CHARGED TO WATER - #400.1304.03.00.

T.L. VELAS DIVING & SUPPLY - EQUIPMENT & TRAINING - FIRE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$21,966.00 WITH T. L. VELAS DIVING & SUPPLY, OF WHEELING, WV, FOR EQUIPMENT & TRAINING FOR FIRE DEPARTMENT, TO BE CHARGED TO GENERAL FUND - HOMELAND SECURITY GRANT.

ROCK-N-RESCUE/J.E. WEINEL, INC. - EQUIPMENT - FIRE DEPARTMENT

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$16,009.17 WITH ROCK-N-RESCUE/J. E. WEINEL, INC., OF BUTLER, PA, FOR EQUIPMENT FOR FIRE DEPARTMENT, TO BE CHARGED TO GENERAL FUND - HOMELAND SECURITY GRANT.

TRANSFER TO OVADC - TAX PARCEL 30A - 334 ALONG MT. WOOD ROAD

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED IN THE NORTH PARK AREA OF THE CITY OF WHEELING AT TAX PARCEL 30A-334 ALONG MT. WOOD ROAD, TO THE OHIO VALLEY ADC AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER SUCH DEED AND OTHER DOCUMENTS TO EFFECTUATE THIS CONVEYANCE.

DEDICATION - PORTION OF CORLISS AVENUE AND CORLISS TERRACE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ACCEPTING THE OFFER OF DEDICATION OF A PORTION OF A PUBLIC WAY IN THE CITY OF WHEELING, WEST VIRGINIA, KNOWN AS CORLISS AVENUE AND CORLISS TERRACE, AS SET FORTH ON THE ATTACHED MAP WHICH IS ON FILE IN THE OFFICE OF THE CITY CLERK AND CITY ENGINEER.

RESOLUTION - REDEVELOPMENT/DEVELOPMENT SITE - 62- 28TH STREET

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 62 - 28TH STREET AS A DEVELOPMENT OR A REDEVELOPMENT SITE.

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

THOSE WISHING TO BE HEARD

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 6:30 p.m.

City Clerk

Mayor