

.Wheeling, West Virginia
March 7, 2017

Council of the City of Wheeling met at Wheeling Central High School, 14th & Eoff Streets, on the above date, with Mayor Glenn Elliott presiding.

The invocation was offered by Wheeling Central Student Council President Michael Niggemeyer.

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 February 21, 2017 meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott reported that the State of the City Event that was held at Wheeling Island Racetrack and Casino on February 28th was a huge success, with over 300 people in attendance. It, along with regularly scheduled Council meetings, are available on WLU TV, Channel 14.

Mayor Elliott gave an update on the Ad Hoc Committees - At the last meeting the Ad Hoc Committee on Industrial Development presented their detailed report and he expects the Ad Hoc Committee on Workforce and Housing to present their report at the March 21st meeting and then at the April 4th meeting, the Ad Hoc Committee on Retention will present their report.

Mayor Elliott announced that the Parks & Strategic Planning Department is conducting a survey to establish priorities for the further improvement of parks and recreation facilities, programs and services with the community. The survey is available on the city's website.

Relevant to the American Legion Post 89, Mayor Elliott commented that no decision will be made today and that he hopes to meet with the new management team and other interested parties over the next few weeks.

UNFINISHED BUSINESS

C.T. CONSULTANTS - FLOW MONITORING SERVICES - WPCD - 2017-18

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS TO EXTEND THE SERVICES OF CT CONSULTANTS FOR TWELVE MONTHS TO CONTINUE PROVIDING FLOW MONITORING, DATA MANAGEMENT, EQUIPMENT OPERATIONS AND MAINTENANCE IN ACCORD WITH THE CITY'S PHASE II STATUS & PHASE III WASTEWATER SYSTEM IMPROVEMENTS.

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

City Manager Robert Herron, explained that this is a requirement from the West Virginia Environmental Protection Agency to monitor the combined sewer overflows, using a professional consultant to do so. In response to a question from Mr. Palmer as to whether this will help the recent flooding that has occurred in Ward 6, Mr. Herron said that what this will do is to monitor the flow and collect data to determine what areas to address for future projects.

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. 4586 - HANDICAPPED PKG. ZONE - 807 WARWOOD AVE.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4586.

The ordinance was read a second time by title. Mr. Thalman 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.

ADOPTING TRAFFIC RULE NO. 4587 - HANDICAPPED PKG. ZONE - 152 N. 20TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4587.

The ordinance was read a second time by title. Mr. Thalman 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.

ADOPTING TRAFFIC RULE NO. 4588 - HANDICAPPED PKG. ZONE - 1300 MC COLLOCH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4588.

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. 4589 - NO PARKING ZONE - S. SD. OF ZANE ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4589.

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. 4590 -NO PARKING ZONE - N. SD. OF EDGINGTON LANE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4590.

The ordinance was read a second time by title. Mr. Thorngate moved, seconded by Ms. Scatterday, 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. 4591 - 2 HR. PARKING METER ZONE - EOFF STREET (BY PADDEN'S).

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WHEELING ADOPTING TRAFFIC RULE NO. 4591.

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.

JAMES WHITE CONSTRUCTION - CO. #1 - IDABELLE AVENJE WATERLINE PROJECT

The following was then read:
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$59,365.05 WITH JAMES WHITE CONSTRUCTION, OF WEIRTON, WV, FOR IDABELLE AVENUE WATERLINE PROJECT, CHANGE ORDER NO. 1, TO BE CHARGED TO WATER - #400.1331.04.00.

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

In response to a question from Mayor Elliott, Mr. Herron said that the majority of this change order was for additional paving.

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.

Ms. Scatterday moved, seconded by Mr. Palmer, that the Planning Commission Minutes, 01/09/17; Board of Zoning Appeals Minutes, 01/19/17; CDBG Program Status Report, 01/31/17; HOME Program Status Report, 01/31/17; Traffic Commission Minutes, 02/09/17; and Financial Statement, 01/31/17; which were held over, be approved as received.. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thalman commented that it was particularly exciting for him to be back in this building for a City Council meeting as he graduated from here in 2000. He said that he is proud of all the changes and updates that have been made. He encouraged the students to enjoy their time here and to stay involved in their community.

Ms. Scatterday expressed her appreciation to Wheeling Central for hosting today's Council meeting. She also announced that next Tuesday, March 14, 2017, there will be a Neighborhood Ward 4/Crime Watch meeting held at Temple Shalom at 7:00 p.m. Also, at that meeting will be Jesse Mestrovic, new Parks and Strategic Planning Director, who will be receiving input from residents on recreational needs.

Mr. Wilson also expressed his gratitude to Wheeling Central Staff for their assistance with today's meeting and for being a "good neighbor" in Ward 3. He also encouraged the students to become involved in their community.

Mr. Palmer announced that the Ward 6/Crime Watch meeting will be on Wednesday, March 15 at 7:00 p.m. at the Elm Grove Civics.

REPORT OF COMMITTEES

Mr. Thalman moved, seconded by Mr. Palmer, to dispense with the reading of the Finance Committee Minutes for February 21, 2017, and accept them as received. Motion carried.

Mr. Thalman gave a brief oral report of the meeting. For the record, the minutes are as follows:

FINANCE COMMITTEE REPORT - FEBRUARY 21, 2017

The Finance Committee of Wheeling City Council met on Tuesday, February 21, 2017 at 4:45 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 Rose Humway-Warmuth, Finance Director Seth McIntyre, City Clerk Janice Jones and the media.

The following matters were discussed:

Presentation and Discussion of General Fund Budget - FY 2017-2018 and Coal Severance Budget - FY 2017-2018

City Manager Robert Herron distributed both proposed budgets to Council. He explained that Budget Works Sessions are scheduled for Tuesday, March 28th at 4:45 and then, if necessary, on March 7th at 5:30 p.m., with the Final Budget going to Council for approval on March 21, 2017 and then sent to the State Auditor's Office for approval. He pointed out that this is basically an operating budget and added that Council will have a better idea of what the budget actually is in July and then can make adjustments if necessary. The proposed budget is \$33,891,000.00. The following budget discussion points were explained and elaborated on:

- Sales Tax Calculations
- Taxes and Fees
- Health Insurance
- Pay Increases
- Budget Stabilization Fund
- Personnel
- Police and Fire Pensions

Mr. Herron said that he has included a Sales Tax RCIP Budget for the first time, which is \$1,250,000.00, which includes a \$500,000 carryover. He elaborated on the line items contained in the Sales Tax RCIP Budget.

A question and answer period ensued; however, more detailed discussion will take place at a budget work session which is scheduled to Tuesday, March 28, 2017 at 4:45 p.m.

Discussion of On-Street Parking and Fees

Mr. Herron indicated that the Finance Committee has been working on increasing the fines for parking violations, a copy of the proposed fines is attached. Mr. Palmer explained the various proposed fine increases. Mr. Thalman added that he has received numerous complaints from business owners in Centre Market and the downtown area in regard to people parking at meters all day. Following a short discussion, Mr. Palmer moved, seconded by Ms. Scatterday, to forward this to Council for further discussion. Motion carried.

Ms. Scatterday added that this is just Step One in our assessment of parking in the downtown area to make it more user friendly for visitors, businesses and customers. City Solicitor Humway-Warmuth clarified the process for amending the ordinance that is currently in City Code and added that there will also be a public hearing associated with raising the fines.

Financial Statement - January 31, 2017

City Manager Robert Herron explained Expenditures are at about 55.8% of budget, if you take into account various encumbrances that this financial statement does not reflect, which still makes the Expenditures under the budgeted amount of 58% for this time period.. Revenues are at 64% of budget and slightly ahead of last year for the same time period. and about \$482,000 ahead of the same time last year. He noted that the General Fund Cash Balance at the end of January is \$4,159,000.00. There is still \$1,055,000.00 in the budget stabilization fund. He pointed out; however, the cash balance would be reduced by about \$773,000.00 if you subtract the projects that have been budgeted, making the cash position at the end of January at \$3,386,000.00, which is similar to where we were for the same time period last year. The budget stabilization fund; however, is \$500,000.00 more that last year's amount. Mr. Herron noted that April is typically a good revenue month and we will have a better idea of the cash carry-over at that time. Following some discussion, Member Scatterday moved, seconded by Member Palmer, to accept the January 31, 2017 Financial Statement and forward it to Council. Motion carried.

There being no further business to come before the Committee, Mr. Palmer moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 5:10 p.m.

REPORT OF CITY MANAGER

City Manager Robert Herron reported that the Option Agreements for 1107 and 1109 Main Street have been signed by Domakur Architects and they run through April 10th.

They have been down looking at the building and doing their due diligence.

He also reported that Item 9/3, Franchise Renewal Agreement with Centre TV, has had some minor changes but it is very similar to the Franchise Renewal Agreement we passed several weeks ago.

REPORT OF OTHER OFFICERS

Ms. Scatterday moved, seconded by Mr. Wilson, that the Wheeling Municipal Parking System Financial Report, 1/31/17; and Robert C. Byrd Intermodal Transportation Center Financial Report, 1/31/17; be held over until the next meeting. Motion carried.

ORIGINAL PROPOSITIONS

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.

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.

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.

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.

THOSE WISHING TO BE HEARD

No one signed up to speak.

Mayor Elliott again thanked Wheeling Central for hosting today's meeting.

There being no further business, Mr. Palmer moved, seconded by Mr. Wilson, to adjourn. Motion carried. Time: 12:20 p.m.

City Clerk

Mayor