

**April 18, 2023**

Council of the City of Wheeling met, on the above date, at 5:30 pm, at 1500 Chapline St. with Mayor Elliott presiding.

On roll call, the following were present:

Present: Thalman, Ketchum, Sklavounakis, Thorngate, Palmer, Elliott - 6  
Absent: Seidler -1

Mr. Thalman, seconded by Mr. Thorngate, that the minutes of April 4th, 2023 meeting be accepted as received. Motion Carried.

### **MAYOR'S REPORT**

Mayor Elliott asked for an Executive Session to be held after Regular Session to discuss property acquisitions.

Mayor Elliott extended appreciation to Mr. Thalman, Mr. Seidler and Mr. Herron for their support and travel time to meet with developer Stephen Coon in Canton, Ohio. All agreed that Mr. Coon is still devoted to the project of Wheeling Pitt Lofts and hope to see groundbreaking in early summer.

Mayor Elliott invited Wheeling Tree Board member Karen Cox to speak for a few minutes, regarding the goals and forward progress made by the Tree Board and how that impacts not only how the city looks but also the health benefits given to our community.

Mayor Elliott proclaimed the month of April as "Fair Housing Month" in the City of Wheeling, presented to Bishop Ralph Dunkin chair of the Human Rights Commission.

### **CLERK'S REPORT**

Clerk Zalenski presented Mr. Joe Downing's request for Petition for Zoning Amendment for 108 South Huron Street to expand their business parking, Mr. Sklavounakis motioned, seconded by Ms. Ketchum to refer to Planning Commission. All in favor. Motion Carried.

Clerk Zalenski presented Historic Landmark Commission Report to Council, regarding Demolition review of 144,146, and 148 16<sup>th</sup> Street, Mr. Thalman, seconded by Mr. Thorngate moved to accept as recommended. All in favor. Motion Carried.

### **UNFINISHED BUSINESS**

#### A-1 Cleaning Services- Police Headquarters

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR CONTRACTUAL SERVICES WITH A-1 CLEANING SERVICE OF WHEELING, WV FOR DAILY CLEANING SERVICES FOR THE CITY OF WHEELING POLICE HEADQUARTERS TO BE CHARGED TO POLICE DEPARTMENT

No action taken; Ordinance remains tabled.

#### Amending and Re-Enacting Article 505 entitled Animals and Fowls Generally

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 505 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, ANIMALS AND FOWLS GENERALLY

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The ordinance was read a second time by title. Mr. Sklavounakis, seconded by Ms. Ketchum, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliot, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer -6  
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Amending and Re- Enacting Article 507 entitled Dogs and Cats

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING AMENDING AND REENACTING ARTICLE 507 OF THE CODIFIED ORDINANCES OF THE CITY OF WHEELING, DOGS AND CATS

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance tabled.

Enacting Article 180 Municipal Tree Board

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING CREATING AND ENACTING ARTICLE 180 OF THE ADMINISTRATION CODE CHAPTER 7 ENTITLED: BOARDS AND COMMISSIONS BY ADDING ARTICLE 180 ENTITLED MUNICIPAL TREE BOARD

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Cast and Baker -North Park Sewer Improvements-WPCD  
Bonds

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$474,550.00 TO CAST AND BAKER CORPORATION OF CANNONBURG PA FOR NORTH PARK SEWER IMPROVEMENTS TO BE CHARGED TO WATER POLLUTION CONTROL BONDS

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Municipal Council Levy Estimate - Fiscal Year 2023-2024

The following was then read by title:

AN ORDINANCE OF THE MUNICIPAL COUNCIL LEVY ESTIMATE, PRESCRIBED BY THE WEST VIRGINIA STATE AUDITOR, KNOWN AS THE ANNUAL APPROPRIATION FOR FISCAL YEAR 2023-2024 BUDGET FOR WHEELING MUNICIPALITY, OHIO COUNTY.

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer - 6  
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

**REMARKS FROM MEMBERS OF COUNCIL**

Mr. Thalman asked City Manager Mr. Herron for an update regarding a road slip on East Cardinal Avenue, Mr. Herron says to expect an ordinance for that project by next council meeting.

Mr. Palmer stated the Ward 6 Crime watch Meeting will be held Wednesday, April 19<sup>th</sup> at 7pm at the Elm Grove Civics building, 21 Sycamore Avenue.

Ms. Ketchum stated the South Wheeling Crime Watch meeting will be held May 1<sup>st</sup> at 21 15<sup>th</sup> Street, WPD Headquarters. Ms. Ketchum thanked City Operations and Sanitation Department for their help in getting trash cans placed throughout Center Wheeling.

**REPORT OF COMMITTEES**

Mr. Thalman moved, seconded by Mr. Thorngate to accept Development Committee Minutes dated April 4, 2023 as received. For the Record they are as follows:

**DEVELOPMENT COMMITTEE REPORT**

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The Development Committee of Wheeling City Council met on the above date at 5:15 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Seidler, Ketchum, Sklavounakis, City Manager Herron, Building and Planning Director Brenda Delbert, City Clerk Jessica Zalenski, and media.

The following matters were discussed:

**Lane Abandonment: A portion in the 2300 block of Water Street:**

Brenda Delbert, Director of Building and Planning for City of Wheeling spoke regarding to two parcels of land on the 2300 block of Water Street:

The Building and Planning Department has processed the following abandonment requests: Hendershot Properties LLC is requesting the abandonment of parcel of land situated in the 2300

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block of Water Street.

TS 2300 LLC is requesting the abandonment of parcel of land situated in the 2300 block of Water Street.

The purpose of both of the requests is to provide green space, use for building access, and overall property improvement. Mr. Thalman, seconded by Mr. Thorngate, moved to approve, and forward to City Council. Motion carried. All in favor.

**Property to be Leased to Macedonia Baptist Church:**

A parcel of land situated north of and adjoining the property of the Macedonia Baptist Church, located at 105-12th Street Wheeling WV. Property is to be leased as follows:

1. \$1 (one dollar) a year.
2. 5-year Lease with option to renew at the discretion of the City of Wheeling.
3. Insurance Certificate naming City of Wheeling as Additional Insured under standard requirements for such.
4. No permanent structures to be built on premises.

Mr. Thalman, seconded by Mr. Thorngate moved to approve and forward to City Council. Motion carried. All in favor.

**Century Realty: Representation for Commercial Space in Market Street Parking Structure:** Representation for Commercial Space in Market Street Parking Structure. Mayor Elliot supported Century Real Estate to be the agent selling the commercial spaces in the new Market Street parking garage. Mr. Elliot confirmed that all tenants are subject to City Council Approval. Showing of the commercial spaces should begin in four to six weeks.

Mr. Thalman, seconded by Mr. Thorngate moved to approve and forward to City Council. Motion carried. All in favor.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Time: 5:25 p.m.

**REPORT OF CITY MANAGER**

Mr. Herron stated May 1<sup>st</sup> paving crews provided by Cast and Baker Corporation would begin work starting in Warwood and moving their way to the Wheeling Island, crews are expected to finish by June 15<sup>th</sup> deadline.

Mr. Herron updated on ARPA homeowner assistance allocation projects; 88 projects are complete with 202 in progress.

Mr. Herron thanked and showed appreciation to Finance Director Seth McIntyre for the hard work and dedication he has given the city over the last seven years of employment, Mr. McIntyre is resigning from his position effective 4/21/23.

**REPORT OF OTHER OFFICERS**

Mr. Palmer, seconded by Ms. Ketchum moved to hold over: Center Market Commission Minutes 3/7/23, Wheeling Hall of Fame Board Minutes 3/14/23, and Arts and Cultural Commission Minutes 3/14/23. Motioned carried all in favor.

**ORIGINAL PROPOSITIONS**

Vacating and Abandoning Parcels to the West Side of Water Street

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING PARCELS TO THE WEST SIDE OF WATER STREET, WHICH WERE UNNAMED LOTS 1,2,3,4,5,6,7 AND 8 ON THE PLAT OF EOFF AND CHAPLINE'S ADDITION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT.

Name change of Park Road to Schmulbach Road in Mozart

The following was then read by title:

AN ORDINANCE CHANGING THE NAME OF A STREET IN THE MOZART SECTION OF WHEELING, IN ORDER TO ELIMINATE DUPLICATE ROAD NAMES AND POTENTIAL CONFUSION OF VARIOUS DELIVERY CARRIERS AND EMERGENCY SERVICES PROVIDED BY WHEELING-OHIO COUNTY 911 CENTER SO THAT PARK ROAD WILL BECOME SCHMULBACH ROAD.

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Name change of Esther Avenue to Lucinda Lane in Mozart

The following was then read by title:

AN ORDINANCE CHANGING THE NAME OF A STREET IN THE MOZART SECTION OF WHEELING, IN ORDER TO ELIMINATE DUPLICATE ROAD NAMES AND POTENTIAL CONFUSION OF VARIOUS DELIVERY CARRIERS AND EMERGENCY SERVICES PROVIDED BY WHEELING-OHIO COUNTY 911 CENTER SO THAT ESTHER AVENUE WILL BECOME LUCINDA LANE.

Savage Construction I470 Field Repairs- ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$82,780.22 WITH SAVAGE CONSTRUCTION OF WHEELING, WV FOR I-470 FIELD RENOVATIONS, TO BE CHARGED TO ARPA ALLOCATIONS-RECREATION

Sutphen Corporation WFD Ladder 6 Repairs- Regular RCIP

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$31,196.19 WITH SUTPHEN CORPORATION OF CHICAGO IL FOR REPAIRS TO LADDER 6 FIRE DEPARTMENT, TO BE CHARGED TO THE REGULAR RCIP

Jarvis, Downing & Emch Inc.-WFD Stations 2 and 10-Project Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$655,000 WITH JARVIS, DOWNING & EMCH INC. OF WHEELING WV FOR STRUCTURAL REPAIRS TO FIRE STATIONS 2 AND 10 TO BE CHARGED TO THE PROJECT FUND

Southeastern Equipment Company- Leaf Machine- General Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$96,040.01 WITH SOUTHEASTERN EQUIPMENT COMPANY OF CAMBRIDGE OHIO FOR A LEAF MACHINE, TO BE CHARGED TO THE GENERAL FUND

Century Realty LLC- Market Street Garage

The following was then read by title:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CENTURY REALTY LLC TO PROVIDE LEASING SERVICES FOR MARKET STREET PARKING GARAGE COMMERCIAL SPACES AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, AGREEMENTS, ETC. BETWEEN THE CITY OF WHEELING AND CENTURY REALTY LLC REGARDING THE MARKETING OF THE COMMERCIAL SPACE TO BE CREATED IN THE NEW MARKET STREET PARKING STRUCTURE

James White Construction- Georgetown Sewer- WPC Bond Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE

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AMOUNT OF \$312,939.00 TO THE JAMES WHITE CONSTRUCTION COMPANY OF WEIRTON WV FOR GEORGETOWN SEWER IMPROVEMENTS TO BE CHARGED TO WATER POLLUTION CONTROL BOND FUND

Resolution: Property to be leased to Macedonia Baptist Church

The following was then read by title:

A RESOLUTION ON THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH MACEDONIA BAPTIST CHURCH, FOR PORTIONS OF PARCELS OF LAND LOCATED IN THE REAR OF 105 12TH STREET IN THE CITY OF WHEELING

The resolution was read by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the resolution be adopted.

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer -6  
NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the resolution adopted.

Resolution: Participation in the Northern Panhandle Home Consortium

The following was then read by title:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING PARTICIPATION IN THE NORTHERN PANHANDLE HOME CONSORTIUM FOR THE PERIOD OF JULY 1, 2023 TO JUNE 30, 2024.

The resolution was read by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the resolution be adopted.

AYES: Elliott, Thalman, Ketchum, Sklavounakis, Thorngate, Palmer -6  
NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the resolution adopted.

### **THOSE WISHING TO BE HEARD**

Mr. Ted Dodd of Wheeling spoke about his concerns over road slipping, lack of curbing and placement of gas lines on Guilford Drive.

Mr. John Gebhard of Wheeling spoke in opposition of the City's Fire Service Fee.

Ms. Carlee Dittmar of Wheeling spoke in opposition of city councilors spending actions in regards to quality of playground and bridge in the Fulton area of the City.

Mr. Thalman moved, seconded by Mr. Thorngate, to enter into executive session. Time 6:05. All in favor. Motion carried. Mr. Thalman moved, seconded by Mr. Thorngate, to exit executive session. Time 6:24 p.m. No conclusion from Executive session.

There being no further business to discuss Mr. Thalman moved, seconded by Mr. Thorngate to adjourn. Time 6:25 pm.

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City Clerk

Mayor

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