

July 3, 2018

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, Scatterday, Thorngate, and Palmer -6
Absent: Wilson -1

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of the June 19, 2018 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 on Enacting and Article 112 of Health and Sanitation Codified Ordinance -Cross Connection and Backflow prevention. No one signed up to be heard. Mr. Thalman, seconded by Mr. Thorngate to resume regular order of business.

MAYOR'S REPORT

Mayor Elliott re-appoints Joseph Blalock, Anthony Sunseri, and Karen Kangisser to the Human Rights commission. Ms. Scatterday seconded by Mr. Thalman Council's concurrence in the appointment. Motion carried.

Mayor Elliot gives clarification of resolution in regards to BUILD grant. It is for funding for street scape project. The cost of project is increasing thus we are looking into grant opportunities to move forward.

CLERK'S REPORT

City Clerk Brenda J. Delbert presented Council with three (3) Notice of Application to Operate a Private Club- The River's Edge LLC- 1039 Main St Applicant is Michael and Linda Ferns; Uncle Pete's, LLC- 1 Community St. Applicant is Robert Conniff; and Pappy's Drive Thru, LLC- 62 28th St. applicant is Sharon Thomas.

UNFINISHED BUSINESS

**ENACTING ARTICLE 1112 OF HEALTH AND SANITATION CODIFIED ORDINANCE-
CROSS CONNECTION AND BACKFLOW PREVENTION**

The following was then read:

AN ORDINANCE BY THE CITY OF WHEELING ENACTING
ARTICLE 1112 OF ARTICLE 11 – HEALTH AND
SANITATION - OF THE CODIFIED ORDINANCE OF THE
CITY OF WHEELING ENTITLED CROSS-CONNECTION
AND BACKFLOW PREVENTION

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

July 3, 2018

AMENDING AND REENACTING ARTICLE 176- ARTS AND CULTURAL COMMISSION

The following was then read:

AMENDING AND REENACTING THE CODIFIED ORDINANCE OF THE CITY OF WHEELING PART ONE ADMINISTRATIVE CODE CHAPTER SEVEN: BOARDS AND COMMISSIONS ARTICLE 176 ENTITLED ARTS AND CULTURAL COMMISSION

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

MID-ATLANTIC STORAGE SYSTEMS- NEW STACK YARD TANK PHASE 8- WATER CONSTRUCTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$185,136.62 WITH MID-ATLANTIC STORAGE SYSTEMS, INC., OF WASHINGTON COURT HOUSE, OH, FOR NEW STACK YARD TANK – PHASE 8, TO BE CHARGED TO WATER - CONSTRUCTION ACCOUNT - 400.1131.04.00.

The ordinance was read a second time by title. Mr. Imer, seconded by Ms. Scatterday, that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer -6
NOES: -0

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

UTILITY SERVICES CO.- PATTERSON TANK ROOF REINFORCEMENT- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$71,547.00 WITH UTILITY SERVICE CO., INC., OF DALLAS, TX, FOR PATTERSON TANK ROOF REINFORCEMENT, PAX INSTALL, AND WASHOUT TO BE CHARGED TO WATER DISTRIBUTION 400.1128.01.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

July 3, 2018

JCI JONES CHEMICAL- LIQUID CHLORINE- WATER POLLUTION CONTROL

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$25,000.00, WITH JCI JONES CHEMICAL INC., OF BARBERTON, OH, FOR THE PURCHASE OF 50 TONS OF LIQUID CHLORINE, TO BE CHARGED TO WATER POLLUTION CONTROL DIV.- 401.4003.05.0718.01 - CHEMICALS (FY 2018-2019).

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

BARBERS CHEMICAL- SODIUM BISULFITE- WATER POLLUTION CONTROL

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$27,675.00 WITH BARBER'S CHEMICAL, INC., OF SHARPSVILLE, PA, FOR THE PURCHASE OF 15,000 GALLONS OF SODIUM BISULFITE, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - 401.4003.05.0718.01. CHEMICALS (FY 2018-2019).

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

SNF POLYDYNE- POLYMER- WATER POLLUTION CONTROL

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$156,360.00 WITH SNF POLYDYNE, OF RICEBORO, GA, FOR THE PURCHASE OF 16,000 GALLONS OF POLYMER, TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION - 401.4003.05.0718.01. CHEMICALS (FY 2018-2019).

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

July 3, 2018

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

UNIVAR- SODIUM HYDROXIDE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,096.00 WITH UNIVAR, OF BUNOLA, PA, FOR THE PURCHASE OF 30,000 GALLONS OF SODIUM HYDROXIDE 25%, TO BE CHARGED TO WATER TREATMENT PLANT- FY 2018-2019- 400.4012.03.0618.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

BRENNTAG MID-SOUTH- POTASSIUM PERMANGANATE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$47,360.00 WITH BRENNTAG MID-SOUTH INC., OF HENDERSON, KY, FOR THE PURCHASE OF 16,000 LBS. OF POTASSIUM PERMANGANATE, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

CARUS- PHOSPHATE LIQUID CORROSION INHIBITOR- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$33,840.00 WITH CARUS CORPORATION OF PERU, IL, FOR THE PURCHASE OF 90,000 LBS. OF PHOSPHATE LIQUID CORROSION INHIBITOR, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019- 400.4012.03.0618.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6

July 3, 2018

NOES: -0

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

PVS CHEMICAL- FERRIC CHLORIDE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$49,350.00 WITH PVS CHEMICAL SOLUTIONS, OF DETROIT, MI, FOR THE PURCHASE OF 210,000 LBS. OF FERRIC CHLORIDE TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

SHANNON CHEMICAL- CITRIC ACID- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$37,582.00 WITH SHANNON CHEMICAL CORP., OF EXTON, PA, FOR THE PURCHASE OF 4,300 GAL. OF CITRIC ACID, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6
NOES: -0

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

UNIVAR- SODIUM HYPOCHLORITE- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$52,010.00 WITH UNIVAR, OF BUNOLA, PA, FOR THE PURCHASE OF 70,000 GALLONS OF SODIUM HYPOCHLORITE TO BE CHARGED TO WATER TREATMENT PLANT - FY 2018-2019 - 400.4012.03.0618.01

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

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Imer, Scatterday, Thorngate, Palmer - 6

July 3, 2018

NOES:

-0

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

Ms. Scatterday, seconded by Mr. Thalman, Planning Commission Minutes 5/14/18, Zoning Subcommittee Minutes 6/4/18, Wheeling Planning Commission-Report to Council- Zoning Map Amendment, Wheeling Housing Authority Minutes 4/18/18; which were held over, be accepted as received. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Ms. Scatterday reminds public about Ward 4 Crime Watch meeting July 10, 2018, 7:00 pm at Temple Shalom. Mr. Palmer announces the beginning of Beast of the East baseball tournament.

REPORT OF COMMITTEES

Mr. Palmer, seconded by Mr. Thalman that the Finance Committee Report dated 6-19-18 be accepted as received. Motion carried. For the record they are as follows:

FINANCE COMMITTEE REPORT – June 19, 2018

The Finance Committee of Wheeling City Council met on Tuesday, June 19, 2018 at 5:15 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, City Clerk Brenda J. Delbert, and media

The following matters were discussed:

Financial Statement - May, 2018

City Manager Robert Herron advised Council we are in the last month of fiscal year and we should reach cash carryover goal. This Financial Report represents the 86% of the Fiscal Year. At the end of May, revenue is at 93 % and expenses are 84%; expenditures are down and revenue is up. Mr. Herron explains that beautification line item will roll over into next fiscal year as well as any contracts. May statement does not reflect budget revisions, but budget balance is current. Mr. Palmer moved, seconded by Ms. Scatterday, to accept the May, 2018 Financial Statement as presented 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: 5:25 p.m.

Respectfully submitted,

/s/ Mr. Thalman, Chair

/s/ Mr. Palmer, Vice-Chair

/s/ Ms. Scatterday, Member

REPORT OF CITY MANAGER

Mr. Herron gives update on excess tax levy for public safety building will be on next agenda. It will include renovations and new fire truck.

Mr. Herron recognizes Mr. Rusty Jebbia, Public Works Director, for 40 years of service.

REPORT OF OTHER OFFICERS

Ms. Scatterday moved, seconded by Mr. Thalman, that the, Human Rights Commission Minutes 4/17/18 Greater Wheeling Area Sports and Entertainment Minutes 5/1/18, Greater Wheeling Area Sports and Entertainment Financial Statement 4/30/18, BZA Minutes 5/17/18, Traffic Committee Minutes 6/12/18, Wheeling Municipal Parking Financial Statement 5/31/18, Robert C. Byrd Intermodal Center Financial Statement 5/31/18 be held over until next the meeting. Motion carried.

July 3, 2018

ORIGINAL PROPOSITIONS

JACOBI CARBONS- POWDERED ACTIVATED CARBON- WATER TREATMENT PLANT

The following was then read:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$105,000.00, WITH JACOBI CARBONS, INC., OF COLUMBUS, OH, FOR THE PURCHASE OF 100,000 LBS. OF POWDERED ACTIVATED CARBON, TO BE CHARGED TO WATER TREATMENT PLANT FY 2018-2019 400.4012.03.0618.01

ZONING DISTRICT CLASSIFICATION CHANGE- 3700 - 3726 JACOB ST.- C-1 TO I-2

The following was then read:

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF LOTS 1, 2, 3, 4 & N ½ OF 5 IN SQUARE 24 ON THE PLAT OF SPRIGG AND RITCHIE'S ADDITION TO THE TOWN OF SOUTH WHEELING, NOW A PART OF THE CITY OF WHEELING CONSISTING OF THE ADDRESS RANGE BETWEEN 3700 AND 3726 JACOB STREET FROM C-1 NEIGHBORHOOD COMMERCIAL TO I-2 GENERAL INDUSTRY.

DEMOLITION LIENS - GENERAL FUND

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENTS FOR THE COSTS OF RAZING DILAPIDATED STRUCTURES ON CERTAIN PROPERTIES IN THE CITY IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE WEST VIRGINIA CODE AND THE CODIFIED ORDINANCES OF THE CITY OF WHEELING.

ADOPTING TRAFFIC RULE 4671- HANDICAPPED PARKING- 4 AUSTIN AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4671

ADOPTING TRAFFIC RULE 4672- HANDICAPPED PARKING- 3834 EOFF ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4672

ADOPTING TRAFFIC RULE 4673- HANDICAPPED PARKING- 4006 WOOD ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4673

ADOPTING TRAFFIC RULE 4674- UNRESTRICTED PARKING- 9TH ST.

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4674

July 3, 2018

ADOPTING TRAFFIC RULE 4675- NO PARKING ZONE- DRIVEWAY CHESTNUT AVE

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4675

ADOPTING TRAFFIC RULE 4676- NO PARKING ZONE- LANE 7

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4676

ADOPTING TRAFFIC RULE 4677- 2HR METER ZONE- 12TH ST

The following was then read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING ADOPTING TRAFFIC RULE NO. 4677

MID-ATLANTIC STORAGE SYSTEM- PHASE 8 STACK YARD- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$43,253.76 WITH MID-ATLANTIC STORAGE SYSTEMS, INC., OF WASHINGTON COURT HOUSE, OH, FOR NEW STACK YARD TANK – PHASE 8, TO BE CHARGED TO WATER - CONSTRUCTION ACCOUNT - 400.1131.04.00.

MID-ATLANTIC STORAGE SYSTEM- PHASE 8 STACK YARD- WATER DISTRIBUTION

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$49,874.53 WITH MID-ATLANTIC STORAGE SYSTEMS, INC., OF WASHINGTON COURT HOUSE, OH, FOR NEW STACK YARD TANK – PHASE 8, TO BE CHARGED TO WATER - CONSTRUCTION ACCOUNT - 400.1131.04.00.

RESOLUTION HUD 108- EY 2016 & EY 2017 LOAN REPAYMENT

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,688.75 FROM CDBG 2016 EY SECTION 108 LOAN REPAYMENT - #1513-016-140 AND \$172,297.50 FROM CDBG 2017 EY LOAN REPAYMENT #1513-017-140 FOR TOTAL COST OF \$189,986.25 ASSOCIATED WITH HUD 108 PROGRAM.

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

RESOLUTION APPROVING THE FISCAL YEAR 2018 CDBG AND HOME PROGRAMS

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING APPROVING THE FISCAL YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS, AND AUTHORIZING THE FILING OF THE FY 2018 ANNUAL ACTION PLAN WITH THE U.S.

July 3, 2018

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(HUD)

Mr. Palmer moved seconded by Mr. Thorngate, that the Resolution be adopted. Motion carried.

RESOLUTION IN SUPPORT OF THE BUILD GRANT APPLICATION TO US DOT

The following was then read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF
WHEELING IN SUPPORT OF A \$10.4 MILLION BUILD
GRANT APPLICATION TO U.S. DIVISION OF
TRANSPORTATION

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

THOSE WISHING TO BE HEARD

Pete Sapon, 17 Fieldcrest Drive, speaks in opposition to Oakmont Road conditions. They are being patched but in desperate need of repaving.

Gus Sokos, 260 Oakmont Road, echos Mr. Sapon about the need to pave Oakmont Hill.

There being no further business, Mr. Thalman moved, seconded by Ms. Scatterday, to adjourn. Motion carried. Time: 1:04 p.m.

City Clerk

Mayor