

FAIRMONT CITY COUNCIL  
REGULAR MEETING  
TUESDAY, APRIL 11, 2017  
7:00 P.M.  
COUNCIL CHAMBERS  
PUBLIC SAFETY BUILDING  
500 QUINCY STREET  
FAIRMONT, WEST VIRGINIA

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- I. CALL TO ORDER - Mayor Mainella
- II. ROLL CALL OF MEMBERS – Janet L. Keller, City Clerk
- III. OPENING CEREMONIES
  - A. Invocation - Rev. Micah Blanks  
Highland Avenue UMC
  - B. Pledge Of Allegiance – Councilmember Warner
- IV. APPROVAL OF MINUTES –  
Regular Meeting – March 28, 2017
- V. PUBLIC HEARINGS AND ANNOUNCEMENTS
  - A. PUBLIC HEARINGS
    1. An Ordinance Of The Council Of The City Of Fairmont Providing For The Granting Of A Quitclaim Easement To Provide For A Certain Temporary Construction Easement And A Permanent Easement Over And Along A Certain Portion Of The Right Of Way Of Greenbrier Road In The City Of Fairmont, Fairmont City District, Marion County, West Virginia, To Provide For The Installation, Reconstruction, Repair And Maintenance Of Wall Anchors Relating To A Structure On Parcel 24, Of Marion County Tax Map 03-24, Owned By Richard Hill And Robin Hill, Being 1233 Hillcrest Road; Reserving Utility Rights.

2. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing *Article 3.0 Zoning Districts*, And More Particularly *Section 3.1.10 Technology District*, Of The Provisions Of *Clearzoning®*, The City's Codified Planning And Zoning Code, To Provide For Churches As A Use Permitted With Conditions In Said District; Savings Clause.

## B. ANNOUNCEMENTS

### VI. CITIZENS PETITIONS

### VII. CITY MANAGER'S REPORT

### VIII. CONSIDERATION OF COUNCIL BUSINESS

1. Adoption, An Ordinance Of The Council Of The City Of Fairmont Providing For The Granting Of A Quitclaim Easement To Provide For A Certain Temporary Construction Easement And A Permanent Easement Over And Along A Certain Portion Of The Right Of Way Of Greenbrier Road In The City Of Fairmont, Fairmont City District, Marion County, West Virginia, To Provide For The Installation, Reconstruction, Repair And Maintenance Of Wall Anchors Relating To A Structure On Parcel 24, Of Marion County Tax Map 03-24, Owned By Richard Hill And Robin Hill, Being 1233 Hillcrest Road; Reserving Utility Rights.
2. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing *Article 3.0 Zoning Districts*, And More Particularly *Section 3.1.10 Technology District*, Of The Provisions Of *Clearzoning®*, The City's Codified Planning And Zoning Code, To Provide For Churches As A Use Permitted With Conditions In Said District; Savings Clause.
3. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing Ordinance No. 1140, Which Is Codified As Part 17 Building And Housing Code, Article 1767 Rental Dwelling Units, Of

The Fairmont City Code, And Particularly Section 1767.07 Fees And Conditions Thereof, To Provide For An Increase In Inspection Fees Effective July 1, 2017.

4. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing Ordinance No. 1695, Which Is Codified As Part 17 Building And Housing Code, Article 1709 West Virginia State Building Code, Of The Fairmont City Code, And Particularly Section 1709.02 Schedule For Permit Fees And Penalties Thereof, To Provide For The Increase In Permit Fees Effective July 1, 2017.
5. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing Ordinance No. 1248, As Amended, Which Is Codified As Part Seven Business And Taxation Code, Article 755-Fire Protection Service Charges Of The Fairmont City Code, And More Particularly Section 755.02 Levied Thereof, To Provide For An Increase In The Fire Protection Service Fee.
6. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing Ordinance No. 543, As Amended, Which Is Codified As Part Nine Streets, Utilities And Public Service Code, Article 919-Vacation Procedure, Section 919.02 Procedures For Abandonment, Of The Fairmont City Code, And More Particularly Subsection (D) Filing Fee And Public Hearing Requirements Thereof, To Provide For An Increase In The Filing Fee.
7. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing Part One Administrative Code, Chapter Seven Boards, Commissions And Authorities, Article 157 Planning Commission Of The Fairmont City Code, To Provide For And Establish Filing Fees Relating To Certain Proceedings Which Routinely Come Before Said Commission Or The Board Of Zoning Appeals.
8. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing Part One Administrative Code, Chapter Seven Boards,

Commissions And Authorities, Article 162 Parks Commission Of The Fairmont City Code, To Provide For And Establish Fees For Certain Park Activities.

9. Introduction, First Reading, Set Public Hearing, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing *Article 6.0 Development Procedures*, And More Particularly *Section 6.13 Fees*, Of The Provisions Of *Clearzoning@*, The City's Codified Planning And Zoning Code, To Provide For Increased Site Plan Review Fees.
10. Introduction, First Reading, Set Public Hearing, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing *Article 7.0 Subdivision Regulations*, And More Particularly *Section 7.2 Administration And Enforcement, Subsection 7.2.5 Fees*, Of The Provisions Of *Clearzoning@*, The City's Codified Planning And Zoning Code, To Provide For Increased Filing Fees.
11. Introduction, First Reading, Set Public Hearing, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Part Seven Business And Taxation Code, Article 761 Business And Occupation Tax, Section 761.05 Business Of Selling Tangible Personal Property; Exemptions, To Provide Clarification To The Definition Of "Sales At Retail."
12. Adoption, A Resolution Of The Council Of The City Of Fairmont Authorizing The City Manager Or His Designee To Close The City Of Fairmont's Existing Police Pension And Relief Fund To New Hires, And Electing To Become A Participating Employer Of The West Virginia Municipal Police Officers And Firefighters Retirement System Pursuant To The Provisions Of West Virginia Code Section 8-2a-28, Thereby Placing All Newly Hired Police Officers Into The West Virginia Police Officers And Firefighters Retirement System.

13. Adoption, A Resolution Of The Council Of The City Of Fairmont Appointing Anthony J. Julian, Esq., Municipal Judge For The City Of Fairmont For A Term Of Four Years Commencing July 1, 2017, And Until June 30, 2021.
14. Adoption, A Resolution Of The Council Of The City Of Fairmont Supporting America's Promise To Retired Coal Miners And Widows.

**IX. ADJOURNMENT**