

January 10, 2017

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 10th day of January, 2017, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Mainella called the meeting to order.

Councilmembers present were:

First District	Marianne Moran
Second District	Frank G. Yann
Third District	Robert (Rob) Linger
Fourth District	Kenneth (Brad) Merrifield
Fifth District	Fran Warner
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Ronald J. (Ron) Straight, Sr.

Absent:

Sixth District	Dora Kay Grubb
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Also present were:

City Manager	Robin I. Gomez
City Clerk	Janet L. Keller
City Attorney	Kevin Sansalone
Police Chief	Steve Shine
Fire Chief	Edward Simmons
Director of Planning	Sandra Scaffidi
Marketing Director	Hanna Weaver

IN RE: EXCUSE COUNCILMEMBER GRUBB

Councilmember Straight moved to excuse Councilmember Grubb from this meeting due to illness. Councilmember Moran seconded the motion.

The Mayor declared Councilmember Grubb excused from tonight's meeting by voice vote of Council.

IN RE: OPENING CEREMONIES

Rev. Leo Riley gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Yann.

APPROVAL OF MINUTES

Mayor Mainella noted that each member of Council had received a copy of the minutes from the Regular Meeting held on December 20, 2016.

Councilmember Moran moved to approve the minutes as submitted. The motion was seconded by Councilmember Yann.

The Mayor declared the minutes approved as submitted by voice vote of Council.

PUBLIC HEARINGS

No public hearings were scheduled for this meeting.

ANNOUNCEMENTS

IN RE: PLEASURE SERVING AS MAYOR

Councilmember Straight said that it has been as pleasure serving as Mayor for the City of Fairmont.

IN RE: COUNCILMEMBER STRAIGHT COMMENDED

Councilmember Mason thanked Ron Straight for his service as Mayor.

Councilmember Yann also commended Ron Straight for all that he has done for the City of Fairmont while serving as Mayor.

Mayor Mainella also thanked Ron Straight for his four years as Mayor and his other 20 years as a Council person.

IN RE: MAYOR MAINELLA COMMENDED

Councilmember Warner stated that she and Mayor Mainella have been together for ten years and he finally made it as Mayor. She noted that she was proud of him and extended congratulations to him.

Councilmember Moran extended congratulations to Mayor Mainella.

IN RE: CITY MANAGER GOMEZ AND CITY CLERK KELLER COMMENDED

Councilmember Merrifield thanked Mr. Gomez and Janet Keller for the thorough orientation that they provided to him last week.

IN RE: POLICE OFFICERS COMMENDED

Councilmember Merrifield stated that he served on jury duty last week for this first time and he got to see some of our Police Officers working and testifying in the work that they did and he was very impressed with the people that were there. He noted that it made him feel pretty good for the work that they put forth in accomplishing what they needed to accomplish.

IN RE: COUNCILMEMBER MERRIFIELD WELCOMED

Mayor Mainella welcomed Councilmember Merrifield and thanked him for his willingness to serve.

IN RE: COUNCILMEMBERS THANKED

Mayor Mainella then thanked all of the Councilmembers for having confidence in him to serve as Mayor. He then promised to do the best he can and will serve to the best of his ability.

CITIZENS PETITIONS

IN RE: NAMING OF NEW THIRD STREET BRIDGE

Rev. D. D. Meighen addressed Council regarding the name of the new Third Street Bridge. He asked Council to consider the name of Rose Cousins for the new bridge. He then explained the background of Ms. Cousins.

Mayor Mainella asked the City Attorney about the process for the naming of the bridge.

Mr. Sansalone replied that, in the past, Council has adopted a resolution and then referred that resolution to the Department of Highways. He thought it took a legislative act from the State. He also mentioned that it will take a consensus of Council as to the name to recommend.

Councilmember Yann stated that Council had also received a request for Ensign Maddox so we will have to make a decision.

Mayor Mainella stated that he had received a request to consider the name of the 201st Artillery since they are the oldest active military unit.

CITY MANAGER'S REPORT

IN RE: ROAD CLOSURE

Mr. Gomez thanked the public for their patience and understanding since the traffic through Fairmont has increased a little bit due to a certain road closure nearby. He then thanked the Police Chief for putting out the information on alternate routes to take.

IN RE: PROJECTS HAPPENING IN FAIRMONT

Mr. Gomez reported several projects that has been happening in Fairmont:

- Private project along the Gateway Connector
- New Third Street Bridge
- The Sheetz store on Fairmont Avenue under construction
- The old Miller School under construction

He then reported that in the month of December, 64 building, electrical, or demolition permits had been issued for a total of \$3.8 million dollars which permits yielded just under \$18,000 in permit fees.

IN RE: POLICE DEPARTMENT ACTIVITIES

The City Manager reported that the Police Department continues to be active. He said that they received a total of 1710 calls for the month of December, made 89 arrests, issued 34 citations, wrote 136 offense reports, 38 traffic reports and made 20 transports to the Doddridge County Regional Jail.

IN RE: PARKING RATES IN DOWNTOWN

Mr. Gomez reported that the parking rates in downtown for all of the meters and several of the lots have changed. He said that a work session was held in April of 2016 and the rates were formally adopted on July 12, 2016 and we are now at the point where we have changed out the equipment and the new rates are going into effect this week.

IN RE: SANDRA SCAFFIDI AND CHIP WEST COMMENDED

The City Manager commended Sandra Scaffidi, Director of Planning and Community Development, and Chip West, Water Filtration Plant Supervisor, in which the City of Fairmont was awarded a grant in the amount of \$106,189.82 for Source Water Protection Program for a detection system to further protect our drinking water.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING ORDINANCE NO. 1705, DULY ADOPTED SEPTEMBER 27, 2016, WHICH PROVIDES FOR THE CITY OF FAIRMONT'S CURRENT PAY PLAN AND LIST OF OCCUPATIONAL CLASSES FOR ALL CLASS TITLES AND EMPLOYEES, TO PROVIDE FOR THE FOLLOWING: RECLASSIFICATION OF CERTAIN POSITIONS AS "EXEMPT" AS A RESULT OF A COURT-ORDERED STAY OF THE FINAL RULE ISSUED BY THE US DEPARTMENT OF LABOR WHICH ATTEMPTED TO RE-DEFINE CERTAIN EXEMPTIONS UNDER THE FAIR LABOR STANDARDS ACT; PROVIDING FOR A ONE-TIME MONETARY INCENTIVE FOR RECRUITMENT OF NEWLY HIRED PROBATIONARY POLICE OFFICERS WITH AN ACTIVE VALID LAW ENFORCEMENT CERTIFICATION; AND RE-DEFINING IN GENERIC TERMS "OFFICER IN CHARGE" PAY FOR POLICE OFFICERS

Mayor Mainella entertained a motion and a second for the introduction of an ordinance to amend the current pay plan to provide for the reclassification of certain "exempt" positions, for a one-time monetary incentive for newly hired certified police officers, and re-defining the term of "office in charge" pay for police officers.

Motion:

Councilmember Mason moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Yann seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for January 24, 2017 by voice vote of Council.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, APPROVING THE TERMS AND CONDITIONS OF THAT CERTAIN WAGE AND BENEFIT AGREEMENT BY AND BETWEEN THE CITY OF FAIRMONT AND LODGE 69 OF THE FRATERNAL ORDER OF POLICE EFFECTIVE FOR THE PERIOD FROM FEBRUARY 24, 2017 TO FEBRUARY 23, 2020, AND FURTHER AUTHORIZING AND EMPOWERING THE CITY MANAGER TO EXECUTE AND DELIVER SAID AGREEMENT ON BEHALF OF THE CITY OF FAIRMONT

Mayor Mainella entertained a motion and a second for the introduction of an ordinance approve the terms and conditions of the Agreement between the City of Fairmont and FOP Lodge 69.

Motion:

Councilmember Moran moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Linger seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for January 24, 2017 by voice vote of Council.

IN RE: ONE CITY STAFF APPOINTMENT, FAIRMONT PLANNING AND ZONING COMMISSION, INDEFINITE TERM

Mayor Mainella entertained a motion for one city staff appointment to the Fairmont Planning and Zoning Commission for an indefinite term.

Councilmember Straight moved to appoint Shane Carpenter for an indefinite term on the Planning and Zoning Commission as the city staff appointment. The motion was seconded by Councilmember Yann.

Roll call was taken by the Clerk.

The Mayor declared Shane Carpenter appointed as the staff appointment to the Fairmont Planning and Zoning Commission for an indefinite term by unanimous vote of those Councilmembers present.

**IN RE: ONE RE-APPOINTMENT, FAIRMONT PARKING AUTHORITY,
THREE-YEAR TERM TO END SEPTEMBER 30, 2019**

Mayor Mainella entertained a motion for one re-appointment to the Fairmont Parking Authority for a three-year term to end September 30, 2019.

Councilmember Mason moved to re-appoint Eddie Snider to the Fairmont Parking Authority for a three-year term to end September 30, 2019. The motion was seconded by Councilmember Straight.

Roll call was taken by the Clerk.

The Mayor declared Eddie Snider re-appointed to the Fairmont Parking Authority for a three-year term to end September 30, 2019 by unanimous vote of those Councilmembers present.

**IN RE: FOUR APPOINTMENTS, ARTS AND HUMANITIES COMMISSION:
THREE APPOINTMENTS FOR THREE-YEAR TERMS TO END JUNE 30, 2020
AND ONE APPOINTMENT FOR AN UNEXPIRED TERM TO END JUNE 30, 2018**

Mayor Mainella entertained a motion for four appointments to the Arts and Humanities Commission.

Councilmember Mason moved to appoint the following: Melissa May for a three-year term ending June 30, 2020; Christian Cox for a three-year term ending June 30, 2020; Leigh Anne Bolyard for a three-year term ending June 30, 2020; and Jennifer Pratt for an unexpired term ending June 30, 2018. The motion was seconded by Councilmember Straight.

Roll call was taken by the Clerk

The Mayor declared Melissa May appointed for a three-year term ending June 30, 2020; Christian Cox appointed for a three-year term ending June 30, 2020; Leigh Anne Bolyard appointed for a three-year term ending June 30, 2020; and Jennifer Pratt appointed for an unexpired term ending June 30, 2018 by unanimous vote of those Councilmembers present.

**IN RE: TWO APPOINTMENTS, HISTORIC PRESERVATION REVIEW
COMMISSION: ONE APPOINTMENT FOR A THREE-YEAR TERM TO END
JANUARY 1, 2020 AND ONE APPOINTMENT FOR AN UNEXPIRED TERM TO
END JANUARY 1, 2019**

Mayor Mainella entertained a motion for two appointments to the Historic

Preservation Review Commission.

Councilmember Moran moved to appoint the following: Jason Wright for a three-year term ending January 1, 2020 and Mike Jura for an unexpired term ending January 1, 2019. The motion was seconded by Councilmember Yann.

Roll call was taken by the Clerk

The Mayor declared Jason Wright appointed for a three-year term ending January 1, 2020 and Mike Jura appointed for an unexpired term ending January 1, 2019 by unanimous vote of those Councilmembers present.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

Councilmember Mason moved to adjourn the meeting. The motion was seconded by Councilmember Straight.

The Mayor declared the meeting adjourned by voice vote of Council at 8:10 p.m.