

February 14, 2017

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 14th day of February, 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
Fourth District	Kenneth (Brad) Merrifield
Fifth District	Fran Warner
Sixth District	Dora Kay Grubb
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Ronald J. (Ron) Straight, Sr.

Absent:

Third District	Robert (Rob) Linger
City Manager	Robin I. Gomez

Also present were:

City Clerk	Janet L. Keller
City Attorney	Kevin Sansalone
Police Chief	Steve Shine
Fire Chief	Edward Simmons
City Planner	Sandra Scaffidi

IN RE: EXCUSE COUNCILMEMBER LINGER

Councilmember Moran moved to excuse Councilmember Linger from this meeting. Councilmember Merrifield seconded the motion.

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

IN RE: OPENING CEREMONIES

Rev. Rebecca Minh gave the invocation followed by the Pledge of Allegiance

to the Flag led by Councilmember Merrifield.

APPROVAL OF MINUTES

Mayor Mainella noted that each member of Council had received a copy of the minutes from the Regular Meeting held on January 24, 2017.

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

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

PUBLIC HEARINGS

IN RE: AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1307, AS AMENDED, PERSONNEL RULES AND REGULATIONS, RULE 8 RECRUITMENT AND EMPLOYMENT, AND MORE PARTICULARLY SECTION 8.4 RESIDENCY REQUIREMENT, THEREOF, TO PROVIDE FOR CERTAIN CHANGES TO THE RESIDENCY REQUIREMENT FOR POLICE EMPLOYEES

Pursuant to a notice duly published in the Times-West Virginian on January 30, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance amending Rule 8 of the Personnel Rules and Regulations to provide for certain changes to the residency requirement for police employees.

The Mayor asked if anyone present desired to speak to the proposed ordinance.

POLICE CHIEF SHINE spoke in favor of the proposed ordinance. The Chief said the purpose of the ordinance is to expand the areas that people can live to Monongalia, Harrison, Taylor, and Marion Counties. He noted that right now the requirement limits where someone can live. He went on to say that it just gives people a wider selection of where they can choose to live.

There being no one to speak, the public hearing was called to a close at 7:06 p.m.

ANNOUNCEMENTS

IN RE: DELIVERY OF NEWSPAPERS

Councilmember Yann stated that he received a phone call and a question was asked as to when the weekly newspapers that are being delivered become litter. He mentioned that he told the caller to take it up with the newspaper company because it is not the responsibility of Council.

IN RE: PASSING OF HER DAUGHTER

Councilmember Warner thanked those that came to Morgantown for the recent passing of her daughter.

IN RE: RIBBON CUTTING – HILLTOP GRILL

Mayor Mainella announced that he attended the ribbon cutting for the Hilltop Grill located at the top of Watson Hill. He encouraged everyone to visit the new restaurant.

IN RE: TOUR OF SANITARY SEWER AND WATER FACILITIES

The Mayor invited Council to attend the next Sanitary Sewer Board meeting on February 23 at 10:30 a.m. at the Sewer Plant on Washington Street and then to tour the sewer plant for those who have never seen that facility and then to attend the Water Board meeting on the same afternoon at 3:00 p.m. and then to tour the Water Filtration Plant at Morris Park.

CITIZENS PETITIONS

There were no petitions for this meeting.

CITY MANAGER'S REPORT

Acting City Manager Janet Keller stated that there was nothing to report at this meeting and that Mr. Gomez presented everything to Council last Friday in the Weekly Update.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1307, AS AMENDED, PERSONNEL RULES AND REGULATIONS, RULE 8 RECRUITMENT AND EMPLOYMENT, AND MORE PARTICULARLY SECTION 8.4 RESIDENCY REQUIREMENT, THEREOF, TO PROVIDE FOR CERTAIN CHANGES TO THE RESIDENCY REQUIREMENT FOR POLICE EMPLOYEES

Mayor Mainella entertained a motion for the adoption of an ordinance amending Rule 8 of the Personnel Rules and Regulations to provide for certain changes to the residency requirement for police employees.

Motion:

Councilmember Straight moved for the adoption of the proposed ordinance. Councilmember Warner seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by unanimous vote of those Councilmembers present and the ordinance designated as Ordinance No. 1718 was duly adopted.

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 COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 318, AND THE CITY OF FAIRMONT DATED APRIL 13, 2017, AND FURTHER AUTHORIZING AND EMPOWERING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF FAIRMONT

Mayor Mainella entertained a motion and a second for the introduction of an ordinance to approve the terms and conditions of the Agreement between the City of Fairmont and the IAFF Local 318.

Motion:

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

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

The Mayor declared the public hearing set for February 28, 2017 by voice vote of Council.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE PROVIDING FOR THE VACATION AND ABANDONMENT OF THE RIGHT OF WAY OF A PLATTED UN-NAMED ALLEY SITUATE IN FAIRMONT

CITY DISTRICT (03), MARION COUNTY, WEST VIRGINIA, AND BEING THAT CERTAIN ALLEYWAY RUNNING NORTH TO SOUTH BETWEEN LOCUST AVENUE AND RIDGELY AVENUE AND BETWEEN THOSE CERTAIN PARCELS OF REAL ESTATE IDENTIFIED AS PARCELS 1, 2, AND 3 OF MARION COUNTY TAX MAP 03-26, AND PARCELS 13, 14, AND 15, OF SAID TAX MAP; RESERVING ALL UTILITY RIGHTS, WHICH PARCELS ARE OWNED AS FOLLOWS:

<u>TAX MAP</u>	<u>PARCEL NUMBER</u>	<u>OWNERS</u>
03-26	1	K & K RENTALS, INC.
03-26	2	MICHAEL KISNER & KATHY KISNER
03-26	3	STEVEN SINCLAIR & ROBIN SINCLAIR
03-26	13	STEVEN SINCLAIR & ROBIN SINCLAIR
03-26	14	MICHAEL KISNER & KATHY KISNER
03-26	15	MICHAEL KISNER & KATHY KISNER

Mayor Mainella entertained a motion and a second for the introduction of an ordinance providing for the vacation and abandonment of a right of way between Locust Avenue and Ridgely Avenue.

Motion:

Councilmember Straight 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 February 28, 2017 by voice vote of Council.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE PROVIDING FOR THE SALE OF ONE (1) 1999 FORD 350 SUPER DUTY DIESEL ONE TON BUCKET TRUCK OWNED BY THE CITY OF FAIRMONT TO FAIRMONT STATE UNIVERSITY

Mayor Mainella entertained a motion and a second for the introduction of an ordinance providing for the sale of a 1999 Ford 350 Truck to Fairmont State University.

Motion:

Councilmember Moran 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 February 28, 2017 by voice vote of Council.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL FOR THE CITY OF FAIRMONT, MARION COUNTY, WEST VIRGINIA, REQUESTING THAT THE STATE OF WEST VIRGINIA DEPARTMENT OF ADMINISTRATION OFFICIALLY NAME THAT CERTAIN STATE OFFICE BUILDING LOCATED IN THE CITY OF FAIRMONT AND SITUATE AT 416 ADAMS STREET, AS THE "JOE MANCHIN, III, OFFICE BUILDING" IN HONOR OF UNITED STATES SENATOR JOE MANCHIN, III

Mayor Mainella entertained a motion for the adoption of a resolution requesting that the State of WV officially name the State Office Building located at 416 Adams Street as the "Joe Manchin, III Office Building".

Motion:

Councilmember Merrifield moved for the adoption of the resolution. The motion was seconded by Councilmember Straight.

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

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

IN RE: TWO APPOINTMENTS, BOARD OF ZONING APPEALS, ONE THREE-YEAR TERM TO END JANUARY 1, 2020 AND ONE UNEXPIRED TERM TO END JANUARY 1, 2018.

Mayor Mainella entertained a motion for two appointments to the Board of Zoning Appeals.

Councilmember Moran moved to appoint Michael Ragen to a three-year term ending January 1, 2020 and Madelaine Shultz to the unexpired term ending January 1, 2018. The motion was seconded by Councilmember Straight.

Roll call was taken by the Clerk.

The Mayor declared Michael Ragen appointed to a three-year term ending January 1, 2020 and Madelaine Shultz appointed to the unexpired term ending January 1, 2018 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 7:20 p.m.