

April 9, 2019

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 9th day of April, 2019, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Merrifield called the meeting to order.

Councilmembers present were:

First District	Joshua D. (Josh) Rice
Second District	Frank G. Yann
Third District	Karl (David) Kennedy
Fourth District	Kenneth (Brad) Merrifield
Fifth District	Barry H. Bledsoe
Sixth District	Dora Kay Grubb
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Donna M. Blood

Also present were:

Interim City Manager	Bruce McDaniel
City Attorney	Kevin Sansalone
City Clerk	Janet L. Keller
Police Chief	Steve Shine
Fire Chief	Edward Simmons

D.D. Meighen gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Bledsoe.

APPROVAL OF MINUTES

Mayor Merrifield noted that each member of Council had received a copy of the minutes from the Special Meeting held on March 20, 2019 and from the Regular Meeting held on March 26, 2019.

Councilmember Blood moved to approve the minutes as submitted. The motion was seconded by Councilmember Bledsoe.

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

PUBLIC HEARINGS

IN RE: AN ORDINANCE AUTHORIZING THE RENEWAL OF THAT CERTAIN LETTER OF CREDIT, NO 2001-525, ISSUED BY WESBANCO BANK TO THE CITY OF FAIRMONT FOR PURPOSES OF SATISFYING A PORTION OF THE SELF-INSURED SECURITY AND INSURANCE REQUIREMENTS OF THE WEST VIRGINIA WORKERS' COMPENSATION ACT

Pursuant to a notice duly published in the Times-West Virginian on April 1, 2019, a public hearing was convened to obtain citizen input on a proposed ordinance authorizing the renewal of the Letter of Credit issued by Wesbanco for Workers Compensation.

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

Interim City Manager McDaniel spoke in favor of the proposed ordinance.

There being no one else to speak, the public hearing was called to a close at 7:05 p.m.

ANNOUNCEMENTS

IN RE: FAIRMONT CHAMBER MUSIC

Councilmember Grubb reported that she attended the Fairmont Chamber Music last Sunday and it was an excellent performance.

IN RE: CVB MEETING

Councilmember Grubb announced that she attended the CVB meeting this month and one of the things they talked about was the lack of signage that we have for the City of Fairmont. She noted that there was nothing to draw anybody into town from the interstate. They are going to be contacting people from Charleston to come up and tell us what we can do to correct the lack of signage problem.

IN RE: CHILDREN'S MEMORIAL FLAG CEREMONY

Councilmember Blood passed out flyers to Council and invited everyone to the raising of the Children's Memorial Flag on April 11th at 12:40 in front of the Court House. She said that the Flag represents and is in remembrance of the thousands of children that have lost their lives due to abuse, neglect

and violent means.

IN RE: REPUBLIC SERVICES

Councilmember Bledsoe stated that he wanted the public to know that he, Mayor Merrifield, City Manager, and other Councilmembers are on top of the issues with Republic Services and they are not going to let it go even if the service improves, which we hope it does. He said that when the next contract comes around, he is going to do everything he can to make sure there are stiff penalties for poor service and he has already been looking outside the box to look at other options in order to get better service to the people and those who pay for it.

IN RE: I-68 CORRIDOR MEETING

Councilmember Bledsoe reported that he, the Mayor and several other Councilmembers attended a meeting regarding the discussion of I-68 to the Ohio River. He said that some things need to happen to make this a reality and he thought it would be a huge boom for Fairmont to bring I-68 down to this vicinity and take off west or northwest from here. He noted that it is an important issue and he wants to see it brought to the forefront.

IN RE: CITY MANAGER AND CITY CLERK COMMENDED

Councilmember Rice gave a special thanks to the Interim City Manager and City Clerk for helping him since he has been on Council. He said they have helped him when he has had things to report from his district.

IN RE: FIRST FEMALE CITY MANAGER POSITION

Mayor Merrifield said that he wanted to get the record straight on something from the last meeting. He noted that it was mentioned that Valerie Means would be the first female City Manager and that's not true. He said that he failed to acknowledge that Janet Keller was the City Manager of Fairmont at one time and he apologized for not recognizing her at that meeting. He noted that she carried us through a difficult time with the help of Kevin Sansalone and some others and without her currently, let alone during that time, we would be in bad shape information wise. He said 41 years is a long time and she will set the bar fairly high for the second female City Manager.

IN RE: CONGRATULATIONS TO FSHS MADRIGALS

Councilmember Kennedy extended congratulations to the Fairmont Senior High School Madrigal group. He noted that they carried on the tradition of

winning the competition in Disney.

IN RE: FAIRMONT REGIONAL MEDICAL CENTER

The Mayor reported that he met with Robert Adcock, the CEO of Fairmont General Hospital (Fairmont Regional Medical Center) and he gave him facts on how important that hospital is to this City. He then reported the following:

- 4,500 admissions last year
- 86,871 outpatient visits
- 22,112 emergency room visits
- 1,973 surgeries
- 618 employees with 76% of those people living in Marion County
- 60 volunteers that have contributed 9,800 hours of service

He noted that it staggered him that there is that much activity and in the last two years they are doing things a little different so some of the previous misperceptions have changed.

CITIZENS PETITIONS

IN RE: FAIRMONT CHAMBER MUSIC

BRENDA GIANNIS, 1095 Charles Avenue, President of the Fairmont Chamber Music Society, addressed Council to thank them for their support of the organization for the past several years and they hope that it continues. She noted that they are a non-profit organization and all work with the Society is donated. She noted that this is the 38th year and she provided each Councilmember with a brochure of their new season and two complimentary tickets. She then thanked Council again for their support.

CITY MANAGER'S REPORT

IN RE: REPUBLIC SERVICES

Mr. McDaniel updated Council on the meeting held with the representatives of Republic Services. He noted that they agreed to follow up with additional meetings. Mr. McDaniel said that the notes from the meeting are being summarized and will be sent out to Council in Friday's weekly update.

IN RE: APRIL 16, 2019 LEVY MEETING

The Interim City Manager reminded Council of the Levy meeting to be held on Tuesday, April 16th at 4:30 p.m. He said that a quorum of Council must

be present to have the meeting.

IN RE: PRELIMINARY PAVING LIST

Mr. McDaniel stated that he will present Council with a preliminary paving list in Friday's weekly update. He said that the list will be subject to review by the Utility Department for immediate work and any storm draining work that would have to be done before the paving.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE AUTHORIZING THE RENEWAL OF THAT CERTAIN LETTER OF CREDIT, NO 2001-525, ISSUED BY WESBANCO BANK TO THE CITY OF FAIRMONT FOR PURPOSES OF SATISFYING A PORTION OF THE SELF-INSURED SECURITY AND INSURANCE REQUIREMENTS OF THE WEST VIRGINIA WORKERS' COMPENSATION ACT

Mayor Merrifield entertained a motion for the adoption of an ordinance authorizing the renewal of the Letter of Credit issued by Wesbanco for Workers Compensation.

Motion:

Councilmember Mainella moved for the adoption of the proposed ordinance. Councilmember Kennedy seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by unanimous vote of Council and the ordinance designated as Ordinance No. 1807 was duly adopted.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT APPOINTING VALERIE A. MEANS AS THE CITY MANAGER FOR THE CITY OF FAIRMONT AND APPROVING AND FIXING THE TERMS AND CONDITIONS OF THAT CERTAIN CITY MANAGER EMPLOYMENT AGREEMENT DATED APRIL _____, 2019, BY AND BETWEEN THE CITY OF FAIRMONT AND VALERIE A. MEANS, AND PROVIDING THE MAYOR WITH THE AUTHORITY TO EXECUTE AND DELIVER SAID AGREEMENT ON BEHALF OF THE CITY OF FAIRMONT

Mayor Merrifield entertained a motion and second for the introduction of an ordinance appointing Valerie A. Means as the new City Manager.

Motion:

Councilmember Mason moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Rice.

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

The Mayor declared the public hearing set for April 23, 2019.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE AMENDING AND SUPPLEMENTING THAT PORTION OF CITY ORDINANCE NO. 1694, WHICH IS CODIFIED AS SECTION 1709.01 OF THE CITY CODE TO PROVIDE FOR A CERTAIN REVISION TO THE STATE BUILDING CODE PROMULGATED BY THE WEST VIRGINIA STATE FIRE COMMISSION AND ESTABLISHED BY LEGISLATIVE RULE, TITLE 87, SERIES 4, TO BE EFFECTIVE APRIL 30, 2019

Mayor Merrifield entertained a motion and second for the introduction of an ordinance amending Ordinance No. 1694 to provide for a certain revision to the State Building Codes.

Motion:

Councilmember Mainella moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Rice.

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

The Mayor declared the public hearing set for April 23, 2019.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE AMENDING AND SUPPLEMENTING THAT PORTION OF CITY ORDINANCE NO. 1695, WHICH IS CODIFIED AS PART 17 BUILDING AND HOUSING CODE, ARTICLE 1709 WEST VIRGINIA STATE BUILDING CODE, OF THE CITY CODE, AND PARTICULARLY, SECTION 1709.02 SCHEDULE FOR PERMIT FEES AND PENALTIES AND SECTION 1709.03 DISCRETIONARY PROVISIONS THEREOF, TO PROVIDE FOR A CERTAIN REVISION TO THE STATE BUILDING CODE PROMULGATED BY THE WEST VIRGINIA STATE FIRE

COMMISSION AND ESTABLISHED BY LEGISLATIVE RULE, TITLE 87, SERIES 4, TO BE EFFECTIVE APRIL 30, 2019

Mayor Merrifield entertained a motion and second for the introduction of an ordinance amending Ordinance No. 1695, Schedule for Permit Fees, to provide for a certain revision to the State Building Code.

Motion:

Councilmember Mainella moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Rice.

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

The Mayor declared the public hearing set for April 23, 2019.

IN RE: INTRDOUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDIANANCE OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING THE PROVISIONS OF ORDINANCE NO. 1534, AS AMENDED BY ORDINANCE NO. 1795, CODIFIED AS ARTICLE 920 OF PART NINE STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER ONE STREETS AND SIDEWALK AREAS OF THE FAIRMONT CITY CODE TO INCLUDE THE ESSENTIAL MUNICIPAL OR PUBLIC SERVICE OF POLICE PROTECTION FOR WHICH THE FUNDS, MONEYS, AND REVENUES RECEIVED FROM THE COLLECTION OF THE CHARGES ESTABLISHED BY SAID ARTICLE MAY BE USED

Mayor Merrifield entertained a motion and second for the introduction of an ordinance amending the Street Maintenance Fee to include a Police Protection Fee.

Motion:

Councilmember Mainella moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Mason.

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

The Mayor declared the public hearing set for May 14, 2019.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL FOR THE CITY OF FAIRMONT ENDORSING AN EVENT SPONSORED BY THE FAIRMONT STATE FOUNDATION, INC., ENTITLED "KESTREL: A JOURNAL OF LITERATURE & ART" TO BE HELD AT THE FOLKLIFE

CENTER, 1201 LOCUST AVENUE, FAIRMONT ON FRIDAY, APRIL 12, 2019

Mayor Merrifield entertained a motion for the adoption of a resolution endorsing an event sponsored by the Fairmont State Foundation on April 12, 2019.

Motion:

Councilmember Blood moved for the adoption of the proposed resolution and the reading of a synopsis in lieu of the entire resolution. The motion was seconded by Councilmember Yann.

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 Council.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 7:31 p.m.