

April 25, 2017

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 25th day of April, 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

IN RE: EXCUSE COUNCILMEMBER GRUBB

The Mayor noted that Councilmember Grubb was out of town on a work obligation and asked to be excused.

Motion:

Councilmember Mason moved to excuse Councilmember Grubb from this meeting. The motion was seconded by Councilmember Straight.

The Mayor declared Councilmember Grubb excused by voice vote of Council.

IN RE: OPENING CEREMONIES

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

APPROVAL OF MINUTES

Mayor Mainella noted that each member of Council had received a copy of the minutes from the Regular Meeting held on April 11, 2017.

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

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance providing for an increase in inspection fees for rental dwelling units.

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

Mr. Gomez spoke in favor of the proposed ordinance. He noted that the rental registration fee has not been increased since 2000 and the cost has exceeded the revenues brought in from the rental registration program.

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

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance providing for an increase in building permit fees.

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

The City Manager spoke in favor of this proposed ordinance. He noted that the fees have not been increased for nearly a decade and this will still keep us in line with neighboring cities.

There being no one else to speak, the public hearing was called to a close at 7:07 p.m.

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance providing for an increase in the filing fee for right-of-way abandonments.

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

The City Manager also spoke in favor of this proposed ordinance. He said the current fee for a right-of-way abandonment was established in 1981 and 36 years later the proposed rate will go from \$200 to \$500.

There being no one else to speak, the public hearing was called to a close at 7:09 p.m.

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance providing for and establish filing fees relating to proceedings which come before the Planning Commission or the Board of Zoning Appeals.

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

Mr. Gomez spoke in favor of this ordinance. He said that this ordinance will establish various fees for the Planning Commission and for the Board of Zoning Appeals.

There being no one else to speak, the public hearing was called to a close at 7:10 p.m.

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance providing for increased site plan review fees.

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

The City Manager said that this ordinance will increase the site plan review fees which have not been adjusted in more than a decade.

There being no one else to speak, the public hearing was called to a close at 7:11 p.m.

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance providing for increased filing fees for subdivision applications.

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

Mr. Gomez spoke in favor of this proposed ordinance. He explained that this ordinance will increase the filing fees for a subdivision request.

There being no one else to speak, the public hearing was called to a close at 7:12 p.m.

IN RE: 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" AND "SALES AT WHOLESALE"

Pursuant to a notice duly published in the Times-West Virginian on April 17, 2017, a public hearing was convened to obtain citizen input on a proposed ordinance to provide for clarification to the definition of "Sales at Retail" and "Sales at Wholesale".

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

The City Manager stated that this ordinance will clarify the language in the B&O Tax Code regarding "Sales at Retail" and "Sales at Wholesale".

There being no one else to speak, the public hearing was called to a close at 7:14 p.m.

ANNOUNCEMENTS

IN RE: PARKING TICKET NOTIFICATION

Councilmember Linger asked if the City has taken any steps to remediate the issues he brought up a few meetings ago about notifying people of their

requirement to appear in court.

Mr. Gomez said we have. He said that we have reviewed and discussed it and our solution is to send it delivery confirmation which is a fraction of the cost of certified returned receipt. He noted that we have found that even when we are requesting a signature we have not found that person or they have refused to sign it. He added that the delivery confirmation confirms that the actual envelope that we sent was delivered to the address that we sent it to so we do have that capability of tracking the date, time and the location to where the notice was delivered. He added that this was 75 cents versus nearly \$7.00 for the return receipt requested.

The City Attorney said that we do not send out certified mail. He said that generally the circumstances is somewhat different than for a parking ticket because they have been arraigned in Municipal Court and advised that they are going to receive a notice so their initial appearance has already been made and they have provided an address as too which the notice is sent. He said all of the other proceedings are somewhat different than a parking violation.

Mr. Gomez then asked Mr. Sansalone when a person comes to court initially, how are they notified to come to court.

Mr. Sansalone explained initially they are handed a citation by the police officer when they are either stopped or a warrant is issued for their arrest or they are arrested forthwith so they are brought before the court either by the traffic citation which they are obligated to respond to within 10 days. They are given an arraignment date in the other circumstances so they have made an appearance and they are then advised of what their rights are and are given the forms necessary to seek court appointed counsel if there is a possibility of jail. They are advised that they will receive a notice in the mail and their addresses are confirmed by the court. He added that they are advised that they will receive the notice by regular mail. Mr. Sansalone went on to say that from the conversations he has had with the Court Clerk that the Parking Violations Clerks was going to start sending them by the method we described in the notice confirmation.

Councilmember Linger stated that does seem like a step in the right direction but it still does not really resolve the issue fully.

Mr. Gomez said that we can look into it further.

Councilmember Linger said that he would appreciate that. He added that he

knows we have been working towards it and wants to see what resolution that we come to because it still baffles him that someone can have a police officer come to their house and arrest them over a \$5.00 parking ticket in downtown Fairmont where parking is not even in demand.

Mr. Sansalone said they are not being arrested for failure to pay the ticket, they are being arrested as a result of not appearing in court. He said it was a *capias* not as a result of the parking ticket, it is a failure to appear.

Councilmember Linger noted that we are not keeping a chain of custody of notifying the person that is guilty of getting a parking ticket then how can that possibly

Mr. Sansalone replied that you have an obligation to notify the DMV of address changes and they are sent to the last known address that is registered with the Department of Motor Vehicles where the licenses are registered and the person who is the owner of the vehicle is the responsible party regardless of the driver of the vehicle. So the notice is sent to that address and is always confirmed if it is returned. He went on to say that if the notice is returned, then a new notice is sent or the *capias* is not issued. He then said that the Court Clerk and the Judge confirm whether the notice has been sent prior to the issuance of any *capias*.

Mr. Gomez said that we will explore again and look to see what the impact is. We didn't believe the impact was significant but it is an impact to, in this case, the Parking Fund.

Councilmember Linger said that we are raising all of these fees, we should use the money for something.

IN RE: PROPOSED INCREASE IN FEES

Councilmember Linger stated that he did not want to speak to each individual item during the public hearings but he said he was at a loss as to why we are raising all of these fees on everybody in a time where we have a balanced budget, just gave the employees a pay raise, just raised the taxes on sales by 1% to cover the pension liability and seems like we are just raising fees and nobody can really tell him why and where is the money going to. He said that if it was a budgetary issue that would be a different story but we have a balanced budget and now we are just going to raise these fees just because.

The City Manager mentioned that the increases are to cover the cost of

some of the services but also for increases in salaries for firefighters, adding one position in the Planning Department to work on a variety of items including getting additional economic development, getting the GIS system that will help us go a long way in identifying problem properties and code issues and we are still below our neighbors with these fees. He noted that it is very difficult to go decades without raising, to a time when you absolutely have to do it. Is that the best time to do it, normally not. He added there is never a good time to raise a fee or a tax but it has to be done to be able to continue to provide the services that we provide. He noted that we have added one position in the time that he has been here and in five years that is the only additional position that has been added other than the two school resource officers that are partially funded by a grant and by the Board of Education. He went on to say that we are not looking for anything substantial, the estimated additional revenue is only about \$100,000. He said that nobody likes increases but it is best to do them incrementally without having to deal with a massive increase and we are not raising taxes, these are fees that are paid by those that are using this service whether you are applying for a variance, a right of way abandonment, or a construction permit and it is something that needs to be done periodically to avoid a massive increase and we have gone anywhere from 10 to 36 years without increases. He said there is never a good time to raise a fee or a tax, but it has to be done to be able to continue to provide the services that we provide.

Councilmember Mason said he can understand and there will be a perception with the flurry of fee increases that we are going fee increase crazy but it is important to understand that the fees being increased are a focused fee to defray the cost of a very focused service. He said it is not going to increase costs or fees or taxes on citizens generally, just those who are focused on a specific service that the city provides. He said that he can understand the perception but in reality it is very focused fee to cover a very focused service.

CITIZENS PETITIONS

IN RE: ARTS AND HUMANITIES COMMISSION AWARDS CEREMONY

REV. D.D. MEIGHEN, addressed Council regarding the Arts and Humanities Commission Awards Ceremony. He said for 34 years the City of Fairmont has supported the Arts and Humanities Commission Awards Ceremony. He said that he does not know of any other town in West Virginia that has an Arts and Humanities Commission that provides awards. He then mentioned some of the awards that were given out.

IN RE: SUPPORT INFRASTRUCTURE IN FAIRMONT

DR. MICHAEL SCHROERING, stated that one thing he has noticed about Fairmont in the last five to 10 years is the place just looks a lot better. He said that the user fee for the streets has certainly paid off and many of the fees being talked about tonight go to insuring that the infrastructure that we have in our town remains solid and he thinks that is important. He said that this part of West Virginia is probably going to have a better chance of growing than any other part of West Virginia and to attract people here, you have to have a nice looking community. He then said that City Council has done a good job improving Fairmont and he is proud to live here. He closed by saying that Council gets a lot of grief from taxes and fees but they are necessary and he is glad that Council has the courage to pursue what needs to be done to continue to improve the community.

CTY MANAGER'S REPORT

IN RE: VETERANS SQUARE

Mr. Gomez said that we are hoping to conclude our repair at Veterans Square this week. He noted there will be significant landscaping arriving later in the week and it will be a very different looking square with mobile landscaping that will be able to review and make adjustments as we progress through the seasons.

The City Manager mentioned that the First Friday event will be held at Veterans Square on May 5th.

IN RE: WINDMILL PARK FEES

The City Manager reported that he is still reviewing and working on additional fees or user charges for Windmill Park.

IN RE: STREET SWEEPING AND PAVING

Mr. Gomez announced that the street sweeping has commenced and asked the public to relocate vehicles that would normally park on a street when the sweeper is going to be on that street.

The City Manager stated that the street paving is scheduled to commence in early June. He noted that the list is being finalized at this time and plenty of notice will be given about the list of streets to be paved.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: TABLED, 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

Mayor Mainella entertained a motion to remove this item from the table.

Motion:

Councilmember Moran moved to remove this item from the table. The motion was seconded by Councilmember Mason.

Roll call was taken by the Clerk.

The Mayor declared this item removed from the table by unanimous vote of those Councilmembers present.

IN RE: 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

Mayor Mainella entertained a motion for the adoption of an ordinance granting a quitclaim easement to allow for repairs at 1233 Hillcrest Road.

Motion:

Councilmember Mason moved for the adoption of the proposed ordinance. Councilmember Moran seconded the motion.

Discussion:

The Mayor asked the City Attorney if the City received everything that was needed that wasn't here last time.

Kevin Sansalone, City Attorney, said that the City received a plat prepared by Chris Wolfe, Licensed Surveyor for the State of West Virginia that provides for the nature of the encroachment for the wall anchors and in surveying the property he found that the actual building encroached in the right of way as well so the documents that were finalized today provide for the allowance of the encroachment to be accepted and the placement of the wall anchors. It was determined that if the wall anchors remain at least 7 ½ feet from the edge of the water line to accommodate the 15 foot right of way that the City has with regard to the 10 inch water line then there shouldn't be any issues. The documents require the property owners to post a road bond for purposes of restoration of the right of way of Greenbrier Road after the installation of the wall anchors and for the contractor or the property owners to provide the City with general liability insurance to protect its water line and the adjacent property owners and downhill property owners from any damage in the event that the water like would be disturbed. He mentioned that all of the parties can sign the agreements after the ordinance becomes effective in 30 days so everything is good.

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. 1729 was duly adopted.

IN RE: ADOPTION, 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

Mayor Mainella entertained a motion for the adoption of an ordinance to provide for an increase in inspection fees for rental dwelling units.

Motion:

Councilmember Moran 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 majority vote of those Councilmembers present and the ordinance designated as Ordinance No. 1730 was duly adopted.

IN RE: ADOPTION, 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

Mayor Mainella entertained a motion for the adoption of an ordinance to provide for an increase in building permit fees.

Motion:

Councilmember Mason moved for the adoption of the proposed ordinance. Councilmember Yann seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by majority vote of those Councilmembers present and the ordinance designated as Ordinance No. 1731 was duly adopted.

IN RE: ADOPTION, 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

Mayor Mainella entertained a motion for the adoption of an ordinance to provide for an increase in the filing fee for right-of-way abandonments.

Motion:

Councilmember Moran moved for the adoption of the proposed ordinance. Councilmember Yann seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by majority vote of those Councilmembers present and the ordinance designated as Ordinance No. 1732 was duly adopted.

IN RE: ADOPTION, 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

Mayor Mainella entertained a motion for the adoption of an ordinance to provide for an increase in the filing fees relating to proceedings which come before the Planning Commission or the Board of Zoning Appeals.

Motion:

Councilmember Moran 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 majority vote of those Councilmembers present and the ordinance designated as Ordinance No. 1733 was duly adopted.

IN RE: ADOPTION, 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

Mayor Mainella entertained a motion for the adoption of an ordinance to provide for increased site plan review fees.

Motion:

Councilmember Mason moved for the adoption of the proposed ordinance. Councilmember Yann seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by majority vote of those Councilmembers present and the ordinance designated as Ordinance No. 1734 was duly adopted.

IN RE: ADOPTION, 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

Mayor Mainella entertained a motion for the adoption of an ordinance to provide for increased filing fees for subdivision applications.

Motion:

Councilmember Moran moved for the adoption of the proposed ordinance. Councilmember Yann seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by majority vote of those Councilmembers present and the ordinance designated as Ordinance No. 1735 was duly adopted.

IN RE: ADOPTION, 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" AND "SALES AT WHOLESALE"

Mayor Mainella entertained a motion for the adoption of an ordinance to provide clarification to the definition of "Sales at Retail" and "Sales at Wholesale."

Motion:

Councilmember Warner moved for the adoption of the proposed ordinance. Councilmember Yann 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. 1736 was duly adopted.

IN RE: ADOPTION, A RESOLUTION BY THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE WEST VIRGINIA STATE HISTORIC PRESERVATION OFFICE FOR A SURVEY AND PLANNING GRANT TO FUND, IN PART, THE FOUNDATION OF A GEOGRAPHIC INFORMATION SYSTEM (GIS) IDENTIFYING HISTORIC RESOURCES IN THE CITY OF FAIRMONT

Mayor Mainella entertained a motion for the adoption of a resolution accepting the grant to fund the foundation of a GIS System in the City of Fairmont.

Motion:

Councilmember Yann 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 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 Council.

IN RE: ADOPTION, A RESOLUTION BY THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE MARION COUNTY PARKS AND RECREATION COMMISSION TO FUND, IN PART, THE MORRIS PARK TENNIS COURT RESURFACING PROJECT IN THE CITY OF FAIRMONT

Mayor Mainella entertained a motion for the adoption of a resolution accepting a grant to fund the Morris Park Tennis Court Resurfacing Project.

Motion:

Councilmember Yann 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 Moran.

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 Straight.

The Mayor declared the meeting adjourned by voice vote of Council at 7:55 p.m.