

May 9, 2018

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 9th day of May, 2018, 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	Warren G. Harger, Jr.
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.

Also Present Were:

City Manager	Robin I. Gomez
City Clerk	Janet L. Keller
City Attorney	Kevin V. Sansalone
Police Chief	Steve Shine
City Planner	Sandra Scaffidi
Code Official	Shane Carpenter

IN RE: OPENING CEREMONIES

Rev. D.D. Meighen gave the prayer and the Pledge of Allegiance to the Flag was 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 April 24, 2018.

Councilmember Merrifield moved to approve the minutes from the April 24, 2018 meeting as submitted. The motion was seconded by Councilmember Moran.

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

IN RE: PROCLAMATION PRESENTED TO CITY CLERK

Mayor Mainella presented a proclamation to City Clerk Janet Keller in honor of May 6th-12th being recognized as Municipal Clerk Week.

IN RE: PROCLAMATION PRESENTED TO SHANE CARPENTER

Mayor Mainella presented a proclamation to Code Officer Shane Carpenter in honor of the month of May being recognized as Building Safety Month.

City Manager Gomez presented Council with a slide show presentation on Building Code Safety from the International Code Council.

PUBLIC HEARINGS

IN RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**LS 6-7 SHORT AVE
MAP 03-25 PARCEL 97
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
907 SHORT AVENUE**

FROM APPALACHIAN ASSETS, LLC, TO THE CITY OF FAIRMONT; PROVIDING FOR AND AUTHORIZING THE CONVEYANCE OR TRANSFER OF RESPONSIBILITY FOR SAID PARCEL OF REAL ESTATE FROM THE CITY OF FAIRMONT TO AN ADJOINING PROPERTY OWNER, IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME RULE PLAN AND THE ORDINANCES ADOPTED THEREUNDER; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION

Pursuant to a notice duly published in the Times-West Virginian on April 30, 2018, a public hearing was convened to obtain citizen input on a proposed ordinance providing for the conveyance and transfer of property located at 907 Short Avenue.

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

The City Manager spoke in favor of the proposed ordinance. He noted this is item is part of our ongoing efforts to alleviate blight and we will be acquiring this property in which we will issue a bid out for its demolition to clean up another blighted, abandoned and dilapidated structure.

There being no one else to speak, the public hearing was called to a close at 7:18 p.m.

IN RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**BLK 9 LOT 11 VIEW STREET
MAP 03-27 PARCEL 173.1
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
275 VIEW AVENUE**

FROM MR FAIRMONT LLC TO THE CITY OF FAIRMONT; PROVIDING FOR AND AUTHORIZING THE CONVEYANCE AND TRANSFER OF SAID PARCEL OF REAL ESTATE FROM THE CITY OF FAIRMONT TO AN ADJOINING PROPERTY OWNER, IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME RULE PLAN AND THE ORDINANCES ADOPTED THEREUNDER; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION

Pursuant to a notice duly published in the Times-West Virginian on April 30, 2018, a public hearing was convened to obtain citizen input on a proposed ordinance providing for the conveyance and transfer of property located at 275 View Avenue.

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

The City Manager spoke in favor of this proposed ordinance. He said similar to the previous item, this is another structure that we are going to acquire to again eliminate and alleviate blight.

There being no one else to speak, the public hearing was called to a close at 7:20 p.m.

ANNOUNCEMENTS

IN RE: ELECTION DAY

Councilmember Mason thanked everyone that participated in and ran for an office in the May Primary Election.

IN RE: JULIA PIERPONT DAY

Councilmember Grubb encouraged everyone to attend the Julia Pierpont Day Celebration on Saturday, May 26th at 10:00 a.m.

IN RE: CIGARETTE BUTT COMPLAINT

Councilmember Grubb expressed her concerns about the proliferation of discarded cigarette butts littering the downtown area. She said that we seem to be having a bit of trouble downtown with cigarette butts all over the place. She noted that they are on the sidewalks, in the gutters, and in front of the Marion County Historical Society and the Marion County Courthouse and she would like to see the possibility of the City's no-smoking ordinance being enforced on the first four blocks of Adams Street.

The City Manager replied that we will take a look at it.

IN RE: MARION MEALS ON WHEELS

Councilmember Yann congratulated Marion Meals on Wheels for celebrating their 45th anniversary at the Knights of Columbus on Monday. He said the Knights of Columbus had a dinner for the people that drive and deliver the meals. He also noted that the Meals on Wheels are always in need of drivers if anyone is interested in delivering meals.

IN RE: LUCKY DUCK RACE

Councilmember Harger mentioned the Lucky Duck race on June 9th at Palatine Park. He noted it was a fundraiser and they will be dropping 2,000 rubber ducks off the bridge and they are asking people to adopt a duck for \$5.00 donation.

CITIZENS PETITIONS

IN RE: WIND TURBINES

CALEB WILSON, 510 Fulton Street, addressed Council regarding wind turbines and green energy. He said that he wants to install wind technology at his home in which he has been denied by the Planning Department and the Board of Zoning Appeals. He said he wants to bring it to Council's attention about the growing movement of the potential green energy consumers in our town of Fairmont.

CITY MANAGER'S REPORT

IN RE: COMPREHENSIVE PLAN

Mr. Gomez mentioned that the Comprehensive Plan presentation that was on the agenda for this meeting had to be rescheduled and he will advise on when it will be held.

IN RE: DEMOLITION UPDATE

The City Manager said that the contractor began demolishing the former Butcher School and should be down by the end of the week.

Mr. Gomez then said that contractor will also be removing the structure on Walnut Avenue that caught fire a couple months ago. He also reported that another contractor will remove the abandoned structure that caught fire back in December on the corner of Third Street and Walnut Avenue.

IN RE: SPRING INTO ACTION FAIR

The Manager thanked everyone that participated in Leadership Marion's "Spring Into Action" Fair that was held last Saturday.

IN RE: GRADUATION CEREMONIES

Mr. Gomez announced that this weekend, Fairmont State University and Pierpont Community Technical College will be having their commencement ceremonies. He extended congratulations to all of the students that will be graduating.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**LS 6-7 SHORT AVE
MAP 03-25 PARCEL 97
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
907 SHORT AVENUE**

FROM APPALACHIAN ASSETS, LLC, TO THE CITY OF FAIRMONT; PROVIDING FOR AND AUTHORIZING THE CONVEYANCE OR TRANSFER OF RESPONSIBILITY FOR SAID PARCEL OF REAL ESTATE FROM THE CITY OF FAIRMONT TO AN ADJOINING PROPERTY OWNER, IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME RULE PLAN AND THE ORDINANCES ADOPTED THEREUNDER; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION

Mayor Mainella entertained a motion for the adoption of an ordinance providing for the transfer and conveyance of property located at 907 Short Avenue.

Motion:

Councilmember Mason 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 Council and the ordinance designated as Ordinance No. 1769 was duly adopted.

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY

**OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA,
TO-WIT:**

**BLK 9 LOT 11 VIEW STREET
MAP 03-27 PARCEL 173.1
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
275 VIEW AVENUE**

**FROM MR FAIRMONT LLC TO THE CITY OF FAIRMONT; PROVIDING FOR AND
AUTHORIZING THE CONVEYANCE AND TRANSFER OF SAID PARCEL OF REAL
ESTATE FROM THE CITY OF FAIRMONT TO AN ADJOINING PROPERTY
OWNER, IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME
RULE PLAN AND THE ORDINANCES ADOPTED THEREUNDER; APPROVING
THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE
CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY
OF FAIRMONT; RATIFICATION**

Mayor Mainella entertained a motion for the adoption of an ordinance providing for the conveyance and transfer of property located at 275 View Avenue.

Motion:

Councilmember Harger moved for the adoption of the proposed ordinance. Councilmember Straight 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. 1770 was duly adopted.

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN
ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND
SUPPLEMENTING ORDINANCE NO. 1768, DULY ADOPTED APRIL 24, 2018,
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: INCREASES IN SHIFT DIFFERENTIAL
AND CERTIFICATION PAY; INCREASE IN COMPENSATION FOR A
BACHELOR'S DEGREE; \$750.00 BASE PAY INCREASE IN THE SALARY FOR
FIREFIGHTER; \$1,500.00 BASE PAY INCREASE IN THE SALARY OF PROGRAM
MANAGER; \$1,000.00 BASE PAY INCREASE IN THE SALARY OF ASSISTANT
FIELD SERVICES SUPERVISOR; \$1,000.00 BASE PAY INCREASE IN THE**

SALARY OF ASSISTANT SUPERVISOR/METER CSR; \$1,000.00 BASE PAY INCREASE IN THE SALARY OF ASSISTANT SUPERVISOR/STORMWATER; \$4,600.00 BASE PAY INCREASE IN THE SALARY OF INFORMATION TECHNOLOGY TECHNICIAN; \$1,500.00 BASE PAY INCREASE IN THE SALARY OF PUBLIC WORKS OPERATIONS SUPERVISOR; \$2,000.00 BASE PAY INCREASE IN THE SALARY OF CITY CLERK; AND 1% BASE PAY INCREASE FOR ALL EMPLOYEES EXCEPT INFORMATION TECHNOLOGY TECHNICIAN

Mayor Mainella entertained a motion and second for the introduction of an ordinance amending the current pay plan to provide for salary increases to be effective July 2, 2018.

Motion:

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

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

The Mayor declared the public hearing set for May 22, 2018 by voice vote of Council.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**LOT NO. 24 ROBINSON ST
MAP 03-33 PARCEL 0143
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
404 ROBINSON STREET**

FROM JESSE LEE LAWSON, JR., TO THE CITY OF FAIRMONT; PROVIDING FOR AND AUTHORIZING THE POSSIBILITY OF THE CONVEYANCE AND TRANSFER OF SAID PARCEL OF REAL ESTATE FROM THE CITY OF FAIRMONT TO AN UNIDENTIFIED ADJOINING PROPERTY OWNER IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME RULE PLAN AND THE ORDINANCES ADOPTED THEREUNDER; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO

**EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT;
RATIFICATION**

Mayor Mainella entertained a motion and second for the introduction of an ordinance for the conveyance and transfer of property located at 404 Robinson Street.

Motion:

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

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

The Mayor declared the public hearing set for May 22, 2018 by voice 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 7:45 p.m.