

September 24, 2019

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 24th day of September, 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:

City Manager	Valerie Means
City Attorney	Kevin Sansalone
City Clerk	Janet L. Keller
Director of Planning	Mark Miller
Program Manager	Alex Petry

Rev. Brad Bennett gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Yann.

APPROVAL OF MINUTES

Mayor Merrifield noted that each member of Council had received a copy of the minutes from the Regular Meeting September 10, 2019.

Councilmember Mainella moved to approve the minutes as submitted. The motion was seconded by Councilmember Rice.

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: FAIRMONT'S 200TH BIRTHDAY CELEBRATION

Councilmember Grubb reported that the City's 200th birthday is coming up.

Councilmember Mason said that we need to start seeing some reports and some plans and some ideas on what is going on. He said that for the 200th anniversary, we need to think big. We have an opportunity to bring a lot of light on Fairmont and we have much to be talking about and much to be proud about. He said that we should be telling people, not only in Fairmont but nationally and around the country, about what Fairmont has. He noted this is a great opportunity and let's not miss it.

Mayor Merrifield stated there was a Main Street Fairmont meeting last night and there is a lot going on behind the scenes but it not quite ready for prime time yet.

Councilmember Mason asked again for a report.

The Mayor replied that it was just not ready yet.

IN RE: FAIRMONT REGIONAL MEDICAL CENTER

Councilmember Blood mentioned that she was sad to learn about the 25 employees at Fairmont Regional Medical Center that lost their jobs. She said that hopefully we can work with them and see how we can work together, we need our hospital there.

Mayor Merrifield announced that he attended a couple meetings and the concern was that when we heard that there was the possibility of some layoffs, with what happened in the northern panhandle, it concerned us all that it might be the first step of maybe the same thing happening here. He then said that the suggestion was made and then we followed that up with a skype meeting with Bob Adcock, the CEO's, boss. He said that they went through the numbers and the situations and they convinced the people in that room to say that we were comfortable and that we were nothing like that situation. Our situation, without getting into detail, was not at all like theirs. He noted that it wasn't an eminent situation.

IN RE: DR. MARTIN'S CONTRACT AT FSU EXTENDED

Councilmember Bledsoe congratulated Dr. Martin on getting another three-year contract as the President of FSU. He said that he would also like to congratulate the Board of Governor's for having the vision to do what needed to be done there to keep this amazing lady in her position.

IN RE: CITY MANAGER COMMENDED

Councilmember Kennedy commended the City Manager. He noted that he has had some complaints from some of the people in his district and she has handled them like greased lightning. He said this is the great Friendly City because of her.

Ms. Means followed up to say that she has an amazing staff and as soon as she relays anything to them, they take care of it. She noted that they make her job a lot easier too.

IN RE: FAIRMONT CHAMBER MUSIC SOCIETY

Councilmember Mainella reported that the Fairmont Chamber Music Society will have their first concert of the new season on Sunday, September 29th at 3:00 p.m. at St. Peter Church. He noted that it will be a very exciting concert and encouraged everyone to attend.

CITIZENS PETITIONS

There were no citizen's petitions for this meeting.

CITY MANAGER'S REPORT

IN RE: MARK MILLER INTRODUCED

Ms. Means introduced Mark Miller, new Director of Planning and Development.

IN RE: FEASIBILITY STUDY ON TWO STRUCTURES

ALEX PETRY, gave Council a little background information about the feasibility study that has been done on two structures in downtown Fairmont. Mr. Petry said that in the summer of 2018, the City of Fairmont was awarded a \$200,000 community-wide Brownfields Assessment Grant and we have been using this money for Phase I and Phase II Environment Site Assessments and to cleanup some blight in the town. Part of that

\$200,000 was used to do a site re-use plan that is being used as a market/housing/feasibility study on two historic Brownfields in downtown Fairmont, the former fire house on Monroe Street and the former YMCA building on Fairmont Avenue. This will be used as a playbook towards how we want to move forward in cleaning up these buildings and developing them. He went on to say that the City of Fairmont hired Downstream Strategies, based out of Morgantown, and put together this great study that they are going to present to Council.

Joey James and Sara Cottingham made the presentation.

Mr. James mentioned the following information:

- 43% of Fairmont's population is below 30 years of age
- Fairmont is a more diverse city
- There are 97 contributing buildings in downtown Fairmont
- There are a lot of reasons to move to Fairmont and stay here
- He then gave an overview of the two buildings

Ms. Cottingham went over the following points:

- There is not a lot of office space options in downtown Fairmont
- YMCA building – viable option for businesses
- More restaurants are needed in downtown Fairmont especially as more business comes to the downtown
- Craft beers are doing well
- People want to come to downtown to eat.
- Regarding the fire house building, she talked to different brewery's that may be interested. This building has high ceilings, big garage doors, is an intriguing opportunity and has space to accommodate entertainment.
- Looking for flexible, co-working space to be used on as needed basis.

Councilmember Kennedy stated he wanted to applaud their efforts here with the potential for the old fire house and the location almost adjacent to the new proposed park that will go in on Adams Street. He then asked what specific industries they are hoping to bring in with these venues.

Ms. Cottingham replied a lot of the Tech companies but many companies also want to have a downtown presence.

Councilmember Kennedy said that you bring them in, people are going to come to spend their money.

Councilmember Mason noted it was a wonderful presentation with great information. He said we all know some developers who are around the area and they have the resources if we can just convince them to invest here and not take it to another state.

Mr. Petry mentioned that their study will be available on the City's website within the next week.

Ms. Means noted that all it takes is a couple buildings and then it starts.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE AMENDING AND SUPPLEMENTING PART THREE – TRAFFIC CODE, CHAPTER FIVE–VEHICULAR OPERATIONS, ARTICLE 333 DRIVING WHILE INTOXICATED; RECKLESS DRIVING OF THE FAIRMONT CITY CODE, AND MORE PARTICULARLY SECTION 333.01A DRIVING UNDER THE INFLUENCE, CONTROLLED SUBSTANCES OR DRUGS; PENALTIES THEREOF, TO PROVIDE FOR AND MEET CERTAIN CHANGES MADE IN THE LAWS OF THE STATE OF WEST VIRGINIA AND EFFECTIVE JUNE 3, 2019

Mayor Merrifield entertained a motion and second for the introduction of an ordinance amending the DUI Code to provide for and meet certain changes made in the laws by the State of WV effective June 3, 2019.

Motion:

Councilmember Blood 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 October 8, 2019.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL FOR THE CITY OF FAIRMONT AUTHORIZING, APPROVING AND PROVIDING FOR A CERTAIN PUBLIC ART PROJECT NAMELY, A MURAL WHICH WILL BE PAINTED ON A PORTION OF THE CONCRETE WALL ADJACENT TO WATER STREET NEAR PALATINE PARK IN THE CITY OF FAIRMONT

Mayor Merrifield entertained a motion for the adoption of a resolution approving a mural to be painted on a wall adjacent to Water Street near Palatine Park.

Motion:

Councilmember Bledsoe 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 Blood.

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 OF THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, APPROVING THE TERMS AND CONDITIONS OF THAT CERTAIN AGREEMENT BY AND BETWEEN CBHBC CORP., LLC D/B/A DATAMAX CORPORATION AND THE CITY OF FAIRMONT AND FURTHER AUTHORIZING AND EMPOWERING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF FAIRMONT

Mayor Merrifield entertained a motion for the adoption of a resolution approving the terms and conditions of an agreement between DataMax Corporation and the City of Fairmont.

Motion:

Councilmember Mason 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.

IN RE: SEVEN (7) RE-APPOINTMENTS, FAIRMONT AIRPORT AUTHORITY, THREE-YEAR TERMS TO END OCTOBER 1, 2022

Mayor Merrifield entertained a motion for seven re-appointments to the Fairmont Airport Authority for three-year terms to end October 1, 2022.

Councilmember Mason moved to re-appoint Garrett DeVault, Tyler Lucas, Joseph Garcia, David Floyd, Tom Mainella, Dustin Lambert and Jack Oliver to the Fairmont Airport Authority for three-year terms ending October 1, 2022. The motion was seconded by Councilmember Blood.

Roll call was taken by the Clerk.

The Mayor declared Garrett DeVault, Tyler Lucas, Joseph Garcia, David Floyd, Tom Mainella, Dustin Lambert and Jack Oliver re-appointed to the Fairmont Airport Authority for three-year terms ending October 1, 2022 by unanimous vote of Council.

IN RE: ONE (1) RE-APPOINTMENT, FAIRMONT BUILDING COMMISSION, FIVE-YEAR TERM TO END OCTOBER 30, 2024

Mayor Merrifield entertained a motion for one re-appointment to the Fairmont Building Commission for a five-year term to end October 30, 2024.

Councilmember Mainella moved to re-appoint Chris Parr to the Fairmont Building Commission for a five-year term ending October 30, 2024. The motion was seconded by Councilmember Bledsoe.

Roll call was taken by the Clerk.

The Mayor declared Chris Parr re-appointed to the Fairmont Building Commission for a five-year term ending October 30, 2024 by unanimous vote of Council.

IN RE: ONE (1) APPOINTMENT, FAIRMONT PARKING AUTHORITY, UNEXPIRED TERM TO END SEPTEMBER 30, 2021

Mayor Merrifield entertained a motion for one appointment to the Fairmont Parking Authority for an unexpired term to end September 30, 2021.

Councilmember Mason moved to appoint John Thompson to the Fairmont Parking Authority for an unexpired term to end September 30, 2021. The motion was seconded by Councilmember Blood.

Roll call was taken by the Clerk.

The Mayor declared John Thompson appointed to the Fairmont Parking Authority for an unexpired term ending September 30, 2021 by unanimous vote of Council.

Councilmember Mason said that not too long ago we were begging people to serve on boards and commissions and now some excitement has begun to develop and there are a lot of people who want to serve on boards and commissions and it is wonderful to see. We were having difficulty not too long ago finding people to serve and now we have more people wanting to serve or wanting to be re-appointed and that is a beautiful things.

IN RE: ADJOURN TO EXECUTIVE SESSION

Mayor Merrifield moved that Council adjourn to Executive Session as per WV Code 6-9A-4(2)(9) and City Charter Section 2.11(a)(3) – To consider matters involving or affecting the purchase, sale, conveyance or lease of real property. The motion was seconded by Councilmember Rice.

The Mayor declared the meeting adjourned to Executive Session by voice vote of Council at 7:40 p.m.

IN RE: MEETING RECONVENED

The Mayor declared the meeting reconvened at 8:28 p.m.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 8:29 p.m.