

**FAIRMONT CITY COUNCIL  
REGULAR MEETING  
TUESDAY, MARCH 22, 2022  
7:00 P.M.  
COUNCIL CHAMBERS  
PUBLIC SAFETY BUILDING  
500 QUINCY STREET  
FAIRMONT, WEST VIRGINIA**

- I. CALL TO ORDER - Mayor Mainella
- II. ROLL CALL OF MEMBERS - Janet L. Keller, City Clerk
- III. OPENING CEREMONIES
  - A. Prayer/Meditation - Rev. William Bradley
  - B. Pledge Of Allegiance - Councilmember Cinalli
- IV. APPROVAL OF MINUTES -
  - Regular Meeting - March 8, 2022
- V. PUBLIC HEARINGS AND ANNOUNCEMENTS
  - A. PUBLIC HEARINGS
    - 1. Fiscal Year 2022-2023 General Fund Budget
    - 2. An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 3.0 Zoning Districts Of The Provisions Of **Clearzoning®**, The City's Codified Planning And Zoning Code To Amend And Supplement The Use Chart, Table 3-A Permitted Principal Uses, And Thus The Permitted Uses And Conditional Uses Relating To Certain Zoning Districts As Follows:
      - To permit "Dwelling, Townhouses (Attached Single-Family)" as a permitted use in Highway Commercial Districts;
      - To permit "Dormitory" as a conditional use in Neighborhood Residential Districts;
      - To permit "Cemetery" as a conditional use in Neighborhood Residential Districts, Neighborhood Mixed Use Districts and Recreation Districts

To permit “Institutional Uses” as conditional use in Technology Districts;

To permit “Bars and Nightclubs” as a conditional use in Main Corridor Commercial Districts;

To eliminate “Convenience Store (with Fuel Sales)” as a conditional use in Neighborhood Mixed Use Districts;

To permit “Recreational Facilities” as a permitted use in Recreation Districts;

To accommodate the change of name from “Restaurant/Lounge” to “Restaurant with Alcohol Sales” and to eliminate “Restaurant with Alcohol Sales” as a conditional use in Recreational Districts;

To permit “Restaurant” as a permitted use in Technology Districts;

To renumber the Use Standards for “Manufactured Home Sales and Service”; and

To eliminate “Temporary Uses” as a use, whether permitted or conditional, in Manufactured Home Neighborhood Districts and Manufactured Home Park Districts.

## B. ANNOUNCEMENTS

### VI. CITIZENS PETITIONS

### VII. CITY MANAGER’S REPORT

#### 1. MRDC Presentation

### VIII. CONSIDERATION OF COUNCIL BUSINESS

1. Adoption, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Article 3.0 Zoning Districts Of The Provisions Of **Clearzoning®**, The City’s Codified Planning And Zoning Code To Amend And Supplement The Use Chart, Table 3-A Permitted Principal Uses, And Thus The Permitted Uses And Conditional Uses Relating To Certain Zoning Districts As Follows:

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To permit “Institutional Uses” as conditional use in Technology Districts;

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To permit “Restaurant” as a permitted use in Technology Districts;

To renumber the Use Standards for “Manufactured Home Sales and Service”; and

To eliminate “Temporary Uses” as a use, whether permitted or conditional, in Manufactured Home Neighborhood Districts and Manufactured Home Park Districts.

2. Introduction, First Reading, Set Public Hearing, An Ordinance Of The Council Of The City Of Fairmont Amending And Supplementing Ordinance No. 1917 Duly Adopted October 12, 2021, Which Ordinance Provides For The City Of Fairmont’s Current Pay Plan And List Of Occupational Classes For All Class Titles And Employees, To Provide For Pay Increases, Certification Pay For Certain Positions; Reclassification Of Certain Positions; And The Removal Of Certain Antiquated Vacant Positions.
3. Introduction, First Reading, Set Public Hearing, An Ordinance Of The Council Of The City Of Fairmont Granting A Non-Exclusive Franchise To Spectrum Mid-America, LLC, Locally Known As Charter Communications For Purposes Of Constructing, Operating And Maintaining A Cable System And Providing Cable And Cable Related Services To Customers Within The Corporate Limits Of The City Of Fairmont And Approving The Form And Content Of The Franchise Agreement Between The City And Spectrum Mid-

America, And Authorizing The Execution And Delivery Thereof; Limitations.

4. Adoption, A Resolution Approving The City Of Fairmont's Fiscal Year 2022-2023 City Budgets: General Fund And Coal Severance.
5. Adoption, A Resolution Of The Council Of The City Of Fairmont, West Virginia, Authorizing The Adoption Of The City Of Fairmont Flexible Benefit Plan (Cafeteria Plan) To Be Effective July 1, 2022; Ratification.
6. Adoption, A Resolution Of The Council For The City Of Fairmont Approving And Adopting An Amendment To Part I Administrative Of The Rules And Regulations Of The Police Civil Service Commission Of The City Of Fairmont To Provide For The Elimination Of The Obligation To Publish Notice Of Meetings Of The Commission As A Legal Advertisement Seven Days Prior To The Meeting.
7. Adoption, A Resolution Of The Council For The City Of Fairmont Approving And Adopting An Amendment To Part IV Appointment From List Of Eligibles Of The Rules And Regulations Of The Police Civil Service Commission Of The City Of Fairmont To Provide For The Elimination Of The Obligation To Publish Notice Of Vacancy And Examination As Legal Advertisement.
8. Adoption, A Resolution Proclaiming April 2022 As Fair Housing Month In The City Of Fairmont.
9. One Appointment, Arts and Humanities Commission, Unexpired Term Ending June 30, 2024.

IX. ADJOURNMENT

**NOTE: THIS MEETING IS TO BE ADJOURNED  
TO THE SPECIFIC DATE AND TIME OF**

**TUESDAY, APRIL 19, 2022, AT 4:30 P.M. TO  
APPROVE THE LEVY RATES.**