

FAIRMONT CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 28, 2020
7:00 P.M.
COUNCIL CHAMBERS
PUBLIC SAFETY BUILDING
500 QUINCY STREET
FAIRMONT, WEST VIRGINIA

- I. CALL TO ORDER – Mayor Merrifield
- II. ROLL CALL OF MEMBERS – Janet L. Keller, City Clerk
- III. OPENING CEREMONIES
 - A. Prayer/Meditation – Rev. Wesley Dobbs
 - B. Pledge Of Allegiance – Councilmember Kennedy
- IV. APPROVAL OF MINUTES –

Regular Meeting – July 14, 2020
- V. PUBLIC HEARINGS AND ANNOUNCEMENTS
 - A. PUBLIC HEARINGS
 1. An Ordinance Providing For An Amendment to The City Of Fairmont’s 2020-2021 Annual Budget: General Fund.
 2. An Ordinance Providing For The Vacation And Abandonment Of The Following Unopened Portions Of The Right Of Way Of Fleming Avenue In The City Of Fairmont, Fairmont City District, Marion County, West Virginia, And Being Those Two Certain Portions Of The Unopened Right Of Way Of Fleming Avenue As Follows:
 - 1) That Certain Portion Of Fleming Avenue From The Intersection Of Fleming Avenue And Bison Street With Fleming Avenue To The Right Of Way Of A 15’ Unnamed Alley And More Particularly Described As .19

Acres Or 8,250 Square Feet As Shown On The Attached Plat (Exhibit A) And Situate Adjacent To Parcels 46 And 47 Of Marion County Tax Map 03-12, Which Parcels Are Owned By Richard Oldaker And Diane Oldaker; And

- 2) That Certain Portion Of Fleming Avenue From The Intersection Of Fleming Avenue And A 15 'Unnamed Alley With Fleming Avenue To The Intersection Of Fleming Avenue And Worthington Street As Shown On The Attached Plat (Exhibit B) And Situate Adjacent To Parcel 4 Of Marion County Tax Map 03-12 Which Parcel Is Owned By Daniel Serge And Cecelia Serge, And Parcels 5 And 5.1, Of Said Tax Map, Which Parcels Are Owned By Kenneth C. Sabo

Excluding The Right Of Way Of A 15' Unnamed Alley And Reserving All Utility Rights.

3. An Ordinance Providing For The Vacation And Abandonment Of The Following Unopened Portion Of The Right Of Way Of An Unnamed Alley Lying And Being In The City Of Fairmont, Winfield City District, Marion County, West Virginia, And Being That Certain Unopened Portion Of Said Unnamed Alley Perpendicular To Mound Avenue And Between Parcels Nos. 61, 62, And 63 Of Marion County Tax Map 06-06, As Shown On The Attached Plat, Which Said Parcels Are Owned By Victory Baptist Church; Reserving All Utility Rights.
4. An Ordinance Providing For The Vacation And Abandonment Of The Following Unopened Portion Of The Right Of Way Of Edgemore Lane Lying And Being In The City Of Fairmont, Grant Annex District, Marion County, West Virginia, And Being That Certain Portion Of Edgemore Lane Perpendicular To Maplewood Drive And Parallel To Fairmont Avenue And Situate Between Parcels Nos. 112, 113, 125, 126, And 127 Of Marion County Tax Map 04-07, As Shown On The Attached Plat, Which Said Parcels Are Owned By Randall Newlon; Reserving All Utility Rights.
5. An Ordinance Providing For The Vacation And Abandonment Of The Unopened Right Of Way Of An Unnamed Alley In The City Of Fairmont, Fairmont City District, Marion County, West Virginia, And Being That Certain Unnamed Alley Lying

Between Sterling Road And Colburn Street (Unopened) And Situate Between Parcels Nos. 163, 164, And 165 Of Marion County Tax Map 03-30, As Shown On The Attached Plat, Which Said Parcels Are Owned By Brandon Haun And Ali Haun; Reserving All Utility Rights.

6. An Ordinance Approving That Certain User Agency Agreement For Criminal Justice Information By And Between The City Of Fairmont Police Department And Marion County Central Communications Dated July 1, 2020.

B. ANNOUNCEMENTS

VI. CITIZENS PETITIONS

VII. CITY MANAGER'S REPORT

VIII. CONSIDERATION OF COUNCIL BUSINESS

1. Adoption, An Ordinance Providing For An Amendment to The City Of Fairmont's 2020-2021 Annual Budget: General Fund.
2. Adoption, An Ordinance Providing For The Vacation And Abandonment Of The Following Unopened Portions Of The Right Of Way Of Fleming Avenue In The City Of Fairmont, Fairmont City District, Marion County, West Virginia, And Being Those Two Certain Portions Of The Unopened Right Of Way Of Fleming Avenue As Follows:
 - 1) That Certain Portion Of Fleming Avenue From The Intersection Of Fleming Avenue And Bison Street With Fleming Avenue To The Right Of Way Of A 15' Unnamed Alley And More Particularly Described As .19 Acres Or 8,250 Square Feet As Shown On The Attached Plat (Exhibit A) And Situate Adjacent To Parcels 46 And 47 Of Marion County Tax Map 03-12, Which Parcels Are Owned By Richard Oldaker And Diane Oldaker; And
 - 2) That Certain Portion Of Fleming Avenue From The Intersection Of Fleming Avenue And A 15 'Unnamed Alley With Fleming Avenue To The Intersection Of Fleming Avenue And Worthington Street As Shown On The Attached Plat (Exhibit B) And Situate Adjacent To

Parcel 4 Of Marion County Tax Map 03-12 Which Parcel Is Owned By Daniel Serge And Cecelia Serge, And Parcels 5 And 5.1, Of Said Tax Map, Which Parcels Are Owned By Kenneth C. Sabo

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6. Adoption, An Ordinance Approving That Certain User Agency Agreement For Criminal Justice Information By And Between The City Of Fairmont Police Department And Marion County Central Communications Dated July 1, 2020.

7. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing That Portion Of City Ordinance No. 1809, 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 August 1, 2020.
8. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Supplementing That Portion Of City Ordinance No. 1810, 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 Certain Revisions 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 August 1, 2020.
9. Introduction, First Reading, Set Public Hearing, An Ordinance Amending And Revising Article II, "The Council" Of The Fairmont City Charter, And More Particularly Section 2.03 *Compensation; Expenses* Thereof, To Provide Compensation To The Mayor And Councilmembers For Those Regular Council Meetings Which Are Cancelled Due To A Declared State Of Emergency.
10. Adoption, A Resolution Of The Council For The City Of Fairmont Approving And Adopting An Amendment To The Rules And Regulations Of The Police Civil Service Commission Of The City Of Fairmont Adopted By The Commission On July 14, 2020, To Provide For Certain Changes To Accommodate The Amendment To West Virginia Code 8-14-15 Appointment From List Of Eligible.
11. Adoption, A Resolution Of The Council For The City Of Fairmont Eliminating The Past Practice Of Providing Candidates For Elected Office With The Opportunity To Address Council To Announce One's Own Candidacy For Office.
12. Adoption, A Resolution Of The Council Of The City Of Fairmont, West Virginia Ostracizing Councilmember Karl

David Kennedy, Representative Of Council District Three, For
His Continued Toxic And Embarrassing Behavior.

IX. ADJOURNMENT