

January 8, 2019

The regular meeting of the City Council of the City of Fairmont was held at 7:10 p.m. on the 8th day of January, 2019, 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	Karl (David) Kennedy
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	Donna M. Blood

Also present were:

Interim City Manager	Bruce McDaniel
City Attorney	Kevin Sansalone
City Clerk	Janet L. Keller
Police Chief	Steve Shine
Fire Chief	Edward Simmons
City Planner	Sandra Scaffidi

IN RE: OPENING CEREMONIES

Rev. Leo Riley gave the invocation followed by the Pledge of Allegiance to the Flag 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 December 18, 2018.

Councilmember Yann moved to approve the minutes as submitted. The motion was seconded by Councilmember Moran.

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

PUBLIC HEARINGS

IN RE: AN ORDINANCE AMENDING ORDINANCE NO. 1369, WHICH NAMED THE 40 FOOT STREETS OR RIGHTS OF WAY SITUATE IN BEVERLY ESTATES SUBDIVISION IN THE CITY OF FAIRMONT, GRANT ANNEX DISTRICT, MARION COUNTY, WEST VIRGINIA TO CORRECTLY IDENTIFY THE STREETS AS LUCINDA LANE, FRIEND DRIVE AND DANIELLE DRIVE

Pursuant to a notice duly published in the Times-West Virginian on December 17, 2018, a public hearing was convened to obtain citizen input on a proposed ordinance correctly identify the streets in Beverly Estates as Lucinda Lane, Friend Drive and Danielle Drive.

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

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

IN RE: AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT AMENDING ORDINANCE NO. 1789, WHICH PROVIDED FOR THE DEDICATION TO THE PUBLIC USE OF THOSE CERTAIN STREETS OR ROADWAYS SITUATE IN BEVERLY ESTATES SUBDIVISION, GRANT ANNEX DISTRICT, FAIRMONT, MARION COUNTY, WEST VIRGINIA, TO CORRECTLY IDENTIFY THE STREETS AS LUCINDA LANE, FRIEND DRIVE AND DANIELLE DRIVE

Pursuant to a notice duly published in the Times-West Virginian on December 17, 2018, a public hearing was convened to obtain citizen input on a proposed ordinance correctly identify the streets in Beverly Estates as Lucinda Lane, Friend Drive and Danielle Drive.

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

There being no one to speak, the public hearing was called to a close at 7:13 p.m.

ANNOUNCEMENTS

IN RE: WELCOME BACK TO BRUCE MCDANIEL

Mayor Mainella welcomed back Bruce McDaniel as the Interim City Manager.

He noted that Council was glad that he was willing to do this job. He said that, hopefully, we will have a new permanent City Manager in place as soon as possible.

IN RE: LEGAL COMMUNITY COMMENDED

Councilmember Kennedy stated that he wanted to compliment the entire community, particularly the legal community, on the great way that the election faux pas was handled. He noted that he was in that hearing and he was absolutely impressed and stated this is West Virginia.

IN RE: WELCOME COUNCILMEMBER BLOOD

Councilmember Mason stated that he is officially happy to welcome Donna Blood to Council and it is a real pleasure to have her serve on Council.

Mayor Mainella also welcomed Donna Blood and David Kennedy even though Mr. Kennedy has been serving since November.

IN RE: FOUNDERS MONTH

Councilmember Grubb reported that January is known as Founder's Month. She reported the following:

- Boaz Fleming was born on January 4th
- Fairmont was formed on January 14th
- The County was formed in 1842
- Francis Pierpont's birthday is January 25th

IN RE: BUILDING INSPECTION COMMENDED

Councilmember Yann commended the Building Inspection Department for doing a good job for taking care of 815 Morgantown Avenue. They got the word out to the owners and they already started repairing the structure. He commended the department for their quick attention.

CITIZENS PETITIONS

There were no citizen's petitions for this meeting.

CITY MANAGER'S REPORT

IN RE: MEETING WITH DEPARTMENT OF HIGHWAYS

Mr. McDaniel reported that he and staff met with the DOH regarding the

\$400,000 grant for sidewalks on Locust Avenue. He said that we are in the process of signing those documents and getting that project going. He noted that the first step is a 30% design drawing so we can further scope the project.

IN RE: MEETING WITH HIGH TECH CONSORTIUM

The Interim City Manager said that he and staff met today with the engineers from the WV High Tech Consortium and they are planning some expansion at the park. He said they are planning an access road, infrastructure and opening up some of the additional acreage for future development.

IN RE: BUDGET MEETINGS

Mr. McDaniel said that he has had budget meetings with the Finance Director and those meetings will be continuing. He said that he will be presenting Council with a balanced budget at the February 12th meeting.

IN RE: FIELD MEETINGS

Mr. McDaniel said that he has scheduled field meetings with the department heads and is trying to get around to all of the department and familiarize himself with what has happened over the past 10-15 years since he has been gone.

IN RE: NEW WIRELESS CARRIER

The Interim Manager reported that the City has changed wireless carriers and with that change comes new tablets for Council. He said that they are activated but all information has not been downloaded, however, they will be distributed when ready.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE AMENDING ORDINANCE NO. 1369, WHICH NAMED THE 40 FOOT STREETS OR RIGHTS OF WAY SITUATE IN BEVERLY ESTATES SUBDIVISION IN THE CITY OF FAIRMONT, GRANT ANNEX DISTRICT, MARION COUNTY, WEST VIRGINIA TO CORRECTLY IDENTIFY THE STREETS AS LUCINDA LANE, FRIEND DRIVE AND DANIELLE DRIVE

Mayor Mainella entertained a motion for the adoption of an ordinance to amend Ordinance No. 1369 to correctly identify the streets in Beverly Estates

as Lucinda Lane, Friend Drive and Danielle Drive.

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. 1796 was duly adopted.

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT AMENDING ORDINANCE NO. 1789, WHICH PROVIDED FOR THE DEDICATION TO THE PUBLIC USE OF THOSE CERTAIN STREETS OR ROADWAYS SITUATE IN BEVERLY ESTATES SUBDIVISION, GRANT ANNEX DISTRICT, FAIRMONT, MARION COUNTY, WEST VIRGINIA, TO CORRECTLY IDENTIFY THE STREETS AS LUCINDA LANE, FRIEND DRIVE AND DANIELLE DRIVE

Mayor Mainella entertained a motion for the adoption of an ordinance to amend Ordinance No. 1789 to correctly identify the streets in Beverly Estates as Lucinda Lane, Friend Drive and Danielle Drive.

Motion:

Councilmember Merrifield 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. 1797 was duly adopted.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 2.0 DEFINITIONS* OF THE PROVISIONS OF *CLEARZONING@*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR DEFINITIONS FOR *LIMITED SMALL SCALE PRODUCTION AND TECHNOLOGICALLY INNOVATIVE BUSINESS*

Mayor Mainella entertained a motion and second for the introduction of an ordinance to amend Clearzoning to provide for definitions for Limited Small Scale Production and Technologically Innovative Business.

Motion:

Councilmember Yann moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Moran.

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

The Mayor declared the public hearing set for January 22, 2019.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 3.0 ZONING DISTRICTS*, AND MORE PARTICULARLY *SECTION 3.1.5 MAIN CORRIDOR COMMERCIAL*, OF THE PROVISIONS OF *CLEARZONING®*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR TECHNOLOGICALLY INNOVATIVE BUSINESS AS A USE PERMITTED WITH CONDITIONS IN SAID DISTRICT; SAVINGS CLAUSE

Mayor Mainella entertained a motion and second for the introduction of an ordinance to amend Clearzoning, Main Corridor Commercial, to provide for Technologically Innovative Business as a use permitted with conditions.

Motion:

Councilmember Yann moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Moran.

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

The Mayor declared the public hearing set for January 22, 2019.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 4.0 USE STANDARDS* OF THE PROVISIONS OF *CLEARZONING®*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR USE STANDARDS AND CONDITIONS FOR TECHNOLOGICALLY INNOVATIVE BUSINESS

Mayor Mainella entertained a motion and second for the introduction of an ordinance to amend Clearzoning, Use Standards, to provide for Use Standards and Conditions for Technologically Innovative Business.

Motion:

Councilmember Warner moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Moran.

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

The Mayor declared the public hearing set for January 22, 2019.

IN RE: RECOUNT OF ELECTION VOTES

Before adjourning the meeting, Mayor Mainella reminded Council to meet at the Election Center this Friday, January 11th, at 10:00 a.m. for the purposes of convening to count the 57 votes from Precinct 36 that were not counted during the election. He said that a quorum of Council needs to be present.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 7:25 p.m.