

March 22, 2022

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 22nd day of March, 2022, 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	Joshua D. (Josh) Rice
Second District	Anne E. Bolyard
Third District	Karl (David) Kennedy
Fourth District	Richard (Rick) Garcia
Fifth District	Barry H. Bledsoe
Sixth District	Gia Deasy
Seventh District	Nicholas (Nicky) Cinalli
Eighth District	Thomas (Tom) Mainella
Ninth District	Donna M. Blood

Also present were:

City Manager	Valerie A. Means
City Attorney	Kevin V. Sansalone
City Clerk	Janet L. Keller
Fire Chief	Ed Simmons
Finance Director	Priscilla Hamilton
Director of Planning	Shae Strait

IN RE: OPENING CEREMONIES

Councilmember Barry Bledsoe gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Cinalli.

IN RE: PROCLAMATION PRESENTED

Mayor Mainella presented a proclamation to Allen Staggers with the American Red Cross proclaiming March, 2022 as American Red Cross Month.

APPROVAL OF MINUTES

Mayor Mainella noted that each member of Council had received a copy of the minutes from the Regular Meeting held on March 8, 2022. He asked if there were any corrections, deletions, or amendments.

Councilmember Blood 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 HEARING

IN RE: FISCAL YEAR 2022-2023 GENERAL FUND BUDGET

Pursuant to a notice duly published in the Times-West Virginian on March 9, 2022 and March 16, 2022, a public hearing was convened to obtain citizen input on the FY 2022-2023 City Budgets: General Fund and Coal Severance.

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

PRISCILLA HAMILTON, Finance Director, spoke in favor of the proposed budget. She said that she, the Department Heads, and the City Manager have been working since December to create the balanced budget for FY23. We received the certificate of evaluation from the County on March 11, 2022 which was the last piece necessary to complete the budget document before submitting it to the State by March 28, 2022. The budget before Council is what was presented at the work session and it includes the minor changes that were requested by Council. She then thanked Council for attending the budget work session in February and for working with them to finalize and complete the budget.

There being no one else to speak, the public hearing was called to a close at 7:08 p.m.

IN RE: 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

Pursuant to a notice duly published in the Times-West Virginian on March 11, 2022, a public hearing was convened to obtain citizen input on a proposed ordinance to amend Article 3.0 of the Clearzoning Code.

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

SHAE STRAIT, Director of Planning, spoke in favor of the proposed ordinance. This ordinance is to modify twelve permitted uses as defined in the chart in various ways and some are more permissive or less permissive within the various districts across the City. This proposal here was forwarded to City Council with a favorable recommendation from the Planning Commission.

There being no one else to speak, the public hearing was called to a close at 7:08 p.m.

ANNOUNCEMENTS

IN RE: CONGRATULATIONS TO FSHS BOYS BASKETBALL TEAM

Councilmember Cinalli extended congratulations to the FSHS Polar Bear Basketball team for winning the state championship. He noted that there is a parade scheduled for tomorrow to honor the team.

Councilmember Bledsoe also congratulated the boys basketball team.

Councilmember Rice congratulated the FSHS boys basketball team. He noted they had an excellent season.

IN RE: STREET SWEEPER

Councilmember Cinalli mentioned that he was looking forward to the warm weather in order to get the street sweeper out there.

Councilmember Bledsoe said he appreciates the work that is being done on the Gateway Connector. The crew has been cleaning up on the curbs, picking up the cinders and getting the grass up and it looks amazing.

IN RE: CITY OF FAIRMONT PODCASTS

Councilmember Deasy commended Alex Petry and Hanna Turner for hosting the City's podcasts. She said they are doing an excellent job and the podcasts are very informative. She thanked them for doing the podcasts.

IN RE: THANK YOU CARD READ

The Mayor read a thank you card from Charles Bunner with the Horseshoe Pitchers for supporting the 33rd annual horseshoes pitcher's tournament scheduled to be held May 28-30 in the East Marion Recreation Veterans Memorial Park.

CITIZENS PETITIONS

IN RE: SIDEWALKS, PAVING AND STREET LIGHTS

JONATHAN WOERTZ, 930 East Park Avenue, addressed Council regarding sidewalks, paving and street lights. He said that it would be nice to see the City replace some of the sidewalks in the City. He also mentioned that maybe the Water Department could replace some of the water lines before the streets are paved so the lines aren't breaking after the road is paved. He then mentioned that there are multiple street lights out in the City, sometimes two or three lights out in a row, and they need to be replaced for safety reasons.

CITY MANAGER'S REPORT

IN RE: PRESENTATION BY MARION REGIONAL DEVELOPMENT CORPORATION'S PROPOSED PROJECT FOR SHARON STEEL SITE

Members of the Marion Regional Development Corporation (MRDC) made a presentation to Council about their proposed use of the old Sharon Steel site on the East Side of Fairmont. The City put out a request for proposals several months ago, although as the "economic arm" of the City, the MRDC was able to present its proposal directly to Council.

ALLEN STAGGERS, Executive Director of MRDC, stated that several members of Council have asked about the status of the research campus that they have proposed and they are using tonight as an opportunity to brief Council on the opportunity and offers suggestions on how to move the project forward. This proposal does address the primary goals of the lead development of the Sharon Steel site and that would be to create jobs, return the property to the tax base and offer development of the public property. He said the project "Fairmont Transportation Research Campus" has evolved from its original concept which was primary a motor sports complex. Today, it has

evolved into a one-of-a-kind project and is unlike anything else in West Virginia. In 2019, MRDC engaged WV University to prepare a business plan for the motor sports complex, however, over the two-years, new opportunities became apparent and evolved into what is now a multi-tiered approach that would attract academia, government, defense, public safety, the auto industry, and auto enthusiasts into a campus setting. It should be noted that MRDC has invested over \$15,000 into this particular research. It has not evolved to the point where they now have letters from two different automotive companies and industry-related businesses that have expressed interest in coming to the campus and locating in the campus and creating new jobs and investment.

NICK FANTASIA, gave an overview of the project. He explained that this is a multi-tiered project that began with the thought of that site being a great enthusiast's facility and with their visits to the site he thought this could be a great destination location like other places. He said that WVU did not have an appropriate facility to do the types of testing that they have been doing. After discussing this with Rocco Fucillo, vice president for community engagement at WVU, they began discussion with the engineering school. They found out that the engineering school had contracts with Enno Truck which is now a manufacturing facility in Wood County and they had a relationship with Volvo to develop driverless software, platooning software and autonomous vehicle software but they needed a facility to do the R-1 level research that the manufactures were required to do. He added that they had no budget for that facility so their advice was to come up with a business plan for the facility itself to show that it was sustainable. He then said that they spent \$15,000 with the WVU Brickstreet School of Business to develop the business plan. They found out that there was over half a million enthusiasts within 200 miles of WV with an average household income of over \$150,000 with a vehicle-based interest. Brickstreet School developed a business plan that showed without any outside components, that an enthusiasts-based facility could sustain itself financially and fund itself if we were able to put that package together. Having the ability to show that it was sustainable, they went back to WVU who then told them to go see the National Guard. When they sat down with the National Guard, they found out that the Department of Defense has the same goals for driverless autonomous in platoon. They then had discussions with Exxon who were the clean-up agent for the site itself and said that it fits within their business plan if an alternative fuels level research component could occur at the site. Mr. Fantasia said that has never happened in any project he has been associated with and every entity that they presented this to, Volvo, WVU, Honda, Exxon, Hanos, everybody saw a viable commercial component and the ability to come to WV and do something that has never occurred before in WV. He said that later they received commitment letters from Hanos and Hanos Motors would look to bring a manufacturing facility to this site in WV.

After a lengthy presentation, Mr. Fantasia said there are several components happening here. There is a research-based component, there is a testing-based component, and there is an enthusiasts public based component. After the 7:00 a.m. to 6:00 p.m. business component, we still have the opportunity to become a destination location for enthusiasts. He said they are going to create a lot of work in the area and a lot of transformational change within the area and there are going to have to be things that they are going to have to work through but in a step-by-step process with DEP and a

step-by-step process with city officials and City Council, they feel that this is an attainable goal that can be had in Fairmont, WV so that future kids and grandkids maybe will have an opportunity to work in a technology and stay within earshot of their parents and grandparents house which is something that has not happened here in quite some time.

RANDY ELLIOTT, representing the Marion County Commission, spoke to Council in support of this project. He said this will create an opportunity for a wonderful project and he cannot think of a thing to be in that location as it exists now. He said that this is an opportunity to use that property to create employment, for a tax base for the County and the City, prosperity, and we haven't seen anything like this in a very long time. He said that the Marion County Commission certainly supports this project and is one of the biggest things being proposed for a very long time. He added that they support the MRDC and their efforts to make this successful. He added that the Sharon Steel Custodial Trust designates the City of Fairmont as the real property manager for the site. The Marion County Commission would like a resolution from the Fairmont City Council designating MRDC as the master developer for the Sharon Steel site which will then trigger the WV Department of Environmental Protection to grant authority to the MRDC to begin the steps to develop the property with conditions in a specified time. He added that they would like Council to draft this resolution and put it on the agenda at the next City Council meeting.

LINDA LONGSTRETH, also representing the Marion County Commission and MRDC, stated that because of their connections and partnership together with MRDC and the City of Fairmont, she thought this was the best step that they have ever taken. She said that 30 to 40 years she has looked at the City of Fairmont and Marion County and we have done nothing, really. She added that we have let Morgantown and Clarksburg move in on us and we have become a bedroom community and we are more than that. She said that if we don't work together, one entity cannot do it all and we all have to do it together. She went on to say that if there are issues to work out, we can work them out and that takes what we call communication. This is one that we are supporting because it is economic development. She added that anything that the City of Fairmont would bring up and it involved economic development, you can be assured that the County Commission would be behind it because it's bringing in jobs and people to live and bringing in taxes to the City and County and we should be thinking about that all of the time, what will it be doing for Marion County. No matter what it may be, a small business to a large industry, we need them all and we should not turn our backs on any ideas or any plans that someone may bring into this county. Let's not put a road block to them, let's talk to them and find out if we can open a door to make it work for them and if we can't, then we move on. She mentioned that she appreciates the fact that we are all trying to work together and is something that she has been looking forward to for 30 years.

Councilmember Bledsoe stated that no matter if it is this or any other project, does Exxon also have to approve what goes on that site.

Mr. Fantasia replied no. He said that Exxon, because in the 1940's, Standard Oil owned

the property for a minute and Exxon became the responsible party for the clean-up and they transferred the property to their superfund holding company, Green Bluff Development, and once it reached substantial completion, Green Bluff Development transferred to the WV DEP and the owner is now the Custodial Trust which Fairmont is the real property manager of.

Councilmember Bledsoe said that whether it be Exxon or some Trust or whatever, is there money out there to help get a project like this off the ground.

Mr. Fantasia said yes.

Councilmember Bledsoe said that he was on that committee with Mr. Fantasia back in 1997 and there were two big components, one was the clean-up which was massive, and the committee really had nothing in it, we just went along for the ride. He said that his biggest goal being on that committee back in 1997 was that he wanted to see that used in a way that was really going to create jobs and benefit in that manner. We put out an RFP, at which they responded to and he thought it was turned down and if we do that again, instead of flat just turning it down, he would like to say that if there is a problem, what can we do to fix that problem to make this a viable thing because this is huge. He added that this could be a seed of something huge and it could really pick this area up. He noted that he would like to see this thing move forward.

Mr. Fantasia said that when they met with the Cabinet Secretary Carmichael, he informed us that if our job creation numbers meet the Commerce Department's guidelines, we will qualify for infrastructure money within Commerce to begin the development of this site. He mentioned that there are other funds out there that are also available from Brownfield and there are also funds that are private sector funds and bond funds that are available as well. He said he can't tell everyone that at no time will they come to the County Commission or come to City Council and ask but he will tell everyone that in the initial phases, they feel that it is self-sustainable and if they are given the resolution for DEP to recognize us as master developer so that we can sit down with DEP and work in that incremental linear process that they have on the redevelopment of the site. He said, short answer, yes.

Councilmember Blood stated that Mr. Fantasia mentioned the sites near Pittsburgh . . .

Mr. Fantasia said there were two sites, one is the old Pittsburgh Airport and then in Wexford there is another site that they are proposing. He said that it is not so much course driven, it's more office driven but it will have a component that is course driven but regardless of the development of either or both of those sites, with what we have been told by the team in Pittsburgh, Pittsburgh's City Council and Mayor developed a department of motor vehicle research and they found out in discussions with part of that team, they have 3,000 jobs and expect to quadruple that and they are anticipating that the need for a research track and other facilities, the growth will be exponential. He went on to say that the faster that they get rolling, the faster we get to grow on our own and he was not going to spend the County Commission's money without asking them but if what we are hearing is correct, we feel our park will be successful in a reasonable

amount of time. He noted that there are 300 acres at the top of the hill, about 500 yards away from it, that is also potentially developable for other components. He said if they are successful with A, there is an opportunity to have site B and then as they move along, there are certainly other office components and research components with Fairmont, WVU and Pierpont that will create a greater downtown footprint.

Councilmember Blood noted that she was just worried that it would create a competition.

Councilmember Cinalli stated that he was glad he got to see the presentation.

Councilmember Deasy asked about the timeline for development.

Mr. Fantasia stated that if Council is in agreement that they will be given master developer status in the month of April, they would then sit down with DEP and go through their steps of how we can begin the process with the Commerce Department who have given them already an affirmative that they are in favor of this. He went on to say that after meeting with so many departments, he has never been involved in a project that had that much horsepower in a room at one time that were all there to get the project to move forward. He added that if the resolution is passed and they are granted master developer status, they will then work with DEP and Commerce on a parallel track and we will begin the steps forward. He said that if, in a perfect world, everything is approved and everything is in place by the fourth quarter, there is probably a year's worth of dirt work and infrastructure work that is going to be followed by about another 12 to 16 months work of construction work but the good news is as it moves forward and sites are approved, courses are approved, road construction can occur while dirt work is occurring on open portions of the site, he would guesstimate somewhere in the neighborhood of two years from the green light that we would cut a ribbon.

Councilmember Kennedy said that the stars are aligned and there isn't any reason to delay this. He said that he was making a motion tonight that Council grant the authority with this resolution that he is asking for that this project of economic development might go forward.

Mayor Mainella stated that we cannot do that because the item is not on our agenda so it is not proper for us to do that.

Councilmember Bolyard thanked everyone for sharing this information. She asked about the Department of Defense and said there would be a military aspect . . .

Mr. Fantasia said that it has been just wonderful. He said that they are doing software research and development with driverless and autonomous military vehicles. He said that you can send a vehicle into a combat environment without a driver and not risking someone's life while they are getting involved in that. He said that they even asked him how close they are to the river because they have \$25 million dollars to do research on driverless and autonomous watercrafts and how to bring watercraft in and out and then they went into secret service driving certifications, FBI police driver certifications, NASA

certifications and then they kicked into putting together in that 10-acre skid pad area, a training area for drones or remote-control vehicles. He went on to say that every time he sat down with someone to discuss this project, they have given us a new idea and a new course that contributes to the rest of the package to make it successful.

Councilmember Rice stated that he thought it was a great project and he loved the idea that it will bring more jobs to the area. He said that he would like Council to move forward with this. He said the consensus he is getting from Council, he seems to think we are behind this but as we move forward, as we are all in this together as Council and the County and MRDC, there should be more meetings together so we can all be on the same page from here on out.

Mr. Fantasia said that if Council agrees that putting a resolution on the next meeting or a future meeting's agenda, then they can begin the process of having Councilmembers being involved in the steering committee and how that all works.

Councilmember Rice said that he would hope this can get moving at the next meeting so we can move forward.

Mr. Staggars said that moving forward, they expect to have certain benchmarks and milestones that they would have to be agree to, to show substantial progress on this project.

Mr. Elliott said that the Marion County Commission will be available any time Council would want to meet. He agreed that we need to communicate more and this is a golden opportunity to provide a lot of things that we don't have right now and we need to work together.

Councilmember Bolyard asked if any of the institutions of higher education that have been mentioned, are they going to be able to provide any resources whether it's in-kind, personnel, staff, other resources or direct funding for some of the facilities.

Mr. Fantasia said that their level of engagement with the higher institution facilities have been conceptual. Once this project is a more formal approval process as we go forward, then those pieces of that puzzle will come together. He said that they have a motivated team in Morgantown and Fairmont State and with the young men and women in the mechanical trades at Pierpont and at the Vo-Tech, he thought we will see a level of engagement that supports what we are talking about.

The Mayor said that, in his opinion, we cannot discuss this with one another and the way to do it is that those who are interested in this resolution to communicate directly with the City Manager and don't copy anyone else on the email, that way there is no discussion, and depending on what the outcome is, then we will know how interested everybody is and we will get a consensus and at the same time she can talk to the City Attorney to see what the legalities are about us endorsing this project with a resolution.

The Mayor then said he had one question, when this is all said and done, who will be

the owner.

Mr. Fantasia said that is something that we are going to determine as a group. The goals of the development are to return the property to tax base. There are components here with the commercial buildings that would be easily able to go back in the tax base with the developer. There are components of this that would logically be maintained and owned by government. There are components of this that would be a hybrid of that. The short answer is as Council and the Commission and MRDC and DEP sits down and craft this, that what we will figure out. This project will use both sites so it will be a consistent use which is one of the things that DEP is looking for and it will be job creation which is what Commerce is looking for and it will return back to tax base which everybody is looking for.

The Mayor then asked the City Attorney if his path forward okay to follow.

Mr. Sansalone said that will be the most accurate to communicate to the City Manager, each Councilmember, without communicating with each other so as not to violate the Open Government Proceedings Act.

The Mayor replied exactly.

Mr. Sansalone then said that, in addition to the resolution, we should probably have some type of agreement with MRDC so the benchmarks that Mr. Stagers mentioned are documented and put in writing so that if those aren't satisfied in the conclusion of two years, the project is in the same position as it currently is, then the City would be able to dissolve the agreement and proceed in some other fashion to provide for the site. He did not think Council wants to be in a position to bind itself to committing to them to be the master developer without any written master development agreement or some other type of understanding relating to their obligations and our obligations and the County's obligations so that it is all documented and reduced to writing prior to Council approving the resolution.

Mr. Fantasia said that MRDC would agree with that.

The Mayor said again for everyone to communicate with the City Manager their desires of what we want to have happen with this project.

Mr. Fantasia asked if it would be appropriate for a team to work with the City Attorney to come up with that linear path for the master developer agreement and whatever components the City Attorney would need to get from MRDC for the resolution.

Mr. Sansalone said that someone is going to have to sit down with him and explain the project in detail and what steps they have taken so far and what steps they intent to take in the next two years so that we can move forward.

The Mayor asked everyone to give the City Manager direction if we want the resolution or not and once that's done then the Attorney will craft a resolution with some input from

MRDC and come up with an agreement. He added that hopefully this can happen within the next six weeks.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: 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:

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.

Mayor Mainella entertained a motion for the adoption of an ordinance amending Article 3.0 of the Clearzoning Code.

Motion:

Councilmember Rice moved for the adoption of the proposed ordinance. Councilmember Bledsoe 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. 1935 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. 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

Mayor Mainella entertained a motion for the introduction of an ordinance amending the current Pay Plan to provide for pay increases, certification pay, reclassification of certain positions, and the removal of certain antiquated vacant positions.

Motion:

Councilmember Kennedy moved for the introduction of the proposed ordinance. Councilmember Rice seconded the motion.

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

The Mayor declared the public hearing set for April 12, 2022.

IN RE: 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

Mayor Mainella entertained a motion for the introduction of an ordinance granting a franchise to Spectrum Mid-America, LLC, locally known as Charter Communications.

Motion:

Councilmember Rice moved for the introduction of the proposed ordinance. Councilmember Blood seconded the motion.

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

The Mayor declared the public hearing set for April 12, 2022.

IN RE: ADOPTION, A RESOLUTION APPROVING THE CITY OF FAIRMONT'S FISCAL YEAR 2022-2023 CITY BUDGETS: GENERAL FUND AND COAL SEVERANCE

Mayor Mainella entertained a motion for the adoption of a resolution approving the FY 2022-2023 City Budgets.

Motion:

Councilmember Kennedy moved for the adoption of the proposed resolution. Councilmember Blood seconded the motion.

The Clerk read the proposed resolution by synopsis.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

IN RE: 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

Mayor Mainella entertained a motion for the adoption of a resolution authorizing the adoption of the Flexible Benefit Plan (Cafeteria Plan) to be effective July 1, 2022.

Motion:

Councilmember Blood moved for the adoption of the proposed resolution. Councilmember Rice seconded the motion.

The Clerk read the proposed resolution by synopsis.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

IN RE: 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

Mayor Mainella entertained a motion for the adoption of a resolution approving an amendment to the Police Civil Services Rules and Regulations to provide for the elimination of the obligation to publish notice of meetings of the Commission as a legal ad seven days prior to the meeting.

Motion:

Councilmember Rice moved for the adoption of the proposed resolution. Councilmember Bledsoe seconded the motion.

The Clerk read the proposed resolution by synopsis.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

IN RE: 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

Mayor Mainella entertained a motion for the adoption of a resolution approving an amendment to the Police Civil Services Rules and Regulations to provide for the elimination of the obligation to publish notice of vacancy and examination as a legal ad.

Motion:

Councilmember Bledsoe moved for the adoption of the proposed resolution. Councilmember Rice seconded the motion.

The Clerk read the proposed resolution by synopsis.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

IN RE: ADOPTION, A RESOLUTION PROCLAIMING APRIL 2022 AS FAIR HOUSING MONTH IN THE CITY OF FAIRMONT

Mayor Mainella entertained a motion for the adoption of a resolution proclaiming April 2022 as Fair Housing Month in the City of Fairmont.

Motion:

Councilmember Rice moved for the adoption of the proposed resolution. Councilmember Blood seconded the motion.

The Clerk read the proposed resolution by synopsis.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

IN RE: ONE APPOINTMENT, ARTS AND HUMANITIES COMMISSION, UNEXPIRED TERM ENDING JUNE 30, 2024

Mayor Mainella entertained a motion for an appointment to the Arts and Humanities Commission for an unexpired term ending June 30, 2024.

Motion:

Mayor Mainella moved to appoint Rebecca Moran to the Arts and Humanities Commission for an unexpired term ending June 30, 2024. The motion was seconded by Councilmember Deasy.

Roll call was taken by the Clerk.

The Mayor declared Rebecca Moran appointed to the Arts and Humanities Commission for an unexpired term ending June 30, 2024 by unanimous vote of those Councilmembers present.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

Councilmember Rice moved at 8:19 p.m. to adjourn this meeting to Tuesday, April 19, 2022 at 4:30 p.m. in order to approve the Levy Rates. The motion was seconded by Councilmember Blood.

The Mayor declared this meeting adjourned until 4:30 p.m., Tuesday, April 19, 2022 by unanimous vote of Council.