

March 23, 2021

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 23rd day of March, 2021, 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	(by phone)
Fourth District	Richard (Rick) Garcia	
Fifth District	Barry H. Bledsoe	
Sixth District	Gia Deasy	
Seventh District	Blair Montgomery	
Eighth District	Thomas (Tom) Mainella	
Ninth District	Donna M. Blood	

Also present were:

City Manager	Valerie A. Means	(by phone)
City Attorney	Kevin Sansalone	
City Clerk	Janet L. Keller	
Fire Chief	Ed Simmons	
Finance Director	Priscilla Hamilton	

IN RE: OPENING CEREMONIES

Rev. D.D. Meighen gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Kennedy.

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 9, 2021. He asked if there were any corrections, deletions, or amendments.

Councilmember Deasy 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.

IN RE: PROCLAMATIONS PRESENTED

Deputy Mayor Blood presented a proclamation to Shannon Hogue and Katelyn Cox

from CASA of Marion County and to Pam Nolan from Headstart on behalf of Child Abuse Prevention Awareness Month. The month of April has been proclaimed as Child Abuse Prevention Month. The Committee then gave out pinwheels since pinwheels has become the national symbol of child abuse awareness.

Mayor Mainella then presented a proclamation to Jason Keeling and Allen Staggers with the American Red Cross proclaiming March, 2021 as American Red Cross Month.

IN RE: FSU BASKETBALL TEAM RECOGNIZED

Mayor Mainella recognized FSU Basketball Coach Tim Koenig and the entire basketball team for winning the Mountain East Conference Championship for the first time in a long time. He thanked them for winning the MEC Championship on behalf of the City of Fairmont and the Marion County community. The Coach introduced each of the players individually.

PUBLIC HEARINGS

IN RE: AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE FAIRMONT CITY CODE

Pursuant to a notice duly published in the Times-West Virginian on March 12, 2021, a public hearing was convened to obtain citizen input on a proposed ordinance to approve and adopt current replacement pages to the Fairmont City Code.

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 7:21 p.m.

IN RE: FISCAL YEAR 2021-2022 CITY BUDGETS: GENERAL FUND AND COAL SEVERANCE

Pursuant to a notice duly published in the Times-West Virginian on March 5 and March 12, 2021, a public hearing was convened to obtain citizen input on the FY 2021-2022 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 this proposed ordinance. She said that she, the Department Heads, and the City Manager have been working since December to create the balanced budget for FY22. 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 7:22 p.m.

ANNOUNCEMENTS

IN RE: MARION COUNTY FISHING POND

Councilmember Rice stated that he and Kris Cinalli, the County Administrator, got together and opened up the Marion County Fishing Park again. He said that they put 1,000 lbs. of trout in there on Wednesday and kids have been out all week and the weekend fishing. He mentioned the Park is for kids 14 years old and under.

IN RE: MCPARC GRANT FOR BASKETBALL HOOPS

Councilmember Rice reported the grant the City of Fairmont applied for through MCPARC for the basketball hoops at Windmill Park was approved. He said that the City received the whole grant instead of just a portion of the funding.

IN RE: CITY MANAGER AND CODE ENFORCEMENT COMMENDED

Councilmember Deasy commended the City Manager and the Code Enforcement Office for getting things cleaned up in the City.

IN RE: PUBLIC WORKS DEPARTMENT COMMENDED

Councilmember Montgomery commended the Public Works Department for doing a marvelous job this year taking us through the winter and keeping the streets cleared.

IN RE: MISCELLANEOUS ITEMS

Councilmember Blood mentioned the following items:

- Congratulated FSHS Cheerleaders for winning the State Championship. She then asked that they be recognized at a Council meeting.
- Ribbon cutting for the new mural on Monroe Street will be held on April 16th at 11:00 a.m. Refreshments will be at the Gatherings Church.
- Clean-up of Monroe Street will be held on April 9th starting at 10:00 a.m. She mentioned that the clean-up will be held to get ready for the ribbon cutting on the following week.
- Congratulated Sam Murray, Lieutenant with the Police Department, for his 18th anniversary with the City of Fairmont Police Department.
- She also mentioned the Marion County Fishing Pond and said it was great to see of the smiles on the children's faces when they catch the fish.

CITIZENS PETITIONS

IN RE: MARION COUNTY RESCUE SQUAD

MICHAEL ANGELUCCI, Executive Director, of the Marion County Rescue Squad, addressed Council to give an update on the Rescue Squad and the number of calls

answered between January 1, 2020 and December 31, 2020. He presented each Councilmember with a detailed report on the number of calls in order to keep them informed.

The Mayor thanked Mr. Angelucci and the Marion County Rescue Squad for everything they do for the community. He noted that they have saved a lot of lives and what they do is special.

CITY MANAGER 'S REPORT

IN RE: FY22 BUDGET

Ms. Means stated that she is looking for Council's support of the FY 22 Budget.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE FAIRMONT CITY CODE

Mayor Mainella entertained a motion for the adoption of an ordinance to approve and adopt current replacement pages to the Fairmont City Code.

Motion:

Councilmember Rice moved for the adoption of the proposed ordinance. Councilmember Blood 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. 1884 was duly adopted.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**LT 4 RHEA TERR
(PLAT 104-144)
MAP 27 PARCEL 0027**

FROM L & J PROPERTIES NORTH, LLC, TO THE CITY OF FAIRMONT; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION

Mayor Mainella entertained a motion and second for the introduction of an ordinance to transfer the property located at 4 Rhea Terrace to the City of Fairmont from L & J Properties North, LLC.

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 April 13, 2021.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF THOSE CERTAIN PARCELS OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, UNION DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**BLK 18 PT LS 1-2 MGTN AVE
(PLAT 256-270)
FAIRMONT CITY UNION DISTRICT
MAP 4 PARCEL 10**

**BLK 18 PT PCL A
(PLAT 256-270)
FAIRMONT CITY UNION DISTRICT
MAP 4 PARCEL 9**

**BLK 18 PT PCL "A" MGTN AVE
(PLAT 256-270)
FAIRMONT CITY UNION DISTRICT
MAP 4 PARCEL 8**

FROM SEAN MURPHY TO THE CITY OF FAIRMONT; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION

Mayor Mainella entertained a motion and second for the introduction of an ordinance to transfer three parcels of real estate on Morgantown Avenue to the City of Fairmont from Sean Murphy.

Motion:

Councilmember Garcia moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Montgomery.

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

The Mayor declared the public hearing set for April 13, 2021.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE PROVIDING FOR THE PUBLIC AUCTION OF SURPLUS PERSONAL PROPERTY OF THE CITY OF FAIRMONT; RESERVATION OF RIGHTS

Mayor Mainella entertained a motion and second for the introduction of an ordinance providing for the public auction of surplus personal property of the City of Fairmont.

Motion:

Councilmember Deasy moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Garcia.

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

The Mayor declared the public hearing set for April 13, 2021.

IN RE: ADOPTION, A RESOLUTION APPROVING THE CITY OF FAIRMONT'S FISCAL YEAR 2021-2022 CITY BUDGETS: GENERAL FUND AND COAL SEVERANCE

Mayor Mainella entertained a motion for the adoption of a resolution approving the City of Fairmont's Fiscal Year 2021-2022 City Budgets for General Fund and Coal Severance.

Motion:

Councilmember Blood moved for the adoption of the proposed resolution. Councilmember Kennedy 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 Council.

IN RE: ADOPTION, A RESOLUTION BY THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO SCOTT ELECTRIC FOUNDATION FOR A FOUNDATION GRANT IN THE AMOUNT OF \$137,426.83 TO HELP DEFRAY THE COST OF CONSTRUCTION, INCLUDING THE COST OF FURNITURE AND FIXTURES FOR THE NEW EAST SIDE FIRE STATION, AND IF SUCH GRANT IS AWARDED FURTHER AUTHORIZING THE ACCEPTANCE THEREOF, AND PROVIDING THE

CITY MANAGER WITH AUTHORITY TO DO ALL THINGS REASONABLE AND NECESSARY IN CONNECTION THEREWITH; RATIFICATION

Mayor Mainella entertained a motion for the adoption of a resolution authorizing the submission of a grant application to Scott Electric Foundation for a foundation grant to help defray the cost of construction, including the cost of furniture and fixtures for the new East Side Fire Station, if such grant is awarded.

Motion:

Councilmember Deasy moved for the adoption of the proposed resolution. Councilmember Garcia 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 Council.

IN RE: ADOPTION, A RESOLUTION PROCLAIMING APRIL 2021 AS FAIR HOUSING MONTH IN THE CITY OF FAIRMONT

Mayor Mainella entertained a motion for the adoption of a resolution proclaiming April 2021 as Fair Housing Month in the City of Fairmont.

Motion:

Councilmember Rice moved for the adoption of the proposed resolution. Councilmember Montgomery 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 Council.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL OF THE CITY OF FAIRMONT APPOINTING THE CITY MANAGER AS THE CITY OF FAIRMONT'S HATCH ACT INFORMATION OFFICER AND DIRECTING THAT ALL CITY OFFICIALS AND EMPLOYEES BE INFORMED OF THE HATCH ACT

Mayor Mainella entertained a motion for the adoption of a resolution appointing the City Manager as the City of Fairmont's Hatch Act Information Officer.

Motion:

Councilmember Garcia 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 Council.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

Councilmember Bledsoe moved at 7:50 p.m. to adjourn this meeting to Tuesday, April 20, 2021 at 4:30 p.m. in order to approve the Levy Rates. The motion was seconded by Councilmember Deasy.

The Mayor declared this meeting adjourned until 4:30 p.m., Tuesday, April 20, 2021 by unanimous vote of Council.