

April 26, 2022

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 26th day of April, 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:

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

Absent:

First District	Joshua D. (Josh) Rice
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Also present were:

City Manager	Valerie A. Means
City Attorney	Kevin V. Sansalone
City Clerk	Janet L. Keller
Fire Chief	Ed Simmons
Director of Marketing	Hanna Turner

IN RE: COUNCILMEMBER RICE EXCUSED

The Mayor stated that Councilmember Rice was absent due to illness and asked to be excused.

Motion:

Councilmember Deasy moved to excuse Councilmember Rice from this meeting. The motion was seconded by Councilmember Kennedy.

The Mayor declared Councilmember Rice excused from this meeting by voice vote of Council.

IN RE: OPENING CEREMONIES

Councilmember David Kennedy gave the invocation followed by the Pledge of

Allegiance to the Flag led by Councilmember Blood.

IN RE: PROCLAMATION PRESENTED

Mayor Mainella read a proclamation proclaiming April 2022 as Sexual Assault Awareness Month. He presented the proclamation to Sherry Wilson and Sgt. Adrian Hayhurst with the Fairmont Police Department.

IN RE: PROCLAMATION PRESENTED TO CITY CLERK JANET KELLER

Mayor Mainella read and presented a proclamation to City Clerk Janet Keller proclaiming May 1-7, 2022 as Professional Municipal Clerk Week. The Mayor thanked Janet for her 32 years as serving as the City Clerk and said on behalf of City Council, the citizens and administration, thanked her for her service.

APPROVAL OF MINUTES

Mayor Mainella noted that each member of Council had received a copy of the minutes from the Regular Meeting held on April 12, 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 Cinalli.

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

PUBLIC HEARING

IN RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN PARCELS OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**PCL MONROE ST
MAP 03-01 PARCEL 0159
FAIRMONT CITY DISTRICT, MARION COUNTY, WV**

**PCL 2 CLEVELAND AVE
MAP 03-01 PARCEL 0158
FAIRMONT CITY DISTRICT, MARION COUNTY, WV**

**FROM MAIN STREET FAIRMONT, INC., TO THE CITY OF FAIRMONT ;
RATIFICATION**

Pursuant to a notice duly published in the Times-West Virginian on April 15, 2022, a public hearing was convened to obtain citizen input on an ordinance providing for the transfer and conveyance of parcels of real estate on Monroe Street from Main Street

Fairmont to the City of Fairmont.

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

Ms. Means spoke in favor of the proposed ordinance. She said this is a supplemental ordinance and will complete the project on Monroe Street with Main Street Fairmont.

There being no one else to speak, the public hearing was called to a close at 7:11 p.m.

IN RE: AN ORDINANCE PROVIDING FOR THE SALE OF ONE (1) CANINE UNIT, SPUR, OWNED BY THE CITY OF FAIRMONT TO THE TOWN OF WHITEHALL

Pursuant to a notice duly published in the Times-West Virginian on April 15, 2022, a public hearing was convened to obtain citizen input on an ordinance providing for the sale of one Canine Unit, Spur, to the Town of Whitehall.

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 OF THE CITY OF FAIRMONT PROVIDING FOR THE EXECUTION, DELIVERY AND ACCEPTANCE OF A CONFIRMATORY DEED AND AGREEMENT FOR THE PURPOSES OF ACKNOWLEDGING, RECITING AND SETTING FORTH THE DESCRIPTION OF THE 26% OF THE CITY-COUNTY COMPLEX OWNED BY THE CITY OF FAIRMONT; GRANTING, CONVEYING AND CONFIRMING TITLE AND ACCESS THERETO IN THE NAME OF THE CITY OF FAIRMONT; AND MEMORIALIZING THE ALLOCATION OF CERTAIN INTERESTS/EXPENSES

Pursuant to a notice duly published in the Times-West Virginian on April 15, 2022, a public hearing was convened to obtain citizen input on an ordinance providing for the acceptance of a confirmatory deed and agreement for the purposes of acknowledging the 26% of the City-County Complex owned by the City of Fairmont and granting title in the name of the City of Fairmont.

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

Ms. Means spoke in favor of the proposed ordinance. She stated that staff has been working on this before she started here and this will give the City a confirmatory deed saying that the City of Fairmont actually owns 26% of the City/County Complex.

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

ANNOUNCEMENTS

IN RE: MAIN STREET FAIRMONT EVENTS

Councilmember Blood reported the upcoming events:

- May 14, 2022 - Downtown Beautification Day
- May 21, 2022 - Home Town Market

IN RE: ARPA WORK SESSION

Councilmember Cinalli stated that the he was glad to be part of the ARPA Funding work session.

IN RE: MARION COUNTY LITERACY FAIR

Councilmember Deasy reminded everyone that Saturday, April 30th, is the Marion County Literacy Fair at the Fairmont Senior Field House. She said it is sponsored by the Marion County Board of Education and the hours will be 10:00 a.m. to 2:00 p.m.

IN RE: EAST FAIRMONT BUSY BEE BAND

Councilmember Kennedy reported that the East Side High School Busy Bee Band is in Disney in Florida and they are leading the parades there.

CITIZENS PETITIONS

There were no citizens petitions for this meeting.

CITY MANAGER 'S REPORT

IN RE: ARPA FUNDING WORK SESSION

Ms. Means thanked City Council and the Department Heads for attending the ARPA Funding work session. She said that staff will be bringing a resolution to Council at a meeting in May that summarizes the results of that work session.

IN RE: NEXT COUNCIL MEETING

The City Manager reminded everyone that the next Council meeting will be held on Wednesday, May 11th instead of Tuesday, May 10th due to the Primary Election.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN PARCELS OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

PCL MONROE ST

**MAP 03-01 PARCEL 0159
FAIRMONT CITY DISTRICT, MARION COUNTY, WV**

**PCL 2 CLEVELAND AVE
MAP 03-01 PARCEL 0158
FAIRMONT CITY DISTRICT, MARION COUNTY, WV**

**FROM MAIN STREET FAIRMONT, INC., TO THE CITY OF FAIRMONT ;
RATIFICATION**

Mayor Mainella entertained a motion for the adoption of an ordinance providing for the transfer and conveyance of parcels of real estate on Monroe Street from Main Street Fairmont to the City of Fairmont.

Motion:

Councilmember Blood moved for the adoption of the proposed ordinance. Councilmember Cinalli seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by unanimous vote of those Councilmembers present and the ordinance designated as Ordinance No. 1938 was duly adopted.

**IN RE: ADOPTION, AN ORDINANCE PROVIDING FOR THE SALE OF ONE
(1) CANINE UNIT, SPUR, OWNED BY THE CITY OF FAIRMONT TO THE TOWN
OF WHITEHALL**

Mayor Mainella entertained a motion for the adoption of an ordinance providing for the sale of one Canine Unit, Spur, owned by the City of Fairmont to the Town of Whitehall.

Motion:

Councilmember Bledsoe moved for the adoption of the proposed ordinance. Councilmember Kennedy seconded the motion.

Roll call was taken by the Clerk.

The Mayor declared the ordinance adopted by unanimous vote of those Councilmembers present and the ordinance designated as Ordinance No. 1939 was duly adopted.

**IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF
FAIRMONT PROVIDING FOR THE EXECUTION, DELIVERY AND ACCEPTANCE
OF A CONFIRMATORY DEED AND AGREEMENT FOR THE PURPOSES OF
ACKNOWLEDGING, RECITING AND SETTING FORTH THE DESCRIPTION OF**

THE 26% OF THE CITY-COUNTY COMPLEX OWNED BY THE CITY OF FAIRMONT; GRANTING, CONVEYING AND CONFIRMING TITLE AND ACCESS THERETO IN THE NAME OF THE CITY OF FAIRMONT; AND MEMORIALIZING THE ALLOCATION OF CERTAIN INTERESTS/EXPENSES

Mayor Mainella entertained a motion for the adoption of an ordinance providing for the acceptance of a confirmatory deed and agreement for the purposes of acknowledging the 26% of the City-County Complex owned by the City of Fairmont and granting title in the name of the City of Fairmont.

Motion:

Councilmember Kennedy 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 those Councilmembers present and the ordinance designated as Ordinance No. 1940 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, WINFIELD DISTRICT, MARION COUNTY, WEST VIRGINIA, CONTAINING 0.521 ACRES, MORE OR LESS, AND BEING PART OF PARCEL 123 OF TAX MAP 07 FROM NOVELIS CORPORATION TO THE CITY OF FAIRMONT FOR THE ENHANCEMENT, REHABILITATION AND RENOVATION OF NORWOOD PARK; APPROVING THE FORM OF THE TRANSACTIONAL DOCUMENTS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER THEM ON BEHALF OF THE CITY OF FAIRMONT; RESERVATION OF RIGHTS

Mayor Mainella entertained a motion for the introduction of an ordinance providing for the transfer and conveyance of property from Novelis to the City of Fairmont for the enhancement and renovation of Norwood Park.

Motion:

Councilmember Deasy 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 May 11, 2022.

IN RE: A RESOLUTION BY THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, AUTHORIZING THE SUBMISSION OF A REQUEST TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR \$30,000.00 FOR LAND REVITALIZATION TECHNICAL ASSISTANCE TO PROVIDE FOR THE CREATION OF A PUBLIC HEALTH ASSESSMENT FOR THE BELTLINE NEIGHBORHOOD, AND IF SUCH SERVICES ARE MADE AVAILABLE, FURTHER AUTHORIZING THE ACCEPTANCE THEREOF, AND PROVIDING THE CITY MANAGER WITH AUTHORITY TO DO ALL THINGS REASONABLE AND NECESSARY IN CONNECTION THEREWITH

Mayor Mainella entertained a motion for the adoption of a resolution authorizing the submission of a grant in the amount of \$30,000.00 for the creation of a public health assessment for the Beltline Neighborhood.

Motion:

Councilmember Blood moved for the adoption of the proposed resolution. Councilmember Cinalli 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 BY THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, AUTHORIZING THE SUBMISSION OF A REQUEST TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR \$70,000.00 FOR REGIONALLY DIRECTED TECHNICAL ASSISTANCE TO PROVIDE FOR THE CREATION OF A REDEVELOPMENT PLAN FOR THE BELTLINE NEIGHBORHOOD, AND IF SUCH SERVICES ARE MADE AVAILABLE, FURTHER AUTHORIZING THE ACCEPTANCE THEREOF, AND PROVIDING THE CITY MANAGER WITH AUTHORITY TO DO ALL THINGS REASONABLE AND NECESSARY IN CONNECTION THEREWITH

Mayor Mainella entertained a motion for the adoption of a resolution authorizing the submission of a grant in the amount of \$70,000.00 to provide for the creation of a Redevelopment Plan for the Beltline Neighborhood.

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 FOR THE CITY OF FAIRMONT APPROVING THE TERMS AND CONDITIONS OF THAT CERTAIN RELEASE AND HOLD HARMLESS AGREEMENT & RIGHT OF ENTRY BY AND BETWEEN THE CITY OF FAIRMONT AND THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA, TO PROVIDE FOR A PUBLIC ART PROJECT NEAR PALATINE PARK, AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF

Mayor Mainella entertained a motion for the adoption of a resolution approving the terms and conditions of the Hold Harmless Agreement between the City of Fairmont and the Marion County Commission to provide for a public art project near Palatine Park.

Motion:

Councilmember Bledsoe moved for the adoption of the proposed resolution. Councilmember Deasy 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.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 7:26 p.m.

