

April 27, 2021

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 27th day of April, 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	
Finance Director	Priscilla Hamilton	

IN RE: OPENING CEREMONIES

Rev. Leo Riley gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Garcia.

IN RE: FSHS CHEERLEADERS RECOGNIZED

Mayor Mainella recognized the FSHS Cheerleaders and their head coach, Nathy Janes, for winning the State Championship. The squad won their first state championship in 21 years. All cheerleaders were introduced by Coach Janes.

IN RE: PROCLAMATION PRESENTED TO CITY CLERK JANET KELLER

Mayor Mainella presented a proclamation to City Clerk Janet Keller on behalf of May 2 - May 8, 2021 being recognized as Professional Municipal Clerks Week. The Mayor extended appreciation to Janet for her 31 years of serving as the Fairmont City Clerk.

IN RE: MON GENERAL HOSPITAL

President and CEO of Mon Health, David Goldberg, addressed Council regarding the

new full-service hospital that will be coming soon to Middletown Commons. Mr. Goldberg said that the Marion Neighborhood Hospital is on target to open by Christmas. At a cost of \$15 million, the hospital will have eight private emergency rooms and 10 patient beds. The hospital will have in-house lab service, full radiology and have board certified emergency medicine doctors at the hospital 365 days a year. He said it will be much less expensive and much more service-friendly. He added that there will also be a medical office building that will have primary care and expand into specialties. Mr. Goldberg also mentioned that he already has surgeons who want to come, orthopedics, infectious disease, psychiatry and a couple other services that want to rotate in so patients can be seen closer to home.

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 13, 2021 and a copy of the minutes from the Levy Meeting held on April 20, 2021. He asked if there were any corrections, deletions, or amendments.

Councilmember Bledsoe 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 HEARINGS

IN RE: AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE CITY OF FAIRMONT'S 2020-2021 ANNUAL BUDGET: GENERAL FUND

Pursuant to a notice duly published in the Times-West Virginian on April 16, 2021, a public hearing was convened to obtain citizen input on a proposed ordinance providing for a General Fund Budget Revision.

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

Finance Director, Priscilla Hamilton, spoke in favor of the proposed budget revision. She said the revision is necessary to maintain a balanced budget as required by the State.

There being no one else to speak, the public hearing was called to a close at 7:35 p.m.

ANNOUNCEMENTS

IN RE: PALATINE PARK SCHEDULE OF EVENTS

Councilmember Rice stated that the booklet with the schedule of events for Palatine Park was passed out by Councilmember Garcia. He noted that a lot of good events were going to happen at Palatine Park this summer.

Councilmember Montgomery said that people can't say there is nothing to do here on the weekends when looking at all of the options that are available in the booklet. He added that it is very important to take advantage of this so we can see the programs prosper in the future and grow even more.

IN RE: CITY CLERK COMMENDED

Councilmember Garcia commended the City Clerk for taking care of a couple high grass complaints that he had reported to her earlier that morning.

IN RE: NATIONAL DAY OF PRAYER

Councilmember Bledsoe announced that the National Day of Prayer will be held next Thursday, May 6th, at Palatine Park at 6:00 p.m.

The Mayor also mentioned the National Day of Prayer at Palatine Park.

IN RE: DEMOLITION WORK SESSION

Councilmember Bledsoe stated that he appreciated the work session held last week regarding the demolition process. He said that the Planning Department and Code Enforcement Department are really working hard on the structures. He went on to say that before he was on Council, he had always said that Fairmont was not the Friendly City meaning that the government was not really friendly to businesses and people who lived here because of the regulations that we have, however, he has seen that change. He mentioned that the City Manager has hired some people that have started to really make some changes and do things with common sense and he sees positive movement in Fairmont.

Councilmember Deasy also mentioned that she was really pleased with Council's work session last week regarding the demolition program. She said we all learned a lot and feels like we have some focus in moving forward.

IN RE: UTV ORDINANCE

Councilmember Bledsoe said that he has received several calls from residents asking what we are going to do with the UTV ordinance. He noted that there are several Councilmembers that would like to see Fairmont pass an ordinance that more or less mirrors the new State law and gives common sensibility to do some things.

IN RE: TOUR OF WOODLAWN CEMETERY

Councilmember Blood reported that she received a call from Nancy Bickerstaff asking if Council would like to tour the Woodlawn Cemetery and look at the home that they had recently renovated.

The Mayor said that we will see who is interested in looking at Woodlawn Cemetery and put together a tour with Nancy where we all could go at the same time. He noted that they have done a lot of work there and really improved that cemetery.

Councilmember Blood noted that she will send an email to Council to see if there is a response.

IN RE: MAIN STREET FAIRMONT EVENTS

Councilmember Blood reported the following events for Main Street Fairmont:

- 05/15/2021 - Home Town Market on the green space on Adams Street
- 06/05/2021 - 5K Race/Walk and another Home Town Market
- 07/10/2021 - Car Show with classic cars

IN RE: MURAL IN DOWNTOWN FAIRMONT

Councilmember Deasy stated that she had a great time with Main Street Fairmont's event where they were showcasing the mural of the Feast of the Seven Fishes.

Mayor Mainella stated that it was a very festive day and we celebrated the cooperative between FSU, Main Street Fairmont, the Marion County Commission, and the Fairmont City Council.

CITIZENS PETITIONS

IN RE: WORLD OVARIAN CANCER AWARENESS DAY

Kelly Cunningham addressed Council to announce that May 8th is World Ovarian Cancer Awareness Day. She said that she is an ovarian cancer survivor and she wants to spread the word to all women about this cancer. She wants Fairmont to participate in World Ovarian Cancer Day by displaying teal somewhere in our City. She said teal is the color of ovarian cancer awareness and by displaying it across the United States, we want to increase your understanding about this deadly disease. She then asked if she would be permitted to place teal balloons on some of the parking meters in the downtown area with key facts about ovarian cancer in a zip lock baggie and attach them to the balloons and then after a few days, set them free.

With the City Manager attending the meeting by phone, she gave her permission to place the balloons on the parking meters in the downtown area.

CITY MANAGER 'S REPORT

IN RE: CITY CLERK COMMENDED

Ms. Means thanked City Clerk Janet Keller for all that she does for everyone. She added that other City Clerks call her for advice and for assistance many times and she thanked her for everything that she does for the City.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE CITY OF FAIRMONT 'S 2020-2021 ANNUAL BUDGET: GENERAL FUND

Mayor Mainella entertained a motion for the adoption of an ordinance providing for a General Fund Budget Revision.

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. 1888 was duly adopted.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT ENACTED PURSUANT TO THE PROVISIONS OF WEST VIRGINIA CODE §8-1-5A MUNICIPAL HOME RULE PILOT PROGRAM, AND THE CITY OF FAIRMONT'S AMENDED HOME RULE PLAN APPROVED APRIL 14, 2021, TO PROVIDE RELIEF FROM THE PROVISIONS OF WEST VIRGINIA CODE §8-13-5 WHICH LIMIT THE CITY OF FAIRMONT'S AUTHORITY TO OFFER TAX CREDITS FROM ITS BUSINESS AND OCCUPATION TAX TO BUSINESS EXPANSION CREDITS AND TO PROVIDE AUTHORITY FOR A TAX CREDIT FROM THE BUSINESS AND OCCUPATION TAX IMPOSED BY THE PROVISIONS OF SECTION 761.07 CONTRACTING OF THE CITY OF FAIRMONT'S BUSINESS AND OCCUPATION TAX CODE FOR CERTAIN RESIDENTIAL DEVELOPMENT

Mayor Mainella entertained a motion and second for the introduction of an ordinance providing for B&O Tax Credits for residential development as approved by the WV Home Rule Board on April 14, 2021.

Motion:

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

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

The Mayor declared the public hearing set for May 11, 2021.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE AUTHORIZING THE RENEWAL OF THAT CERTAIN LETTER OF

CREDIT, NO 2001-525, ISSUED BY WESBANCO BANK TO THE CITY OF FAIRMONT FOR PURPOSES OF SATISFYING A PORTION OF THE SELF-INSURED SECURITY AND INSURANCE REQUIREMENTS OF THE WEST VIRGINIA WORKERS ' COMPENSATION ACT FOR FISCAL YEAR 2021-2022

Mayor Mainella entertained a motion and second for the introduction of an ordinance authorizing the renewal of the Workers Comp Letter of Credit issued by WesBanco Bank.

Motion:

Councilmember Rice 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 May 11, 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, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT:

**BLK S LS 19 20 SHADYSIDE
MAP 03-30 PARCEL 216
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
SPENCE STREET EXTENSION; AND**

**LT ALBERT COURT
MAP 03-02 PARCEL 0008
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
215 ALBERT COURT**

FROM THE WEST VIRGINIA STATE AUDITOR AND RICHARD MCCOY, RESPECTIVELY, TO THE CITY OF FAIRMONT; PROVIDING FOR AND AUTHORIZING THE POSSIBILITY OF THE CONVEYANCE AND TRANSFER OF SAID PARCELS OF REAL ESTATE FROM THE CITY OF FAIRMONT TO UNIDENTIFIED PROPERTY OWNERS IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME RULE PLAN AND THE ORDINANCES ADOPTED THEREUNDER; 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 conveying 215 Albert Court and property on Spence Street Extension to the City of Fairmont.

Motion:

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

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

The Mayor declared the public hearing set for May 11, 2021.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT REPEALING ARTICLE 769 LICENSING OF CONTRACTORS OF CHAPTER THREE TAXATION AND SERVICE CHARGES OF PART SEVEN BUSINESS AND TAXATION CODE OF THE CITY OF FAIRMONT AND ENACTING SECTION 743.21 FEES FOR CONTRACTORS OF SAID CHAPTER SEVEN, ARTICLE THREE TO BE EFFECTIVE JULY 1, 2021

Mayor Mainella entertained a motion and second for the introduction of an ordinance repealing Article 769, Licensing of Contractors, of the City Code and Enacting Section 743.21 for Contractors.

Motion:

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

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

The Mayor declared the public hearing set for May 11, 2021.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 8:00 p.m.