

May 28, 2019

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 28th day of May, 2019, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Merrifield called the meeting to order.

Councilmembers present were:

Second District	Frank G. Yann
Third District	Karl (David) Kennedy
Fourth District	Kenneth (Brad) Merrifield
Fifth District	Barry H. Bledsoe
Sixth District	Dora Kay Grubb
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Donna M. Blood

Absent:

First District	Joshua D. (Josh) Rice
----------------	-----------------------

Also present were:

Acting City Manager	David Sago
City Attorney	Kevin Sansalone
City Clerk	Janet L. Keller
Police Chief	Steve Shine
Fire Chief	Edward Simmons

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

IN RE: EXCUSE COUNCILMEMBER RICE

The Mayor entertained a motion to excuse Councilmember Rice from this meeting. He noted that he had a work obligation.

Motion:

Councilmember Kennedy moved to excuse Councilmember Rice. Councilmember Mason seconded the motion.

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

APPROVAL OF MINUTES

Mayor Merrifield noted that each member of Council had received a copy of the minutes from the Regular Meeting May 14, 2019.

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

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

PUBLIC HEARINGS

IN RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING ORDINANCE NO. 1771, DULY ADOPTED MAY 22, 2018, AS AMENDED BY ORDINANCE NO. 1802, DULY ADOPTED FEBRUARY 26, 2019, WHICH ORDINANCES PROVIDE FOR THE CITY OF FAIRMONT'S CURRENT PAY PLAN AND LIST OF OCCUPATIONAL CLASSES FOR ALL CLASS TITLES AND EMPLOYEES, TO PROVIDE FOR BASE PAY INCREASE FOR CERTAIN CLASS PAY GRADES/CLASS PAY TITLES; CERTIFICATION PAY; AND 1.5% BASE PAY INCREASE FOR ALL EMPLOYEES, EXCEPT CITY MANAGER AND INFORMATION TECHNOLOGY TECHNICIAN

Pursuant to a notice duly published in the Times-West Virginian on May 20, 2019, a public hearing was convened to obtain citizen input on a proposed ordinance amending the current Pay Plan to provide for base pay increases for certain class pay grades and a 1.5% base pay increase for all city employees except the City Manager and Information Technology Technician.

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

Acting City Manager Dave Sago spoke in favor of the proposed ordinance. He mentioned that the Pay Plan supports the continued retention of employees for the City of Fairmont for all departments and he would hope that Council supports the ordinance as presented.

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

ANNOUNCEMENTS

IN RE: PIERPONT CELEBRATION

Councilmember Yann said that he attended an educational presentation that Councilmember Grubb had put together about Pierpont.

The Mayor reported that he also attended the Julia Pierpont Day celebration. He said that for those that have never attended that event, you really should go and learn a little bit about the history. You would be surprised at some of the history we have in this town. He said the re-enactment by Art and Pam Dodds of Gov. Francis Pierpont and Lady Julia Pierpont was very well done. He noted that the wreath-laying ceremony that took place at Woodlawn Cemetery was very nice.

IN RE: GOLD STAR

Councilmember Yann also reported that he attended the Gold Star Mother Dedication. He noted that it was a very emotional type of presentation.

The Mayor said that he also attended the Gold Star Mother's event and it was an extremely emotional event. The West Virginia Daughters of the American Revolution and the West Virginia State Society honored mothers who have lost children through their military service with the unveiling of a monument in recognition of those known as Gold Star Mothers. The Mayor mentioned that there were Gold Star Mothers there from all over the state.

IN RE: HABITAT FOR HUMANITY

Councilmember Yann stated that he had attended an educational meeting. He reported that Mon Valley Habitat for Humanity has a very successful program in Morgantown and they are trying to develop a program in Fairmont. He said that they actually have a house going up in Bunners Ridge. He said that his thoughts are that we have a lot of empty lots that belong to the City and aren't being productive. We should take an inventory and see what might work with them and possibly we could make those into tax-producing home sites through Habitat for Humanity. If you are not familiar with Habitat, the owners of these homes don't get it for free, they put in equity and they have mortgage on them so it is not something that is being given to them. He said this would be some way to use the lots after the homes are demolished.

IN RE: DISPLAY OF FLAGS

Councilmember Grubb noted that several people raved about the flags and the City putting them up. She said that may be one of the best fund-raisers that there is. She noted that looked really nice.

CITIZENS PETITIONS

There were no citizen's petitions for this meeting.

CITY MANAGER'S REPORT

IN RE: STREET PAVING LIST

Mr. Sago gave Council a brief update on street paving. He said that from the Utility side, all utilities have been completed on the paving list. Therefore, the list is completed at this point and when the new City Manager gets here next week, the supervisor will go over the list with her and then she will release the list.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING ORDINANCE NO. 1771, DULY ADOPTED MAY 22, 2018, AS AMENDED BY ORDINANCE NO. 1802, DULY ADOPTED FEBRUARY 26, 2019, WHICH ORDINANCES PROVIDE FOR THE CITY OF FAIRMONT'S CURRENT PAY PLAN AND LIST OF OCCUPATIONAL CLASSES FOR ALL CLASS TITLES AND EMPLOYEES, TO PROVIDE FOR BASE PAY INCREASE FOR CERTAIN CLASS PAY GRADES/CLASS PAY TITLES; CERTIFICATION PAY; AND 1.5% BASE PAY INCREASE FOR ALL EMPLOYEES, EXCEPT CITY MANAGER AND INFORMATION TECHNOLOGY TECHNICIAN

Mayor Merrifield entertained a motion for the adoption of an ordinance amending the current Pay Plan ordinance to provide for base pay increases for certain class pay grades and a 1.5% base pay increase for all city employees except the City Manager and Information Technology Technician.

Motion:

Councilmember Mainella 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. 1818 was duly adopted.

IN RE: TABLED, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING CHAPTER NINE – JUDICIAL, ARTICLE 189 MUNICIPAL COURT OF THE FAIRMONT CITY CODE TO IMPLEMENT AND PROVIDE FOR A CERTAIN COURT COST RELATING TO THE SUSPENSION AND REINSTATEMENT OF DRIVERS’ LICENSES FOR NON-PAYMENT OR DEFAULT OF FINES AND FAILURE TO APPEAR OR RESPOND, TO BE CODIFIED AS SECTION 189.08, THEREOF

Mayor Merrifield entertained a motion to remove this item from the table.

There being no motion made, the ordinance failed due to a lack of a motion.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE CITY OF FAIRMONT’S 2018-2019 ANNUAL BUDGET: GENERAL FUND

Mayor Merrifield entertained a motion and second for the introduction of an ordinance providing for a General Fund Budget Revision.

Motion:

Councilmember Mason 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 June 11, 2019.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE CITY OF FAIRMONT’S 2018-2019 ANNUAL BUDGET: COAL SEVERANCE

Mayor Merrifield entertained a motion and second for the introduction of an ordinance providing for a Coal Severance Budget Revision.

Motion:

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

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

The Mayor declared the public hearing set for June 11, 2019.

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

**PCL LOCUST AVE
MAP 03-18 PARCEL 189
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
1359 LOCUST AVENUE, FAIRMONT, WV 26554**

**PT PCL C WELTY PLAT
MAP 03-18 PARCEL 190
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
1355 LOCUST AVENUE, FAIRMONT, WV 26554**

FROM MARY CALAME TO THE CITY OF FAIRMONT; APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER ALL NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION

Mayor Merrifield entertained a motion and second for the introduction of an ordinance providing for the acquisition of certain parcels on Locust Avenue from Mary Calame (1355 and 1359 Locust Avenue).

Motion:

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

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

The Mayor declared the public hearing set for June 11, 2019.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE ACQUISITION, TRANSFER AND CONVEYANCE OF THOSE CERTAIN PARCELS OF REAL ESTATE

**SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT,
MARION COUNTY, WEST VIRGINIA, TO-WIT:**

**LOT 50 X 165 LOCUST AVE
MAP 03-18 PARCEL 0187
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
1361 LOCUST AVENUE, FAIRMONT, WV 26554**

**LT 0.313 AC LOCUST AVE
MAP 03-18 PARCEL 0186
FAIRMONT CITY DISTRICT, MARION COUNTY, WV
1363 LOCUST AVENUE, FAIRMONT, WV 26554**

**FROM 1ST KEY LLC AND BLACK BEAR REAL ESTATE HOLDINGS LLC,
RESPECTIVELY, TO THE CITY OF FAIRMONT; APPROVING AND
AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER ALL
NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF FAIRMONT;
RATIFICATION**

Mayor Merrifield entertained a motion and second for the introduction of an ordinance providing for the acquisition of certain parcels on Locust Avenue from 1st Key LLC and Black Bear Real Estate Holdings LLC (1361 and 1363 Locust Avenue).

Motion:

Councilmember Mason 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 June 11, 2019.

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING,
AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT
AUTHORIZING, APPROVING AND PROVIDING FOR THE
ACQUISITION, ESTABLISHMENT AND CONSTRUCTION OF CERTAIN
PUBLIC IMPROVEMENTS, NAMELY WORKS OF INTERNAL
IMPROVEMENT FOR THE PUBLIC USE, INCLUDING SIDEWALKS,
TRANSPORTATION FACILITIES, AND STORM WATER MANAGEMENT
FACILITIES, AMONG OTHERS, TO BE LOCATED ADJACENT TO
LOCUST AVENUE IN THE CITY OF FAIRMONT, FAIRMONT
DISTRICT, MARION COUNTY, WEST VIRGINIA**

Mayor Merrifield entertained a motion and second for the introduction of an ordinance providing for the acquisition, establishment and construction of a public improvement project to be located adjacent to Locust Avenue.

Motion:

Councilmember Mason moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Grubb.

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

The Mayor declared the public hearing set for June 25, 2019.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 7:22 p.m.