

June 10, 2020

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 10th day of June, 2020, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Merrifield called the meeting to order.

Councilmembers present were:

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

Also present were:

| | |
|---------------|-----------------|
| City Manager | Valerie Means |
| City Attorney | Kevin Sansalone |
| City Clerk | Janet L. Keller |

IN RE: OPENING CEREMONIES

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

APPROVAL OF MINUTES

Mayor Merrifield noted that each member of Council had received a copy of the minutes from the Regular Meeting held on May 26, 2020.

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 2019-2020 ANNUAL BUDGET: GENERAL FUND

Pursuant to a notice duly published in the Times-West Virginian on May 29, 2020, 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.

Ms. Means spoke in favor of this proposed ordinance and asked for Council's support of the ordinance. She said this is the last revision before the end of the fiscal year and we basically want to make sure all of our accounts are in line.

There being no one else to speak, the public hearing was called to a close at 7:05 p.m.

ANNOUNCEMENTS

IN RE: ATTENDED RALLY IN DOWNTOWN

Councilmember Blood announced that she attended the rally that was held last Sunday in downtown Fairmont in front of the Court House. She said that it was really moving and she thought some very powerful words were said. She noted that it was a very sad time in our country but a time for change and she was hopeful that we are all coming together on this for a positive change.

Councilmember Mason echoed Councilmember Blood's comments. He said from what he sees in our community is that the concerns expressed were not addressed to our Police Department but they were addressing concerns about racism that takes place in our society and in our community. He said again that he did not think for a moment it was addressed to our Police Department.

Councilmember Blood noted that she agreed. She then added that after this incident, Chief Shine in his report wrote such eloquent words about what had happened and how horrible it was and how his Police Department is not like that. She stated that she thought they were doing a great job.

Councilmember Mainella said that he thought the demonstration was well

planned. He stated that the Mayor gave a very nice speech at the rally and said that everyone was very complimentary of our Police Department. He noted that it was a very nicely done protest.

Mayor Merrifield stated that the walk on Sunday was refreshing and he knew there were a couple times last week that some things happened that put our law enforcement with a lot more to do and deal with. He said that we are going to have meetings just to share some of the issues that the Police have with what they do and some of the issues that the citizens have and have a free exchange. He mentioned that the Chief is the one that brought it up after the event on Sunday and he asked if he could be a part of it. He explained that this will get things out on the table and he thought, in Fairmont, we were very fortunate in the excellent police group that we trust and count on every day and we have good citizens that if there are issues that we are not hearing, he thought the free exchange is the way it should be. He stated that it just didn't end on Sunday, it's just starting.

Councilmember Mason asked if the Human Rights Commission was going to be included in this exchange.

Mayor Merrifield replied no, not at this time. He then explained this meeting is not a city meeting but rather a meeting of the pastors and they have invited him to come to their meeting. It is up to the group of pastors to do the invite.

IN RE: MURAL ON WALL NEAR PALATINE PARK

Councilmember Kennedy reported that equipment is going in at the wall near Palatine Park. He said that we will see progress of the mural painting soon.

The Mayor mentioned that he did not know that Professor Dugan had started on the mural but he said that this was the first of many collaborations that we will have with FSU.

IN RE: HOUSING ON FRONT STREET

Councilmember Yann stated that one occupant is moving into the new house on Front Street and he heard that the second house they are finishing up has been sold.

IN RE: PALATINE PARK EVENTS

Councilmember Rice mentioned some of the events at Palatine Park. He encouraged everyone to attend the events at the park.

IN RE: OPENING OF CITY PARKS

Councilmember Bledsoe noted that he was glad to see the opening of the parks and the splash park in order for the kids to have something to do.

CITIZENS PETITIONS

There were no citizen's petitions for this meeting.

CITY MANAGER'S REPORT

IN RE: READ PREPARED STATEMENT REGARDING PROTESTS

The City Manager read a prepared statement about the protests that are going on around the country in relation to the death of Mr. George Floyd that occurred on May 25, 2020 in Minneapolis after he was in police custody. She said words cannot fully express how reprehensible were the actions that resulted in the death of Mr. Floyd. She said recently, we have seen here in Fairmont, West Virginia and around the country people lifting their voices, rightfully outraged at the senseless loss of life and for the violence and injustice that occurs so often. She went on to say that while the protests have been honored by the City so far, non-peaceful actions are not welcomed by the City. Peaceful protests against this and other senseless acts is a fundamental process of the American ideal. It is not acceptable to loot, destroy, and damage property, riot or impede moving traffic, or have unlawful assembly. In her closing remarks she said that she wanted to thank everyone who helped to protect human life and property these last few weeks here in Fairmont, from the protest members who exercised their rights to protest very peacefully and they encouraged others to do the same. To the Fairmont Police Officers who faced some challenging moments and handled them with the greatest of professionalism and dedication of duties. She said she is truly proud of Chief Shine and the Fairmont Police Department for their response of the situation and she also wanted to thank anyone who assisted in keeping the peace.

IN RE: COVID-19 UPDATE

Ms. Means reported that everything is going well with the re-opening of the City offices and the parks. Staff continues to use precaution and she urged the citizens to do the same.

IN RE: NEW EAST SIDE FIRE STATION

The City Manager announced that the bonds were closed on the financing for

the construction of the new East Side Fire Station. She said currently we are working to finalize the contract with the construction company.

Ms. Means then reported that the date has been set for the symbolic laying of the cornerstone by the Masonic Fraternity. It will be held on Saturday, June 27 at 1:00 p.m.

IN RE: FEDERAL CARES MONEY

Ms. Means stated that the City has made our application to the State for the Federal CARES ACT money. She was excited to say that we received new guidance about exactly what we can apply for so for our first application for the month of March and April, we put in for about \$1.148 million dollars. She mentioned that other larger cities are also putting in the dollars and the Governor has said he wants us to make that application and the funds are there for us and the cities and counties need to get those reimbursements.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE CITY OF FAIRMONT'S 2019-2020 ANNUAL BUDGET: GENERAL FUND

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

Motion:

Councilmember Blood moved for the adoption of the proposed ordinance. Councilmember Yann 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. 1853 was duly adopted.

IN RE: ADOPTION, AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR THE RE-ENACTMENT OF EMERGENCY ORDINANCE NO. 1850 WHICH SUSPENDED COUNCIL'S RULES OF ORDER AND PROCEDURE TO THE EXTENT NECESSARY TO PERMIT COUNCIL TO MEET TELEPHONICALLY OR VIA A LIVE AUDIO OR VISUAL STREAM PLATFORM FOR REGULAR OR SPECIAL OR EMERGENCY MEETINGS; ALL OPEN MEETING ACT REQUIREMENTS PRESERVED

Mayor Merrifield entertained a motion for the adoption of the proposed ordinance suspending Council's Rules of Order and Procedure to permit City Council meetings to be held remotely, if needed for another 60-day period.

Motion:

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

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

The City Manager stated that she would like to say that the reason this is on the agenda again is that we wanted to make sure that we are covered in case we needed to go back to the remote meetings. We wanted to make sure we have that ability because the other emergency ordinance will expire on June 20th.

Roll call was taken by the Clerk.

Mayor Merrifield declared the emergency ordinance adopted by unanimous vote of Council.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT PROVIDING FOR AN AMENDMENT TO CITY OF FAIRMONT REDEVELOPMENT DISTRICT NO. 1 (APPROVED OCTOBER 23, 2015) TO PROVIDE FOR AN AMENDMENT TO THE APPROVED PROJECTS TO PERMIT A MULTI-PHASE PUBLIC RECREATIONAL PROJECT WITHIN THE DISTRICT TO BE LOCATED AT NORWOOD PARK, AND APPROVING AND PROVIDING FOR THE ACQUISITION, ESTABLISHMENT AND CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS, RELATING THERETO

Mayor Merrifield entertained a motion and second for the introduction of an ordinance providing for an amendment to the Fairmont Redevelopment District No. 1 to provide for a Multi-Phase Public Recreational Project at Norwood Park.

Motion:

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

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

The Mayor declared the public hearing set for July 14, 2020.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 7:25 p.m.