

January 22, 2019

The regular meeting of the City Council of the City of Fairmont was held at 7:03 p.m. on the 22nd day of January, 2019, 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	Marianne Moran
Second District	Frank G. Yann
Third District	Karl (David) Kennedy
Fourth District	Kenneth (Brad) Merrifield
Fifth District	Fran Warner
Sixth District	Dora Kay Grubb
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Donna M. Blood

Also present were:

Interim City Manager	Bruce McDaniel
City Attorney	Kevin Sansalone
City Clerk	Janet L. Keller
Police Chief	Steve Shine
City Planner	Sandra Scaffidi

IN RE: OPENING CEREMONIES

Rev. Dr. Allan Copenhaver gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Yann.

APPROVAL OF MINUTES

Mayor Mainella noted that each member of Council had received a copy of the minutes from the Organizational Meeting held on January 8, 2019 and from the Regular Meeting held on January 8, 2019.

Councilmember Mason moved to approve the minutes as submitted. The motion was seconded by Councilmember Warner.

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

IN RE: PROCLAMATION PRESENTED

Mayor Mainella presented a proclamation to Alexa Raymond, on behalf of Hope, Inc., proclaiming January as Stalking Awareness Month.

PUBLIC HEARINGS

IN RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 2.0 DEFINITIONS* OF THE PROVISIONS OF *CLEARZONING®*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR DEFINITIONS FOR *LIMITED SMALL SCALE PRODUCTION AND TECHNOLOGICALLY INNOVATIVE BUSINESS*

Pursuant to a notice duly published in the Times-West Virginian on January 14, 2019, a public hearing was convened to obtain citizen input on a proposed ordinance to amend the Clearzoning Code regarding Definitions.

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

MATT MESSENGER, spoke in favor of the proposed ordinance. Mr. Messenger stated that he lives here in Marion County and is speaking for this venture. He said that they are going to be developing some high tech equipment and he thought it was good for the community and will be creating some jobs. He added that it was a positive thing for the City of Fairmont and for Marion County.

SANDRA SCAFFIDI, Director of Planning and Development for the City of Fairmont, spoke in favor of the three proposed ordinances regarding the Clearzoning updates. She said that on December 19, 2018, the Planning Commission met to discuss this proposal and after staff recommendations and discussions with the Planning Commissioners, it was agreed to create a Technologically Innovative Business as a Use Permitted with Conditions in a Main Corridor Commercial zoning district as well as in Definitions and in Use Conditions. She went on to say that the Planning Commission asked her to ask City Council to take the following action and add Technologically Innovative Businesses and Use Permitted with Conditions in a Main Corridor Commercial zoning district. She then provided Council with a map showing the Main Corridor Commercial district (highlighted in red) that will be affected by this zoning change.

MATT BARTRUG, also spoke regarding the proposed ordinance. He said that he is a recent graduate of WVU and is an engineer. He said this business is

going to move to Fairmont forward and this ordinance will make things easier for more companies to move into the city.

BRAD DEROOS, commended Sandra Scaffidi for her hard work in making this rezoning happen.

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

IN RE: AN ORDINANCE AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 3.0 ZONING DISTRICTS*, AND MORE PARTICULARLY *SECTION 3.1.5 MAIN CORRIDOR COMMERCIAL*, OF THE PROVISIONS OF *CLEARZONING@*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR TECHNOLOGICALLY INNOVATIVE BUSINESS AS A USE PERMITTED WITH CONDITIONS IN SAID DISTRICT; SAVINGS CLAUSE

Pursuant to a notice duly published in the Times-West Virginian on January 14, 2019, a public hearing was convened to obtain citizen input on a proposed ordinance to amend the Clearzoning Code regarding Main Corridor Commercial.

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

Interim City Manager, Bruce McDaniel, said the comments that the City Planner made apply to all three public hearings.

There being no one to speak, the public hearing was called to a close at 7:15 p.m.

IN RE: AN ORDINANCE AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 4.0 USE STANDARDS* OF THE PROVISIONS OF *CLEARZONING@*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR USE STANDARDS AND CONDITIONS FOR TECHNOLOGICALLY INNOVATIVE BUSINESS

Pursuant to a notice duly published in the Times-West Virginian on January 14, 2019, a public hearing was convened to obtain citizen input on a proposed ordinance to amend the Clearzoning Code regarding Use Standards and Conditions.

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 7:16 p.m.

ANNOUNCEMENTS

IN RE: LAST COUNCIL MEETING – CONGRATULATIONS TO JOSH RICE

Councilmember Moran stated that this will probably be her last Council meeting. She congratulated Josh Rice for finally winning his seat on Council. She then thanked everyone for allowing her to serve.

IN RE: RESOLUTION FOR COACH RETTON

Councilmember Yann stated that he read that a resolution will be approved on February 5th in Charleston for Coach Retton. He said that the Legislature is going to approve the resolution.

IN RE: MARTIN LUTHER KING CELEBRATION

Councilmember Yann reported that the Martin Luther King celebration was cancelled due to the weather and he understands that they are going to reschedule it for February 3rd.

Mayor Mainella asked Councilmember Yann to let the City Manager know when it is rescheduled so he can put it in the Weekly Update.

IN RE: BELLVIEW NEIGHBORHOOD WATCH MEETING

Councilmember Merrifield reported that he attended the Bellview Neighborhood Watch Meeting and wanted to thank Chief Shine for sending officers to the meeting. He noted that they were very professional and prompt.

IN RE: SPEEDING ON COAL RUN HOLLOW

Councilmember Merrifield stated that speeding still continues on Coal Run Hollow by the Disability Action Center. He noted that this is creating a hazardous situation.

Chief Shine responded by saying that the City received a \$44,000 grant that will go toward pedestrian safety including a radar cart that will be in operation.

IN RE: LAW ENFORCEMENT APPRECIATION DAY

Councilmember Blood stated that January 9th was Law Enforcement Appreciation Day and she told Chief Shine how much we appreciate our Fairmont Police Department. She said that the department is awesome and commended them on how they keep everyone safe.

IN RE: GASTON AVENUE AND 7TH STREET

Councilmember Mason reported that he has been getting comments from constituents concerning traffic flow on the corner of Gaston Avenue and 7th Street near the Aquarium Lounge. He has been told that there is a lot of difficulty going up 7th Street because traffic does not stop on Gaston and there are a lot of vehicles parked on that street blocking the view coming up 7th Street in order to make sure they avoid oncoming traffic. He then suggested making this intersection into a 4-way stop or something because it is a dangerous intersection.

Mr. McDaniel replied that we will look at it with Traffic and the Police Chief to see what can be done.

IN RE: REPORT OF VARIOUS ITEMS

Councilmember Grubb reported the following:

- She has been getting some emails from different people that list problems they feel are being ignored by the City. She gave a copy of the list out to each Councilmember.
- She reported that the Day Report people have been working every Saturday for three weeks picking up trash and in that time they have gathered up 97 bags of trash. She noted that we are not taking care of our town in the manner that we should be taking care of it.
- She announced that she has been invited to serve on a committee that is going to try to have a beautification of Fairmont.
- Fairmont is one of the most historic places that we have in the State of WV yet we ignore it and she thought it was sad. She said on February 19th, Fairmont will be having their 199th birthday and we have done nothing for any recognition by the City Council.
- January 25th is Francis H. Pierpont's birthday and nothing has been done to recognize his birthday.

IN RE: CONGRATULATIONS TO BARRY BLEDSOE

Councilmember Warner extended congratulations to Barry Bledsoe for winning the 5th District seat.

CITIZENS PETITIONS

IN RE: BOY SCOUTS INTRODUCED

Nicholas Fantasia and Donovan Childs introduced themselves to Council. They are both with Troop 120 and working on their citizenship and community badge. A hearty welcome was given to both of the scouts.

IN RE: COMPREHENSIVE PLAN AND BUDGET PRIORITIES

WARREN HARGER, 200 Jefferson Street, addressed Council regarding the Comprehensive Plan and Budget Priorities. He passed out folders to Council that contained his presentation, material information and a survey. He said the goal of the survey was to develop a brand for the target area and an understanding of the attitudes and perception of people from out of the area focused on by the survey. He was inspired by the survey to make this presentation. When anyone sees or hears the word Fairmont, what do they think? What do we want them to think? Travelers and repeat visitors to our city and downtown area are a source of future residents and we want to encourage repeat visiting and becoming residents here. He calls that recruitment and retention. The survey was for Randolph County, however, he wants answers to most of the questions in the survey as it would apply to our city. What is the answer to the question? Where do people want to be? Our Comprehensive Plan helps with that. The Comprehensive Plan includes goals, assets, and issues. To recruit downtown anchor businesses and attractions, we need to increase the numbers of our residents and visitors. Of the people surveyed, 59% depended on the internet information from the designation website. Maybe the statement Fairmont is the missing link may be used for advertising but also there should be emphasis on completing our part of the Parkersburg to Pittsburgh rail trail. He then suggested to take the Comprehensive Plan in hand, get it in gear, and make things happen.

CITY MANAGER'S REPORT

IN RE: WV MUNICIPAL LEAGUE CONFERENCE

Mr. McDaniel said that Janet has provided an expense account form to those of you that are going to the Municipal League Conference in Charleston this weekend.

IN RE: EMAIL FROM CHIEF SHINE

Mr. McDaniel presented Council with a copy of an email from Chief Shine regarding the numerous emails that have come through from Shenandoah Shepherd Rescue situation.

IN RE: FY20 BUDGET

The Interim Manager said that he will be presenting Council with a balanced budget at the February 12th meeting. He noted that a work session will be held at 5:00 p.m. on February 26th to begin the discussion of the budget.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 2.0 DEFINITIONS OF THE PROVISIONS OF CLEARZONING®, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR DEFINITIONS FOR LIMITED SMALL SCALE PRODUCTION AND TECHNOLOGICALLY INNOVATIVE BUSINESS*

Mayor Mainella entertained a motion for the adoption of an ordinance to amend the Clearzoning Code regarding Definitions.

Motion:

Councilmember Mason moved for the adoption of the proposed ordinance. Councilmember Merrifield 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. 1798 was duly adopted.

IN RE: ADOPTION, AN ORDINANCE AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 3.0 ZONING DISTRICTS, AND MORE PARTICULARLY SECTION 3.1.5 MAIN CORRIDOR COMMERCIAL, OF THE PROVISIONS OF CLEARZONING®, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR TECHNOLOGICALLY INNOVATIVE BUSINESS AS A USE PERMITTED WITH CONDITIONS IN SAID DISTRICT; SAVINGS CLAUSE*

Mayor Mainella entertained a motion for the adoption of an ordinance to amend the Clearzoning Code regarding Main Corridor Commercial.

Motion:

Councilmember Warner moved for the adoption of the proposed ordinance. Councilmember Merrifield 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. 1799 was duly adopted.

IN RE: ADOPTION, AN ORDINANCE AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING *ARTICLE 4.0 USE STANDARDS* OF THE PROVISIONS OF *CLEARZONING@*, THE CITY'S CODIFIED PLANNING AND ZONING CODE, TO PROVIDE FOR USE STANDARDS AND CONDITIONS FOR TECHNOLOGICALLY INNOVATIVE BUSINESS

Mayor Mainella entertained a motion for the adoption of an ordinance to amend the Clearzoning Code regarding Use Standards and Conditions.

Motion:

Councilmember Mason moved for the adoption of the proposed ordinance. Councilmember Merrifield 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. 1800 was duly adopted.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE FAIRMONT CITY CODE

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

Motion:

Councilmember Warner moved for the introduction of the proposed ordinance. The motion was seconded by Councilmember Merrifield.

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

The Mayor declared the public hearing set for February 12, 2019.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

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

The Mayor declared the meeting adjourned by voice vote of Council at 7:40 p.m.