

January 24, 2023

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 24th day of January, 2023, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Bolyard called the meeting to order.

Councilmembers present were:

First District	Joshua D. (Josh) Rice
Second District	Anne E. Bolyard
Third District	Rebecca Moran
Fourth District	Richard (Rick) Garcia
Fifth District	Charles (Chuck) Warner
Sixth District	Gia Deasy
Seventh District	Nicholas (Nicky) Cinalli
Eighth District	Bruce McDaniel
Ninth District	Kandice (Kandi) Nuzum

Also present were:

City Manager	Valerie A. Means
City Attorney	Kevin S. Sansalone
City Clerk	Janet L. Keller
Fire Chief	Ed Simmons
Director of Marketing	Hanna Turner
Director of Planning	Shae Strait
Assistant Planner	Carly Jones

IN RE: OPENING CEREMONIES

Councilmember Deasy gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Rice.

IN RE: PROCLAMATION PRESENTED TO HOPE, INC.

Mayor Bolyard read and presented two proclamations to Amy Wilson and Kim McCartney with Hope, Inc. The month of January is being recognized as Human Trafficking Awareness Month and Stalking Awareness Month.

APPROVAL OF MINUTES

Mayor Bolyard noted that each member of Council had received a copy of the minutes from the Organizational Meeting held on January 10, 2023 and the Regular Meeting held on January 10, 2023. She asked if there were any corrections, deletions, or amendments.

Councilmember McDaniel moved to approve the minutes for both meetings as submitted. The motion was seconded by Councilmember Deasy.

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

PUBLIC HEARINGS

IN RE: AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT PROVIDING FOR THE DEDICATION TO THE PUBLIC USE OF THOSE CERTAIN STREETS OR ROADWAYS SITUATE IN THE SPEEDWAY BUSINESS PARK, IN THE CITY OF FAIRMONT, UNION CITY DISTRICT, MARION COUNTY, WEST VIRGINIA, AS DEPICTED ON THE PLATS PREPARED BY THE THRASHER GROUP, INC., AND ENTITLED “PLAT OF SURVEY FOR SPEEDWAY BUSINESS PARK SHOWING GLASS AVENUE DEDICATION, DATE JULY 29, 2022”, AND “PLAT OF SURVEY FOR SPEEDWAY BUSINESS PARK SHOWING BOTTLEWORKS AVENUE & LOTS 15 & 16, DATE APRIL 20, 2022. ”

Pursuant to a notice duly published in the Times-West Virginian on January 13, 2023, a public hearing was convened to obtain citizen input on an ordinance providing for the dedication of the streets in the Speedway Business Park to the City of Fairmont.

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

SHAE STRAIT, Director of Planning, spoke in favor of the proposed ordinance to take ownership of these two streets. He said that Planning, Public Works and Building Inspection worked with Merit Development for several years including storm water management and roadway development. He said the Public Works has assured the City that the streets are built to the standards for the City of Fairmont. He said that Glass Avenue and Bottleworks Avenue will now be maintained by city work crews and that this will help the developers grow the location and move Fairmont forward.

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

IN RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE PURCHASE OF THOSE CERTAIN PARCELS OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, MARION COUNTY, WEST VIRGINIA, NAMELY:

<u>CERTIFICATION #</u>	<u>DESCRIPTION</u>	<u>MAP / PARCEL #</u>
246283	LOT 8 MONROE STREET	03-28 0078
246284	PT LOT 8 MONROE STREET	03-28 0079
246285	LT 7 LAWLER PLAT MONROE ST	03-28 0077
246600	BLK 10 LT 11 QUARRY AVE	03-27 0221
246601	BLK 10 LT 10 QUARRY AVE	03-27 0222
246602	BLK 10 LT 9 QUARRY AVE	03-27 0223

246611 PT LT 32 PIKE ST & ROBINSON ST	03-33 0161
246612 LT 33 PIKE ST & ROBINSON ST	03-33 0162
246739 3550 SQ FT BALTIMORE ST	03-34 0047
246866 LS 39-40 PIKE ST	03-33 0158
246876 LT 10 FIELD ST	03-270199
246877 LS 11-12 AMOS SUBDIV FIELD ST	03-27 0200
246881 LT 94 HAMILTON ST	03-290032
246882 BLK 0 LS 15-16 SHADYSIDE ADD	03-320126
247106 LOT 31 ROBINSON ST	03-33 0160
247119 LT 1 PIKE ST PENNA AVE	03-330207
247678 PT LT WILSON ST	05-07 0280

BY THE CITY OF FAIRMONT FROM THE STATE OF WEST VIRGINIA DEPUTY COMMISSIONER OF DELINQUENT AND NON-ENTERED LANDS AS A RESULT OF THE NON-PAYMENT OF THE REAL ESTATE TAXES, AND PROVIDING FOR AND AUTHORIZING THE CONVEYANCE AND TRANSFER OF SAID PARCELS OF REAL ESTATE FROM THE CITY OF FAIRMONT TO UNIDENTIFIED SUBSEQUENT PURCHASERS IN ACCORDANCE WITH THE CITY OF FAIRMONT'S APPROVED HOME RULE PLAN AND THE ORDINANCES AND RESOLUTIONS ADOPTED THEREUNDER .

Pursuant to a notice duly published in the Times-West Virginian on January 13, 2023, a public hearing was convened to obtain citizen input on an ordinance providing for the purchase of parcels from the State of West Virginia for delinquent taxes.

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

The City Manager said that this is a continuation to the cleanup of blighted properties and allows for the subsequent transfer to others as we move on in our program.

Councilmember Moran asked Council to request that staff prepare a procedure for Council on how we are getting these properties back in the hands of private owners or back into use at some point in the near future.

Ms. Means replied that is something she would handle as the City Manager with the staff.

There being no one else to speak, the public hearing was called to a close at 7:14 p.m.

ANNOUNCEMENTS

IN RE: MT. ZION CENTER OF HOPE

Councilmember Nuzum read a statement about the renovation of the church located at 501 Cleveland Avenue. She noted that it was given to the congregation back in 2022. She said that they are looking for volunteers from the community to help with the renovations and cleanup of the church. She noted that once the renovations are

completed, they will be providing services to the community. The center will be called the Mt. Zion Center of Hope.

IN RE: CITY MANAGER THANKED

Councilmember McDaniel extended a thank you to the City Manager for the work session information.

IN RE: WATER DEPARTMENT COMMENDED

Councilmember McDaniel commended the Water Department for replacing the fire hydrant at the intersection of Sunset Drive and Westmont Road.

IN RE: PLANNING COMMISSION APPOINTMENT

Councilmember Deasy thanked the City Council for the nomination to the Planning Commission. She attended her first meeting on January 18th.

IN RE: PROCLAMATIONS FOR HOPE, INC.

Councilmember Deasy said that it was nice to see Amy Wilson and Kimberly McCartney at the meeting to receive the proclamations for Hope, Inc. She said that it was uplifting and thanked them for all they do.

Mayor Bolyard also thanked Hope, Inc. for their services.

IN RE: HOUSING AUTHORITY WORKSHOP

The Mayor reported that the Housing Authority is going to have an Earned Income Tax Credit Workshop on Thursday, February 2nd, from 10:00 a.m. to 3:00 p.m. She noted that they offer great services such as tax assistance, housing, counseling, financial education, and other great services.

CITIZENS PETITIONS

IN RE: MAIN STREET FAIRMONT YEAR END UPDATE

DAN SWIGER, Executive Director of Main Street Fairmont, presented Council with a year-end report from Main Street Fairmont. He said that Main Street has held many events that filled downtown, secured \$70,000 in funding to repair facades of historic buildings in and around downtown and help foster small businesses looking to locate in downtown. Mr. Swiger thanked Council for their continued support they have given Main Street Fairmont. He said this partnership we have had with the City; we are lucky to have it. He also announced that Main Street will be hiring its first full-time director in decades and he will be stepping down from the current part-time role.

CITY MANAGER'S REPORT

IN RE: FY24 BUDGET AND BUDGET WORK SESSION

Ms. Means reported that she, the Finance Director, and the department heads have been working on preparing FY24 Budget. She reminded the Councilmembers that the Budget Work Session will be held on Tuesday, February 7th, starting at 4:00 p.m. in the Fire Training Room and is open to the public.

IN RE: STREETS BEING REVIEWED FOR PAVING

The City Manager announced that Public Works is currently reviewing the streets for this year's paving project. We expect to issue the RFQ soon and expect paving to be completed by the end of June.

IN RE: 120 FAIRMONT AVENUE

The Manager reported that she and staff will be meeting to plan the next steps for the inspections of 120 Fairmont Avenue, the former BB&T Bank Building, for the contingent purchase of that building.

IN RE: NEXT ROUND OF DEMOLITIONS

Ms. Means said that the demolition program is continuing and funding is secured for the next 13 demolitions that will happen this year. She noted that demolition permits have been obtained for the next round of demos and that will consist of 13 properties.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT PROVIDING FOR THE DEDICATION TO THE PUBLIC USE OF THOSE CERTAIN STREETS OR ROADWAYS SITUATE IN THE SPEEDWAY BUSINESS PARK, IN THE CITY OF FAIRMONT, UNION CITY DISTRICT, MARION COUNTY, WEST VIRGINIA, AS DEPICTED ON THE PLATS PREPARED BY THE THRASHER GROUP, INC., AND ENTITLED "PLAT OF SURVEY FOR SPEEDWAY BUSINESS PARK SHOWING GLASS AVENUE DEDICATION, DATE JULY 29, 2022", AND "PLAT OF SURVEY FOR SPEEDWAY BUSINESS PARK SHOWING BOTTLEWORKS AVENUE & LOTS 15 & 16, DATE APRIL 20, 2022. "

Mayor Bolyard entertained a motion for the adoption of an ordinance providing for the dedication of the public streets in the Speedway Business Park.

Motion:

Councilmember Rice moved for the adoption of the proposed ordinance. Councilmember Warner 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. 1978 was duly adopted.

IN RE: ADOPTION, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE PURCHASE OF THOSE CERTAIN PARCELS OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, MARION COUNTY, WEST VIRGINIA, NAMELY:

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Mayor Bolyard entertained a motion for the adoption of an ordinance providing for the purchase of parcels from the State of West Virginia for delinquent taxes.

Motion:

Councilmember McDaniel moved for the adoption of the proposed ordinance. Councilmember Rice 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. 1979 was duly adopted.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING ORDINANCE NO. 1855, WHICH PROVIDED FOR THE ACQUISITION, ESTABLISHMENT AND CONSTRUCTION OF A PUBLIC RECREATIONAL PROJECT TO BE LOCATED AT NORWOOD PARK, WHICH AMENDMENT:

1) PROVIDES FOR THE ACQUISITION, ESTABLISHMENT AND CONSTRUCTION OF ADDITIONS AND ENHANCEMENTS TO SAID PROJECT TO PROVIDE FOR AN EXPANDED INCLUSIVE PUBLIC RECREATIONAL FACILITY;

2) AUTHORIZES THE ALLOCATION AND EXPENDITURE OF TIF FUNDS FOR SAID PROJECT; AND

3) AUTHORIZES THE ALLOCATION AND EXPENDITURE OF ARPA FUNDS FOR SAID PROJECT

Mayor Bolyard entertained a motion for the introduction of an ordinance amending the TIF Ordinance for the Norwood Park Project.

Motion:

Councilmember Deasy moved for the introduction of the proposed ordinance. Councilmember Rice seconded the motion.

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

The Mayor declared the public hearing set for February 15, 2022.

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, ESTABLISHING JUNETEENTH AS A HOLIDAY UNDER THE TERMS AND CONDITIONS OF THE CITY OF FAIRMONT'S COLLECTIVE BARGAINING AGREEMENTS (IAFF, FOP, USW), AND AUTHORIZING THE EXECUTION OF AN ADDENDUM TO SAID AGREEMENTS FOR SUCH PURPOSE

Mayor Bolyard entertained a motion for the introduction of an ordinance establishing Juneteenth as a holiday under the terms and conditions of the City of Fairmont's Collective Bargaining Agreements (IAFF, FOP, and USW).

Motion:

Councilmember Deasy moved for the introduction of the proposed ordinance. Councilmember Cinalli seconded the motion.

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

The Mayor declared the public hearing set for February 15, 2022.

IN RE: ADOPTION, A RESOLUTION PROVIDING FOR AN AMENDMENT TO THE CITY OF FAIRMONT 'S 2022-2023 ANNUAL BUDGET: GENERAL FUND

Mayor Bolyard entertained a motion for the adoption of a resolution providing for a General Fund Budget Revision.

Motion:

Councilmember Rice moved for the adoption of the proposed resolution. Councilmember Warner 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 Council.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, SUPPORTING THE DESIGNATION OF THE MONONGAHELA AND ALLEGHENY RIVERS AS M-79 MARITIME HIGHWAYS

Mayor Bolyard entertained a motion for the adoption of a resolution supporting the designation of the Monongahela and Allegheny Rivers as M-79 Maritime Highways.

Motion:

Councilmember Rice moved for the adoption of the proposed resolution. Councilmember McDaniel 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 Council.

IN RE: ADOPTION, A RESOLUTION TO RESCHEDULE THE REGULAR CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 14, 2023 TO WEDNESDAY, FEBRUARY 15, 2023 AS PER SECTION 1.3 OF COUNCIL'S RULES OF ORDER AND PROCEDURE

Mayor Bolyard entertained a motion for the adoption of a resolution to reschedule the Council meeting on Tuesday, February 14, 2023 to Wednesday, February 15, 2023.

Motion:

Councilmember Deasy 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 Council.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

Councilmember McDaniel moved to adjourn the meeting. The motion was seconded by Councilmember Warner.

The Mayor declared the meeting adjourned by voice vote of Council at 7:33 p.m.