

Fayetteville Town Council met in Regular Session on May 6, 2021 at 6:00 p.m. at Town Hall.

Present were Mayor Sharon Cruikshank, Recorder Zenda Vance, Council Members Lori Tabit, Brian Good, Okey Skidmore, Stanley Boyd, and Gabe Pena. Also present were Town Superintendent Matt Diederich, Chief of Police David Kinzer, Town Attorney Carl Harris, and Treasurer Kathy Williams.

Prayer was offered by Stanley Boyd.

Mayor Cruikshank called the meeting to order.

Pledge of Allegiance was led by Lori Tabit.

Mayor Cruikshank recognized the Town of Fayetteville as being 138 years old. May is also National Bike Month. May 17-23, 2021 is Bike to Work Week, and if you can only do one day we are asking for you to ride your bike to work Friday, May 21, 2021. If you post a picture of you to social media and your name it will be entered to win prizes. Winners will be announced June 1.

Mayor Cruikshank asked for a motion to approve the minutes from April 1, 2021. Lori Tabit moved to approve and Okey Skidmore seconded the motion. Brian Good, Gabe Pena, Stanley Boyd, and Zenda Vance approved the motion. Motion carries 6-0.

Mayor Cruikshank asked for a motion to approve the minutes from April 20, 2021 at 4 p.m. Stanley Boyd moved to approve and Lori Tabit seconded the motion. Brian Good, Gabe Pena, Okey Skidmore, and Zenda Vance approved the motion. Motion carries 6-0.

Mayor Cruikshank asked for a motion to approve the minutes from April 20, 2021 at 4:10 p.m. Okey Skidmore moved to approve and Lori Tabit seconded the motion. Brian Good, Gabe Pena, Stanley Boyd, and Zenda Vance approved the motion. Motion carries 6-0.

Discuss and approve the Financial Report. Mayor Cruikshank asked for a motion to approve the Financial Report. Zenda Vance moved to approve and Brian Good seconded the motion. Gabe Pena, Okey Skidmore, Stanley Boyd, and Lori Tabit approved the motion. Motion carries 6-0.

COUNCIL/BOARD COMMENTS:

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Zenda Vance thanked the employee who ran the Street Sweeper this week. People in Town said he did a great job. Thanked the Town employees for putting up the Veterans Banners. They look great.

Stanley Boyd said the Veteran Banners look good. He asked the Mayor to write a letter to DOH and thank them for picking up the litter on Route 19.

Brian Good thanked the Mayor for the newsletter. He said Kathy did a great job on the audit and appreciated all the hard work and time she puts into her job. It's good to see the Police Department all over Town. Park looks good and thanked Okey and Matt for coaching, great job.

Gabe Pena thanked the Street Department and DOH for fixing holes on Route 16. Planning and Zoning had 31 pages of comments and wanted to thank everyone for their input.

Okey Skidmore invited everyone to come to the park. It looks great and has been very busy.

Lori Tabit said the Memorial Day Candlelight Service will be May 30th at 8 p.m. Also had a lot of complaints about the parking at Free Folk. People were parking on both sides of road and walking out in traffic. Chief Kinser said they had calls about it also.

Fire Department: Chief Vernon said 5 firefighters went through training at the Training Center. Burning permits need to be changed and Town Attorney Carl Harris will be making changes to them to reflect the state code.

Police Department: Chief Kinser thanked the Town for the fire extinguishers. He would like to hire another officer since one is leaving. The Department will be applying for a grant for a new vehicle with Congresswoman Miller's Office and have not hear about the grant from Wal-Mart yet.

Town Superintendent Report: See attachment

VISITOR'S COMMENTS:

Joey and Amy Dangerfield have concerns about the speeding on Maple Avenue. They expressed their support on lowering the speed limit to 30 m.p.h.

UNFINISHED BUSINESS:

Budget Revision: Zenda Vance moved to approved and Gabe Pena seconded the motion. Brian Good, Stanley Boyd, Lori Tabit, and Okey Skidmore approved the motion. Motion carries 6-0.

Discuss a 1% Sales Tax to Address Stormwater Fee and other Projects. If the 1% is passed Council would not have to put a fee on the water bills to address the Stormwater Fee. More of the 1% sales tax would go on the Stormwater project. Other projects which would benefit would be Parks and Recreation. Council can let Matt know if they want to add something for the project because it is not finalized yet. We should have something soon on servicing the electric vehicles.

Discuss and act on second reading on allowing Yard Sales on Sunday after 1p.m. and permanently eliminating the permit fee. Citizens are still limited to 2 per household. Lori Tabit moved to approve and Brian Good seconded the motion. Gabe Pena, Stanley Boyd, Zenda Vance, and Okey Skidmore approved the motion. Motion carries 6-0.

Discuss and act on Rotan Street One Way. Stanley Boyd asked if a mirror could be put up at curve and request from DOH to lower the speed limit. Matt will check on this. Zenda Vance moved to leave as isp and Stanley Boyd seconded the motion. Okey Skidmore, Lori Tabit, Brian Good, and Gabe Pena approved the motion. Motion carries 6-0.

NEW BUSINESS:

Discuss and act on first reading of Administrative Code 127 Fees for copies of Records and Documents. .25 each page black/white copies. Zenda Vance moved to approve and Lori Tabit seconded the motion. Brian Good, Gabe Pena, Stanley Boyd, and Okey Skidmore approved the motion. Motion carries 6-0.

Clerical time \$16.00. Lori Tabit moved to approve and Brian Good seconded the motion. Gabe Pena, Stanley Boyd, Zenda Vance, and Okey Skidmore approved the motion. Motion carries 6-0.

Professional time \$55.00. Lori Tabit moved to approve and Zenda Vance seconded the motion. Gabe Pena, Brian Good, Stanley Boyd, and Okey Skidmore approved the motion. Motion carries 6-0.

Research time \$27.00. Okey Skidmore moved to approve and Stanley Boyd seconded the motion. Brian Good, Gabe Pena, Zenda Vance, and Lori Tabit approved the motion. Motion carries 6-0. These fees fall within the national average for these services.

Discuss and act on first reading to repeal Ordinance 1315.03(b), 1315.03 (e), 1315.04, and 1315.05 on short term rentals. Stanley Boyd moved to approve and Okey Skidmore seconded the motion. Lori Tabit, Zenda Vance, Brian Good, and Gabe Pena approved the motion. Motion carries 6-0.

Discuss and act on first reading to repeal Article 755.09. This is to repeal Hawkers and Peddlers. Gabe Pena moved to approve and Stanley Boyd seconded the motion. Brian Good, Stanley Boyd, Lori Tabit, and Zenda Vance approved the motion. Motion carries 6-0.

Discuss resending Article 1317.03 (0) Luch Wagon or Diner. This would prohibit lunch wagons and diners except on fixed and permanent foundation and required approval of the Board of Zoning Appeals. Mayor Cruikshank asked if everyone was ok to set a public hearing on June 22, 2021 at 4 p.m. for food trucks. Gabe Pena moved to approve and Zenda Vance seconded the motion. Brian Good, Stanley Boyd, Lori Tabit, and Stanley Boyd approved the motion. Motion carries 6-0.

Discuss and act on first reading Part 11 Health and Sanitation Code 1131.03 removing 1 mile out of Town. Gabe Pena moved to approve and Lori Tabit seconded the motion. Brian Good, Stanley Boyd, Zenda Vance, and Okey Skidmore approved the motion. Motion carries 6-0.

Discuss and act on first reading to amend 1515.08 (a) Bonfires and Outdoor Rubbish Fires. This would be amended to remove language burning rubbish since you cannot do so under state law. Ben Morgan asked if smokers or Bar-a-que grilling would be prohibited because of all the smoke. Town Attorney Carl Harris said he would check but did not think that would be

included. It would be open fires and not cooking. Gabe Pena moved to approve and Stanley Boyd seconded the motion. Okey Skidmore, Lori Tabit, Zenda Vance, and Brian Good approved the motion. Motion carries 6-0.

Discuss and act on Bridge Day Chili Cook-off selling beer on Thursday, October 14, 2021. Tabitha Stover from CVB said they would like to sell beer again this year at the Chili Cook-off. They would like to have it in front of Town Hall or the Courthouse Lawn. Tabitha said they would have security at the event and would like for people to be able to drink beer as they are eating the chili. Lori Tabit said she thought it would be good to have it downtown. Okey Skidmore said the past 2 years they had the chili cook-off they told council it would be contained in one area and it wasn't. Zenda Vance said that CVB had come before Council the past 2 times and told us they would have security to make sure the alcohol was contained to the designated area. That did not happen. The Police Department even said they had issues. Mayor Cruikshank asked for a motion to approve the sell of alcohol in front of Town Hall. Lori Tabit moved to approve and Brian Good seconded the motion. Gabe Pena approved the motion. Stanley Boyd, Okey Skidmore, and Zenda Vance voted against the motion. Due to a tie Mayor Cruikshank asked that the motion to be tabled until the exact location of the event is presented to Council and a full plan on how it would be handled. The plan as presented has too many open ends.

Discuss and act on Town participating in the WV State Auditor Program "The Mountaineer". Gabe Pena moved to approve and Lori Tabit seconded the motion. Brian Good, Zenda Vance, Stanley Boyd, and Okey Skidmore approved the motion. Motion carries 6-0.

Discuss and act on seeking Quotes for Dental, Vision, and Life Insurance. The new plan would go into effect July 1, 2021. Lori Tabit moved to approve and Okey Skidmore approved the motion. Brian Good, Stanley Boyd, Zenda Vance, and Gabe Pena approved the motion. Motion carries 6-0.

Discuss and act on possibly lowering the speed limit on Maple Avenue in the Nickleville Neighborhood. They are asking the speed limit be lowered to 30 m.p.h. starting at the curve then dropping to 15 m.p.h. in school zone and then 25 m.p.h. into town. Mayor Cruikshank said a letter would have to be sent to DOH. Council asked that Rotan Street be added to the letter. Gabe Pena moved to approve and Lori Tabit seconded the motion. Brian Good,

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**Stanley Boyd, Zenda Vance, and Okey Skidmore approved the motion.
Motion carries 6-0.**

**Mayor Cruikshank asked for a motion to adjourn the meeting. Lori Tabit
moved to approve and Stanley Boyd seconded the motion.**

Meeting adjourned at 7:42 p.m.

Mayor Sharon Cruikshank

Recorder Zenda L Vance