

**City of Martinsburg  
Regular Council Meeting  
Thursday, January 10, 2019  
The J. Oakley Seibert Council Chambers**

With a quorum present, the regular session of the Martinsburg City Council was called to order by Mayor George Karos at 6:30 PM. The following Council Members were present: Gregg Wachtel, Harriet Johnson, Dennis Etherington, Kevin Knowles, Ken Collinson, and Jason Baker. Not present was Mark Baker. Also present were: Mark Baldwin, City Manager; Gena Long, City Recorder, City Attorney Kin Sayre, Police Chief Maury Richards; City Engineer/Planning Director Kim Petrucci, Utilities Director Steve Knipe, Finance Director Mark Spickler, Community Development Administrator Nancy Strine and Public Works Director Jeff Wilkerson.

**3. Salute to Flag**

Councilman Etherington led the salute to the flag.

**4. Prayer—**

Pastor Mike Cantley, St. Luke's United Methodist Church, delivered the invocation.

**5. Approve December 13, 2018 Regular Council Meeting Minutes.**

Motion made by Councilman Etherington, seconded by Councilman J. Baker to approve the December 13, 2018 Regular Council Minutes. Motion carried unanimously.

**6. Approve November 2018 Administrative and Financial Report**

Motion made by Councilman Knowles, seconded by Councilman J. Baker to approve the November 2018 Administrative and Financial Report. Motion carried unanimously.

**7. Presentations**

**a. Introduction of Shane Farthing, Economic and Community Development Director**

Shane Farthing introduced himself thanking Council for the opportunity, stating that he would be reaching out to them soon to learn of their visions for the City.

**b. Administer Oath of Office to Martinsburg Police Officers Lawrence Meeks, III, Dalton Condo and Ethan Anderson**

Item removed from the agenda.

**c. Administer Oath of Office to Martinsburg Firefighter/EMT Basic Stephen Minghini**

The City Recorder administered the Oath of Office.

**d. Eastern West Virginia Regional Airport Authority Update—Neil Doran**

Mr. Neil Doran, Eastern West Virginia Airport Authority Executive Director, discussed the current and upcoming initiatives of the Authority. He also introduced Mr. Jack Brossart, the new Business Development Manager.

**e. FY 2017-2018 Audit Update—CoxHollida**

Mr. Chuck Young, CoxHollidaYoung, PLLC, stated that the annual review of the City's financial records showed that the proper controls and separation of duties are in place and the records are organized and efficiently kept. These factors help to identify and mitigate risk, and all was as it should be with no discrepancies. He stated that all grant awards are also being handled appropriately. The City is in healthy financial position when considering revenues over expenses. For the first time, the OPED liability was audited and reported, and all was in order.

City Manager Mark Baldwin thanked Finance Director Mark Spickler and his staff for a job well done.

**f. Make comment on ABCA Zoning Form for Chesapeake Foods, Inc., d.b.a. Chilis's Bar and Grill—884 Foxcroft Avenue (change of ownership)**

Nicky Smith, attorney from Bowles Rice, represented the applicant.

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve the form without comment. Motion carried unanimously.

**g. Make comment on ABCA Zoning Form for Golden Restaurant, LLC, d.b.a. Holiday Inn—301 Foxcroft Avenue (change of ownership)**

Nicky Smith, attorney from Bowles Rice, represented the applicant.

Motion made by Councilman Etherington, seconded by Councilman Knowles, to forward the form without comment. Motion carried unanimously.

**h. Make comment on ABCA Zoning Form for Giant Food Stores, d.b.a. Martins Food Market in WV—1317 Edwin Miller Blvd**

Nicky Smith, attorney from Bowles Rice, represented the applicant.

Motion made by Councilman Wachtel, seconded by Councilwoman Johnson, to forward the form without comment. Motion carried unanimously.

**8. Petitions from Citizens**

Ms. Susan Bales, Randolph Street, spoke about the condition of the property at 431 W. Martin Street which has been in a state of disrepair since a fire several years ago. She pointed out a number of unresolved code enforcement issues around the City. She also stated that her daughter is displeased that water bills cannot be paid online.

**9. Receive and File Reports—Minutes—Correspondence of the Following:**

**a. Main Street Martinsburg October 15, 2018 Meeting Minutes and Financial Reports**

**b. Eastern Panhandle Transit Authority October 15 and November 19, 2018 Meeting Minutes and Financial Reports**

**c. Martinsburg-Berkeley County Parks and Recreation Board November 20, 2018 Meeting Minutes**

**d. For the Kids, by George Children's Museum December 6, 2018 Meeting Minutes and Director's Report**

**e. Correspondence from Berkeley County Council to Delegate Larry Kump regarding vehicles with out-of-state registrations**

**f. Correspondence from Berkeley County Council to Secretary of Transportation Thomas Smith regarding Highway Improvements**

**g. Comcast memorandum regarding channel line-up changes**

**h. Memorandum notifying of acquisition of O'Brien and Gere Limited by Ramboll Gruppen A/S, effective January 1, 2019**

**i. MARC Comparative Analysis: Presentation to West Virginia MARC Funding Committee**

**j. Findings of Fact in relation to the Appeal of Case No. HP18-00044, 145-149 N. Queen Street, TPI, LLC, owner**

**k. Planning Commission November 7, 2018 Meeting Minutes**

**l. Correspondence from Martinsburg-Berkeley County CVB advising that Matthew DeHaven will not seek reappointment to the Board**

Motion made by Councilman Wachtel, seconded by Councilman J. Baker, to receive and file items 9A-9L. Motion carried unanimously.

#### **10. Reports of Chairpersons of Council Standing Committees**

##### **11. Report of Mayor**

###### **a. Discuss Meeting Dates for Joint City of Martinsburg/Berkeley County Council Meeting**

Several dates had been presented and discussed. The Mayor and City Manager will forward the options to the County Council and will get back to Council with a date and time.

###### **b. Report the following vacancies:**

- **Historic Preservation Review Commission (1)**
- **Board of Zoning Appeals (2 alternates)**
- **Parking Authority (2)**
- **Human Relations Committee (2)**
- **Code Appeals Board (engineer or architect)**
- **Fire Civil Service Commission (1)**
- **M-BC Convention and Visitors Bureau (1)**

##### **12. Report of City Attorney**

##### **13. Report of City Manager**

##### **14. Unfinished Business**

##### **15. New Business**

**a. Resolution 2019-01 of Accomplishment to Honor the Martinsburg High School Bulldogs 2018 Football Team for a Successful Season and to Commend the Outstanding Players and Coaches for Capturing the 2018 Class AAA State Football Championship Title**

The Resolution to be forwarded to the High School .

**b. Approve/deny quote recommendation for the Martinsburg Fire Department for six (6) escape packs (10 min 4500 psi cylinders)--\$3,146.58 (524.43 each)—Municipal Emergency Services**

Motion made by Kc, seconded by Councilman Wachtel, to approve the quote recommendation. Motion carried unanimously.

**c. Discuss and take action as necessary regarding stand-by generator bid for the Martinsburg Fire Department--\$148,477 Todd Electric, Inc.**

Motion made by Councilman Knowles, seconded by Councilman Collinson, to approve the bid contingent upon the submittal of a performance bond at the time of Notice to Proceed. Motion carried unanimously.

**d. Discuss and take action as necessary regarding the purchase of water supply hose (see quotes and memo)**

Martinsburg Fire Department Captain Thomas explained that some of the current 5" water supply hose needs to be replaced at this time at a cost of \$8,360. The Fire Department intends to ask Council for \$52,500 in July to replace all 5" hose with 4" hose. Captain Thomas requested that Council approve the funds for replacement at this time rather than spend \$8,360 on hose that will be replaced in several months.

Mr. Sayre stated that if Council wishes to approve this funding, due to the amount, the bid process should be followed unless this is an emergency purchase. Captain Thomas stated that it is not.

There was considerable discussion about the merits of 4" water supply hose, which is lighter, adequate for the water supply and uses better technology than the current hose.

Motion made by Councilman J. Baker, seconded by Councilman Knowles, to go out to bid for the purchase of adequate 4" hose to replace all of the 5" hose. Motion carried unanimously.

**e. Approve/deny 2% of Total Proceeds of Previous Year's Projected Tax Collections to Berkeley County Assessor for Valuation Fund**

Motion made by Councilman Collinson, seconded by Councilwoman Johnson, to approve the payment into the valuation fund. Motion made 5-1; Councilman J. Baker voting no.

**f. Approve/deny Partnership with Potomac Valley Audubon Society--\$5,500**

Motion made by Councilman Collinson, seconded by Councilman Etherington, to approve the partnership. Motion carried unanimously.

**g. Approve/deny Standard Form of Agreement between City of Martinsburg and Capital Business Interiors for Police Department/Municipal Court Building furniture, fixtures and equipment--\$549,050**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve the agreement. Motion carried unanimously.

**h. Approve/deny Pay Application # 8 for W. Harley Miller for the Martinsburg Police Department/Municipal Court building--\$399,780**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve the pay application. Motion carried unanimously.

**Executive Session**

There was no Executive Session.

Meeting adjourned by unanimous consent at 7:13 PM.

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George Karos, Mayor

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Gena Long, City Recorder