

**City of Martinsburg
Regular Council Meeting
Thursday, July 11, 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 and Ken Collinson. Absent was Jason Baker. Also present were: Mark Baldwin, City Manager; Gena Long, City Recorder, City Attorney Kin Sayre, Police Chief Maury Richards; Utilities Director Steve Knipe, Fire Chief J.D. Hummingbird, Economic/Community Development Director Shane Farthing and Finance Director Mark Spickler.

3. Salute to Flag

Councilwoman Johnson led the salute to the flag.

4. Prayer—

Mayor Karos led the invocation.

5. Approve June 13, 2019 Regular Council Meeting Minutes

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve the June 13, 2019 Regular Council Minutes. Motion carried unanimously.

6. Approve June 24, 2019 Special Meeting Minutes

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to approve the June 24, 2019 Special Meeting Minutes. Motion carried unanimously.

7. Approve May 2019 Administrative and Financial Report

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to approve the May 2019 Administrative and Financial Report. Motion carried unanimously.

8. Presentations

9. Petitions from Citizens

Mr. Richard Dennis, new Consumer Advocate for the Attorney General's office, introduced himself and stated that he will be working locally.

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

a. Main Street Martinsburg April 22, 2019 Meeting Minutes and Financial Reports

b. Martinsburg-Berkeley County Public Library Commission May 23, 2019 Meeting Minutes and Director's Reports

c. Eastern WV Regional Airport Authority May 13, 2019 Meeting Minutes and Financial Report

d. Press Release—CDC Public Information Session regarding PFAS Exposure Assessment—July 24, 2019

e. Martinsburg Planning Commission April 3, 2019 Meeting Minutes

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to receive and file the 10A-10E. Motion carried unanimously.

11. Reports of Chairpersons of Council Standing Committees

A. Council as Whole Committee Minutes—July 1, 2019

Present: Mayor George Karos, Councilmembers Kevin Knowles, Jason Baker, Harriet Johnson, Dennis Etherington, Gregg Wachtel, Ken Collinson (via phone).

Others in Attendance: Kin Sayre City Attorney

Unable to Attend:

Mayor Karos opened the meeting, explaining the purpose of the meeting was to discuss the applicants for the vacant Ward 4 Council seat (Mark C. Baker).

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to go into Executive Session.

Motion made to adjourn the meeting.

12. Report of Mayor

a. Reminder of Special City Council Meeting scheduled for Monday, July 29, 2019 at 5 PM to approve FY 2019-2020 Budget Revisions, and other business as needed

b. Reminder that August 2019 Regular Council Meeting will be held on Thursday, August 15 (3rd Thursday), beginning at 6:30 PM

c. Schedule Committee as a Whole Meeting for Monday, August 19, 2019 at 4:30 PM

Report the following vacancies:

- **Historic Preservation Review Commission (1)**
- **Parking Authority (2)**

13. Report of City Attorney

14. Report of City Manager

15. Unfinished Business

16. New Business

a. Approve Resolution 2019-13—Coal Severance Tax Fund FY 2019-2020 Revision #1

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve Resolution 2019-13. Motion carried unanimously.

b. Approve/deny Audit Procurement Committee recommendation for contract to perform the City of Martinsburg audit for fiscal years ending June 30, 2019 and June 30, 2020

Motion made by Councilman Collinson, seconded by Councilwoman Johnson, to approve the recommendation for \$86K for two years with Kozicki, Hughes, Tickerhoof, PLLC. Motion carried unanimously.

c. Approve/deny renewal of City of Martinsburg property, causality and liability insurance with Travelers Insurance Company--\$882,119

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve the renewal. Motion carried unanimously.

d. Approve/deny renewal of City of Martinsburg workers' compensation insurance with Brickstreet--\$270,946

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to approve the renewal. Motion carried unanimously.

e. Approve/deny agreement between the City of Martinsburg and Harris Northstar for Utility Solutions software— not to exceed \$236,099

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

f. Approve/deny agreement between the City of Martinsburg and Innovative, Inc., for hardware for above software--not to exceed \$36,536

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

g. Discuss and take action as necessary regarding potential Market House repair & use alternatives (see memo)

Economic Director Shane Farthing discussed the options regarding the necessary repairs on the Market House. The City could do nothing, or repair the building on its own or seek private/public partnerships. He stated that he does not know what interest there may be from investors, but recommended a broad and aggressive marketing campaign to seek both the best cost and best use of the historic structure. He conceded that there may be no interest at all, but should that be the case, the City will have the other remaining options, which it has now.

City Manager Mark Baldwin stated that the Market House is the City's building and is on the City's priority list. Some time ago, grant funds were sought to do a complete rehabilitation and it was hundreds of thousands of dollars needed at that time. Historic tax credits and other tools are attractive to investors. The second story is currently unusable and would provide substantial space for redevelopment and reuse.

Motion made by Councilman Etherington, seconded by Councilman Knowles, to request Expressions of Interest to solicit proposals from potential partners in the redevelopment of the Market House. Motion carried unanimously.

h. Discuss and take action as necessary regarding Berkeley County Roundhouse Authority's request to allocate \$3,000 for architectural cost analysis of the Frog Shop (see memo)

City Manager Mark Baldwin explained that the Roundhouse Authority needs \$9,000 to conduct an architectural cost analysis of the Frog Shop. They are proposing that the City, County and Roundhouse Authority all contribute one third of the needed dollar amount.

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve the allocation contingent upon the other entities agreeing to allocate their portions. Motion carried unanimously.

i. Approve/deny Pay Application # 14 for W. Harley Miller for the Martinsburg Police Department/Municipal Court building--\$1,009,665

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

j. Approve/deny Martinsburg Police Department Standards-Operational Policies regarding Tattoos, Brands and Body Piercings

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to approve the policy amendment. Motion carried unanimously.

k. Approve/deny Martinsburg Police Department Standards-Operational Policies regarding Modified Take Home Vehicles

Police Chief Maurice Richards stated that there are four officers impacted by the City's current policy, which does not allow for vehicles to be taken across state lines. The current policy presents problems in the areas of fairness, vehicle security and retention and recruitment. He asked Council to remove that prohibition. The twenty-five air mile radius will remain in effect and there will be no impact on the insurance.

Councilman Knowles stated that this policy change is a long time coming.

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to approve the policy amendment. Motion carried unanimously.

Executive Session

Council went into Executive Session for legal, real estate and personnel at 6:52 PM.

Meeting adjourned by unanimous consent at 7:07 PM.

George Karos, Mayor

Gena Long, City Recorder