

**City of Martinsburg  
Regular Council Meeting  
Thursday, February 13, 2020  
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: Harriet Johnson, Gregg Wachtel (6:31 PM) Dennis Etherington, Kevin Knowles, Ken Collinson, Kimberly Nelson and Jason Baker. Also present were: City Manager Mark Baldwin, Gena Long, City Recorder, City Attorney Kin Sayre, Deputy Police Chief George Swartwood; Fire Chief J.D. Hummingbird, Public Works Director Jeff Wilkerson, Utilities Director Steve Knipe, Finance Director Mark Spickler, Economic/Community Development Director Shane Farthing, CDBG Administrator Nancy Strine, and City Engineer/Planning Director Kimberly Petrucci.

**3. Salute to Flag**

Councilman Knowles led the salute to the flag.

**4. Prayer—**

Lay Rabbi Steve Sassoon, Beth El Congregation, led the invocation.

**5. Approve January 9, 2020 Regular Council Meeting Minutes**

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve the January 9, 2020 Regular Council Meeting Minutes. Motion carried unanimously.

**6. Approve December 2019 Administrative and Financial Report**

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to approve the December 2019 Administrative and Financial Report. Motion carried unanimously.

**7. Public Hearing to present a substantial amendment to the City of Martinsburg's FY 2018 Annual Action Plan for use of Community Development Block Grant Funds**

Nancy Strine, CDBG and HOME Administrator, welcomed everyone to the first public hearing to discuss a substantial amendment to transfer a portion of the 2018 CDBG funds from the City's Streets/ADA \$130,854 project to the Martinsburg-Berkeley County Parks and Recreation Board's Oak Street Bathroom Project. Currently, there is \$80,000 budgeted for this project. As previously discussed in the December 2019 Council meeting, Parks and Rec submitted a letter requesting more money to be able to complete this project. The bids came in at \$183,000 and \$186,000. Because this is federal funds, prevailing wage rates apply and that is the reason for the increase in bids.

This is considered a substantial amendment in accordance with the City's Citizen Participation Plan since the scope, purpose and location of the project activity have changed. This amendment has been on display for a month and I have received no comments.

The City has determined that it is necessary to amend the approved CDBG 2018 program year.

The Resolution in your agenda approves the transfer of \$83,000 from the City's Streets/ADA curb line item, reducing it to \$47,854 to Martinsburg-Berkeley County Parks and Rec to install new bathrooms at Oak Street Park, increasing their line item from \$80,000 to \$163,000.

Mayor Karos opened the public hearing at 6:35 PM. As no one came forward, the public hearing was closed at 6:35 PM.

**a. Approve/deny Resolution 2020-02 Amending the FY 2018 CDBG Program Budget and Annual Action Plan**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve Resolution 2020-02. Motion carried unanimously.

**8. Public Hearing to discuss the City's FY 2020 Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME) Entitlement funds through the Eastern Panhandle HOME Consortium and the housing and community development and economic development needs of the City of Martinsburg, WV**

Mayor Karos opened the public hearing at 6:37 PM.

CDBG/HOME Administrator Nancy Strine made the following comments:

Welcome to our first public hearing to receive comments for our FY 2020 Community Development Block Grant (CDBG) and HOME Annual Action Plan public hearing. We begin the process to prepare our one-year annual plan for the use of these funds and to receive public input.

The City of Martinsburg has been a CDBG Entitlement Community since 2004 and we have received over \$5.6M in funds. The primary objective of the CDBG program is to provide housing and community and economic development for low and moderate income persons (70% of the expenditures of the grant) by providing decent housing, a suitable living environment and expanding economic opportunities. This past year, we spent 100% of our CDBG expenditures serving low and moderate income persons.

In 2019, the City budgeted 15% for public services (15% required cap), for 8 different non-profit groups providing services in the City of Martinsburg; 65% on public facilities and improvements including funds to Martinsburg-Berkeley County Parks and Rec to develop a park at 251 E. Burke Street and to support the Boys and Girls Club with renovations for the bathrooms, making them ADA accessible, install a fence along the sidewalk and repair the curb and sidewalk on John and Queen Streets. Several of these social service groups are here tonight and will be speaking.

HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low income households. The City of Martinsburg has been participating with the HOME Program since 2007. We have received \$5.5M for housing assistance for the City of Martinsburg, Berkeley County, Jefferson County, and Morgan County.

The HOME Housing Assistance Program (HAP) assists first time homebuyers with gap financing to purchase their first home in the City of Martinsburg, Berkeley, Jefferson and Morgan Counties. The program this past year assisted 29 first time homebuyers, 13 in Berkeley County, 6 in the City of Martinsburg, 5 in Jefferson County and 5 in Morgan County.

Historically, we have assisted 291 first time homebuyers in the Eastern Panhandle. Our \$4M of HAP loans have leveraged \$38M in home sales and \$35M in the first mortgage loans.

With the HOME Program, we are required to set aside 15% of our annual allocation to be used by Community Housing Development Organizations (CHDO). The only currently eligible CHDO in the Eastern Panhandle is the Eastern Panhandle Habitat for Humanity. We continue to support them as they build the homes in the Auburndale Subdivision in the City.

Now, I will turn it over to the public for comments.

Ms. Teresa Shumate, Community Networks, Inc., read the following statement:

My name is Theresa Shumate and I am the Executive Director of Community Networks, Inc. Thank you for the Community Development Block Grant and the extra money that the agency was awarded. The funds are utilized for our Bethany House Emergency Shelter. The Bethany House is a 32-bed homeless shelter for single women and women with children right here in downtown Martinsburg. The shelter has remained full for the past two years. Last fiscal year, the Bethany House served 297 women and 98 children, for a total of 395 clients, that stayed in our shelter. The total number of shelter nights last year was 11,707 and 14,500 meals were served to the women and their children. Thank you again for the Community Development Block Grant and the agency will be applying for the grant again this year.

Ms. Staci Rohn, Boys and Girls Club, recognized Steve Catlett for his service to the community and the organization. Ms. Rohn went on to say that the funds are used at the Boys and Girls Club for enhancements and improvements and allowed for them to start the ADA bathroom project for the children. The goal of the Club is to provide a safer space for the boys and girls. She also was thankful for the funds that allow for scholarships for ten children. The next project is an elevator, and she does not yet have cost estimates for this. She would also like to remove the balconies on the exterior, if approval can be granted from the State and City historic review boards.

Councilman Wachtel asked if the City could bid for the elevator project to attempt to get a better rate. City Manager Mark Baldwin stated that Nancy Strine will help with that process.

Ms. Beverly Van Meter, CCAP Loaves and Fishes, delivered the following statement.

CDBG Funding of \$7,000 was awarded for FY 2019-2020.

CCAP/L&F provides rental assistance to low income households to prevent eviction when a notice of arrears is presented. Payment in the form of a voucher is provided to the billing entity after verification that our voucher will be accepted for this debt. This assistance can be received once in five years.

In 2019, CCAP/L&F rental assistance as provided to 245 unique households for a total of \$130,700. The average amount of assistance was \$533. Rent is our largest expenditure in direct financial assistance.

CCAP /L&F was chartered in 1982 and has grown its services steadily since that time. The organization enjoys a reputation for stewardship of resources and compassionate assistance to the neediest of our citizens.

The members of the CCAP/Loaves and Fishes Board of Directors wish to express their appreciation for the financial support of our efforts to prevent families from eviction and homelessness provided by the Martinsburg City Council.

Ms. Mary Lewis, Main Street Martinsburg, delivered the following statement:

Good evening Mayor, City Manager, City Council and CDBG Administrator,

As many of you realize, the arts can play an important role in a City's economic development and growth strategy.

We all want our City to be a vibrant community.

Public art, namely murals, can provide the necessary catalyst for community growth.

Main Street Martinsburg was instrumental in coordinating funding for and execution of the Market House mural many years ago. Main Street is currently working on a public art mural in the 200 block of W. Burke Street and researching other funding opportunities for additional murals. It has occurred to Main Street that the CDBG funds could prove the necessary vehicle to spearhead the addition of other murals in our City and leverage additional funding.

In 2017, the National League of Cities published its State of the Cities, in which the arts and culture played a major sub-topic of economic development.

Issues addressed in relation to arts and culture were public safety, infrastructure, housing, education, and health, to name a few.

Please be on the lookout for Main Street Martinsburg's CDBG grant application where we plan to address the mural project in depth.

Thank you for listening and for your continued support of Main Street Martinsburg.

Michelle Sudduth, CASA, addressed Council. She stated that 600 children came before the Court system the previous year. The grant funds help recruit and train volunteer advocates. CASA kids spend less time in the system, do better in school and are less likely to return to the system. There were a 100 cases of abused children this past year in the City of Martinsburg. Diane Waldron, Berkeley County Meals on Wheels, delivered the following statement:

Berkeley County Meal on Wheels wishes to thank the City of Martinsburg for the \$6,000 grant awarded to our program last fiscal year. From January-December 2019, our program provided 2,765 meals to City residents. Meals on Wheels had to subsidize \$6,536 in order for these hot, nutritious, home-delivered meals to be delivered daily. It's plain to see every cent of the City block grant was used to help sustain our program.

Many of these homebound seniors are isolated and live alone. Twenty percent are World War II, Korean, and Vietnam veterans. Your grant directly impacts their lives.

Because these folks rely on our service, we are once again applying in 2020/2021 for the City block grant.

On behalf of these recipients, thank you for the privilege of allowing them to stay independent in their own home and maintain a safety net through the daily well check our volunteer drivers provide.

Simply put, you save lives.

Mr. Steve Catlett, Martinsburg-Berkeley County Parks and Recreation, thanked the City and Mayor for passing the resolution to transfer the funds needed for the Oak Street Park bathroom project. He stated that historically the City has invested half a million dollars in CDBG funds throughout the City such as the Martin Luther King Park, Leeland Park, Ambrose Park, Oak Street Park, and now the new park to be built at 251 East Burke Street. He will be submitting a new CDBG application for funds to continue the new park on 251 Burke Street

Ms. Strine stated that she has written comments from the following:

- Children's Home Society;
- Berkeley Senior Services;
- Eastern Panhandle Empowerment Center

As no one else came forward, the public hearing closed at 6:57 PM.

#### **9. Presentations**

##### **a. West Virginia Municipal League James C. Hunt Lifetime Achievement Award presented to Mayor George Karos—Kevin Knowles, Vice President WVML**

Councilman Knowles presented the award to Mayor Karos.

##### **b. Aimee Tickerhoof, Kozicki, Hughes and Tickerhoof, Certified Public Accountants—FY 2018-2019 Audit**

Aimee Tickerhoof, Wheeling, WV, discussed the City's most recent audit. She stated that the City's records meet the requirements in terms of financial statements, internal controls and grants. The only issue found was that the City's water and sewer rates are not sufficient to support the utility and should be reviewed.

#### **10. Petitions from Citizens**

Ms. Barbara Henry, GFWC Woman's Club, made the following statements:

Mayor Karos and members of the Council, thank you for allowing the GFWC Women's Club of Martinsburg the time to acknowledge the passage of the 19<sup>th</sup> Amendment to our Constitution.

Congress passed the 19<sup>th</sup> Amendment, which gave women the right to vote, June 1919 after decades of arguments for and against women's suffrage. Once this was approved, at least 36 states needed to vote in favor of the amendment for it to become law.

In February 1920, the West Virginia Legislature met in special session regarding the amendment and was lobbied heavily by the state's suffragists. On March 3, the House of Delegates voted for the amendment and on March 10, in a 15-14 vote, the State Senate made West Virginia the 34<sup>th</sup> of the 36 states needed to ratify the amendment.

August of 1920, the 19<sup>th</sup> Amendment was ratified, ensuring that the right to vote could not be denied based on sex. Thus, women were given the right to vote.

Secretary of State Mac Warner has formed the West Virginia Centennial Celebration of the 19<sup>th</sup> Amendment Planning Committee to commemorate the 100<sup>th</sup> Anniversary of the passage of the 19<sup>th</sup> Amendment to the United States Constitution.

To commemorate that February 1920 special session of the West Virginia Legislature, which was the beginning of women having the right to become leaders of our State, the GFWC Women's Club of Martinsburg would like to recognize Harriet Weakley Johnson and Kimberly Nelson, members of the Martinsburg City Council, and thank each for their service of the City.

Cheryl Dolan, our representative to the Celebration Committee would like to present Harriet and Kimberly a "Votes for Women" sash in recognition of the 100<sup>th</sup> Anniversary.

It is a privilege to have this opportunity to thank you for your service.

Councilwomen Johnson and Nelson were presented with the sashes and expressed their gratitude.

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

- a. Martinsburg-Berkeley County Parks and Recreation Board November 19, 2019 and December 17, 2019 Meeting Minutes**
- b. Eastern Panhandle Transit Authority December 16, 2019 Meeting Minutes**
- c. Main Street Martinsburg January 21, 2020 Meeting Minutes and Financial Report**
- d. Martinsburg-Berkeley County Convention and Visitor's Bureau January 22, 2020 Meeting Minutes and Directors Report**
- e. Memorandums from Comcast regarding service delivery updates (January 10, 2020), programming changes (January 24, 2020) and pricing changes (January 27, 2020)**
- f. Memorandum from Mayor Karos to WV Historic Preservation Office in support of Shenandoah Landlord, LLC's Historic Preservation Grant Application (January 23, 2020)**
- g. Memorandum from Mayor Karos to the US Environmental Protection Agency, Office of Brownfields and Land Revitalization, in support of Martinsburg Interwoven Mills Revitalization Project Land Revitalization Technical Assistance Grant (January 22, 2020)**
- h. Memorandum from Mayor Karos in support of Healthy Berkeley's Healthy People Healthy Places grant application (January 22, 2020)**
- i. Hagerstown/Eastern Panhandle Metropolitan Planning Organization October 16, 2019 Meeting Minutes and Projects Update**
- j. Eastern WV Regional Airport Authority December 9, 2019 Meeting Minutes and Financial Report**
- k. City of Martinsburg 2019 Annual MS4 Stormwater Report**
- l. Board of Zoning Appeals November 5, 2019 Meeting Minutes**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to receive and file Items 11A-11L. Motion carried unanimously.

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

### **13. Report of Mayor**

#### **a. Appoint Matthew DeHaven to the Martinsburg-Berkeley County Convention and Visitor's Bureau to fill and expired term ending 1/1/2022**

Motion made by Councilman Wachtel, seconded by Councilman Collinson, to appoint Mr. DeHaven. Motion carried unanimously.

#### **b. Reappoint Buzz Poland to the Martinsburg-Berkeley County Parks and Rec Board through 3/1/2023**

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to reappoint Mr. Poland. Motion carried 6-1; Wachtel voting no.

#### **c. Schedule Council as a Whole Committee Meeting for Monday, February 24, 2020 at 4:30 PM to discuss budget and other business as needed**

Report the following vacancies:

- **Historic Preservation Review Commission (1)**
- **Parking Authority (2)**
- **Planning Commission (1)**
- **M-BC Convention and Visitors Bureau (1)**

## **14. Report of City Attorney**

## **15. Report of City Manager**

## **16. Unfinished Business**

### **17. New Business**

#### **a. First and Second Reading of Ordinance 2020-01 Approving and Adopting Current Replacement Pages to the Codified Ordinances**

Motion made by Councilman Etherington, seconded by Councilman Baker, to read Ordinance 2020-01 through the first and second reading, by title only. Motion carried unanimously.

#### **b. Approve/deny Resolution 2020-02 Amending the FY 2018 CDBG Program Budget and Annual Action Plan See Item 7 A.**

#### **c. Approve/deny Resolution 2020-03 Authorizing the Donation of Decommissioned Police 2007 Dodge Durango (6051) to the Morgan County Sheriff's office**

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve Resolution 2020-03. Motion carried unanimously.

**d. Approve/deny Resolution 2020-04 Authorizing Supplemental Agreement #2 between the City of Martinsburg and the WV Department of Transportation, Division of Highways, for the E. Burke Street underpass project--\$167,488.80**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve Resolution 2020-04. Motion carried unanimously.

**e. Approve/deny Special Events Permit 2020-01 for Berkeley Heights 5K to be held on Saturday, April 18, 2020 along the attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$700 recommended)**

Motion made by Councilman Etherington, seconded by Councilwoman Johnson, to approve Special Events Permit 2020-01, as submitted, contingent upon adequate liability insurance and payment of \$700. Motion carried unanimously.

**f. Approve/deny Special Events Permit 2020-02 for March of Dimes March for Babies Event to be held on Saturday, May 2, 2020, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$210 recommended)**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve Special Events Permit 2020-02, as submitted, contingent upon adequate liability insurance and payment of \$210. Motion carried unanimously.

**g. Approve/deny Special Events Permit 2020-03 for the Bucky's LTD Auto Body/Main Street Martinsburg Norwalk Soapbox Derby, to be held on Saturday June 13, 2020 from 7 Am until 3:30 PM (rain date June 20), contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, (\$3,965.50 recommended unless waived in accordance with ordinance)**

Motion made by Councilman Baker, seconded by Councilwoman Johnson, to approve Special Event Permit 2020-03 as submitted, waiving fees in the amount of \$3,965.50. Motion carried unanimously.

**h. Approve/deny Special Events Permit 2020-04 for Main Street Martinsburg's Snowman Auction to be held on Sunday, March 29, 2020 from 3-4 PM in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$0 recommended)**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve Special Events Permit 2020-04, contingent upon proof of adequate liability insurance. Motion carried unanimously.

**i. Approve/deny Special Events Permit 2020-06 for St. John's Lutheran Church's Palm Sunday Gathering at the Square on Sunday, April 5, 2020 from 10 AM -10:15 AM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$0 recommended)**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve Special Events Permit 2020-06, contingent upon proof of adequate liability insurance. Motion carried unanimously.

**j. Approve/deny Main Street Martinsburg's request to hold the Festival of Banners June-September 2020**

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

**k. Authorize Letter of Endorsement to the ABCA for Main Street Martinsburg's Wine Fest to be held on May 23-May 24 on the grounds of Boydville**

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

**l. Approve/deny Main Street Martinsburg's request to hold the Snowman Spectacular—January-March 2021**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve as requested. Motion carried unanimously.

**m. Appoint Deb Dorsey and Brenda Spaulding as Ballot Commissioners for the City of Martinsburg General Election**

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve. Motion carried unanimously.

**n. Approve/deny purchase of seven (7) replacement concealable ballistic vest for the Martinsburg Police Department—Galls (State contract/ \$750 each—total \$5,551.72) (Policy Levy/General Fund)**

Motion made by Councilman Wachtel, seconded by Councilman Baker, to approve. Motion carried unanimously.

**o. Approve/deny request from Martinsburg Police Department to pay invoice from Valley Guns from the Police Materials Fund (\$6,869.14) and Police Levy fund (\$1,507.86)—total \$8,377 (purchase approved November 14, 2019 from Drug Forfeiture Fund)—see memo**

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

**p. Approve/deny hiring of three (3) Stormwater interns for the summer of 2020 and associated partnerships with Shepherd University and Cacapon Institute (City funds 2 interns/Cacapon funds 1)**

Motion made by Councilwoman Nelson, seconded by Councilman Collinson, to approve. Motion carried unanimously.

**q. Approve/deny hiring of four (4) temporary Public Works seasonal employees for summer 2020**

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

**r. Approve/deny bid recommendation for tree removal on N. Alabama Avenue--\$4,500---Markley's Tree Service**

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

City Manager stated these funds will come from Shade Tree fund.

Councilman Knowles asked if sidewalk damage on private property is addressed by the City. The City Manager replied that this is evaluated in accordance with the ordinance.

**s. Approve/deny Change Order #1 for the Gateway/Wayfinding Signage Project (\$0 and 0 days) for footer design and installation**

Motion made by Councilman Wachtel, seconded by Councilwoman Johnson, to approve. Motion carried unanimously.

**t. Approve/deny Change Order #2 for Gateway/Wayfinding Signage Project (\$0/30 calendar days) for updated project schedule**

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

**u. Approve/deny Change Order #3 for Gateway/Wayfinding Signage Project (\$910 credit to City/0 days) for silt fencing**

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

**v. Approve/deny Change Order #4 for Gateway/Wayfinding Signage Project (\$910/0 days) for removal of sign**

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

**w. Approve/deny Change Order #5 for Gateway/Wayfinding Signage Project (\$1,725.88 credit to City/0 days) for punchlist items—see change order for full listing**

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

**x. Approve/deny purchase of fifteen (15) Taser devices, holsters, chargers and batteries –Axon--\$37,870 (General Fund Capital Outlay)**

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

**y. Confirm payment of Pay Application #5 from RiteLight Signs for the Gateway/Wayfinding Project --\$34,868.70**

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

**z. Approve/deny Change Order #7 for the Martinsburg Police Department/Municipal Court Building-- \$59,113**

Motion made by Councilman Wachtel, seconded by Councilman Collinson, to approve. Motion carried unanimously.

**aa. Approve/deny Pay Application # 21 to W. Harley Miller for the Martinsburg Police Department/Municipal Court Building--~~\$281,050~~ \$274,400**

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

**bb. Approve/deny Pay Application #1 to Capital Business Interiors for the Martinsburg Police Department/Municipal Court Building--\$411,787.50**

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve. Motion carried unanimously.

**cc. Approve/deny Sanitary Pump Station (Vista Lane Area)—Snyder Environmental \$71,505 (Sewer Department Budget)**

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

**dd. Approve/deny bid recommendation for fencing at E. Burke Street Bridge Area--\$29,880 (General Fund/General Fund Reserve Budget)**

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve. Motion carried unanimously.

**ee. Approve/deny wastewater treatment plant hazardous waste disposal--\$39,980—SPSI (Sewer Department Budget)**

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

**ff. Approve/deny facility encroachment agreement between City of Martinsburg and CSX Transportation Inc and assorted fees (\$500)—water line project on CSX property (Water Department budget)**

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

**gg. Approve/deny facility encroachment agreement between City of Martinsburg and CSX Transportation Inc and assorted fees (\$6,300)—stormwater line project on CSX property (Stormwater Budget)**

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

City Manager Mark Baldwin stated that the above two items are in conjunction with the Train Station Corridor Project.

Councilwoman Nelson asked why the stormwater line is so much more than the water line. Utilities Director Steve Knipe replied that the cost is based on the amount of encroachment.

**hh. Authorize bid process for water, sewer and stormwater project on E. Martin Street (Queen Street-White Avenue)**

Motion made by Councilman Collinson, seconded by Councilwoman Johnson, to approve. Motion carried unanimously.

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to go into Executive Session for legal matters at 7:31 PM. Motion carried unanimously.

Meeting adjourned by unanimous consent at 7:42 PM.

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George Karos, Mayor

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Gena Long, City Recorder