

**City of Martinsburg
Regular Council Meeting
Thursday, March 12, 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 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, and City Engineer/Planning Director Kimberly Petrucci.

3. Salute to Flag

Councilman Baker led the salute to the flag.

4. Prayer—

Pastor Lynn Wilson, Calvary United Methodist Church, led the invocation.

5. Approve February 13, 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 January 2020 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 seek input on the issue of a Special Use Permit Application to use Real Property Located at the Intersection of Mall Road and Porter Avenue, City of Martinsburg (Tax Parcel 06-17-00700002) as a Wireless Telecommunications Facility—Liberty Towers, LLC

Mayor Karos opened the public hearing at 6:34 PM.

Mr. Richard Lemanowicz, representing Liberty Towers, stated that the permit is for a 100-foot-tall communications tower which will be designed to resemble a tree. The consultant review pointed out several conditions, which the applicant has no objection to.

City Attorney Kin Sayre stated that there is a deed restriction which requires that the property be used solely for recreation that will need to be released. The Housing Authority has indicated that they will release the restriction for this purpose. Any approval of the permit should be contingent upon meeting all conditions specified by the consultant as well as the release of the deed restriction.

As there was no further comment, the public hearing closed at 6:39 PM.

Motion made by Councilman Collinson, seconded by Councilman Knowles, to move Item 16 U up on the agenda.

16 u. Approve/deny Liberty Towers, LLC's Special Use Permit Application to use Real Property Located at the Intersection of Mall Road and Porter Avenue as a Location for a Wireless Telecommunications Facility

Councilman Knowles asked if Council should wait for the contingencies to be satisfied before approving the permit application.

City Manager Mark Baldwin stated that as long as the motion is contingent upon the satisfaction of the conditions and the deed release, the permit will not be issued until those requirements are met.

Councilman Wachtel asked how far down the contractors will have to dig. Mr. Lemanowicz responded thirty-feet. Councilman Wachtel asked what would happen if they hit rock. Mr. Lemanowicz replied that they have equipment and processes, such as blasting or drilling, for that occurrence.

Councilman Etherington asked if Planning had approved the construction. Mr. Sayre responded that is part of the process and it will be done at the appropriate times.

Motion made by Councilman Collinson, seconded by Councilman Knowles, to approve the permit application, contingent upon satisfaction of the consultant's conditions and the deed release. Motion carried unanimously.

8. Presentations

a. Administer Oath of Office to Firefighter/EMT Basic Trevor Alexander

The City Recorder administered the Oath.

b. National Service Recognition Day Proclamation—April 7, 2020

The City Recorder will forward the Proclamation.

C. Green Hill Historic African American Cemetery, Inc. Regarding Clearing at the Cemetery

Charlotte Norris, representing Green Hill Historic African Cemetery, Inc., spoke about the need to clean up the cemetery grounds to restore dignity to the burial sites of over one hundred individuals. She stated that, per City staff review, only three of the trees can be safely removed. The organization would also like to have approximately thirty-two stumps removed.

Motion made by Councilman Collinson, seconded by Councilman Etherington, to move item 16 MM up on the agenda.

16 MM. Approve/deny Request from Green Hill Historic African American Cemetery, Inc., to Remove Trees at the Cemetery

Motion made by Councilman Knowles, seconded by Councilwoman Johnson, to remove the trees and accessible stumps, per the recommendations of the Public Works Director. Motion carried unanimously.

9. Petitions from Citizens

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

a. Eastern Panhandle Transit Authority January 13, 2020 Meeting Minutes

b. Main Street Martinsburg February 17, 2020 Meeting Minutes and Director's Report

c. General Aviation Appreciation Month Proclamation, as signed February 20, 2020

d. City of Martinsburg Fire Department 2019 Annual Report

e. Memorandums from Comcast notifying of address change, dated 12/18/19, effective 12/19/19, and package changes, dated 2/28/2020, effective 5/5/2020

f. Foxcroft Avenue Pedestrian Road Safety Assessment, December 3-4, 2019

g. Eastern West Virginia Regional Airport Authority January 13, 2020 Meeting Minutes and Financial Report

Motion made by Councilman Etherington, seconded by Councilman Baker, to receive and file Items 10A-10G. Motion carried unanimously.

11. Reports of Chairpersons of Council Standing Committees
Committee as a Whole Minutes—February 24, 2020

Minutes were approved as follows:

Council as a Whole Committee Minutes
Monday, February 24, 2020—4:30 PM

Present: Mayor George Karos, Councilmembers Ken Collinson, Dennis Etherington, Harriet Johnson, Jason Baker, Kimberly Nelson, Kevin Knowles and Gregg Wachtel

Others in Attendance: Mark S. Baldwin, City Manager; Mark B. Spickler, Finance Director; and Steve Knipe, Utilities Director

Mayor Karos opened the meeting and the following items were discussed:

1. DRAFT Proposal for Water and Sewer Rate Increase: City Manager and Finance Director provided and overview of two (2) proposed water and sewer rate increase example. First example was to increase water and sewer rates per "going level." These increases would allow for adequate bond coverage, but would not allow for future growth, staff, or capital improvements. The second example was "pro forma". These increases would also allow for adequate bond coverage and allow for staffing growth as well as funding for capital improvements for a five-year period.

After discussion on both examples, consensus of the Committee was for an ordinance to be prepared for the pro forma example for 1st and 2nd reading on March 12, 2020. Third and final reading anticipated to occur at the April 9, 2020 City Council meeting. Effective date of the rate increases would be June 1, 2020.

2. FY 2019-2020 Budget Overview Update—Mark Spickler, Finance Director, provided an overview of the GF Budget and reported the City's financial status is in good standing.

3. Discuss 2020-2021 Property Tax Levy Rates—Mark Spickler stated the purpose of tonight's discussion was to determine if the City Council would want to have a public hearing to increase property taxes above 3% (0-3% is permitted by State Code without a public hearing for a tax increase).

Consensus of the Committee was to recommend to City Council not to proceed with a special meeting for a tax increase above 3%.

Finance Director stated he would have the property tax values from the Berkeley County Tax Assessor's Office the first week of March and would provide examples at the next Council as a Whole Committee meeting.

4. Discuss other Governmental Entities and Outside Agencies FY 2020-2021 Budget Requests

Funding levels remain the same for those requesting funds from the previous year except for the following:

- Berkeley County Humane Society allocation recommendation was \$4,000, up from the previous year's request of \$3,000;
- Airport Authority Funding remained the same. City Council to discuss at future meetings on the number of memberships to fund. Presently, six members are budgeted in the amount of \$30,000 (\$5,000 per member);
- EPTA allocation was for \$55,000; previous year's allocation was for \$50,000;
- Health Department allocation recommendation was for Harm Reduction in the amount of \$20,000; previous allocation was \$15,000.
- Berkeley County Roundhouse Authority. This was a new request for \$20,000 for a personnel position. Consensus of the Committee was to not fund this request, it was for personnel.

Projects Update—no update reported

The next Council as a Whole Committee meeting was scheduled for Monday, March 16, 2020 at 4 PM with a Special City Council meeting scheduled to approve budgets on Thursday, March 26, 2020 at 5 PM.

12. Report of Mayor

a. Reminder of Council as a Whole Committee Meeting, Monday, March 16, 2020 at 4:30 PM to discuss budgets and other business as needed

b. Reminder of Special City Council Meeting on Thursday, March 26, 2020 at 5 PM to approve budgets and other business as needed

c. Schedule Special City Council Meeting for Tuesday, April 21 2020 (per State Code) at 5 PM to approve levy rates and other business as necessary

Report the following vacancies:

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

13. Report of City Attorney

a. Discuss City of Martinsburg appointments to the Eastern West Virginia Airport Authority per State Code and City of Martinsburg

City Attorney Kin Sayre stated that, per agreement, each entity would fund \$15,000, which would entitle them to three members. Per State Code, per \$5000 of additional funding, an additional member can be appointed up to the

cap. If the City wishes to reduce funding to \$15,000, then the membership would need to be reduced to three members. The City also gives money for special projects, but those funds are not counted toward membership. He recommended a review of the existing terms to determine if any members should be removed or not reappointed.

b. Receipt of petition from Police Chief Maurice Richards located at 1310 W. Martin Street, owners of record, F. Dennis Clarke, Lola Clarke and Timmothy Clarke

Mr. Sayre stated that there has been a long-standing issue with this property, beginning in 2014. The City has attempted to get compliance on the various health and safety issues. The City Court find Mr. Clarke \$49, 000 and agreed to reduce the fine if compliance would be maintained. Mr. Clarke maintained compliance for the 180 days required, and is no longer compliant.

Mr. Sayre stated he would like to set a hearing and that Mr. F. Dennis Clarke and Lola Clarke, the parents of Timmothy Clarke, be served as well, as the deed transfers may have been illegal, due to the citations on the property.

Mayor Karos announced that Boy Scouts Troop 13 was in attendance.

14. Report of City Manager

City Manager Mark Baldwin gave an update on various City projects:

- Traffic Signal Upgrade Project—ongoing
- E. Martin Street water/sewer/stormwater—out to bid
- Burke Street Bridge—bid and supplies being gathered
- Vista Lane—moving forward next week
- Martinsburg Police Department Building—Fire Marshal due following week; parking site plans will go before the Planning Commission in May

15. Unfinished Business

a. Third and Final Reading of Ordinance 2020-01 Approving and Adopting Current Replacement Pages to the Codified Ordinances

17. New Business

a. First and Second Reading of Ordinance 2020-02 Setting Forth Sewer Rates, Minimum Charge, Disconnect/Reconnect/Administrative Charges, Service Connection Charge, Delayed Payment Penalty, and Capital Improvement Fees for the City of Martinsburg, West Virginia

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to read Ordinance 2020-02 through the first and second reading, by title only. Motion carried 5-2; Baker and Johnson voting no.

b. First and Second Reading of Ordinance 2020-03 Setting Forth Water Rates, Minimum Charge, Reconnection Charge, Service Connection Charge, Delayed Payment Penalty, and Capital Improvement Fees for the City of Martinsburg, West Virginia

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to read Ordinance 2020-03 through the first and second reading, by title only. Motion carried 5-2; Baker and Johnson voting no.

c. Approve/deny Special Events Permit 2020-05 for Main Street Martinsburg's Easter Celebration/Pet Parade/Egg Roll, on Saturday, April 11, 2020 from noon until 2 PM, along attached route and in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$52.50 recommended, unless waived in accordance with Ordinance)

Motion made by Councilman Etherington, seconded by Councilman J. Baker, to approve Permit 2020-05, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

d. Approve/deny Special Events Permit 2020-07 for the Main Street Martinsburg/Healthy Berkeley Truffle Shuffle 5 K, to be held on Saturday, April 25, 2020 from 7:30 AM until 9:30 AM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,365 recommended, unless waived in accordance with Ordinance)

Motion made by Councilman Wachtel, seconded by Councilman Collinson, to approve Permit 2020-07, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

e. Approve/deny Special Events Permit 2020-08 for the Main Street Martinsburg/Healthy Berkeley Farmer's Market, to be held Friday evenings June 5, 2020-August 7, 2020 from 4-7 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 unless waived in accordance with ordinance)

Motion made by Councilman Collinson, seconded by Councilwoman Johnson, to approve Permit 2020-08, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

f. Approve/deny Special Events Permit 2020-09 for Main Street Martinsburg's Fridays at Five Summer Concert Series to be held on Friday Evenings, June 5, 2020-August 7, 2020, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$700 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve Permit 2020-09, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

g. Approve/deny Special Events Permit 2020-10 for Main Street Martinsburg's Circa Blue Music Fest on Saturday, June 6, 2020 from 1-7 PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,466.50 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA

Motion made by Councilman Baker, seconded by Councilwoman Johnson, to approve Permit 2020-10, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

h. Approve/deny Special Events Permit 2020-11 for Main Street Martinsburg's Cruise-In on Main Car Show on Sunday, June 21, 2020 from 2-5 PM, on Queen Street, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,618 recommended unless waived in accordance with ordinance);

Motion made by Councilman Collinson, seconded by Councilwoman Johnson, to approve Permit 2020-11, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

i. Approve/deny Special Events Permit 2020-12 for Main Street Martinsburg/Tony M. Music's Martinsburg Rocks, Children's Summer Concert Series Thursday mornings from 10 AM until noon from June 11-August 6, 2020, 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 Knowles, to approve Permit 2020-12, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

j. Approve/deny Special Events Permit 2020-13 for Main Street Martinsburg's Boots, Brews and BBQ Festival on Saturday, August 15, 2020 from 3-7 PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,658.25 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA

Motion made by Councilman Collinson, seconded by Councilwoman Nelson, to approve Permit 2020-13, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

k. Approve/deny Special Events Permit 2020-14 for St. John's Lutheran Church's Back to School Block Party on Saturday, August 15, 2020 from 11 AM-3 PM, on W. Martin Street, 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 Knowles, to approve Permit 2020-14, as submitted, contingent upon proof of adequate liability insurance. Motion carried unanimously.

l. Approve/deny Special Events Permit 2020-15 for Main Street Martinsburg's Farm to Fork Event in the Town Square Pedestrian Plaza on Sunday, September 27, 2020 from 5-8 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, (\$0.00 recommended), approval to include letter of endorsement to the ABCA

Motion made by Councilman Collinson, seconded by Councilman Baker, to approve Permit 2020-15, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

m. Approve/deny Special Events Permit 2020-16 for Main Street Martinsburg's Chili Cook-off on Saturday, October 3, 2020 from 2-5 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$747.25 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA

Motion made by Councilman Collinson, seconded by Councilman Wachtel, to approve Permit 2020-16, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

n. Approve/deny Special Events Permit 2020-17 for Main Street Martinsburg's Christmas Tree Lighting in the Town Square Pedestrian Plaza for Friday, November 27, 2020 from 6-8 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, (\$280 recommended unless waived in accordance with ordinance)

Motion made by Councilman Wachtel, seconded by Councilman Collinson, to approve Permit 2020-17, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

o. Approve/deny Special Events Permit 2020-18 for Main Street Martinsburg's Christmas on Main Parade on Tuesday, December 1 2020 from 3-7 PM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$2,040 recommended unless waived in accordance with ordinance)

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve Permit 2020-18, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

p. Approve/deny Special Events Permit 2020-19 for Main Street Martinsburg's Apple Drop on Thursday, December 31, 2020 from 4-6:30 PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,025 recommended unless waived in accordance with ordinance)

Motion made by Councilman Knowles, seconded by Councilman Baker, to approve Permit 2020-19, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

q. Approve/deny Special Events Permit 2020-20 for Four State CVEB's Veterans Day Parade on Sunday, November 8, 2020 from 11:30 AM-2:30PM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,549.50 recommended)

Motion made by Councilman Knowles, seconded by Councilman Collinson, to approve Permit 2020-20, as submitted, contingent upon proof of adequate liability insurance and payment of fees. Motion carried unanimously.

Councilman Knowles asked about waiving fees. City Attorney Sayre stated that fees can only be waived for City funded or co-funded events.

r. Approve/deny Special Events Permit 2020-21 for God Won Ministries International, Inc.'s God's in the Square Event to be held on Saturday, April 18 from 11AM-4PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$0 recommended)—Pending Departmental review

Motion made by Councilman Baker, seconded by Councilman J. Baker, to approve Permit 2020-21, as submitted, contingent upon proof of adequate liability insurance and compliance with Planning Department recommendations. Motion carried unanimously.

s. Approve/deny Special Events Permit 2020-22 for Berkeley County Ministerial Association's Good Friday Cross Walk to be held along attached route on Friday, April 10, 2020 from 10:30 AM until noon, 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 Permit 2020-22, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

t. Approve/deny Special Events Permit 2020-23 for the Hope Dealer Project's Stand Together Vigil on Saturday, April 18, 2020 from 7:45-9 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 J. Baker, to approve Permit 2020-05, as submitted, contingent upon proof of adequate liability insurance and waiving fees. Motion carried unanimously.

u. Approve/deny Liberty Towers, LLC's Special Use Permit Application to use real property located at the intersection of Mall Road and Porter Avenue, as a location for a Wireless Telecommunications Facility

See item 7 A.

v. Approve/deny agreement with Zambelli Fireworks for Fourth of July Fireworks Display (\$10,000--\$5,000 deposit due in advance)

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

w. Approve/deny 60-month City Hall copier lease with Xerox (State Contract) --\$734.08/monthly

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

x. Approve/deny Martinsburg Police Department purchase of six (6) portable fingerprint scanners and associated adapters and batteries—Idemia Identity and Security USA, LLC--\$10,990 (\$10,957 JAG Grant/\$33.00 City Police Levy Fund)

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

y. Approve/deny Martinsburg Police Department purchase of five (5) Motorola portable radios—Motorola Solutions--\$13,650.45 (\$13,575 JAG Grant/\$75.45 City Police Levy Fund)

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

z. Approve/deny Martinsburg Police Department purchase of five (5) in-car radar units—West Virginia Public Equipment, LLC--\$8,075 (Police Levy Fund)

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

aa. Approve/deny purchase of Martinsburg Police Department digital audio recorder, Stephen Campbell & Associates--\$17,191 w/ \$1,949 annual maintenance fee (Police General Fund Capital Outlay Account)

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

bb. Approve/deny Martinsburg Police Department purchase of four (4) 2020 Dodge Durangos—Stephens Auto Center (State Contract) --\$29,808 each/equipment and decals \$8,777 each—total \$154,342 (Police Levy and Capital Outlay Funds)

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

cc. Approve/deny bid recommendation for two (2) Public Works Department snow plows—Shade Equipment Company--\$14,762

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

dd. Approve/deny award of bid for tree removal to Antietam Tree and Turf (previously awarded to Markley's Tree Service), --\$6,950

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

ee. Approve/deny Memorandum of Understanding between the City of Martinsburg and Cacapon Institute for the WV Chesapeake Bay Program Internship for the summer of 2020

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

ff. Approve/deny continued funding for Water Treatment plant operation and management, OBG, Tasks 1-11, \$12,966

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

gg. Approve/deny APO/STI "fit for service" internal inspection of fiberglass AST Tank at the wastewater treatment plant—Chem Inspection, LLC--\$3,257

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

hh. Approve/deny Change Order #6 between RiteLight Signs and the City of Martinsburg to install illuminated panels to the existing four (4) parking lot signs--\$5,992.00 (General Development Fund)

City Manager Mark Baldwin explained that the City has had no complaints about the signs, but upon installation it is believed that the signage would be more user friendly and more visible with illuminated panels.

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

ii. Approve/deny purchase of five (5) decorative bases for Gateway Signs--\$5,000 (General Development Fund)

City Manager Mark Baldwin stated that this will make the signage more aesthetically appealing.

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

jj. Approve/deny Pay Application # 22 to W. Harley Miller for the Martinsburg Police Department/Municipal Court Building--\$438,110

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

kk. Discuss and take action as necessary regarding reduction of City of Martinsburg appointments to the Eastern Regional Airport Authority, effective 7/1/2020 (City currently has 6 appointments @ \$5,000 each)

Councilman Wachtel asked why this is being considered. Councilman Knowles replied that, per discussions, the money could be used elsewhere.

Councilwoman Nelson asked if the City will be adequately represented with three members. Councilman Wachtel responded no. Councilman Collinson responded that the City is currently adequately represented.

Councilman Baker stated that he is not sure how the citizens of Martinsburg are benefited by the Airport Authority and that there are organizations that would directly benefit the City residents, such as the Round House Authority. He is not opposed to supporting the Authority and considering funding for projects.

Mr. Baldwin added that, should Council approve reduced funding, the three appointments that are up for reappointment in May would just not be reappointed.

Motion made by Councilman Knowles, seconded by Councilwoman Nelson, to reduce funding and membership to the Eastern West Virginia Regional Airport Authority to \$15,000 and three members. Motion carried 5-2; Wachtel and Collinson voting no.

II. Approve/deny lease agreement between the City of Martinsburg and Fountain of Youth Gardens Farm for lease of space in the Historic Market House

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

mm. Approve/deny request from Green Hill Historic African American Cemetery, Inc., to remove trees at the cemetery

See item 8 C.

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to go into Executive Session for legal and personnel matters at 7:34 PM. Motion carried unanimously.

Meeting adjourned by unanimous consent at 7:42 PM.

George Karos, Mayor

Gena Long, City Recorder