

**City of Martinsburg
Regular Council Meeting
Thursday, May 14, 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 6:34 PM. The following Council Members were present: Harriet Johnson, Gregg Wachtel, Dennis Etherington, Kevin Knowles, Ken Collinson, Kimberly Nelson and Jason Baker. Physically present were City Manager Mark Baldwin, City Attorney Kin Sayre and City Recorder Gena Long. Several members of the staff were present telephonically.

3. Salute to Flag

Mayor Karos led the salute to the flag.

4. Prayer—

Mayor Karos led the invocation.

5. Approve April 9, 2020 Regular Council Meeting Minutes

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

6. Approve April 16, 2020 Special Meeting Minutes

Motion made by Councilwoman Johnson, seconded by Councilman Wachtel, to approve the April 16, 2020 Special Meeting Minutes. Motion carried unanimously.

7. Approve April 21, 2020 Special Meeting Minutes

Motion made by Councilman Collinson, seconded by Councilwoman Johnson, to approve the April 21, 2020 Special Meeting Minutes. Motion carried unanimously.

8. Approve March 2020 Administrative and Financial Report

Motion made by Councilman Knowles, seconded by Councilman Etherington, to approve the March 2020 Administrative and Financial Report. Motion carried unanimously.

9. Presentations

a. Proclamation—Men’s Health Month—June 2020

City Recorder to forward the proclamation.

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

a. United States Department of Environmental Protection’s City of Martinsburg Municipal Separate Storm Sewer System (MS4) Program Audit Report and City of Martinsburg response

b. Martinsburg Fire Department COVID-19 Update (April 20, 2020)

c. Letter of resignation -- Ted Morgan from the Martinsburg-Berkeley County Parks and Recreation Board (term expires August 1, 2020)

d. Letter of resignation—Jason Barrett from the Eastern West Virginia Airport Authority (term expires June 30, 2021)

e. Martinsburg Police Department Annual Report—Calendar Year 2019

f. Historic Preservation Review Commission March 2, 2020 Regular Meeting Minutes

g. Martinsburg Board of Zoning Appeals February 4, 2020 Regular Meeting Minutes

h. Martinsburg Planning Commission March 4, 2020 Regular Meeting Minutes

Motion made by Councilman Wachtel, seconded by Councilman Collinson, to receive and file Items 10A-10H. Motion carried unanimously.

11. Reports of Chairpersons of Council Standing Committees

12. Report of Mayor

a. Schedule Special City Council Meeting for Wednesday, May 27, 2020 beginning at 5 PM for the purposes of holding a public hearing on the complaint filed by Police Chief Maurice Richards in regards to nuisance conditions at 1310 W. Martin Street

b. Appoint Larry Dunn to the Eastern West Virginia Airport Authority to fill unexpired term ending June 30, 2021 (vacated by Jason Barrett)

Motion made by Councilman Knowles, seconded by Councilman Etherington, to appoint Mr. Dunn. Motion carried unanimously.

c. Reappoint the following to the Region 9 Planning and Development Council through July 1, 2022

George Karos
Mark Baldwin
Rachel Snavely

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

Report the following vacancies:

- Historic Preservation Review Commission (1)
- Parking Authority (2)
- Planning Commission (1)
- Shade Tree Commission (1)
- Martinsburg-Berkeley County Parks and Recreation Board (1)

15. Report of City Attorney

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

City Attorney Kin Sayre stated that all parties have been served and the Chief of Police and Planning Director are prepared to deliver testimony on the nuisance complaints. If Council upholds the determination, Mr. Sayre will file a request for abatement in Circuit Court to allow the City to take action to take possession of and potentially demolish the structure.

b. Discuss FY 2020-2021 annual appointments of City Recorder, Police Court Judge, Police Court Alternate Judge(s), and City Treasurer

Mr. Sayre stated that since the election was moved to July 28, and these positions expire June 30, Council would need to determine if they would like to make these appointments, or wait until the new Council was sworn in. The appointees, like elected officials, would serve until replaced or reappointed, per WV State Code 8-5-9.

The consensus of Council was to wait.

14. Report of City Manager

City Manager Mark Baldwin directed Council to the enclosed Martinsburg Police Department Annual Report and the Martinsburg Fire Department COVID-19 update.

The City Manager gave a brief update on on-going projects.

Mr. Baldwin gave an update on several funding sources in response to the COVID-19 pandemic. The CARES Act will provide 27,916.72; HUD COVID award for the City was 210,613; Department of Justice for the Police Department funding in the amount of \$43,748. He also mentioned the Federal Cares Act funding of \$1.25B to the State to be dispersed as appropriate. Finance Director Mark Spickler has created a FEMA account in anticipation of possible fund from that source.

15. Unfinished Business

16. New Business

a. Approve/deny bid recommendation for Granular Activated Carbon (GAC) for Big Springs Water Treatment Plant--\$202,560—Tigg, LLC

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

City Manager Mark Baldwin explained that this would change-out the remaining vessels that were not previously upgraded in response to PFOA.

b. Approve/deny bid recommendation for 185 50-foot sections of 1 ¾" fire hose—Martinsburg Fire Department--\$32,375—Finley Fire Equipment

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

c. Approve/deny bid recommendations for decorative light post painting--\$11,400—Stephens Painting

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

d. Approve/deny request from Zachary Hilliard to perform curb cut on W. Martin Street for purposes of installing a driveway.

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

e. Approve/deny appointment of election officials for the July 28, 2020 City of Martinsburg General Election with limited discretion to the City Recorder to amend as necessary

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

f. Approve/deny Highmark Medifil Plan I Prescription retiree Medicare Supplemental (closed group) changes--\$29,792.28

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

g. Approve/deny pay application #2 to Capitol Business Solutions for Martinsburg Police Department/Municipal Court Project--\$54,905

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

h. Approve/deny Pay Application #24 to W. Harley Miller for Martinsburg Police Department/Municipal Court Project--\$43,300

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

i. Approve/deny mosquito control services for certain locations in the City of Martinsburg—July-September--\$8,840 (\$2,210 per treatment)--Ehrlich

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

j. Approve/deny consultant agreement between the City of Martinsburg and Nancy S. Strine Consultants, LLC for CDBG and HOME administration, effective July 1, 2020-June 30, 2021

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

k. Approve/deny CDBG/HOME Administrator's recommendation to implement United States Department of Housing and Urban Development (HUD) allocation of CARES act funds--\$210,613

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

City Manager explained that CDBG/HOME Administrator Nancy Strine has supplied an outline and has been working with HUD on protocols. Public meetings will be scheduled in the July/August time frame.

l. Approve/deny Change Order #1 between the City of Martinsburg and Snyder Environmental Services for Martin Street Utility Relocation Project--\$12,750 credit to the City.

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

Council entered executive session at 6:56 PM, for personnel and legal matters.

Meeting adjourned by unanimous consent at 7:23 PM.

George Karos, Mayor

Gena Long, City Recorder