

**City of Martinsburg
Special Council Meeting
Monday, July 27, 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 6:00 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, Police Chief George Swartwood, and Finance Director Mark Spickler.

3. Salute to Flag

Councilman Wachtel led the salute to the flag.

4. Prayer—

Councilwoman Johnson led the invocation.

5. Presentations

6. Petitions from Citizens

Mr. Dan Dulyea, N. Queen Street, thanked Mayor Karos for his many years of service. He encouraged discussion and action regarding the Linear Park and asked that Council consider tying the park into the Rte. 9 bike path and Poor House Farm Park.

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

8. Report of Chairpersons of Council Standing Committees

9. Report of Mayor

a. Reminder of Special City Council Meeting for Monday, August 3, 2020 at 5 PM, for opening the canvass for the City of Martinsburg General Election

b. Reminder of Special City Council Meeting for Wednesday, August 5, 2020 at 5 PM for purposes of certifying the results of the City of Martinsburg General Election

c. Reminder of Special City Council Meeting for Wednesday, August 5, 2020, immediately following the conclusion of the 5 PM Meeting, for purposes of administering oath of office to Mayor and Council

10. Reports of City Attorney

a. Update on Matters related to COVID-19

City Attorney Kin Sayre stated that the Governor has issued requiring masks when social distancing is not possible. There have been some questions about what the City can or will do to enforce the mandatory mask policy at City Hall, as the Governor had given no guidance in term of enforcement. The City should address the matter in terms of property owner rights. Repeat offenders will be asked to leave and, if they should return, must be wearing a mask.

11. Report of City Manager

a. Memo in reference to uncommitted funds for FY 20-21

b. Projects Update

12. Unfinished Business

a. Third and Final Reading of Ordinance 2020-09 Amending Ordinance 2020-05, which Established Job Descriptions for Employees of the City of Martinsburg, West Virginia

City Manager Mark Baldwin explained that this is for a custodian at the new MPD building if needed.

Motion made by Councilman Etherington, seconded by Councilman Collinson, to read Ordinance 2020-09 through the third and final reading, by title only, and adopt. Motion carried unanimously.

13. New Business

a. First and Second Reading of Ordinance 2020-10, Authorizing the Mayor to Execute Necessary Documents to Purchase a Portion of the Property known as Real Estate Located and Shown on the Tax Map for the City of Martinsburg, Map M5, Parcel 54 in Exchange for a Portion of the Property within the Current Right of Way of Factory Street

City Attorney Kin Sayre explained that, over time, Factory Street has moved and is now encroaching on the Ice Plant property. It is in the interest of both property owners to swap the right of way that we no longer use for the right of way where the roadway now is.

Councilwoman Nelson asked why the City would want to do this. City Attorney reiterated that it is in the interest of the City and to the property owner to swap the right of way that we no longer use for the right of way where the roadway now is, as we are currently encroaching on the property.

b. Approve/deny Resolution 2020-17 concerning General Fund Revision #1 for FY 2020-2021

Motion made by Councilman Etherington, seconded by Councilman Collinson, to approve Resolution 2020-17. Motion carried unanimously.

c. Approve/deny Resolution 2020-18 concerning Coal Severance Tax Fund Budget Revision #2 for FY 2020-2021

Motion made by Councilman Collinson, seconded by Councilman Etherington, to approve Resolution 2020-18. Motion carried unanimously.

d. Approve/deny quote recommendations for Martinsburg Police Department's purchase of forty-two (42) load bearing ballistic vest covers--\$16,813—Police Levy Fund

Motion made by De, seconded by Councilwoman Johnson, to approve the purchase. Motion carried unanimously.

e. Approve/deny agreement between Granicus and City of Martinsburg for Agenda Management/Live Streaming and Video Recording Software--\$4,500 one-time set-up fee, and attached annual fee

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

f. Approve/deny agreement between City of Martinsburg and Innovative, Inc., to provide hardware for audio/video system for Council Chambers, in conjunction with Granicus agreement

Assistant City Manager Andy Blake stated that he had received a quote for approximately \$25,000, but intended to negotiate with Innovative on some items. The cost of this hardware can be submitted for reimbursement via CARES Act. Quote and approval would include video conferencing hardware and software for the Council Chambers and Conference Room.

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

g. Approve/deny Pay Application #1 to Snyder Environmental for E. Martin Street utilities relocation project-- \$98,832.60

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

h. Authorize City Manager to advertise for Request for Proposals for mobile payment methods for parking meters

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

i. Authorize City Manager to resubmit Transportation Alternatives Grant Intent to Apply application for Tuscarora Creek Linear Trail

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

j. Authorize City Manager to submit Transportation Alternatives Construction Grant Intent to Apply application for streetscape improvements project on N. Queen Street from Pennsylvania Avenue to Race Street (Phase Three of N. Queen Street Underpass Project)

Councilman Baker recommended that Council and staff look at this in terms of Roundhouse Project.

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

k. Approve/deny request to use Caperton Train Station Platform as a filming location on Thursday, July 30, 2020 (see attached memo), contingent upon proof of adequate liability insurance

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

I. Approve/deny Change Order (s) for Martinsburg Police Department Municipal Court Project

No action necessary.

Council adjourned by unanimous consent at 7:12 PM.

George Karos, Mayor

Gena Long, City Recorder