

**City of Martinsburg  
Regular Council Meeting  
Tuesday, August 25,2020  
The J. Oakley Seibert Council Chambers**

With a quorum present, the regular session of the Martinsburg City Council was called to order by Mayor Harriet Johnson at 5:00 PM. The following Council Members were present: Cory Roman, Steve Knipe, Dennis Etherington, Kevin Knowles, Ken Collinson, Kimberly Nelson, and Jason Baker. Also present were City Manager Mark Baldwin, Assistant City Manager Andy Blake, City Attorney Kin Sayre, City Recorder Gena Long, Police Chief George Swartwood, Finance Director Mark Spickler and City Engineer/Planning Director Kim Petrucci.

**3. Salute to Flag**

Councilman Roman led the salute to the flag.

**4. Prayer—**

Councilman Knipe led the invocation.

**5. Presentations**

**6. Petitions from Citizens**

Mr. Randy Lewis, Main Street Martinsburg, explained that Main Street is a volunteer-based program, and with COVID issues, volunteerism has decreased. He asked Council to approve a Community Kindness Day on September 26. The theme is “meet, clean and green,” and the volunteers will engage in downtown beautification and clean-up. There will also be a canned food drive.

Mr. Lewis also asked that the City offer free parking through the end of 2020 to help downtown businesses get traffic.

Mayor Johnson thanked Mr. Lewis for his suggestions and stated these items can be placed on the September 10 agenda for consideration.

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

**a. For the Kids, by George, Children’s Museum May 7, June 4 and July 7 Meeting Minutes**

**b. Main Street Martinsburg June 15, 2020 Board Minutes and Financial Reports**

Motion made by Councilman Roman, seconded by Councilman Etherington, to receive and file Items 7A-7B. Motion carried unanimously.

**8. Reports of Chairpersons of Council Standing Committees**

**9. Report of Mayor**

**a. Update on WVDOT street repaving within City of Martinsburg**

Mayor Johnson was pleased to announce that the State has announced they plan to pave the route from Sheridan Avenue, north on Winchester Avenue to King Street, east on King to Queen Street and north on Queen to Cloud Street. Randolph and Baltimore Streets will also be paved as part of this project.

**10. Report of City Attorney**

**11. Report of City Manager**

**12. Unfinished Business**

**a. Third and Final Reading of Ordinance 2020-11, amending Ordinance 2020-09 which Established Job Descriptions for Employees of the City of Martinsburg, West Virginia**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to read the third and final reading of Ordinance 2020-11, by title only, and adopt. Motion carried unanimously.

**b. Third and Final Reading of Ordinance 2020-12 to Amend and Re-Enact Part Fifteen – Fire Prevention Code, Article 1501 Section 1501-01 of the Codified Ordinances of The City of Martinsburg, and Repealing Ordinance Number 2017-02 of The City of Martinsburg, West Virginia.**

Motion made by Councilman Etherington, seconded by Councilman Knowles, to read Ordinance 2020-12 through the third and final reading, by title only, and approve. Motion carried 6-1; Baker voting no.

**c. Third and Final Reading of Ordinance 2020-13 To Amend and Re-Enact Portions of The Codified Ordinances of The City of Martinsburg, Part Seventeen – Building and Housing Code, Article 1711 – West Virginia State Building Code, Section 1711.01 – Adoption; And Repealing Ordinance Number 2019-02 Of the City of Martinsburg, West Virginia**

Motion made by Councilman Etherington, seconded by Councilman Collinson, to read Ordinance 2020-13 through the third and final reading, by title only, and adopt. Motion carried 6-1; Baker voting no.

**13. New Business**

**a. Approve/deny bid recommendations for CDBG street paving--\$46,442—Jefferson Asphalt Products Company, Inc.**

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

**b. Approve/deny bid recommendation for General Fund street paving--\$709,563—Jefferson Asphalt Products Company, Inc.**

City Manager Mark Baldwin stated that he recommended approving the streets included in the alternate bid, and also discussed some savings that might be realized as the E. John Street paving will come from the Sewer Fund and Vicky Bullet street will be paid by CDBG funds. He also discussed some alterations to the paving needs around Alabama Avenue.

Councilman Baker asked for a tentative start date. City Manager Baldwin stated that he did not have a definite date, but this is a fall project, and will likely occur in line with the State paving to take place.

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

**c. Approve/deny Special Events Application 2020-33 for Faith Feeding Freedom's Jam Youth to take place on Wednesdays from September 2-October 28, 2020 from 6-8 PM in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance, adherence with any COVID-19 protocols in place at the time of event, and payment of any recommended fees for City services (\$0.00 recommended)**

Motion made by Councilman Collinson, seconded by Councilman Baker, to approve contingent upon proof of adequate liability insurance and payment of any recommended fees for City services. Motion carried unanimously.

**d. Approve/deny purchase of one additional K-9 Officer for the Martinsburg Police Department—Shallow Creek Kennels--\$15,000 (includes canine and training of handler and dog)**

Chief Swartwood stated that, originally, he had requested the funds from the General Fund and Levy Fund, however, he determined he was able to take the full amount from the Drug Forfeiture Fund, which will cost the taxpayers no money. Chief Swartwood added that the K-9 units would serve on rotating shifts and Officer Fritz is expected to return with his K-9 at the end of the month, after having been out of work due to an injury for some time.

Motion made by Councilman Baker, seconded by Councilwoman Nelson, to approve the purchase, with the funds to come from Drug Forfeiture. Motion carried unanimously.

**e. Discuss and take action as necessary regarding left turn lane on N. Queen at Martin Street**

City Manager Mark Baldwin explained that eliminating this lane would, according to the WV DOT, not substantially decrease the level of service and would allow for parking meters to be placed at the Shenandoah Hotel, as requested by the developer. This would be the time to make this change, if desired, with WV DOT paving Queen Street in the fall, Mr. Baldwin added.

Councilwoman Nelson asked if the City had considered removing the left turn prohibitions from that section of Queen Street. City Manager stated that the DOT would have to conduct a study to determine levels of service in that situation.

Councilman Knowles asked how many meters would be replaced and if a cross parking agreement would be possible with the developers of the Shenandoah to provide additional downtown parking. City Manager Baldwin responded that 6-8 meters will be replaced and that there is already a parking shortage behind that structure for the future residents, so a cross parking agreement would likely not be feasible.

Motion made by Councilman Etherington, seconded by Councilman Knipe, to remove the left turn lane onto E. Martin from N. Queen and replace the parking meters. Motion carried unanimously.

**f. Confirm purchase of audio-visual and teleconferencing hardware and installation for Council Chambers and conference room—Innovative, Inc., --\$28,225**

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

**g. Approve/deny three-year subscription to Life-Size video conferencing and associated hardware and installation for Council Chambers and conference room—Innovative, Inc.,--\$17,289 for year 1 + \$4,789 for subsequent years**

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

**h. Approve/deny Supplemental Agreement for Train Station Corridor Project (Resolution 2020-20)**

City Manager Mark Baldwin explained that this is the final agreement, it includes 80/20 funding. The City share is approximately \$220K. Generally, WVDOT does the bulk of the vendor selection, and this agreement is asking the City to enter into an agreement with Alpha Associate for various tasks that can be monitored and handled locally.

Motion made by Councilman Etherington, seconded by Councilman Baker, to authorize the Mayor to execute the necessary documents for State Project #U302-MAR/TI-11.00. Motion carried unanimously.

**i. Approve/deny engineering service for replacement of existing sodium hypochlorite storage tank at Wastewater Treatment Plant—not to exceed \$7,231**

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

**14. Executive Session**

City Council entered Executive Session at 5:31 PM for legal purposes.

City Council entered Regular Session and adjourned at 5:46 PM.

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Harriet Johnson, Mayor

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Gena Long, City Recorder