

**City Of Martinsburg
Regular Council Meeting
January 10, 2013
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 p.m. The following Council Members were present: Don Anderson, Roger Lewis, Dennis Etherington, Kevin Knowles, Jason Baker, Max Parkinson and Gregg Wachtel. Also present were: Mark Baldwin, City Manager, Kin Sayre, City Attorney, Gena Long, City Recorder, Chief Paul Bragg, Martinsburg Fire Department, Chief Kevin Miller, Martinsburg Police Department, Steve Knipe, Utilities Director, Jeff Wilkerson, Public Works Director, Michael Covell, City Engineer/Planning Director and Mark Spickler, Finance Director.

3. Salute to Flag

Councilman Etherington led the Salute to the Flag.

4. Prayer—

Pastor Danny Custer, Martinsburg Union Rescue Mission led the invocation.

5. Approve December 13, 2012 regular Council Meeting Minutes

Motion made by Councilman Lewis, seconded by Councilman Knowles, to approve the December 13, 2012 regular Council meeting minutes. Motion carried unanimously.

6. Approve November 2012 Administrative and Financial Report.

Motion made by Councilman Wachtel, seconded by Councilmen Etherington and Parkinson, to approve the November 2012 Administrative and Financial Report. Motion carried unanimously.

7. Presentations

a. Administer Oath of Office to City of Martinsburg Firefighter/ EMT Basic Robert B. (Brad) Mason

The City Recorder administered the Oath of Office to City of Martinsburg Firefighter/EMT Basic Robert Mason.

8. Petitions From Citizens

There were no petitions from citizens.

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

- a. Letter of resignation from Robert Lowe, II, Police Civil Service Commission (FOP Appointment)
- b. Letter from Fraternal Order of Police appointing James W. Barbour to Police Civil Service Commission
- c. Berkeley County Animal Control Report; 11/1/12 through 11/30/12
- d. For the Kids, By George Children's Museum 12/05/12 Progress Report—Grove and Dall'Olio Architects, PLLC.

- e. City of Martinsburg audit letter for fiscal year ending June 30, 2012—(complete audit distributed to Mayor and Council and on file in the Finance Department)
- f. Letter from Martinsburg/Berkeley County Parks and Recreation regarding 4th of July.

Motion made by Councilman Wachtel, seconded by Councilman Etherington to receive and file items 9a-9f. Motion carried unanimously.

10. Reports of Chairpersons of Council Standing Committees

There were no reports of Chairpersons of Council Standing Committees.

11. Report of Mayor

There was no report of the Mayor.

12. Report of City Attorney

There was no report of the City Attorney.

13. Report of City Manager

(a) Projects update.

City Manager Mark Baldwin had nothing further to add.

14. Unfinished Business

There was no unfinished business scheduled.

15. New Business

a. Approve/deny Resolution 2013-01: Resolution authorizing George Karos, Mayor of Martinsburg, to file an application and enter into a contractual agreement with the West Virginia Development Office for the purpose of acquiring funds in the amount of \$33,500 through the Community Participation Grant Program for the Martinsburg Little League Association's improvements to fence, dugouts and structures.

Motion made by Councilman Etherington, seconded by Councilman Parkinson to approve Resolution 2013-01. Motion carried unanimously.

b. Approve/deny bid for Miller Bobcat 250 Welder—GTS Welco--\$5,112.84—Public Works Department (budgeted).

Motion made by Councilman Wachtel, seconded by Councilman Anderson, to approve the bid for a Miller Bobcat 250 Welder, previously budgeted, in the amount of \$5,112.84, payable to GTS Welco from the Public Works fund. Motion carried unanimously.

c. Approve/deny bid for SR118 73" snow blower attachment for skid loader—Alban Cat--\$7,707.00—Public Works (budgeted).

Motion made by Councilman Etherington, seconded by Councilman Anderson, to approve the bid for one SR118 73" snow blower attachment for skid loader, previously budgeted, in the amount of \$7,707.00, payable to Alban Cat from the Public Works Fund. Motion carried unanimously.

d. Approve/deny purchase of one new John Deere Backhoe Loader—James River Equipment--\$105,747—Water/Sewer Fund

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to approve the bid for one Worksaver Post Hole Digger for John Deere Tractor, previously budgeted, in the amount of \$1,475.00, payable to Arden Equipment Repair from the Public Works Fund. Motion carried unanimously.

e. Approve/deny bid for Karcher 11 hp 3000psi 4gmp hot water pressure washer—CPE Equipment--\$4,460.00—Public Works Department (budgeted).

Motion made by Councilman Etherington, seconded by Councilman Parkinson to approve the purchase of one Karcher 11 hp 3000psi 4gmp hot water pressure washer, previously budgeted, in the amount of \$4,460.00, payable to CEP Equipment from the Public Works Fund. Motion carried unanimously.

f. Approve/deny bid for Schrader 7.5 hp 80 gallon tank for air compressor—Fisher Auto Parts--\$2,399.00—Public Works Department (budgeted).

Motion made by Councilman Anderson, seconded by Councilman Etherington, to approve the bid for one Schrader 7.5 hp 80 gallon tank for air compressor, previously budgeted, in the amount of \$2,399.00, payable to Fisher Auto Parts from the Public Works Fund. Motion carried unanimously.

g. Approve/deny bid for Thermal Imaging Cameras—MES Southeast--\$48,000—Fire/EMS Fund.

Motion made by Councilman Wachtel, seconded by Councilman Etherington to approve the bid for Thermal Imaging Cameras in the amount of \$48,000, payable to MES Southeast from the Fire/EMS Fund. Motion carried unanimously.

h. Confirm Change Order #1 for the City of Martinsburg Wastewater Treatment Plant Upgrade Project (Net Zero cost impact.)

Motion made by Councilman Wachtel, seconded by Councilman Etherington, confirm Change Order #1 for the City of Martinsburg Wastewater Treatment Plant Upgrade Project. Motion carried unanimously.

i. Approve/deny bid on sale unimproved parcel known as “Lot B” containing 890 sq. ft. as shown on that certain plat dated July 17, 1997 by Truman, Yebernetsky & Roberts, Inc., said plat being recorded among the Berkeley County land records in Deed Book 590 at Page 255—David Babcock--\$3,010.00

Legal Counsel Kin Sayre reminded Council that this is regarding the surplus property they had agreed to sell via Ordinance 2012-11 and, if approved, the successful bidder has thirty (30) days to make payment in full.

Councilman Lewis asked where the money would go, to which City Manager Mark Baldwin stated it would go into the General Fund.

Motion made by Councilman Knowles, seconded by Councilman Etherington, to approve bid on sale of unimproved parcel known as “Lot B” containing 890 sq. ft. as shown on that certain plat dated July 17, 1997 by Truman, Yebernetsky & Roberts, Inc., said plat being recorded among the Berkeley County land records in Deed Book 590 at Page 255—David Babcock--\$3,010.00. Motion carried unanimously.

j. Approve/deny FY 2013-2014 budget request of 2% of total proceeds of previous year’s projected tax collection to Berkeley County Assessor for Valuation Fund.

Mr. Sayre explained that Council has an opportunity to make comment or address concerns at this point, but that the 2% request is required by state law.

Motion made by Councilman Baker, seconded by Councilman Etherington, to approve the FY 2013-2014 budget request of 2% of total proceeds of previous year's projected tax collection to Berkeley County Assessor for Valuation Fund. Motion carried unanimously.

k. Approve/deny authorization for Mayor Karos to sign a letter of endorsement to the ABC Commission for the Sunrise Rotary Club's 20th Annual President's Day Dance on Saturday, February 16, 2013 at the Boys and Girls Club.


Motion made by Councilman Baker, seconded by Councilman Etherington to approve authorization for Mayor Karos to sign a letter of endorsement to the ABC Commission for the Sunrise Rotary Club's 20th Annual President's Day Dance on Saturday, February 16, 2013 at the Boys and Girls Club. Motion carried unanimously.


18. Executive Session

Motion made by Councilman Etherington, seconded by Councilman Wachtel to go into Executive Session for real estate and legal matters at 6:40 PM.

Adjournment

Motion made by Councilman Wachtel, seconded by Councilman Lewis to adjourn at 6:55 PM. Motion carried unanimously.


Gena Long, City Recorder


George Karos, Mayor