

**City Of Martinsburg
Special City Council Meeting
Thursday, August 13, 2015
5:00 PM**

With a quorum present, the special session of the Martinsburg City Council was called to order by Mayor George Karos at 5:00 PM. The following Council Members were present: Don Anderson, Dennis Etherington, Kevin Knowles, Ken Collinson, Gregg Wachtel, and Jason W. Baker. Absent was H.D. Boyd. Also present were: Mark Baldwin, City Manager; Kin Sayre, Legal Counsel; Gena Long, City Recorder and Police Chief Kevin Miller.

3. Approve July 29, 2015 Special Meeting Minutes

Motion made by Councilman Knowles, seconded by Councilman Etherington, to approve the July 29, 2015 Special Meeting Minutes. Motion carried unanimously.

4. Presentations

There were no presentations.

5. Petitions from Citizens

Father Hall, St. Joseph Parish, requested a letter of endorsement to the ABC Commission for a parish festival with beer garden. Father Hall stated that the event is scheduled for August 29, 2015 and if he must wait until the August 20th regular meeting, that will not allow him enough time to get his ABC application processed.

Legal Counsel Kin Sayre stated that Council could not take action on this item since it was not on the agenda, but they can give a consensus, of which the ABC Commission will be notified. They can confirm the consensus on the next Council agenda.

Per consensus of Council, a Letter of Endorsement may be drafted.

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

a. Letter of Resignation from Mr. Bill Blackburn, Board of Zoning Appeals, as of August 5, 2015

b. For the Kids, by George Children's Museum July 2, 2015 Meeting Minutes

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to receive and file items 6a-6b. Motion carried unanimously.

7. Reports of Chairpersons of Council Standing Committees

None

8. Report of Mayor

a. Reminder that the Regular August 13, 2015 Council Meeting has been scheduled Thursday August 20, 2015 @ 6:30 PM.

c. Berkeley County Council has scheduled two public hearings for the potential renovation of 750 Baltimore Street (former Royce Hosiery) into a drug and alcohol rehabilitation center as follows: August 27, 2015 beginning at 9 AM in the County Council Chambers (400 W. Stephen Street) and September 10, 2015 beginning at 6 PM, also in the County Council Chambers

City Manager Mark Baldwin reminded Council and the media that these dates are set by the County Council and, as of now, are correct, but may be subject to change.

9. Report of City Attorney

None

10. Report of City Manager

None

11. Unfinished Business

a. First and Second Reading of Ordinance 2015-08: *An Ordinance Amending Ordinance 2013-07 Which Established Job Descriptions for Employees of the City of Martinsburg, West Virginia*

Motion made by Councilman Etherington, seconded by Councilman Collinson, to hear the third and final reading of Ordinance 2015-08, by title only, and adopt. Motion carried unanimously.

b. First and Second Reading of Ordinance 2015-09: *An Ordinance to Approve and Adopt Current Replacement Pages to the Codified Ordinances*

Motion made by Councilman Collinson, seconded by Councilman Knowles, to hear the third and final reading of Ordinance 2015-09, by title only, and adopt. Motion carried unanimously.

The City Recorder reminded Council to present their copies of the City Code for update.

12. New Business

a. Approve/deny E. Burke Street Parking Lot Project bid—W. Harley Miller Contractors, Inc.--\$260,000

Lisa Dall'Olio, GDA Associates, discussed the bids, which ranged from \$260,000 to \$337,000.

Councilman Knowles asked if there were any changes to the construction plans previously voted on. Ms. Dall'Olio stated that there are no changes in scope, but the project must be done in two phases as the BB&T bank needs to keep their drive-through open at all times.

Councilman Knowles was concerned that doing the construction in phases may cause an unattractive and visible seam. Ms. Dall'Olio stated that there is really not a choice as BB&T has a legal right of way and has stated that the cannot logistically close the drive through for any period of time. She explained that the Spring Street egress will remain open during the first phase of construction to allow access to the bank, then be closed during the second phase while customers ingress and egress off of E. Burke Street.

Councilman Anderson asked how many metered spaces are to be lost in the renovation.

Ms. Dall'Olio reported that there will be 26 metered spaces and 55 permit only spaces, per the approved drawings. Mayor Karos added that is a loss of 12 metered spaces.

Councilman Anderson asked for confirmation that the Spring Street ingress point is closing permanently. Ms. Dall'Olio confirmed this, stating that even those motorists that use the Spring Street access agree that it is dangerous, and better suited to pedestrian use only.

Councilman Wachtel asked why it matters in which phase the Spring Street access point is closed. Mr. Sayre replied that if it is closed in Phase One, there will be no access to the BB&T drive through at all.

Mr. Baldwin stated that the project is slated to begin Monday, August 31, and there have been, and will continue to be, notification to users of the lot.

Motion made by Councilman Knowles, seconded by Councilman Baker, to approve bid. Motion carried 5-1, Anderson no.

Ms. Dall'Olio added that if Council gets complaints about the loss of eleven spaces, it should be noted that the current space design does not meet the City's own standards for size of parking spaces.

b. Approve/deny Request from Otterbein United Methodist Church to hold the Annual CROP Hunger Walk on Sunday, October 11, 2015 from 2-5 PM

Motion made by Councilman Baker, seconded by Councilman Collinson, to approve the request. Motion carried unanimously.

c. Approve/deny Request from Breast Cancer Awareness—Cumberland Valley, Inc. to Tie Pink Ribbons to Parking Meters, Utility Poles and Trees in Martinsburg—October 1-30, 2015

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to approve the request. Motion carried unanimously.

Motion made by Councilman Knowles, seconded by Councilman Etherington, to enter Executive Session at 5:23 PM.

Meeting adjourned by unanimous consent at 5:45 PM.

George Karos, Mayor

Gena Long, City Recorder