

**City Of Martinsburg
Special City Council Meeting
Thursday, December 18, 2014
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 p.m. The following Council Members were present: Don Anderson, Dennis Etherington, Kevin Knowles, Jason Baker and Gregg Wachtel. Not present was H.D. Boyd. Also present were: Mark S. Baldwin, City Manager, Kin Sayre, City Attorney, Gena Long, City Recorder, Police Captain George Swartwood, Fire Chief Paul Bragg, Utilities Director Steve Knipe; Finance Director Mark Spickler; and City Engineer Michael Covell.

3. Presentations

None.

4. Petitions from Citizens

There were no petitions from citizens.

5. Receive and File Reports—Minutes—Correspondence Of the Following:

- a. Martinsburg/Berkeley County Convention and Visitors Bureau October 22, 2014 Minutes and Financial Report
- b. Berkeley County Animal Control June 2014 Incident Report

Motion was made by Councilman Etherington, seconded by Councilman Baker, to receive and file items 5a-5b. Motion carried unanimously.

6. Reports of Chairpersons of Council Standing Committees

None.

7. Report of Mayor

None

8. Report of City Attorney

None.

9. Report of City Manager

None.

10. Unfinished Business

a. Third and Final Reading of Ordinance 2014-20: *An Ordinance to Amend the Codified Ordinances of the City of Martinsburg and Enact Part Seventeen: Building and Housing Code, Article 1717, Sections 1717.01-1717.08, Relating to the Grant of Authority to City Code Enforcement Officials to Immediately Issue Citations for External Sanitation Violations and Common Nuisances*

Motion made by Councilman Etherington, seconded by Councilman Knowles, to hear the third and final reading of Ordinance 2014-20 by title only and adopt. Motion carried unanimously.

b. Third and Final Reading of Ordinance 2014-21: *An Ordinance to Amend the Ordinances of the City of Martinsburg and Enact Part Seventeen: Building and Housing Code, Article 1716, Section 1716.01, Relating to the Authority to File Liens on Real Property for Cost Incurred in Abating Exterior Sanitation and Common Nuisance Violations*

Motion made by Councilman Knowles, seconded by Councilman Baker, to hear the third and final reading of Ordinance 2014-21 by title only and adopt. Motion carried unanimously.

c. Third and Final Reading of Ordinance 2014-22: *An Ordinance to Amend the Codified Ordinances of the City of Martinsburg and Enact Part One: Administrative Code, Chapter Three: Legislative, Article 114, Sections 114.01-114.04, Relating to the Disposition of City Property without Auction*

Motion made by Councilman Wachtel, seconded by Councilman Baker, to hear the third and final reading of Ordinance 2014-22 by title only and adopt. Motion carried unanimously.

d. Third and Final Reading Ordinance 2014-23: *An Ordinance to Amend the Codified Ordinances of the City of Martinsburg and Enact Part One—Administrative Code, Chapter Three: Legislative, Article 115, Section 115.01, Relating to the Entry into Contracts with Other Jurisdictions by Resolution*

Motion made by Councilman Etherington, seconded by Councilman Knowles, to hear the third and final reading of Ordinance 2014-23 by title only and adopt. Motion carried unanimously.

e. Third and Final Reading of Ordinance 2014-24: *An Ordinance to Amend the Codified Ordinances of the City of Martinsburg and Enact Part Seven: Business and Taxation Code, Chapter Three: Taxation and Service Charges, Article 768, Section 768.01, Relating to the Issuance of Liens for Delinquent City Fees*

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to hear the third and final reading of Ordinance 2014-24 by title only and adopt. Motion carried unanimously.

f. Third and Final Reading of Ordinance 2014-25: *An Ordinance to Amend the Codified Ordinances of the City of Martinsburg to Enact Part Seven: Business and Taxation Code, Chapter Three: Taxation and Service Charges, Article 756: Municipal Sales Tax, Sections 756.01-756.15, Implementing a Municipal Sales Tax*

Motion made by Councilman Etherington, seconded by Councilman Knowles, to hear the third and final reading of Ordinance 2014-25 by title only and adopt. Motion carried unanimously.

g. Third and Final Reading of Ordinance 2014-26: *An Ordinance to Amend and Reenact the Codified Ordinances of the City of Martinsburg to Amend Part Seven: Business and Taxation Code, Chapter Three: Taxation and Service Charges, Article 755, Section 755.02 Reducing the Rate of Taxes Imposed Under Said Article*

Motion made by Councilman Etherington, seconded by Councilman Knowles, to hear the third and final reading of Ordinance 2014-26 by title only and adopt. Motion carried unanimously.

h. Third and Final Reading of Ordinance 2014-27: *An Ordinance to Reenact Part Fifteen of the Codified Ordinances of the City of Martinsburg by Amending and Reenacting Section 1501.04 Relating to the Inspection and Citation Powers of Municipal Deputy Fire Marshals*

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to hear the third and final reading of Ordinance 2014-27 by title only and adopt. Motion carried unanimously.

11. New Business

a. Approve/deny City of Martinsburg FY 2014 CDBG Recommended Street Repaving List

Councilman Baker asked if bid specifications were forthcoming. City Engineer Michael Covell replied that they are.

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve the FY 2014 CDBG Recommended Street Repaving List. Motion carried unanimously.

b. Authorize Mayor to sign Title Transfer Letter between the City of Martinsburg and Infilco Degremont, Inc. in the amount of \$1,714,852 relating to Contract #1 for the WWTP Upgrade Project—MBBR System

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to authorize the Mayor to sign the Title Transfer Letter between the City of Martinsburg and Infilco Degremont, Inc. Motion carried 4-1, Anderson no.

12. Executive Session

Motion made by Councilman Etherington, seconded by Councilman Baker, to go into Executive Session at 5:06 PM for legal matters. Motion carried unanimously.

13. Adjournment

Meeting was adjourned by unanimous consent at 5:15 PM.

George Karos, Mayor

Gena Long, City Recorder