

**CITY OF MARTINSBURG
REGULAR COUNCIL MEETING
FEBRUARY 10, 2011
THE J. OAKLEY SEIBERT COUNCIL CHAMBERS**

With a quorum present, the regular session of the Martinsburg City Council was called to order by Councilman Gregg Wachtel at 6:30 p.m. The following Council Members were present: Rodney Woods, Gregg Wachtel, Dennis Etherington, Betty Gunnoe, Max Parkinson and Roger Lewis. Not present was Richard Yauger. Also present were: Mark S. Baldwin, City Manager, Jarrod Adams, City Attorney, Gena Long, City Recorder, Kevin Miller, Police Chief, Paul Bragg, Fire Chief, Steve Knipe, Utilities Director, Jeffrey Wilkerson, Public Works Director and Pat McMillian, Community Development Director.

3. SALUTE TO FLAG

Councilman Woods led the Pledge of Allegiance to the Flag.

4. PRAYER – Pastor Danny Custer—Martinsburg Union Rescue Mission.

The invocation was given by Pastor Danny Custer.

5. APPROVE JANUARY 13, 2011 REGULAR COUNCIL MEETING MINUTES

Motion made by Councilman Etherington, seconded by Councilman Parkinson to approve the January 13, 2011 regular Council meeting minutes. Motion carried unanimously.

6. APPROVE JANUARY 27, 2011 SPECIAL COUNCIL MEETING MINUTES

Motion made by Councilman Lewis, seconded by Councilman Etherington to approve the January 27, 2011 Special Council meeting minutes.

7. APPROVE DECEMBER 2010 ADMINISTRATIVE AND FINANCIAL REPORT

Motion made by Councilman Woods, seconded by Councilwoman Gunnoe to approve the December 2010 Administrative and Financial Report. Motion carried unanimously.

8. PUBLIC HEARING—A public hearing has been scheduled to solicit citizen comments on Resolution 2011-05, which presents substantial amendments to the City of Martinsburg FY 2008 Annual Action Plan for use of the HOME Investment Partnership funds for the Eastern Panhandle HOME Consortium of West Virginia.

Ms. Pat McMillian, Community Development Director, explained that the approval of the Resolution will allow funds to be used to assist qualified low-income homebuyers on a county wide level, within Jefferson County, WV, rather than restricting assistance to those in City Limits.

Ms. McMillian entered into the record a letter in support of the proposal from the City of Charles Town.

Councilman Wachtel opened the public hearing at 6:34 PM. As no one came forward for or against the proposal, the public hearing closed at 6:34 PM.

9. PRESENTATIONS

A. Administer Oath of Office to Police Captain Tim Catlett, Police Lieutenant Brian Yost, Police Lieutenant Terry Stanley, Police Sergeant Justin Darby, Police Sergeant Scott Funkhouser, Police Sergeant Craig Phelps, Police Corporal Adam Albaugh, Police Corporal Quenton Burner and Police Corporal Stephen Strickler.

City Recorder Gena Long administered the oath of office to Police Lieutenants Yost and Stanley, Police Sergeants Darby, Funkhouser and Phelps and Police Corporals Albaugh and Strickler.

10. PETITIONS FROM CITIZENS

- Ms. Elaine Mauck, Berkeley County Councilwoman expressed concern about the lack of handicapped parking spaces at the library. She stated that, with the redesign of the Town Square, the handicapped parking requirements should be brought up to code, and there is currently handicap accessible parking space, which is on a hill.

Councilwoman Gunnoe replied that there are three handicap accessible parking spaces, the one mentioned by Ms. Mauck and two others, one being on the Queen Street side.

Councilman Wachtel stated that Ms. Mauck's concerns would be taken under advisement.

- Councilman Wachtel asked the Boy Scout Troop in attendance to introduce themselves.

Mr. Jackson Montgomery introduced Boy Scout Troop 13 from Calvary United Methodist Church.

11. RECEIVE AND FILE REPORTS-MINUTES-CORRESPONDENCE OF THE FOLLOWING:

(a) City of Martinsburg Fire Department 2010 Annual Report.

Motion made by Councilman Woods, seconded by Councilman Etherington to receive and file items 11a. Motion carried unanimously.

The Council commended the Fire Department on a nice report.

Fire Chief Paul Bragg stated that the Fire Department is very proud of the report and thanked the newspaper journalists for publishing a nice article about it.

12. REPORTS OF CHAIRPERSONS OF COUNCIL STANDING COMMITTEES

There were no reports of Chairpersons of Council Standing Committees.

13. REPORT OF MAYOR

(a) Reappoint Mary Hayward to the City of Martinsburg Planning Commission—term 3/01/11-03/01/14.

Motion made by Councilman Lewis, seconded by Councilman Etherington to reappoint Mary Hayward to the City of Martinsburg Planning Commission for the term beginning 03-01-11 and ending 03-01-14. Motion carried.

(b) Reappoint Reenie Raines to City of Martinsburg Planning Commission—term 3/01/11-03/01/14.

Motion made by Councilwoman Gunnoe, seconded by Councilwoman Etherington to reappoint Reenie Raines to City of Martinsburg Planning Commission for the term beginning 03-01-11 and ending 03-01-14. Motion carried.

14. REPORT OF CITY ATTORNEY

There was no report of the City Attorney.

15. REPORT OF CITY MANAGER

A. City Projects Update

16. UNFINISHED BUSINESS

There was no unfinished business.

15. NEW BUSINESS

(a) Adopt Resolution 2011-05 allowing the City of Martinsburg to make substantial amendments to its Annual Plan and Budget in accordance with the City's Citizen Participation Plan to revise beneficiaries for HOME Activity HOME 08-014 Charles Town Affordable Revitalization—Affordable Housing to include all low income homebuyers on a county-wide basis throughout Jefferson County (except the towns of Harpers Ferry and Bolivar).

Motion made by Councilwoman Gunnoe, seconded by Councilman Woods to adopt Resolution 2011-05 allowing the City of Martinsburg to make substantial amendments to its Annual Plan and Budget in accordance with the City's Citizen Participation Plan to revise beneficiaries for HOME Activity HOME 08-014 Charles Town Affordable Revitalization—Affordable Housing, to include all low-income homebuyers on a county-wide basis throughout Jefferson County (except the towns of Harpers Ferry and Bolivar). Motion carried.

(b) Approve/Deny placement of a sign on City of Martinsburg property in participation of the WEST VIRGINIA Civil War Interpretive Signage Program—for the kids, by George Children's Museum, Welcome Center and Gift Shop.

Motion made by Councilman Woods, seconded by Councilman Parkinson to approve placement of a sign on City of Martinsburg property in participation of the West Virginia Civil War Interpretive Signage Program—for the kids, by George Children's Museum, Welcome Center and Gift Shop. Motion carried.

(c) Approve/Deny City of Martinsburg Fire Department Bid for 6000 PSI Stationary Breathing Air Compressor Station—\$21,175.00—Municipal Emergency Services (MES).

Motion made by Councilman Lewis, seconded by Councilman Etherington to approve City of Martinsburg Fire Department Bid for a 6000 PSI Stationary Breathing Air Compressor Station in the amount of \$21,175.00 payable to Municipal Emergency Services (MES.) Motion carried.

(d) Confirm authorization for Change Order #002 for 6-inch water line upgrade on Addition Street--\$32,575.00—Panhandle Builders and Excavating (Center City Stormwater Project).

Motion made by Councilman Lewis, seconded by Councilwoman Gunnoe to confirm authorization for Change Order #002 for a 6-inch water line upgrade on Addition Street in the amount of \$32,575.00 payable to Panhandle Builders and Excavating for the Center City Stormwater Project. Motion carried.

Utilities Director Steve Knipe explained that, during the course of the Center City Stormwater Project, it was discovered that the water lines were in a state of bad repair and the decision was made to change them when they were already exposed.

(e) Approve/deny Change Order #003 for Center City Stormwater Project--\$152.76 credit—Panhandle Builders and Excavating.

City Manager Mark Baldwin explained that in the course of a budget meeting with Panhandle Builders and Excavating, a charge was brought to light in the amount of \$500.00, which uses up the credit to the city as well as an additional \$347.24.

Motion made by Councilwoman Gunnoe, seconded by Councilman Etherington to approve Change Order #003 for Center City Stormwater Project in the amount of \$347.24, payable to Panhandle Builders and Excavating. Motion carried.

(f) Approve/deny Main Street Martinsburg 2011 events—see attached.

Motion made by Councilman Woods, seconded by Councilwoman Gunnoe to approve Main Street Martinsburg 2011 events as provided in attachment. Motion carried.

Main Street Martinsburg Director Randy Lewis thanked the Council for their support. Further discussion included possible future event ideas.

16. EXECUTIVE SESSION

A. DISCUSS PENDING LEGAL MATTERS WITH COUNSEL (IF NECESSARY)

B. DISCUSS PERSONNEL MATTERS (IF NECESSARY)

C. DISCUSS REAL ESTATE MATTERS INVOLVING COMPETITIVE BIDS (IF NECESSARY)

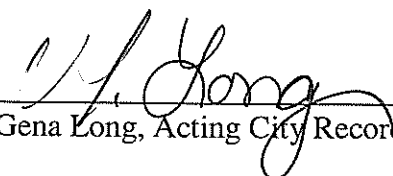
Motion made by Councilman Lewis, seconded by Councilman Parkinson to go into executive session, for real estate and legal matters at 6:52 p.m. Motion carried unanimously.

Motion made by Councilman Lewis, seconded by Councilman Woods to go out of executive session at 7:02 p.m. Motion carried unanimously.

17. ADJOURNMENT

Motion made by Councilman Woods, seconded by Councilman Parkinson to adjourn the meeting at 7:02 p.m. Motion carried unanimously.


George Karos, Mayor


Gena Long, Acting City Recorder