

**City Of Martinsburg
Special City Council Meeting
Thursday, July 26, 2012
5:00 P.M.**

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: Gregg Wachtel, Don Anderson, Dennis Etherington, Kevin Knowles, Max Parkinson, Roger Lewis and Jason W. Baker. Also present were: Mark S. Baldwin, City Manager, Kin Sayre, City Attorney, Gena Long, City Recorder, Police Chief Kevin Miller and Finance Director Mark Spickler.

3. Presentations

- (a) Talk of the Town—Dan Mace, Mace TV (See Item 11E).

Mr. Mace presented his request to hold a sidewalk chalk competition on squares of sidewalk along Queen Street and King Street. Mr. Mace stated that he would choose squares that would not impede traffic flow on the sidewalks. He added that there would be prizes for the winners and the artists would be interviewed on the Talk of the Town portion of his internet television station.

Council asked about the hours of the event, the content allowed to be drawn and if the police had issue with the request. Mr. Mace replied that he intends to hold the event on Saturday, August 25, 2012 in the afternoon, tentative hours between 1:00 PM and 3:00 PM. He stated that there would be obscene content allowed and that children would be required to be under parental supervision at all times.

Police Chief Kevin Miller added that the Police Department has no concerns.

Motion made by Councilman Lewis, seconded by Councilman Baker, to approve the request from Dan Mace, MACE TV to hold a Sidewalk Chalk Art Competition on selected sidewalk squares on August 25, 2012 from 1:00 PM until 3:00 PM. Motion carried unanimously.

4. Petitions From Citizens

- Mr. C. William (Bill) Hayes, 1006 Candi Court, stated that he had approached Council in opposition to an increase in the tax levy rates earlier in the year. Considering that the City has announced a \$1.7 million overage, he suggested Council consider rescinding all or part of the property tax increase. Mr. Michael Bochinski and Mr. Dan Mace agreed.

5. Receive And File Reports—Minutes—Correspondence Of The Following:

- (a) City of Martinsburg Planning Commission May 02, 2012 Meeting Minutes

- (b) City of Martinsburg Board of Zoning Appeals June 05, 2012 Meeting Minutes
- (c) Berkeley County Development Authority June 13, 2012 Meeting Minutes and Financial Reports.
- (d) Berkeley County Animal Control Report, 6/1/12-6/30/12.

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to receive and file items 5a-5d. Motion carried successfully.

6. Reports Of Chairpersons Of Council Standing Committees

There were no reports of chairpersons of Council Standing Committees.

7. Report Of Mayor

- (a) Schedule Budget & Finance Committee Meeting for Wednesday, August 1, 2012 at 4:30 PM.**

Mayor Karos scheduled the Budget & Finance Committee Meeting for Wednesday, August 1, 2012 at 4:30 PM.

- (b) Schedule Property Committee Meeting for Wednesday, August 1, 2012 at 5:30 PM (or immediately following the Budget & Finance Committee Meeting).**

Mayor Karos scheduled the Property Committee Meeting for Wednesday, August 1, 2012 at 5:30 PM (or immediately following the Budget & Finance Committee Meeting).

- (c) Schedule Joint City Council and County Council Meeting for Thursday, August 2, 2012—time and place to be determined.**

Mayor Karos scheduled the Joint City Council and County Council Meeting for Thursday, August 2, 2012. The consensus of Council was to hold the meeting at 4:30 PM at the offices of Bowles Rice.

8. Report of City Attorney

There was no report of the City Attorney.

9. Report Of City Manager

There was no report of the City Manager.

10. Unfinished Business

There was no unfinished business.

11. New Business

(a) First and Second Reading of Ordinance 2012-07: An Ordinance Amending Ordinance 2012-05 Which Established Job Descriptions For Employees Of The City Of Martinsburg, West Virginia

Motion made by Councilman Etherington, seconded by Councilman Anderson to hear the first and second reading of Ordinance 2012-07, by title only. An Ordinance Amending Ordinance 2012-05 Which Established Job Descriptions For Employees Of The City Of Martinsburg, West Virginia. Motion carried unanimously.

(b) First and Second Reading of Ordinance 2012-08 An Ordinance To Amend The City Of Martinsburg Zoning Map To Rezone An Improved Parcel Of Real Estate, Consisting Of Approximately 18,948 Square-Feet, Also Identified On The Berkeley County, West Virginia Tax Map M5 Parcel 58, Postal Address 310 Adams Street, Located In The Martinsburg District, Berkeley County, West Virginia, Owned By Atiya Ahmed, LLC From Its Current Zoning Classification Of IG (General Industrial) To BC (Community Business).

Motion made by Councilman Knowles, seconded by Councilman Wachtel, to hear the first and second reading of Ordinance 2012-08, by title only. An Ordinance To Amend The City Of Martinsburg Zoning Map To Rezone An Improved Parcel Of Real Estate, Consisting Of Approximately 18,948 Square-Feet, Also Identified On The Berkeley County, West Virginia Tax Map M5 Parcel 58, Postal Address 310 Adams Street, Located In The Martinsburg District, Berkeley County, West Virginia, Owned By Atiya Ahmed, LLC From Its Current Zoning Classification Of IG (General Industrial) To BC (Community Business). Motion carried unanimously.

(c) First and second reading of Ordinance 2012-09: An Ordinance To Amend The City Of Martinsburg Zoning Map To Zone An Improved Parcel Of Real Estate, Consisting Of Approximately 2.58 Acres, Formerly Identified On The Berkeley County, West Virginia Tax Map Op10 Parcel 1, Postal Address 312 Adams Street, Formerly Located In The Opequon District, Berkeley County, West Virginia, Owned By Atiya Ahmed, LLC From Its Current Zoning Classification Of Unzoned To BC (Community Business).

Motion made by Councilman Lewis, seconded by Councilman Etherington to hear the first and second reading of Ordinance 2012-09, by title only. An Ordinance To Amend The City Of Martinsburg Zoning Map To Zone An Improved Parcel Of Real Estate, Consisting Of Approximately 2.58 Acres, Formerly Identified On The Berkeley County, West Virginia Tax Map Op10 Parcel 1, Postal Address 312 Adams Street, Formerly Located In The Opequon District, Berkeley County, West Virginia, Owned By Atiya Ahmed, LLC From Its Current Zoning Classification Of Unzoned To BC (Community Business). Motion carried unanimously.

(d) Approve/deny Resolution 2012-19, General Fund Budget Revision #1, FY 2012-2013

Motion made by Councilman Lewis, seconded by Councilman Etherington to approve Resolution 2012-19, General Fund Budget Revision #1, FY 2012-2013. Motion carried unanimously.

(e) Approve/deny request from Dan Mace, MACE TV, to hold a Sidewalk Chalk Art Competition on selected sidewalk squares—August 25, 2012.

See item 3A.

(f) Approve/deny purchase of seven (7) in-car camera systems for Police vehicles—Kustom Signals, Inc--\$39,976 (Police Levy Fund).

Discussion included the age of the cars in which the units are to be installed. Chief Miller, responding to questions from Councilmen Baker and Knowles, replied that the cars are various ages, from 2009 models to new cars, with the older vehicles averaging 80,000-90,000 miles. He stated that there are approximately 20 vehicles that do not have the new technology installed in them, and he plans to put the older models in the older cars. He added that the cameras can be transferred to another cruiser in the event that one is retired.

Motion made by Councilman Wachtel, seconded by Councilman Etherington to approve the purchase of seven (7) in-car camera systems for Police vehicles from Kustom Signals, Inc in the amount of \$39,976 (Police Levy Fund). Motion carried with Baker voting "no."

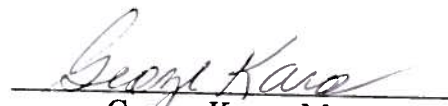
12 . Executive Session

No Executive Session

13. Adjournment

Motion made by Councilman Parkinson, seconded by Councilman Lewis to adjourn at 5:15 PM. Motion carried unanimously.


Gena Long, City Recorder


George Karos, Mayor