

**CITY OF MARTINSBURG
SPECIAL COUNCIL MEETING
May 5, 2011
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 5:00 p.m. The following Council Members were present: Rodney Woods, Dennis Etherington, Betty Gunnoe, and Roger Lewis. Not present was Richard Yauger and Gregg Wachtel and Max Parkinson. Also present were: Mark S. Baldwin, City Manager, Kin Sayre, City Attorney, Gena Long, Acting City Recorder, George Swartwood, Police Lieutenant and Patricia McMillan, Community Development Director.

3. PETITIONS FROM CITIZENS

There were no petitions from citizens.

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

(a) Martinsburg-Berkeley County Parks and Recreation Board March 15, 2011 meeting minutes.

(b) Veterans Service Organization March 31, 2011 meeting minutes.

(c) Berkeley County Development Authority March 9, 2011 meeting minutes.

(d) Berkeley County Animal Control reports—1/1/11-3/31/11.

(e) Letter of resignation from Mark Arvin, Fire Civil Service Commission.

Motion made by Councilman Lewis, seconded by Councilman Etherington, to file and receive items 4(a)-4(e). Motion carried unanimously.

5. REPORTS OF CHAIRPERSONS OF COUNCIL STANDING COMMITTEES

None

6. REPORT OF MAYOR

Mayor Karos announced a joint meeting of the Martinsburg City Council with the Berkeley County Council to be held at Bowles, Rice, McDavid, Graff and Love, 101 S. Queen Street, on Thursday, May 12, 2011 at 4:30 PM. It was confirmed that the meeting is open to the public.

7. REPORT OF CITY ATTORNEY

There was no report of the City Attorney

8. REPORT OF CITY MANAGER

There was no report of the City Manager

9. UNFINISHED BUSINESS

There was no unfinished business.

10. NEW BUSINESS

(a) Approve/deny Resolution 2011-05 authorizing George Karos, Mayor of Martinsburg, to enter into a contractual agreement with the West Virginia Development Office to receive grant funds in the amount of \$10,000 for the United Way of the Eastern Panhandle, for use in assistance in paying utility bills for families and individuals facing financial hardships through the Warming Hands and Hearts Energy Assistance Program, and designate Jan Callen, Executive Director, United Way of the Eastern Panhandle, to administer such funds pursuant to the provisions of the Fiscal Year 2004 Community Participation Program

Motion made by Councilman Woods, seconded by Councilwoman Gunnoe, to approve Resolution 2011-05 authorizing George Karos, Mayor of Martinsburg, to enter into a contractual agreement with the West Virginia Development Office to receive grant funds in the amount of \$10,000 for the United Way of the Eastern Panhandle, for use in assistance in paying utility bills for families and individuals facing financial hardships through the Warming Hands and Hearts Energy Assistance Program and designate Jan Callan, Executive Director of the United Way of the Eastern Panhandle, to administer such funds pursuant to the provisions of the Fiscal Year 2004 Community Participation Program. Motion carried unanimously.

(b) Approve/deny Resolution 2011-06: Resolution of the Council of the City of Martinsburg approving the FY 2011 Annual Action Plan.

Motion made by Councilman Lewis, seconded by Councilman Etherington to approve Resolution 2011-06, Resolution of the Council of the City of Martinsburg approving the FY 2011 Annual Action Plan. Motion carried unanimously.

(c) Approve/deny preparation of water model and main line extension agreement for the new Blue Ridge Community College, contingent upon escrow of funds—Chester Engineers-\$9,893.00

Motion made by Councilwoman Gunnoe, seconded by Councilman Woods to approve the perpetration of a water model and main line extension agreement for the new Blue Ridge Community College, contingent upon the escrow of funds, payable to Chester Engineers in the amount of \$9,893.00. Motion carried unanimously.

Mr. Baldwin explained that the developer is responsible for escrowing the funds for Water Modeling Evaluation (\$6,185.00) and Alternate Main Line Extension Agreement (\$1,964.00) and the City will provide the funds for the Model Calibration (\$1,744.00).

(d) Approve/deny train exhibit model train engine platform construction at for the kids, by George Children's Museum—Rick Powell Home, LLC--\$975.00

Motion made by Councilman Lewis, seconded by Councilman Woods to approve the bid for a train exhibit model train engine platform construction at *for the kids*, by George Children's Museum, payable to Rick Powell Home, LLC. in the amount of \$975.00. Motion carried unanimously.

Councilman Woods asked if the installation is to be temporary or permanent, Mr. Baldwin stated that he is not sure.

(e) Approve/deny 24 (twenty-four) panels to be installed at for the kids, by George Children's Museum—HBP, Inc.--\$1,850.00.

Motion made by Councilman Etherington, seconded by Councilman Woods to approve a bid for twenty-four panels to be installed at *for the kids*, by George Children's Museum payable to HBP, Inc. in the amount of \$1,850.00. Motion carried unanimously.

(f) Approve/deny mosquito control treatments—Erlich -\$8,840.00

Motion made by Councilman Lewis, seconded by Councilwoman Gunnoe to approve mosquito control treatments, payable to Erlich in the amount of \$8,840.00. Motion carried unanimously.

(g) Town Square Pedestrian Plaza Project update.

Mr. Baldwin explained that the low bid for the project is \$1,360,180 and available funds total \$866,405. He stated that the WV Department of Highways is willing to make up the difference if the City matches 20% of the funds. He asked the Council if they agreed with the match.

There was a general consensus of the Council to allow the City to put forth the additional funds as they agreed that it was preferable to finish the project in its entirety and not piecemeal the work.

11. EXECUTIVE SESSION

(a) Discuss pending legal matters with Counsel (if necessary)

(b) Discuss personnel matters (if necessary)

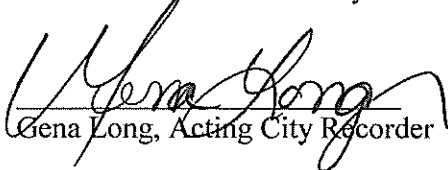
(c) Discuss real estate matters involving competitive bids (if necessary)

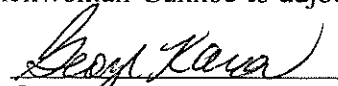
Motion made by Councilman Woods, seconded by Councilman Etherington to enter Executive Session to discuss legal matters at 5:20 PM. Motion carried unanimously.

Motion made by Councilman Lewis, seconded by Councilman Woods to exit Executive Session at 5:30 PM. Motion carried unanimously.

13. ADJOURNMENT

Motion made by Councilman Etherington, seconded by Councilwoman Gunnoe to adjourn at 5:30 PM. Motion carried unanimously.


Gena Long, Acting City Recorder


George Karos, Mayor