

**City Of Martinsburg  
Special Council Meeting  
Tuesday, March 24, 2015  
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: Don Anderson, Dennis Etherington, Kevin Knowles, Gregg Wachtel, Ken Collinson, H.D. Boyd and Jason W. Baker (5:08 PM). Also present were: Mark Baldwin, City Manager; Kin Sayre, Legal Counsel; Gena Long, City Recorder; Chief Paul Bragg, Martinsburg Fire Department; Police Chief Kevin Mille and Mark Spickler, Finance Director.

**3. Presentations**

**a. Proclamation—Public Health Week—April 6-10, 2015**

Mayor Karos read the Proclamation and presented it to members of the Berkeley County Health Department.

**4. Petitions From Citizens**

There were no petitions from citizens

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

**a. City of Martinsburg Stormwater Feasibility Study Committee Meeting #1 Summary—February 19, 2015**

Motion made by Councilman Baker, seconded by Councilman Etherington, to receive and file items 5A. Motion carried unanimously.

**6. Reports of Chairpersons of Council Standing Committees**

**a. Council as a Whole Committee Meeting Minutes—March 10, 2015**

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve the Council as a Whole Committee Meeting Minutes of March 10, 2015. Motion carried unanimously.

**Council as a Whole Committee Minutes  
Tuesday, March 10, 2015—4:30 PM**

**Present:** Mayor George Karos, Councilmembers Kevin Knowles, Jason Baker, Dennis Etherington, H.D. Boyd, Jr., Ken Collinson and Gregg Wachtel. Don Anderson arrived at approximately 5:15 PM.

**Others in Attendance:** Mark S. Baldwin, City Manager; Mark B. Spickler, Finance Director and Gena Long, City Recorder; Steve Catlett and Boardmembers of the M-BC Parks and Rec, along with various news media.

**Unable to Attend:** none

A. Discussed the purchase of Apple iPad tablet computers for Council and Staff official use—estimated maximum of 20 units @ \$399.99 each, plus associated protective covers—various budgets

Gena Long, City Recorder, provided an overview of the benefits of utilizing the iPads, specifically for the Council members to receive Council packets and other Boards and Commission agendas and general information. She further stated this would reduce the amount of copying for the reproduction of

documents. The iPads could also be used for note keeping and research for topics pertaining to local government.

Ms. Long also indicated that the City Attorney would be developing a policy for the use of the iPads for Council's approval.

Consensus of the Committee was to purchase iPads for Council members that were interested in one. Councilman Anderson and Wachtel deferred.

B. Steve Catlett, Martinsburg-Berkeley County Parks and Recreation provided an overview of Lambert Pool operations and discussed his 2015-2016 budget request.

Mr. Catlett indicated Parks and Recreation has experienced significant growth over the past few years. He stated their budget comes from the City and County's allocation, \$112,000 from the School Board and 50% of the Hotel/Motel Tax from the City and County. He further stated that the Hotel/Motel tax could fluctuate from year to year.

Mr. Catlett informed the Committee the decision by the Board to close Lambert Pool was a business decision, based on the total operations of the Parks and Recreation organization. He stated that Lambert has lost money each of the past five years, demand was down for use of the pool, most revenue was generated by swim team rentals and private rentals and that approximately \$100,000 was invested in both Lambert and War Memorial pools over the past two years.

He further stated the increase in the minimum wage would also be an additional cost to operate the park system.

Councilman Baker commented that he thought it was unfair to keep Lambert Pool open just for those individuals or groups that could afford the rental of the facility. He further stated the City has attempted to increase his budget over the past several years. He questioned if the new Randy Smith Center's operational cost was causing budget issues for other operations. He also felt Lambert Pool could provide swim lessons as a revenue source.

Councilman Baker expressed his concern that residents on the East side of Martinsburg should be able to continue utilizing Lambert Pool, particularly low to moderate income families.

He further stated that he supported Parks and Rec, but was extremely disappointed that the decision to close the pool was made before discussing it with City Council.

Councilman Knowles stated that he concurred with Councilman Baker's comments and thought now was the time to move forward to try to solve the problem.

Councilman Boyd asked why swim lessons were stopped at Lambert Pool. Mr. Catlett answered when War Memorial was rebuilt, its configuration was more suitable for swim lessons where Lambert Pool was more suitable for swim team use.

Councilman Wachtel stated he felt Parks and Rec was the best bang for the buck for City and County residents. He also stated that Lambert Pool should not close. He further stated that an indoor pool should be evaluated and considered.

Mayor Karos stated the Council as a Whole would like to see Lambert Pool remain open to the public. He asked Mr. Catlett what dollar amount it would take to open the pool. Mr. Catlett estimated that it would

cost approximately \$15,000 to reopen Lambert Pool and it would be up to his Board to reconsider their recent action.

Mayor Karos stated the City used to have a liaison to the Parks and Rec Board and he would consider a future appointment as a liaison.

Councilman Baker asked Mr. Catlett if the \$15,000 were allocated, could that be utilized to assist those who could not afford to pay to attend the pool. Mr. Catlett indicated that could be considered.

C. Finance Director Mark Spickler provided an overview of the FY 2015-2016 property tax revenue and levy rates. He stated assessed values have decreased again and the levy rates would be at the maximum allowable rate. He further indicated that the City lost \$80,000 in revenue, but gain \$90,000 from new property revenue for an overall increase of \$10,000 in the property tax.

D. Finance Director Mark Spickler indicated the 1% sales tax would be effective July 1, 2015. He further stated \$300,000 of the anticipated sales tax is being utilized in the General Fund due to the reduction in the B&O tax.

Mr. Spickler informed the Committee the budget is approximately \$300,000 short of being balanced. He stated in order to balance it, he could utilize funds from the unencumbered balance, reduce various anticipated increases in the budget or budget additional revenue from the anticipated 1% sales tax.

Consensus of the Committee was to budget an additional \$300,000 from the anticipated 1% sales tax to balance the budget.

E. The City Manager informed the Council the new sewer rates for the Wastewater Treatment Plant Project would become effective July 1, 2015.

F. Funding for outside agencies and other governmental entities was discussed, to be funded from the General Fund and Coal Severance Tax Fund (see attached).

\*in discussing funding for the M-BC Parks and Rec Board, consensus of the Committee was to allocate an additional \$20,000. \$15,000 was contingent upon utilizing these funds to open Lambert Pool and \$5,000 was an additional allocation for operations.

G. The City Manager provided an overview of the FY 2015-2016 CDBG and HOME recommended budgets for the annual plan. He further stated this item would be on the regular City Council meeting agenda for March 12, 2015 for approval.

H. City Projects Update—the City Manager provided a brief overview of current projects and requested Council to contact him if there were any questions.

I. Future Meetings Schedule:

a. Council as a Whole Committee Meeting for Budgets Review was scheduled for Tuesday, March 17, 2015 at 4:30 PM.

b. Special City Council Meeting—Tuesday, March 24, 2015 at 5PM to approve budgets.

B. Council as a Whole Committee Meeting March 17, 2015 Minutes

Motion made by Councilman Etherington, seconded by Councilman Boyd to approve the Council as a Whole Committee March 17, 2015 Meeting Minutes. Motion carried unanimously.

**Council as a Whole Committee Minutes**

**Tuesday, March 17, 2015—4:30 PM**

**Present:** Mayor George Karos, Councilmembers Kevin Knowles, Jason Baker, Dennis Etherington, H.D. Boyd, Jr., Ken Collinson, Don Anderson and Gregg Wachtel

**Others in Attendance:** Mark S. Baldwin, City Manager; Mark B. Spickler, Finance Director; along with John McVey from The Journal

**Unable to Attend:** None

Mayor Karos opened the meeting and the following budgets were presented for overview by the Finance Director, Mark Spickler:

- |  |              |
|--|--------------|
| a. General Fund Budget   | \$14,695,000 |
| b. Coal Severance Tax Fund Budget  | \$65,500     |
| c. Police Levy Fund Budget   | \$1,205.664  |
| d. Water and Sewer Fund Budget   | \$7,575,000  |
| e. Sanitation Fund Budget  | \$1,800,000  |
| f. Parking Fund Budget   | \$170,000    |
| g. Fire/EMS Budget   | \$710,000    |
| h. Outside Agencies/other governmental agencies (see attached list of recommendations to be funded from the General Fund and Coal Severance Account) |              |

As part of each budget discussion, Finance Director Mark B. Spickler pointed out that these budgets do not include any anticipated unencumbered balance. He further stated in past years the projected unencumbered balances were made a part of the budget approvals. That is the reason total budget amounts are lower at this time.

City Manager Mark S. Baldwin informed the Committee that an email was received from Ms. Pam Coyle, M-BC Public Library, requesting an additional allocation of \$100,000 due to decrease in funds from the Board of Education's Levy.

After final discussion, the consensus of the Committee was to recommend the budgets for approval at the Special City Council meeting to be held on Tuesday, March 24, 2015 at 5 PM.

Meeting Adjourned.

**7. Report of Mayor**

**a. Reminder of Public Hearing for Comcast Franchise Agreement Renewal—Thursday, April 9, 2015 at 6:30 PM (at regular Council meeting)**

**b. Reminder of Special Council Meeting scheduled for Tuesday, April 21, 2015 at 5:00 PM to approve/deny FY 2015-2016 levy rates and other business as needed**

**c. Appoint Lieutenant David Weller, Martinsburg Fire Department EMS Coordinator, to the Northeastern Regional Emergency Medical Services Board**

**d. Appoint Councilman Ken Collinson as City Council liaison to Martinsburg/ Berkeley County Parks and Recreation**

**8. Report of City Attorney**

None

**9. Report of City Manager**

None

**10. Unfinished Business**

There was no unfinished business

**16. New Business**

**a. Adopt Resolution 2015-05 to approve General Fund Budget Revision #3 for FY 2014-2015**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve Resolution 2015-05. Motion carried 6-1, Anderson no.

**b. Adopt Resolution 2015-06 to approve Coal Severance Tax Fund Budget Revision #3 for FY 2014-2015**

Motion made by Councilman Collinson, seconded by Councilman Etherington, to approve Resolution 2015-06. Motion carried unanimously.

**c. Approve/deny Police Levy Fund Budget Revision #1 for FY 2014-2015**

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to approve the Police Levy Fund Budget Revision #1 for FY 2014-2015. Motion carried 6-1, Anderson no.

**d. Approve/deny Fire/EMS Budget Revision #1 for FY 2014-2015**

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to approve the Fire/EMS Budget Revision #1 for FY 2014-2015. Motion carried, 6-1, Anderson no.

**e. Approve/deny Water and Sewer Fund Budget Revision #1 for FY 2014-2015**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve Water and Sewer Fund Budget Revision #1 for FY 2014-2015. Motion carried, Anderson no.

**f. Approve/deny Sanitation Fund Budget Revision #1 for FY 2014-2015**

Motion made by Councilman Knowles, seconded by Councilman Wachtel, to approve the Sanitation Fund Budget Revision #1 for FY 2014-2015. Motion carried unanimously.

**g. Approve/deny Parking Fund Budget Revision #1 for FY 2014-2015**

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve the Parking Fund Budget Revision #1 for FY 2014-2015. Motion carried unanimously.

**h. Approve/deny \$14,695,000 General Fund Budget for FY 2015-2016**

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve the \$14,695,000 General Fund Budget for FY 2015-2016. Motion carried unanimously.

**i. Approve/deny \$65,500 Coal Severance Tax Fund Budget for FY 2015-2016**

Motion made by Councilman Wachtel, seconded by Councilman Etherington to approve the \$65,600 Coal Severance Tax Fund Budget for FY 2015-2016. Motion carried 6-1, Anderson no.

**j. Approve/deny \$1,205,664 Police Levy Fund Budget for FY 2015-2016**

Motion made by Councilman Collinson, seconded by Councilman Knowles, to approve the \$1,205,665 Police Levy Fund Budget for FY 2015-2016. Motion carried unanimously.

**k. Approve/deny \$710,000 Fire/EMS Fund Budget for FY 2015-2016**

Motion made by Councilman Knowles, seconded by Councilman Boyd, to approve the \$710,000 Fire/EMS Budget for FY 2015-2016. Motion carried unanimously.

**l. Approve/deny \$7,575,000 Water and Sewer Fund Budget for FY 2015-2016**

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to approve the \$7,575,000 Water and Sewer Fund Budget for FY 2015-2016. Motion carried 6-1, Anderson no.

**m. Approve/deny \$1,800,000 Sanitation Fund Budget for FY 2015-2016**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve the \$1,800,000 Sanitation Fund Budget for FY 2015-2016. Motion carried unanimously.

**n. Approve/deny \$170,000 Parking Fund Budget for FY 2015-2016**

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to approve the \$170,000 Parking Fund Budget for FY 2015-2016. Motion carried unanimously.

**o. Approve/deny Mutual Aid Agreement between the City of Martinsburg and the Martinsburg Veterans Affairs Medical Center for Fire Protection**

Councilman Baker stated that he has not seen this agreement before and asked if it was routine. Chief Bragg replied that is a routine agreement, but is generally only renewed every five years.

Motion made by Councilman Wachtel, seconded by Councilman Boyd, to approve the Mutual Aid Agreement between the City of Martinsburg and the Martinsburg Veterans' Affairs Medical Center for Fire Protection. Motion carried unanimously.

**p. Approve/deny request from the Martinsburg Police Department and the Boy Scouts of America to hold a bike rodeo to be held in the Caperton Train Station Parking Lot on Saturday, April 18, 2015 from 9 AM until 2 PM**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve request from the Martinsburg Police Department and Boy Scouts of America to hold the bike rodeo as requested. Motion carried unanimously.

**16. Executive Session**

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to go into Executive Session for legal and personnel matters at 5:20 PM. Motion carried unanimously.

**Adjournment**

Motion adjourned by unanimous consent at 5:35 PM.

/s/ George Karos, Mayor

/s/Gena Long, City Recorder

Approved at the April 9, 2015 Regular Council Meeting on motion by Councilman Baker, seconded by Councilman Wachtel.