

**City Of Martinsburg**  
**Regular City Council Meeting**  
**Thursday, December 10, 2015**  
**6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayerô Pastor Robert Brennan, Jr.ô Calvary United Methodist Church
5. Approve November 12, 2015 Regular Meeting Minutes
6. Approve October 2015 Administrative and Financial Report.
7. **Presentations**
  - a. Utilities Director Steve Knipe and Bill Meinert, OøBrien and Gere, update on WWTP Upgrade Project (See items 15 L-N)
8. **Petitions from Citizens**
9. **Receive And File Reports—Minutes—Correspondence Of The Following:**
  - a. Historic Preservation Review Commission September 14 and October 5, 2015 Meeting Minutes
  - b. Board of Zoning Appeals September 1, 2015 Meeting Minutes
  - c. Human Relations Committee September 21, 2015 Meeting Minutes
  - d. Berkeley County Animal Control September 2015 Incident Report
  - e. Martinsburg-Berkeley County Convention and Visitorø Bureau October 14, 2015 Meeting Minutes
  - f. Xfinity correspondence, dated November 10, 2015, notifying of channel changes
  - g. Comcast correspondence, dated November 13, 2015, notifying of rate adjustments
  - h. Petition from adjacent and nearby property owners of 750 Baltimore Street in opposition to the proposed Map Amendment (See item 15A)
  - i. Six (6) letters of concern of residents and business owners in opposition to a zoning change to allow for a substance abuse rehabilitation center at 750 Baltimore Street

- j. Petition signed by 31 business owners in the City of Martinsburg in opposition to a substance abuse rehabilitation center at 750 Baltimore Street
- k. For the kids, by George Children's Museum November 5, 2015 meeting minutes

**10. Reports Of Chairpersons Of Council Standing Committees:**

- a. Approve/deny Council as a Whole Committee November 19, 2015 Meeting Minutes

**11. Report Of Mayor**

- a. Reappoint the following to the Board of Zoning Appeals 1/1/2016-1/1/2019
  - Michelle Schoppert
  - Doreane Mosser
  - Thomas Johnson (alternate)
- b. Reappoint the following to the Historic Preservation Review Commission 1/1/2016-1/1/2018
  - Gary Gimbel
  - Ryan Perks
- c. Reappoint Wayne Rizzo to the Code Appeals Board-1/1/16-12/31/18
- d. Martinsburg/Berkeley County Convention and Visitor's Bureau 2 vacancies will occur December 31, 2015, City will advertise for volunteers

**12. Report Of City Attorney**

- a. 634 Winchester Avenue Status Update
- b. Discuss Section 1106 of the Martinsburg Zoning Ordinance (MZO) and petition submitted December 3, 2015 (See memo and Item 15 A)

**13. Report of City Manager**

**14. Unfinished Business**

**15. New Business**

- a. First and Second Reading of Ordinance 2015-10: An Ordinance to Amend the City of Martinsburg Zoning Map to Rezone Two Parcels of Real Estate, the First Parcel, being Improved, and Consisting of Approximately 5.49 Acres from its Current Zoning Classification of IG (General Industrial) and the Second Parcel, being Unimproved, and Consisting of Approximately 2.95 Acres from its Current Zoning Classification of IG (General Industrial), also Identified on the Berkeley County, West Virginia Tax Map M5 Parcels 73 and 95, Postal Address 750 Baltimore Street, Located in the Martinsburg District, Berkeley County, West Virginia, Owned by Four Winds, LLC., from its Current Zoning Classification of IG to BC (Community Business)
- b. Approve/deny Fourteenth Amendment to the Lease, extending the lease agreement between the City of Martinsburg and Berkeley Post 14, American Legion, Inc. January 1, 2016-June 30, 2016, contingent upon proof of adequate liability insurance

- c. Approve/deny polling places for 2016 City of Martinsburg General Election
- d. Approve/deny poll worker salary for 2016 City of Martinsburg General Election--\$150 each day worked (Election Day and Early Voting as needed)/\$50 mandatory training/\$35 for messenger/\$15 for alternate party ride-back
- e. Approve/deny filing fees for candidates for 2016 City of Martinsburg General Election--\$2 for Ward Council candidate and Council at Large candidate/\$10 for Mayor
- f. Approve/deny request from Main Street Martinsburg to use the Pedestrian Bridge at Caperton Train Station on Thursday, January 28, 2016 from 5-7 PM to hold a membership drive, including authorization from the Mayor to sign a letter of endorsement to the ABC Commission for beer and wine sales
- g. Approve/deny Martinsburg Police Department request to purchase twenty (20) X2 Tasersô 20 units, holsters and battery packs--\$19,406; four year warranty--\$6,365; total--\$25,771ô Taser International (sole provider)ô Police levy fund
- h. Confirm consensus of Council to allow Riverø Edge Ministries to conduct annual Christmas in the Streets event in the Town Square, December 19, 2015 at 6 PM, contingent upon proof of adequate liability insurance
- i. Update and action as necessary on the King/Church Street Storm Drainage Improvement Project
- j. Approve/deny Martinsburg/Berkeley County Public Library funding request--\$31,250 (see Item 10 A ) ( $\$50,000 \div 9 \text{ months} = \$5,555 \text{ per month} \times 6 \text{ months} = \$33,333$  for Jan-June, 2016)
- k. Approve/deny agreement between the City of Martinsburg and Environmental Resources and Consulting, LLC for Brownsfield Grant-\$392,000
- l. Approve/deny Resolution 2015-32 authorizing HRI Inc.ø Application for December 2015 Payment #24 for the WWTP Upgrade Project--\$1,014,549.85
- m. Approve/deny Change Order #14 between the City of Martinsburg, HRI, Inc. and OøBrien and Gere Engineers for the WWTP Upgrade Project construction--\$129,048.00
- n. Approve/deny Change Order #5 between the City of Martinsburg and OøBrien and Gere Engineers for WWTP Upgrade project engineering--\$423,274.00

## 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)