

**City Of Martinsburg**  
**Regular City Council Meeting**  
**Thursday December 13, 2012**  
**6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer—
5. **Public Hearing:** A public hearing has been scheduled to discuss the City's Community Development Block Grant Program (CDBG) and HOME Program funds through the Eastern Panhandle HOME Consortium and the housing and community development and economic development needs of the City of Martinsburg, WV.
6. Approve November 08, 2012 Regular Council Meeting Minutes
7. Approve October 2012 Administrative and Financial Report.
8. **Presentations**
  - a. Make Comment on ABC Zoning Form—Finn Thai Restaurant and Bar—748 Foxcroft Avenue
9. **Petitions From Citizens**
10. **Receive And File Reports—Minutes—Correspondence Of The Following:**
  - a. Board of Zoning Appeals October 02, 2012 and November 13, 2012 Meeting Minutes
  - b. Historic Preservation Review Commission October 01, 2012 and November 05, 2012 Meeting Minutes
  - c. Berkeley County Animal Control Report; 10/1/12 through 10/31/12
  - d. U.S. Department of Housing and Urban Development Program Year Review Letter—Program Period July 1, 2011-June 30, 2012
  - e. West Virginia Infrastructure and Jobs Development Council Approval of Estimate Grant Proceeds—Chesapeake Bay/Greenbrier River Basin Compliance Projects
  - f. West Virginia Department of Environmental Protection Notice of Award—Chesapeake Bay Regulatory and Accountability Program grant funds--\$50,000 (\$37,500 grant, 12,500 City Match).

- g. Resolution—Martinsburg Bulldogs Third Consecutive Football Championship Win (as presented Thursday, December 6, 2012 High School Awards Ceremony)

#### **11. Reports Of Chairpersons Of Council Standing Committees**

- a. Council as a Whole Committee November 14, 2012 meeting minutes
- b. Council as a Whole Committee November 27-28, 2012 meeting minutes

#### **12. Report Of Mayor**

- a. Reappoint Frank Bradley to the Board of Zoning Appeals, term 1/1/13-12/31/15
- b. Reappoint Laura Gassler to the Martinsburg/Berkeley County Convention and Visitors' Bureau, term 1/1/13-12/31/14
- c. Reappoint Gary Gimbel to the Historic Preservation Review Commission, term 1/1/13-12/31/15
- d. Reappoint Nell Thompson to the Historic Preservation Review Commission, term 1/1/13-12/31/15
- e. Appoint Ryan A. Perks to the Historic Preservation Review Commission to fill an expired term 1/1/13-12/31/15
- f. Appoint Bridget M. Cohee to the Board of Zoning Appeals to fill an expired alternate term 1/1/13-12/31/15
- g. Appoint Mary A. Dulyea to the Board of Zoning Appeals to fill an expired alternate term 1/1/13-12/31/15
- h. Discuss vacancies—Code Appeals Board (1) and Shade Tree Commission (1)

#### **13. Report Of City Attorney**

- a. Discuss draft ordinance in reference to 2013 Police Levy Special Election
- b. Overview of Memorandum of Understanding between the Berkeley County Farmland Protection Board and the City of Martinsburg

#### **14. Report Of City Manager**

- a. Projects update.

#### **15. Unfinished Business**

#### **16. New Business**

- a. Approve/deny Resolution 2012-28: A Resolution Concerning the Extension of the Cable Television Franchise Held by Comcast of CA/MD/PA/VA/WV, LLC. For The Purpose

Of Permitting The City Of Martinsburg, WV And The Franchisee To Complete Renewal Discussions

- b. Authorize City Attorney to prepare Ordinance scheduling the 2013 Special Police Levy Election
- c. Approve/deny Eighth Amendment to Lease, extending the lease agreement between the City of Martinsburg and the Berkeley Post 14, American Legion, Inc—January 1, 2013-June 30, 2013
- d. Approve/deny purchase of one new John Deere Backhoe Loader—James River Equipment--\$105,747—Water/Sewer Fund
- e. Approve/deny purchase of one CUES MP2020 Push Camera—Atlantic Machinery, Inc.--\$11,081.00—Sewer Fund
- f. Approve/deny purchase of one used Colman 4000 watt light tower—Godwin Pumps--\$2,600.00—Water/Sewer Fund
- g. Approve/deny Agreement for Administrative Services between the City of Martinsburg and Region 9 Development Council regarding Chesapeake Bay Regulatory and Accountability Program grant funds
- h. Authorize Mayor to sign Community Development Block Grant (CDBG) Subrecipient Funding Agreement between the City of Martinsburg, West Virginia and Martinsburg/Berkeley County Parks and Recreation for a \$160,390 grant to make improvements to Ambrose Park.
- i. Approve/deny purchase of Fire Station warning system—J.O. Herbert Company--\$11,975.85—Fire/EMS Fund
- j. Approve/deny purchase of four (4) IX104C5 Dual Mode Sunlight Readable Tablet EMS computers—Xplore Technology (sole provider for existing equipment compatibility)--\$14,408—Fire/EMS Fund.

## **17. 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)

## **18. Adjournment**