

**City Of Martinsburg**  
**Regular City Council Meeting**  
**Thursday, November 12, 2015**  
**6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayerô Lay Rabbi Steve Sossonô Beth El Congregation
5. Approve October 8, 2015 Regular Meeting Minutes
6. Approve October 27, 2015 Special Meeting Minutes
7. Approve September 2015 Administrative and Financial Report.
8. **Presentations**
  - a. Resolution of Appreciationô Retired Fire Department Lieutenant John Holben
  - b. Administer Oath of Office to Firefighter/EMT-Paramedic Benjamin Hubbard
  - c. Administer Oath of Office to Fire Department Lieutenant Mark Stroop
  - d. Administer Oath of Office to Police Officer Teresa Gibbons
  - e. Proclamationô National Hunger and Homelessness Awareness Week
  - f. Proposal for indoor recreation facility/rock climbing facility in downtown Martinsburgô Brance Keesecker, Climbing New Heights
  - g. Presentation regarding Inaugural Martinsburg International Festivalô Panhandle Home Health & Boys and Girls Club of the Eastern Panhandle (See Item 17B)
9. **Public Nuisance Hearing—634 Winchester Avenue**
10. **Petitions from Citizens**
11. **Receive And File Reports—Minutes—Correspondence Of The Following:**
  - a. Planning Commission September 2, 2015 Meeting Minutes
  - b. Board of Zoning Appeals September 1, 2015 Minutes

- c. Hagerstown/Eastern Panhandle Metropolitan Planning Organization Interstate Council August 26, 2015 Meeting Minutes and FY 2014-2017 TIP Amendments, Revision 8
- d. Martinsburg/Berkeley County Convention and Visitors Bureau August 19, 2015 Meeting Minutes and Financial Report
- e. Berkeley County Animal Control May, June, July, August 2015 Incident Reports
- f. Martinsburg-Berkeley County Parks and Recreation Financial Reports for War Memorial Park and Lambert Park Pools
- g. Letter of Denial, dated October 30, 2015, for the FY 2014 Assistance to Firefighters Grant (request was for self-contained breathing apparatus)
- h. Invitation to Community Traffic Safety Awards Ceremony where the City of Martinsburg will be presented an award November 9, 2015, Police Department Personnel to Attend
- i. For the Kids, by George Children's Museum Board of Directors October 2015 Meeting Minutes

## **12. Reports Of Chairpersons Of Council Standing Committees:**

### **13. Report Of Mayor**

- a. Reminder of 1<sup>st</sup> and 2<sup>nd</sup> reading of Ordinance to rezone 750 Baltimore Street from IG (General Industrial) to BC (Community Business) at the December 2015 Regular Council Meeting
- b. Reminder that the comment period for the Draft non-discrimination ordinance concluded November 9, 2015 and estimated time frame for consideration of the ordinance is February/March, 2016
- c. Schedule Council as a Whole Committee Meeting for Thursday, November 19, 2015 at 4:30 PM agenda forthcoming

### **14. Report Of City Attorney**

- a. City of Martinsburg appointments to Martinsburg/Berkeley County Convention and Visitors Bureau (WV State Code/City Code)

### **15. Report of City Manager**

- a. Projects Update

### **16. Unfinished Business**

### **17. New Business**

- a. Take action, as necessary, on the evidence presented at the Public Nuisance Hearing for 634 Winchester Avenue (Item 9)

- b. Approve/deny International Festival for May 21, 2016 from noon until 10 PM, including the closing of a portion of Queen Street and letter of endorsement to the ABC Commission for craft beer sales
- c. Approve/deny submission of West Virginia Infrastructure Naming Request Form requesting that new Tennessee Avenue Bridge be named in honor of past Councilman Max Parkinson
- d. Approve/deny request from Martinsburg-Berkeley Parks and Recreation for funds for the purchase of a new tractor with front loader and backhoe see letter
- e. Approve/deny bid for 2016 Freightliner garbage truck with leach compactor West Virginia Tractor Company--\$138,900
- f. Approve/deny bid for copier for Public Works Department Dice Imaging Xerox WV 7556HCT Copier--\$5,746.00
- g. Approve/deny Martinsburg Fire Department Standard Operating Procedure (SOP) for Drug Box Accountability
- h. Approve/deny submission of application for Fireman's Fund Heritage Grant to purchase three (3) Lucas 2.2 Chest Compression Systems at \$17,363.58 each no City match
- i. Approve/deny relocation expenses for Chief of Police Maurice Richards
- j. Authorize the Mayor to sign Subrecipient Agreements with the following organizations for use of FY 2015 CDBG Funds:
  - 1.C-Cap Emergency Rental Assistance--\$5,000
  - 2.Court Appointed Special Advocates (CASA) support of volunteer program--\$5,000
  - 3.Safe Haven Child Advocacy Center case management support--\$5,000
  - 4.Berkeley County Meals on Wheels Dine with Dignity program--\$5,000
  - 5.Boys and Girls Club, Martinsburg Site memberships for 20 households--\$5,000
  - 6.Shenandoah Women's Center case management support--\$5,000
  - 7.Berkeley Senior Services in-home care services--\$5,000
  - 8.Community Networks, Inc. administrative support--\$2,000
  - 9.Catholic Charities, WV case management support--\$1,000
  - 10.Martinsburg-Berkeley County Parks and Rec Martin Luther King, Jr. Community Park Renovations--\$80,000
- k. Discuss and take action as necessary on King/Church Street Storm Drainage Improvement Project bid D&M Contractors--\$1,704,000.00
- l. Approve/deny Resolution 2015-31 authorizing HRI Inc.'s Application for November 2015 Payment #23 for the WWTP Upgrade Project--\$1,657,538.33
- m. Approve/deny Change Order #4 between the City of Martinsburg and O'Brien and Gere Engineers for WWTP Upgrade project engineering for re-budgeting purposes net zero

- n. Approve/deny Change Order # 13 between the City of Martinsburg, HRI Contractors and O'Brien and Gere Engineers for WWTP Upgrade Project construction--\$86,057
- o. Confirm Change Order #2 between the City of Martinsburg and W. Harley Miller for E. Burke Street Parking Lot Project construction--\$36,435 (see documentation for various areas)
- p. Approve/deny Change Order #3 between the City of Martinsburg and W. Harley Miller for E. Burke Street Parking Lot Project construction--\$1,774
- q. Update on E. Burke Street Parking Lot Project

**18. 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)

**19. New Business Continued**

- a. Approve/deny retention of Patrick Henry as co-counsel for Police Civil Service litigation