

**City Of Martinsburg**  
**Regular City Council Meeting**  
**Thursday, November 13, 2014**  
**6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer—Reverend Robert Brennen, Calvary United Methodist Church
5. Approve October 09, 2014 Special Meeting Minutes
6. Approve October 09, 2014 Regular Meeting Minutes
7. Approve September 2014 Administrative and Financial Report.
8. **Presentations**
  - a. Proclamation—Christian Heritage Week—November 23-29, 2014
  - b. Proclamation— National Hunger and Homelessness Awareness Week—November 16-22, 2014
  - c. Proclamation—Small Business Saturday—November 29, 2014
  - d. Wastewater Treatment Plant Project Update—Bill Meinert, O’Brien and Gere Engineers (see Items 16 D, 16P & 16Q)
  - e. Brownfield Assessment Grant—Matt Ward, Sustainable Strategies DC (See item 16E)
9. **Petitions From Citizens**
10. **Receive And File Reports—Minutes—Correspondence Of The Following:**
  - a. Board of Zoning Appeals July 01, 2014 Meeting Minutes
  - b. Historic Preservation Review Commission October 06, 2014 Meeting Minutes
  - c. Shade Tree Committee October 22, 2014 Meeting Minutes
  - d. Martinsburg/Berkeley County Convention and Visitor’s Bureau August 13, 2014 Meeting Minute, Financial Report, and October 22, 2014 Meeting Agenda

- e. Memorandum from the Chamber of Commerce of Martinsburg and Berkeley County appointing Mr. Andy DiMagno as its representative on the Fire Civil Service Commission to fill an unexpired term ending 12/1/2016
- f. Hagerstown/Eastern Panhandle Metropolitan Planning Organization Interstate Council August 27, 2014 Meeting Minutes, October 2014 TIP Amendments and Berkeley County Projects Overview
- g. Eastern Panhandle Regional Planning and Development Council—Region 9 September 15, 2014 Meeting Minutes

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

## **12. Report Of Mayor**

- a. Reappoint Terry Colburn to the Historic Preservation Review Commission—1/1/2015-1/1/2018
- b. Reappoint Yvonne Jenkins to the Planning Commission—1/1/2015-1/1/2018
- c. Reappoint William Yearout to the Martinsburg-Berkeley County Convention and Visitors Bureau—1/1/2015-1/1/2017
- d. Reappoint Brenda Casabona to the Board of Zoning Appeals—1/1/2015-1/1/2018
- e. Appoint Bridget Cohee (current alternate) as a regular member of the Board of Zoning Appeals to fill an unexpired term ending 1/1/2017
- f. Appoint Michelle Schoppert as a regular member of the Board of Zoning Appeals to fill an unexpired term ending 1/1/2016
- g. Appoint Doreane Mosser as an alternate member of the Board of Zoning Appeals to fill an unexpired term ending 1/1/2016
- h. Appoint Martin Bales as an alternate member of the Board of Zoning Appeals to fill an unexpired term ending 1/1/2016
- i. Reminder of Special Council Meeting/Public Hearing scheduled for Tuesday, November 18, 2014 at 6 PM for purposes of soliciting public comment on those Ordinances to be submitted to the Home Rule Board for approval

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

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

- a. Projects Update

## **15. Unfinished Business**

- a. Third and Final Reading of Ordinance 2014-15: *An Ordinance To Amend And Re-Enact Part Fifteen – Fire Prevention Code, Article 1501 Section 1501.01 Of The Codified Ordinances Of The City Of Martinsburg, And Repealing Ordinance Number 2010-12 Of The City Of Martinsburg, West Virginia*

- b. Third and Final Reading of Ordinance 2014-16: *An Ordinance To Provide For The Adoption, Approval And Implementation Of An Intergovernmental Agreement Between The City Of Martinsburg, West Virginia, And The West Virginia Department Of Transportation, Division of Highways, Each A Political Subdivision Of The State Of West Virginia, With Regard To Funding Associated With The “Oak Street Bridge Replacement” Project*
- c. Third and Final Reading of Ordinance 2014-17: *An Ordinance To Provide For The Adoption, Approval And Implementation Of An Intergovernmental Agreement Between The City Of Martinsburg, West Virginia, And The West Virginia Department of Transportation, Division Of Highways, Each A Political Subdivision Of The State Of West Virginia, With Regard To Funding Associated With The “Church Street Drainage” Project*
- d. Third and Final Reading of Ordinance 2014-18: *An Ordinance To Provide For The Adoption, Approval And Implementation Of An Intergovernmental Agreement Between The City Of Martinsburg, West Virginia And The West Virginia Water Development Authority Authorizing The Authority To Make A Grant From The Proceeds Of Excess Lottery Revenue Bonds, 2014 Series A In An Amount Not To Exceed \$23,798,958.10 For Purposes Of Funding The Eligible Portions Of The Wastewater Treatment Plant Upgrade Project*
- e. Third and Final Reading of Ordinance 2014-19: *An Ordinance To Amend And Re-Enact Part Five – General Office Code, Article 517 Section 517.01(B) Of The Codified Ordinances Of The City Of Martinsburg, West Virginia*

## **16. New Business**

- a. Approve/deny Resolution 2014-14: *Resolution of the Council of the City of Martinsburg, West Virginia Authorizing the Execution of an Agreement with the West Virginia Department of Transportation, Division of Highways (“Division”) with Regard to Funding Associated with the Oak Street Bridge Replacement Project in the City of Martinsburg, West Virginia*
- b. Approve/deny Resolution 2014-15: *Resolution of the Council of the City of Martinsburg West Virginia Authorizing the Execution of an Agreement with the West Virginia Department of Transportation, Division of Highways (“Division”) with Regard to the Funding Associated with the Church Street Drainage Project in the City of Martinsburg, West Virginia*
- c. Approve/deny Resolution 2014-16: *Resolution of the Council of the City of Martinsburg, West Virginia to Participate in the U.S. Securities and Exchange Commission Municipalities Continued Disclosure Cooperative Initiative and Authorizing the Mayor, City Manager, City Recorder and Other Officers to Execute any and all Necessary Documents and Take All Actions Necessary or Convenient in Connection Therewith*
- d. Approve/deny Change Order #9 between the City of Martinsburg, O’Brien and Gere Engineers, Inc., and HRI, Inc. for the WWTP Upgrade project-- ~~\$(181,572)~~—net decrease

- e. Approve/deny proposal from Sustainable Strategies DC to prepare and submit a Brownfield Assessment Grant on behalf of the City of Martinsburg--\$6,000
- f. Approve/deny engagement contract for legal services between the City of Martinsburg and Kay, Casto & Chaney for the review of the Stormwater Management Plan--\$5,000
- g. Approve/deny FY 2014 CDBG/HOME Subrecipient Agreement between the City of Martinsburg and Community Networks for HPRP Administrative Services--\$1,200
- h. Approve/deny request to hold Christmas in the Streets event on Saturday, December 20, 2014 from 6-8 PM in the Town Square, contingent upon proof of adequate liability insurance
- i. Approve/deny request from New Life Community Church to utilize the Town Square on November 22, 2014 from 9AM-3PM for a youth service project, contingent upon proof of adequate liability insurance
- j. Approve/deny request from Main Street Martinsburg for a contribution of \$500-\$1,000 to purchase Christmas lights for the Town Square holiday decorations
- k. Approve/deny request from SHOP Ministries for donation of bicycles considered “unclaimed property,” pending approval by the State of West Virginia
- l. Approve/deny snow removal bid with Hemco Snow Removal—see attached
- m. Approve/deny bid for demolition and related services for 316 Oak Street--\$9,100 plus cost to be determined for necessary asbestos abatement and disposal—Pittsnogle, LLC
- n. Approve/deny bid for demolition and related services for 706 W. Martin Street--\$9,100 plus cost to be determined for necessary asbestos abatement and disposal—Pittsnogle, LLC
- o. Approve/deny Right of Way between the City of Martinsburg and The Potomac Edison Company to install 170’ of underground facilities along and across an existing City right of way south of Wilson Street
- p. Approve/deny HRI, Inc.’s November Payment Application #11 for the WWTP Upgrade Project--\$1,636,623.97
- q. Approve/deny HRI, Inc.’s November Payment Application #4 for the Task C Project--

### **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**