

**City Of Martinsburg**  
**Regular City Council Meeting**  
**Thursday, November 17, 2016**  
**6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayerô Retired Pastor Walter Bowers
5. Approve October 13, 2016 Special Meeting Minutes
6. Approve September 2016 Administrative and Financial Report.
7. **Presentations**
  - a. Administer Oath of Office to Police Sergeant Adam Albaugh
  - b. Administer Oath of Office to Police Corporal Jared Luciano
  - c. Proclamationô National Hunger and Homelessness Awareness
8. **Petitions from Citizens (Two (2) Minute Maximum)**
9. **Receive And File Reports—Minutes—Correspondence Of The Following:**
  - a. Eastern WV Regional Airport Authority July 5, August 2, August 24, August 29 and September 6, 2016 Meeting Minutes and June, July and August 2016 Budget Reports
  - b. Report of Proceeds from October 1, 2016 City of Martinsburg Surplus Auction
  - c. City of Martinsburg Wastewater Treatment Plant Dedication Program and Upgrade Schematics
  - d. Greetings from Governor Tomblin as read at the October 20, 2016 Wastewater Treatment Plant ribbon-cutting and dedication ceremony
  - e. Communication, dated October 20, 2016, from the United States Postal Service regarding the relocation of the Martinsburg Mall Contract Postal Unit
  - f. Eastern Panhandle Transit Authority September 19, 2016 Meeting Minutes and Financial Statements

- g. Correspondence from the Martinsburg-Berkeley County Chamber of Commerce regarding the reappointment of Andy DiMagno to the Fire Civil Service Commission through 12/1/2020
- h. For the Kids, by George Children's Museum October 6, 2016 Meeting Minutes and Director's Report
- i. Berkeley County Animal Control September and October 2016 Incident Report
- j. Historic Preservation Review Commission October 3, 2016 Meeting Minutes
- k. Planning Commission October 5, 2016 Meeting Minutes
- l. Shade Tree Commission November 2, 2016 Meeting Minutes

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

- a. Gateway and Wayfinding Committee October 20, 2016 Meeting Minutes

**11. Report Of Mayor**

- a. Appoint Jason Barrett to the Human Relations Committee to fill an expired term July 9, 2016-July 9, 2018

**12. Report Of City Attorney**

- a. Discuss proposed Ordinance regarding Solicitation of Immediate Donation of Funds (Panhandling) City/County continuing discussions

**13. Report of City Manager**

- a. Projects Update

**14. Unfinished Business**

- a. Third and Final Reading of Ordinance 2016-28 Amending The City Of Martinsburg Code, Part Three-Traffic Code, Article 365 ó Parking Meters, By Amending And Reenacting Section 365.13 Fines, As Amended
- b. Third and Final Reading of Ordinance 2016-31 to Approve and Adopt Current Replacement Pages to the Codified Ordinances

**15. New Business**

- a. First and Second Reading of Ordinance 2016-32 Amending The City Of Martinsburg Code, Chapter Five-Part One-Administrative, Article 155 Special Events, By Adding Sections 155.01 Through 155.10 To Provide For The Regulating And Permitting Special Events And Parades
- b. First and Second Reading of Ordinance 2016-33 to Amend the City of Martinsburg Zoning Map to Rezone 32.91 Acres of an Improved Parcel Containing Approximately 62.90 Acres from BC (Community Business) to RML (Multiple-Family, Low-Density Residential District)

- c. First and Second Reading of Ordinance 2016-34 Amending Ordinance 2016-30 Which Established Job Descriptions For Employees Of The City Of Martinsburg, West Virginia
- d. First and Second Reading of Ordinance 2016-35 to Amend and Reenact the City of Martinsburg Personnel Rules and Policies Section VIII: Miscellaneous Policies by adding Subsection Y: Recording of Employees by Employees
- e. Approve/deny Resolution 2016-29 Supporting the Improvement of the Historic Rehabilitation Investment Tax Credit
- f. Approve/deny request from Saint Joseph Parish to hold the annual Virgin of Guadalupe procession on Sunday, December 11, 2016 from 12:45 PM until 1:30 PM, contingent upon proof of adequate liability insurance
- g. Approve/deny request from New Life Community Church to hold an event in the Town Square Pedestrian Plaza on Sunday, November 27, 2016 from 3-6 PM contingent upon proof of adequate liability insurance
- h. Approve/deny request from Riverø Edge Ministries to hold the 4<sup>th</sup> annual Christmas in the Streets event in the Town Square Pedestrian Plaza on Saturday, December 17, 2016, from 5-7 PM contingent upon proof of adequate liability insurance
- i. Approve/deny request from Kingdom of Love Ministries to hold the 8<sup>th</sup> annual Christmas Eve in the Square event in the Town Square Pedestrian Plaza on Saturday, December 26, 2016 beginning at noon, contingent upon proof of adequate liability insurance
- j. Approve/deny request from Ms. Yurish for the City of Martinsburg to remove a tree from 634 Winchester Avenue (structure has been demolished)
- k. Approve/deny recommendation of Gateway and Wayfinding Committee to move forward the design scheme approved in 2009 (See 10 A for recommendation)
- l. Approve/deny updated scope of work and fees for Gateway and Wayfinding designø Frazier Associates
- m. Approve/deny purchase of one (1) 2016 Dodge Ram 2500, 4x4, V8 pick-up truck (\$24,160) and one (1) 2016 Ford Explorer 4x4 V6ø (\$25,940)-- state contract (Stephenø Auto)ø total--\$50,100.00 (previously budgeted) for the Public Works Department
- n. Approve/deny bid recommendation for the purchase and installation of a Clearspan Structure to be used for salt storage--\$16,508ø Clearspan Fabric Structures

- o.** Approve/deny installation of new submersible pump at Big Springs Site--\$26,370 A.C. Schultes of Maryland, Inc.
- p.** Approve/deny quote recommendation for purchase 34 chairs for the Martinsburg Fire Department training room--\$4,930 Uline
- q.** Approve/deny quote recommendation for purchase a Boss DXT Snow Plow for the Martinsburg Fire Department--\$5,857.50 Eastern Truck Equipment, LLC
- r.** Approve/deny authorization to submit 2016/17 Assistance to Firefighter Grant application for the for the purchase of Self Contained Breathing Apparatuses and other materials as listed--\$481,871 with 5% City match
- s.** Approve/deny purchase of 2017 Ford Explorer --\$25,518 for the Police Department--\$17,175 insurance reimbursement; \$8,343 Drug Forfeiture and Seizure Account--\$7,000 equipment (donated)
- t.** Approve/deny Revisions to Police Department Policy and Procedures Manuel regarding Response to Resistance and Taser Policies
- u.** Approve/deny HRI Inc. Application for November 2016 Payment #5 for the Church Street Storm Drainage Improvement Project--\$137,960
- v.** Approve/deny Change Order #3 between the City of Martinsburg and HRI, Inc. for the Church Street Storm Drainage Improvement Project--\$1,575 and two (2) calendar days additional underdrain
- w.** Approve/deny Change Order #4 between the City of Martinsburg and HRI, Inc. for the Church Street Storm Drainage Improvement Project--\$24,378 and fourteen (14) calendar days replacing sewer line (Sewer Budget)
- x.** Approve/deny Change Order #5 between the City of Martinsburg and HRI, Inc. for the Church Street Storm Drainage Improvement Project-\$5,985 and one (1) calendar day digging of deeper storm sewer
- y.** Approve/deny Change Order # 2 for Contract 1 between the City of Martinsburg, O'Brien and Gere Engineers, Inc. and Suez Treatment Solutions, Inc (formerly Infilco Degremont)--\$5,000 credit to the City
- z.** Approve/deny Payment Application #3 for Contract 1 to Suez Treatment Solutions, Inc. - \$393,900 Final Payment Application
- aa.** Approve/deny payment to HRI, Inc. releasing liquidated damages previously withheld via Resolution 2016-26--\$80,000
- bb.** Approve/deny payment of estimated costs to Verizon for utility relocation for Burke Street Bridge Project \$95,686.24

- cc. Approve/deny amendment to Service Agreement between the City of Martinsburg and Alpha Associates for Church Street Stormwater Project

**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)