

**AGENDA
CITY OF MARTINSBURG
REGULAR CITY COUNCIL MEETING
THURSDAY OCTOBER 13, 2011
6:30 PM.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayerô Pastor Sharon Reed, Grace Wesleyan Church
5. Approve September 15, 2011 regular Council meeting minutes
6. Approve August 2011 Administrative and Financial Report.
7. **PRESENTATIONS**
 - (a) Proclamation in harmony with Christian Heritage Week in West Virginiaô November 20-26, 2011 as proclaimed by Governor Earl Ray Tomblin.
 - (b) Make comment on ABC Zoning Form for Mezcal Mexican Grill, LLC at 203 S. Maple Avenue.
8. **PETITIONS FROM CITIZENS**
9. **RECEIVE AND FILE REPORTS—MINUTES—CORRESPONDENCE OF THE FOLLOWING:**
 - (a) Historic Preservation Review Commission meeting minutesô August 01, 2011
 - (b) Code Appeals Board meeting minutesô July 13, 2009
 - (c) Code Appeals Board draft meeting minutesô September 14, 2011
 - (d) Letter of resignation from Don Woodô Historic Preservation Review Commission.
10. **REPORTS OF CHAIRPERSONS OF COUNCIL STANDING COMMITTEES**
11. **REPORT OF MAYOR**
 - (a) Discuss appointment to Telemon Unity Action Boardô see enclosed bylaws.
12. **REPORT OF CITY ATTORNEY**

- (a) Redistricting update.

13. REPORT OF CITY MANAGER

- (a) Projects Update

14. UNFINISHED BUSINESS

- (a) Third and Final Reading of Ordinance 2011-03: An Ordinance Amending Ordinance 2010-15, which established job descriptions for employees of the City of Martinsburg.
- (b) Third and Final Reading of Ordinance 2011-04: Amending Fire Civil Service rules and regulations, Rule IX: Grading System for Promotions to the Rank of Captain and Lieutenant.
- (c) Third and Final Reading of Ordinance 2011-05: Ordinance annexing to the City of Martinsburg a parcel of real estate consisting of .35 acres and identified upon Berkeley County, West Virginia tax maps in the Opequon tax district, and providing for the institution of the necessary proceedings before the County Council of Berkeley County, West Virginia, in accordance with West Virginia Code §8-6-4 (annexation without election).
- (d) Third and Final Reading of Ordinance 2011-06: Amending Ordinance 2009-05: Regulations governing outdoor burning in the Municipal limits of the City of Martinsburg, at Section C.1.b.
- (e) Third and Final Reading of Ordinance 2011-07: Amending the City of Martinsburg Zoning Map to rezone an improved parcel of real estate, consisting of approximately 32,399 square-feet, from its current zoning classification of IG (General Industrial) and approximately 10,371 square-feet from its current zoning classification of RMM (Multiple-Family, Medium-Density Residential), also identified on the Berkeley County Tax Map M13, parcels 462 and 462.1, postal address 511 Cumberland Valley Place, located in the Martinsburg District, Berkeley County, West Virginia, owned by Martinsburg Holdings, LCC, from its current zoning classification of RMM and IG to BC (Community Business)

15. NEW BUSINESS

- (a) Authorize Crews & Associates and Bowles, Rice, McDavid, Graff & Love to prepare documents for refunding proposition for Series 2001 Waterworks and Sewerage Bonds.
- (b) First and Second reading of Ordinance 2011-08: Authorizing the refunding of the city of Martinsburg combined waterworks and sewerage system revenue bonds, Series 2001. Ordinance providing as to amount, maturities, interest rates, redemption provisions, purchase price and other details as to the Combined Waterworks And Sewerage System Revenue Bonds, Series 2001 and authorizing a preliminary official statement, official statement, bond purchase agreement, continuing disclosure agreement and other documents relating to the offering and sale of such Combined Waterworks and Sewerage System Refunding Revenue Bonds; and adopting other provisions relating thereto.

- (c) Resolution 2011-19: A resolution on behalf of Hospice of the Panhandle.
- (d) Cynthia Thorn Baynham appealing the September 12, 2011 decision of the Historic Preservation Review Commission regarding 407 W. Burke Street
- (e) Terry L. Walker appealing the September 12, 2011 decision of the Historic Preservation Review Commission regarding 118 N. Spring Street.
- (f) Authorize the Mayor to sign Subrecipient Agreements with the following organizations for use of FY 2011 CDBG Funds:
 - 1) Project CD-11-11 Telamon Corporation, Inc., \$10,000 for installation of HVAC system in transitional family housing unit.
 - 2) Project CD-11-12 Boys and Girls Club, \$53,000 for replacement of windows and repair, insulation painting of ceiling in gymnasium room.
 - 3) Project CD-11-13 Community Networks, Inc., \$8,000 for installation of new hot water system in Bethany House shelter.
- (g) Approve/deny Martinsburg Fire Department Standard Operating Procedure for Uniforms (Station Wear).
- (h) Approve/deny request for funds for security system at Oatesdale Parkô Martinsburg Little League Association--\$10,000 (Refer to Budget and Finance Committee).
- (i) Approve/deny Alternate Mainline Extension Agreement between the City of Martinsburg and Blue Ridge Community and Technical College.
- (j) Approve/deny reimbursement for street lights to Orchard Development, LLC--\$2,100.00
- (k) Approve/deny Engineering Services Agreement with Thrasher Engineering for the Kilmer Springs Waterline Relocation Project-- \$25,800 (+ \$10,000 estimated inspection costs)
- (l) Approve/deny Rejexit Program for trees in Downtown Martinsburgô Erlich Pest Control--\$760/visit * 5 recommended visits--\$3,800.
- (m) Discuss Christmas and New Yearø holiday schedule for City employees.

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)

17. ADJOURNMENT

