

REVISED
City Of Martinsburg
Regular City Council Meeting
Thursday, February 11, 2016
6:30 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayerô Robert Brennan, Jrô Calvary UMC
5. Approve January 14, 2016 Regular Meeting Minutes
6. Approve January 21, 2016 Special Meeting Minutes
7. Approve December 2015 Administrative and Financial Report.
8. **Public Hearing** to solicit comment on Resolution 2016-02 authorizing substantial amendments to the City of Martinsburg's FY 2011, 2013 & 2015 Annual Action Plans for use of Community Block Grant Funds
9. **Presentations**
 - a. Administer Oath of Office to Police Officer Teresa Gibbons
 - b. Make comment on WVABCA Zoning Formô The Phoenix Mill Café, LLCô 615 W. King Street
 - c. Make Comment on WVABCA Zoning Formô Kwik Chekô 301 Rock Cliff Drive (new owner)
 - d. Matthew Mullenax, Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO), EPTA Bus Transfer Point Study Update and City related transportation projects update (see 10 B)
10. **Petitions from Citizens**
11. **Receive And File Reports—Minutes—Correspondence Of The Following:**
 - a. Fraternal Order of Police, Morgan-Berkeley-Jefferson Lodge 83 Letter of Reappointment of James Barbour to the Martinsburg Police Civil Service Commission through 12/13/2020

- b. Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Interstate Council October 21, 2015 Meeting Minutes and Berkeley County WV Highway Projects Update
- c. City of Martinsburg Fire Department 2015 Annual Report
- d. City of Martinsburg Source Water Protection Plan and Notification of Region 9 Comment Period
- e. Notice of December 2015 Resignation of Nell Thompson from the Historic Preservation Review Commission after Twenty-two (22)+ years of Service
- f. Eastern Panhandle Transit Authority (EPTA) January 19, 2016 Board Minutes and December 2015 Financial Statement
- g. Historic Preservation Review Commission (HRPC) January 4, 2016 Meeting Minutes

12. Reports Of Chairpersons Of Council Standing Committees:

13. Report Of Mayor

- a. Upcoming Committee and Special City Council Meetings (See attached memo)

14. Report Of City Attorney

15. Report of City Manager

16. Unfinished Business

- a. Third and Final Reading of Ordinance 2016-01: An Ordinance to Add to and/or Amend the Text of the Martinsburg Zoning Ordinance (MZO) at Section 522.3(a) "Design Limitations" contained within Section 522 "Service Business District" to Increase the Maximum Allowed Signage Size
- b. Third and Final Reading of Ordinance 2016-03: An Ordinance to Add to and/or Amend the Text of the Martinsburg Zoning Ordinance (MZO) at Article VI: "Design Regulations" to Include Clarifying Language and Regulations for Storage Buildings, Storage Shipping-bins, Donation Drop-off Bins, and Temporary Structures
- c. Third and Final Reading of Ordinance 2016-04: An Ordinance to Add to and/or Amend the Text of the Martinsburg Zoning Ordinance (MZO) at Article II, Section 200 "Definition of Terms" to Include Codification of the Federal Definition of "Public Building"
- d. Third and Final Reading of Ordinance 2016-05: An Ordinance Amending the City of Martinsburg Code, Part 1, Administrative Code, Chapter 5, Administrative, by Adding Article 154, Nondiscrimination Policy, Section 01 And 02, to Provide for Equal Opportunity In The Areas Of Employment, Public Accommodations, and the Sale, Lease, Rental and Financing of Housing Accommodations is Hereby Declared To be a Human Right or Civil Right of All Persons without Regard to Race, Religion, Color, National Origin, Ancestry, Sex, Age, Blindness, Handicap, or Sexual Orientation and Gender Identity

17. New Business

- a. Approve/deny Resolution 2016-02 Amending the FY 2011, FY 2013 & FY 2015 CDBG Program Budgets and Annual Action Plans
- b. Approve/deny Resolution 2016-03 Amending the FY 2013 Home Program Budget and Annual Plan
- c. Approve/deny Resolution 2016-04 Authorizing the Execution of a Supplemental 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-\$20,000 additional City funding
- d. Approve/deny 2016 Main Street events, authorize letters of endorsement to the WVABCA for Fridays at Five (June-August), Bike Night (Saturday, August 20) and Chili Cook-off (Saturday, October 8)
- e. Approve/deny request from the West Virginia Division of the Sons of the Confederate Veterans to close a portion of Queen Street from the intersection of King Street to Race Street and a portion of E. Race Street on Saturday, March 5, 2016 from 10 AM until noon for purposes of conducting a parade in celebration of the birth of the Confederate flag and southern heritage, contingent upon proof of adequate liability insurance.
- f. Authorize letter of endorsement to WVABCA for the Wine and Arts Festival, Saturday May 28-Sunday May 29, 2016 and Public Works Assistance for the event
- g. Approve/deny purchase of Karcher BR 35/12 C BP Floor Scrubber or comparable "Weiss Bros.--\$3,715.13 (see attached quote)" "Custodial" Caperton Train Station and City Hall
- h. Approve/deny purchase of 2016 Jeep Grand Cherokee 4x4 for Fire Department Chief "Stephen" Auto (State Contract)--\$37,205
- i. Approve/deny Martinsburg Fire Department's Assistance to Firefighters Grant Application for purchase of Self Contained Breathing Apparatus (SBCA)--\$410,011 (\$390,497 AFG/\$19,524 City Match)
- j. Approve/deny Martinsburg Fire Department Standard Operating Procedure for HIPAA Forms and Policies
- k. Approve/deny appointment of Brian K. Nadenbousch as Martinsburg Fire Department's HIPAA Compliance Officer
- l. Approve/deny bid recommendation for street paving (CDBG funds only)--\$_____ (bid opening 2/10/16)

- m.** Approve/deny pre-paid membership fee for new Planet Fitness Wellness Plan enrollees (as of 1/12/2016--\$199/18 months; current enrollees will remain at \$99/year rateô City of Martinsburg 50% Share
- n.** Confirm consensus of council to approve funding to hire private contractors to assist with January 22-30 Winter Storm Jonas snow event/Update on snow removal (see reports)
- o.** Approve/deny Resolution 2016-05 authorizing HRI Inc.ø Application for February 2016 Payment #26 for the WWTP Upgrade Project--\$2,050,329.10

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)