

**AGENDA  
CITY OF MARTINSBURG  
REGULAR CITY COUNCIL MEETING  
THURSDAY, APRIL 9, 2009  
6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer
5. Approve March 12, 2009 regular Council meeting minutes
6. Approve March 26, 2009 special Council meeting minutes
7. **PUBLIC HEARING** – A public hearing has been scheduled to solicit citizen comments on substantial amendments to the City of Martinsburg’s FY 2007 and FY 2008 Annual Action Plans for the use of HOME Investment Partnership Program for the Eastern Panhandle HOME Consortium of West Virginia.
8. **PUBLIC HEARING** - A public hearing has been scheduled to solicit citizen comments on the City of Martinsburg’s Five Year Consolidated Plan for FY 2009-2013 for its housing and community development needs, and the FY 2009 Annual Action Plan for the use of Community Development Block Grant (CDBG), HOME Investment Partnership and American Dream Downpayment Initiative funds
9. **PRESENTATIONS**
10. **PETITIONS FROM CITIZENS**
11. **RECEIVE AND FILE REPORTS-MINUTES-CORRESPONDENCE OF THE FOLLOWING:**
  - (a) Planning Commission – Minutes March 4, 2009
  - (b) Berkeley County Animal Control – Report February 2009 and March 2009
  - (c) Veterans Service Organization – Minutes March 19, 2009
  - (d) Martinsburg-Berkeley Parks & Recreation – Minutes February 17, 2009
12. **REPORTS OF CHAIRPERSONS OF COUNCIL STANDING COMMITTEES**
  - (a) Council as a Whole Committee – Minutes 4-01-09
  - (b) Budget and Finance Committee – Minutes 4-01-09
13. **REPORT OF MAYOR**

- (a) Reappoint the following individual to the Martinsburg Housing Authority:

Donald Anderson – Term 5-04-09 – 5-04-14

- (b) Reappoint the following individual to the Martinsburg/Berkeley County Parks and Recreation Board:

Roger Engle – Term 5-01-09 – 5-01-12

- (c) Reappoint the following individuals to the Martinsburg Shade Tree Commission:

Ginger Grimes – Term 5-09-09 – 5-09-12

Mary Boyd Kearsse – Term 5-09-09 – 5-09-12

- (d) Schedule special City Council meeting for Tuesday, April 21, 2009 to approve FY 2009-2010 Levy Rates and other items as necessary – 5:00 p.m.
- (e) Schedule special City Council meeting for Tuesday, May 5, 2009 to approve the Five Year Consolidated Plan for 2009-2013 and the FY 2009 Annual Plan for Community Development Block Grant Program (CDBG) and HOME and other items as necessary – 5:00 p.m.

14. **REPORT OF CITY ATTORNEY**

15. **REPORT OF CITY MANAGER**

16. **UNFINISHED BUSINESS**

17. **NEW BUSINESS**

- (a) First and second reading of Ordinance 2009-01 to amend Article 951 garbage collection Sections 951.06, charges for collection by City, Sections (a) and (b)(2) of the Martinsburg City Code
- (b) First and second reading of Ordinance 2009-02 amending the City of Martinsburg Code, Part 7, by amending and reenacting Article 755, Section 755.03 to provide for a Business and Occupation Tax Credit for new business
- (c) First and second reading of Ordinance 2009-03 amending the City of Martinsburg Code, Part 7, by amending and reenacting Article 755, Section 755.03A to provide for the designation of the Martinsburg Downtown Development District and Business and Occupation Tax Credit for the Martinsburg Downtown Development District
- (d) First and second reading of Ordinance 2009-04 to amend Ordinance 2004-22 providing for the control of backflow and cross-connections within the service area of the City of Martinsburg
- (e) First and second reading of Ordinance 2009-05 to provide for regulations governing outdoor burning in the municipal limits of the City of Martinsburg
- (f) Discuss draft Floodplain Ordinance

- (g) Approve/Deny additional funding allocation for Martinsburg/Berkeley County Parks & Recreation – Hotel/Motel Tax
- (h) Discuss expansion of Historic District Overlay, from Historic Preservation Review Commission (HPRC), and forward comments to HPRC as recommended at the April 1, 2009 Committee meeting
- (i) Approve/Deny lease between City of Martinsburg and Eastern Panhandle Safe Community/City of Martinsburg
- (j) Approve/Deny lease between City of Martinsburg and Pullin, Fowler, Flanagan, Brown & Poe, PLLC – Caperton Office Suites
- (k) Approve/Deny request of Berkeley County Roundhouse Authority to utilize space at Caperton Office Suites 2<sup>nd</sup> floor currently leased by George Washington Heritage Trail
- (l) Approve/Deny purchase of six (6) ballistic vests – West Virginia Uniforms – \$3,408.00 – Martinsburg Fire Department with funds to be taken from the Fire/EMS Fund
- (m) Approve/Deny March of Dimes annual “March for Babies” on Saturday, April 25, 2009 beginning at 9:30 a.m.
- (n) Approve/Deny 2009 Martinsburg MS Walk – Sunday, April 26, 2009 from 1:00 p.m. to 4:00 p.m.
- (o) Approve/Deny Berkeley County Ministerial Good Friday Cross Walk in downtown beginning at Trinity United Methodist Church at 10:30 a.m. to noon – Friday April 10, 2009
- (p) Adopt Resolution 2009-08 of the Council of the City of Martinsburg amending the FY 2007 and FY 2008 HOME Program budget and Annual Plans

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. **ADJOURNMENT**