

**AGENDA
CITY OF MARTINSBURG
REGULAR CITY COUNCIL MEETING
THURSDAY, SEPTEMBER 15, 2011
6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayerô Retired Pastor Walter Bowers.
5. Approve August 11, 2011 regular Council meeting minutes.
6. Approve July 2011 Administrative and Financial Report
7. **Public Meeting**ôA Public Meeting has been scheduled for the purpose of review, public comment and consideration of adoption of the Martinsburg Wastewater Treatment Plant Facility Plan.
8. **PRESENTATIONS**
 - (a) Administer Oath of Office to Captain Greg Hoover, Martinsburg Fire Department.
 - (b) Norwalk Foundationô expressing thanks to the City of Martinsburg for support.
 - (c) Proclaim September 17-23, 2011 as Constitution Weekô National Society Daughters of the American Revolution
9. **PETITIONS FROM CITIZENS**
10. **RECEIVE AND FILE REPORTS-MINUTES-CORRESPONDENCE OF THE FOLLOWING:**
 - (a) Convention and Visitorø Bureau meeting minutesô February 16, 2011, March 23, 2011, April 20, 2011, May 25, 2011 June 22, 2011 and July 21, 2011.
 - (b) Martinsburgô Berkeley County Parks and Recreation Board meeting minutesô July 19, 2011.
 - (c) Martinsburg Board of Zoning Appeals meeting minutesô August 2, 2011
 - (d) Martinsburg Planning Commission meeting minutesô May 04, 2011
11. **REPORTS OF CHAIRPERSONS OF COUNCIL STANDING COMMITTEES**

12. **REPORT OF MAYOR**
 - (a) Reminder that October 4, 2011 is the Special State Gubernatorial Election. City Hall will remain open for business.
 - (b) Appoint Donald T. Anderson to the Eastern Panhandle Inland Port Coalition Board. term effective immediately.
 - (c) Request authorization for Mayor to form a General Adam Stephen Sculpture Committee. Town Square Pedestrian Plaza Project.
13. **REPORT OF CITY ATTORNEY**
 - (a) Redistricting committee update.
14. **REPORT OF CITY MANAGER**
 - (a) Projects Update
15. **UNFINISHED BUSINESS**
16. **NEW BUSINESS**
 - (a) Approve/deny adoption of the Wastewater Treatment Plant Facility Plan to be submitted to WVDEP and WVIJDC.
 - (b) First and second reading of Ordinance 2011-03, An Ordinance Amending Ordinance 2010-15, which established job descriptions for employees of the City of Martinsburg, WV.
 - (c) First and Second Reading of Ordinance 2011-04 to amend fire civil service rules and regulations, Rule IX: Grading system for promotions to the rank of Captain and Lieutenant.
 - (d) First and Second Reading of Ordinance 2011-05, an 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 commission of Berkeley County, West Virginia, in accordance with West Virginia code § 8-6-4 (annexation without election).
 - (e) First and Second Reading of Ordinance 2011-06 to amend Ordinance 2009-02, Regulations governing outdoor burning in the Municipal limits of the City of Martinsburg, at Section C. 1. b.
 - (f) First and Second Reading of Ordinance 2011-07, an ordinance to amend 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, West Virginia 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, LLC from its current zoning classification of RMM/IG to BC (Community Business)

- (g) Adopt Resolution 2011-18 authorizing George Karos, Mayor of the City of Martinsburg to enter into a contractual agreement with the West Virginia Division of Motor Vehicles to receive and administer grant funds, in the amount of \$560,020, pursuant to the provisions of the West Virginia Governor's Highway Safety Program.
- (h) Approve/deny "Trick or Treat" for Monday, October 31, 2011 from 6:00 PM until 8:00 PM for children 12 and under.
- (i) Approve/deny bid for Porter Avenue Sidewalks--\$22,920.00 by Allen Plotner.
- (j) Approve/deny salt bid for FY 2011-2012--\$68.94/ton, Cargill Deicing Technology
- (k) Approve/deny bid for plaques for Town Square Pedestrian Plaza Project--\$7,262 by Paul W. Zimmerman Foundries.
- (l) Confirm Firefighter Grant for new Pierce Squad Vehicle estimated \$851,573 (if approved, 10% City Match estimated \$ 85,157).
- (m) Confirm purchase of a new Sewer Department truck through state bid contract--\$20,794
- (n) Approve/deny flu shots for City employees, September 27, 2011--\$15/employee
- (o) Approve/deny Joint Funding Agreement between the U.S. Geological Survey and the City of Martinsburg for operation and maintenance of a streamgaging station on Tuscarora Creek (City share--\$3,825, USGS share--\$3,825).
- (p) Approve/deny lease agreement between City of Martinsburg and the Washington Heritage Trail Association.
- (q) Authorize Mayor to sign Deed(s) of Dedication of Easements and Rights of Way between the City of Martinsburg and Orchard Development.
- (r) Approve/deny Right of Way Agreement between the City of Martinsburg and The Potomac Edison Company to install power poles, wires, etc. by City of Martinsburg Police Department firing range.
- (s) Authorize Mayor to sign Community Development Block Grant (CDBG) Subrecipient Funding Agreements between the City of Martinsburg, West Virginia and the following entities:

1. Congregational Cooperative Action Project (C-CAP) ó \$5,000 for Eviction Prevention Program
2. Court Appointed Special Advocates (CASA) ó \$5,000 for Volunteer Support
3. Safe Haven Child Advocacy Center - \$5,000 to provide funds for coordination of support
4. Berkeley County Meals on Wheels ó \$3,000 Dine with Dignity Program
5. Boys and Girls Club of the Eastern Panhandle, Inc. ó \$ 5,000 for Membership Scholarship Program
6. Shenandoah Women's Center ó \$5,000 for Case Management for victims of domestic violence
7. Berkeley Senior Services ó \$5,000 for in-home care services
8. Community Networks, Inc. ó \$1,200 for support of Homeless Prevention and Rapid Re-Housing Program

- (t) Approve/deny request from Martinsburg High School SADD and RAZE Clubs, to tie red ribbons on parking meters and trees, Monday, October 24-Friday, October 31, 2011.
- (u) Approve/deny 2011 Mountain State Harvest Festival Parade Route Saturday, October 15, 2011, contingent upon applicant providing proof of adequate liability insurance.
- (v) Approve/deny request from Cornerstone Bible Church to utilize the intersection of W. King and N. Queen for the National Life Chain.
- (w) Approve/deny request from The Apollo Civic Theatre to block E. Martin Street in front of the theatre on the following days: Sept. 30, Oct. 2,7,8,15,21,22,28,29 from 7PM until 11PM for purposes of conducting "Apolloween," and October 1 from 3PM until 8PM for during the "Chili Cook-off, contingent upon proof of adequate liability insurance.

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**