

City of Martinsburg
Special City Council Meeting
Tuesday, February 20, 2018
5:00 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer
5. **Presentations**
 - a. City of Martinsburg Police Department/Municipal Court Building—Silling Architects (move up Item 13A on agenda)
 - b. Make Comment on ABCA Zoning Form for Walgreens Co. D.B.A. Rite Aid Discount Pharmacy #3606—609 Winchester Avenue
6. **Petitions from Citizens (Two (2) Minute Maximum)**
7. **Receive and File Reports—Minutes—Correspondence of The Following:**
 - a. Historic Preservation Review Commission December 4, 2017 Meeting Minutes
 - b. Board of Zoning Appeals November 7, 2017 Meeting Minutes
8. **Reports of Chairpersons of Council Standing Committees:**
9. **Report of Mayor**
10. **Report of City Attorney**
11. **Report of City Manager**
12. **Unfinished Business**
 - a. Third and Final Reading of Ordinance 2018-02 Amending the City of Martinsburg Code, Part 3: Traffic Code; Chapter One: Administration; Article 301: Definitions, by Adding “Autocycle”
 - b. Third and Final Reading of Ordinance 2018-03 To Amend and Reenact the Codified Ordinances of The City of Martinsburg To Amend Part Three – Traffic Code, Chapter Five- Vehicular Operation - Article 345 – Safety and Equipment - Section 345.29 Safety Equipment for Motorcyclists, Motorcycles, Motor-Driven Cycles and Mopeds.
 - c. Third and Final Reading of Ordinance 2018-04 An Ordinance to Amend and Reenact the Codified Ordinances of The City of Martinsburg Code, Part 5, General Offenses Code, Article 529: Offenses Related to Persons; By Adding Section 529.08 Nonconsensual Disclosure of Private Intimate Images

- d. Third and Final Reading of Ordinance 2018-05 To Amend and Reenact the Codified Ordinances of The City of Martinsburg To Amend Part 5, General Offenses Code, Article 533, Offenses Relating to Property - 533.07 Littering and Deposit of Garbage, Rubbish, Junk, Etc.
- e. Third and Final Reading of Ordinance 2018-06 To Amend and Reenact the Codified Ordinances of The City of Martinsburg To Amend Part 3, Traffic Code, Article 345, Safety And Equipment - 345.02 When Lighted Lights Required
- f. Third and Final Reading of Ordinance 2018-07 To Amend and Reenact the Codified Ordinances Of The City Of Martinsburg To Amend Part 3, Traffic Code, Article 345, Safety And Equipment - 345.09 Spotlights And Auxiliary Lights

13. New Business

- a. Approve/deny Silling Architect's recommendation to issue Letter of Intent to award contract for base bid plus alternates 1 and 2 to W. Harley Miller for construction of the City of Martinsburg Police Station/Municipal Court Building--\$10,997,000 and to authorize the Mayor to execute the General Contract for Construction
- b. Approve/deny purchase of property located at 126-128 W. Race Street (Tax Map M10, Parcel 0001) contingent upon satisfactory deed search and title work--\$35,000 (currently owned by WVTB, LLC)
- c. Approve/deny purchase of property located at 650 W. Race Street (Tax Map M10, Parcel 403), contingent upon proof of satisfactory deed search and title work--\$70,000 (currently owned by Habitat for Humanity of the Eastern Panhandle)
- d. Authorize Letter of Endorsement to the ABCA in favor of the Martinsburg Rotary Club's Taste of the Panhandle, to be held on Saturday, April 28, 2018 from 4-8 PM at the Roundhouse Complex
- e. Approve/deny surveying and engineering services for the relocation of water/sewer utility for the Martin Street/Train Station Corridor Project—Alpha Architects and Engineers—base fee--\$25,375 (additional services if needed--\$37,750)
- f. Authorize Bowles Rice to file, on behalf of the City of Martinsburg, an appeal of the order of the Circuit court, in Civil Action No. 17-C-461, The Berkeley County Council, a West Virginia Public Corporation and The Berkeley County Building Commission, a West Virginia Public Corporation v. the City of Martinsburg, West Virginia, a Municipal Corporation, with the West Virginia State Supreme Court—Estimated fees not to exceed \$7,500
- g. Approve/deny final payment to HRI for Wastewater Treatment Plant Upgrade Project--\$23,000 (\$37,000 being retained by the City)
- h. Approve/deny mosquito larvacide treatment (4 applications June-September 2018)--\$8,840 (same price as previous years)—Erlch

14. 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)