

City of Martinsburg
Regular City Council Meeting
Thursday, May 10, 2018
6:30 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer—
5. Public Hearing—for the purpose of considering the approval of the issuance of one or more series of the City of Martinsburg, West Virginia Multifamily Housing Bonds (Kings Daughters Court Project) Series 2018 in an aggregate principal amount not to exceed \$7M, proceeds to be loaned to the Kings Daughters Court, LLC, ISAOA for the purpose of financing the acquisition and rehabilitation of a multifamily senior residential rental facility containing approximately eighty (80) dwelling units; funding reserves and; paying certain costs of issuance of the bonds (Move Item 17 C&D up on the Agenda)
6. Approve April 12, 2018 Regular Council Meeting Minutes
7. Approve April 17, 2018 Special Council Meeting Minutes
8. Approve March 2018 Administrative and Financial Report.
9. **Presentations**
 - a. Resolution of Accomplishment—Mr. Chris Yates
 - b. Make Comment on ABCA Zoning Form for Flam3z FiWi Spot Event and Jerk Center Restaurant dba Flam3z FiWi Spot—796 Foxcroft Avenue (change in ownership)
 - c. Proclamation—Men’s Health Month—June 2018
 - d. Proclamation—Kids to Parks Day—May 19, 2018
10. **Petitions from Citizens (Two (2) Minute Maximum)**
11. **Receive and File Reports—Minutes—Correspondence of The Following:**
 - a. Proclamation—Paint the Town Purple, as read in the Town Square—April 30, 2018
 - b. Proclamation—National Day of Prayer, as read at the Martinsburg Public Library—May 3, 2018
 - c. Human Relations Committee September 20, 2017 Meeting Minutes

- d. Planning Commission April 4, 2018 Meeting Minutes
- e. City of Martinsburg Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain
- f. Comcast memo, dated April 25, 2018, regarding new bill design for Xfinity Services
- g. Eastern West Virginia Airport Authority February 26, March 12 and March 26, 2018 Meeting Minute and Budget
- h. FY 2018-19 Actual CDBG and HOME Funding and Draft Proposal/Draft Budget as Approved March 26, 2018 (Actual funding to be approved at June Council meeting)

12. Reports of Chairpersons of Council Standing Committees:

13. Report of Mayor

- a. Announce Unofficial Results of the City of Martinsburg Special Election to Renew the Police Levy, as held on May 8, 2018
- b. Announce canvass of May 8, 2018 Special Election—Monday, May 14, 2018 at the Berkeley County Voter Registration, beginning at 9 AM
- c. Report the following vacancies:
 - Board of Zoning Appeals (1 alternate)
 - Parking Authority (2)
 - Historic Preservation Review Commission (1)
 - Human Relations Committee (1)

14. Report of City Attorney

15. Report of City Manager

- a. Projects Update

16. Unfinished Business

- a. Third and Final Reading of Ordinance 2018-11 Amending Ordinance 2017-10 Which Established Job Descriptions for Employees of The City of Martinsburg, West Virginia

17. New Business

- a. First and Second Reading of Ordinance 2018-12 Amending the City of Martinsburg Zoning Map to Rezone 5.52 Acres of an Unimproved Parcel off Tavern Road, also identified as Tax Map M4E, Parcel 61 from BS (Service Business) to BC (Community Business)
- b. First and Second Reading of Ordinance 2018-13 Amending the City of Martinsburg Zoning Map to Rezone 70.29 Acres of an Unimproved Parcel of Tavern Road, Directly North of Martin's Landing Apartment Complex and Bethel Pentecostal Assembly of God; also Identified as Tax Map M30, Parcel 53 from RP (Planned Residential) to BC (Community

Business

- c. Approve/deny Resolution 2018-06 Authorizing the Initial Approval of the Issuance of Bonds for the Acquisition, Rehabilitation and Equipping of Kings Daughters Court (See Public Hearing Item 5)
- d. Approve/deny agreement with Dinsmore and Shohl, LLP regarding proposed issuance of not to exceed \$7M of City of Martinsburg Multifamily Housing Bonds by the City of Martinsburg, West Virginia in connection with the financing of a multifamily residential rental facility known as Kings Daughters Court and located in Martinsburg, WV for the benefit of Kings Daughters Court, LLC (See Public Hearing Item 5)
- e. Approve/deny Resolution 2018-07 Provide for the Adoption, Approval and Implementation of an Intergovernmental Agreement between the City of Martinsburg, West Virginia and the Berkeley County Board of Education, Each a Political Subdivision of the State of West Virginia, with Regard to a School Resource Officer Agreement--\$60,000 payable to the City of Martinsburg
- f. Approve/deny issuance of Special Events Permit 1812 for Main Street Martinsburg's Boots, Brews & BBQ Event, to take place on Saturday, August 18, 2018 from 3-7 PM (6 total hours from set-up to clean-up, on the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services (\$2,008.25 unless waived per ordinance); approval to include letter of endorsement to the ABCA for sale of alcoholic beverages-
- g. Approve/deny authorization to sign letter of endorsement to the ABCA for the 22nd Annual WV Wine and Arts Festival to be held on the grounds of Boydville on Saturday, May 26 and Sunday, May 27
- h. Approve/deny renewal of banking service contract with Jefferson Security Bank through June 30, 2020
- i. Authorize City Attorney to file claim regarding Perfluorooctanoic Acid (PFOA) contamination to the Big Springs Water Plant.
- j. Approve/deny bid recommendation for Rescue/Extrication Equipment for Martinsburg Fire Department Engine 4 and Squad 1—Interstate Rescue, LLC—Total Cost--\$158,293.94—(General Fund)
- k. Approve/deny bid recommendation for two (2) five-ton gas HVAC rooftop unit changeouts—fully installed at Central Fire Station—Johnson and Johnson Heating and Air Conditioning, Inc--\$12,985.00 (General Fund)
- l. Approve/deny purchase of Self Contained Breathing Apparatus Test Machine—Municipal Emergency Services (sole supplier) --\$16,083.47 (\$14,317 FEMA Grant/\$1,766.47 Fire/EMS Fund)
- m. Approve/deny submission of a West Virginia Department of Homeland Security to purchase special rescue equipment, as listed in attached (\$409,361.65 grant/ \$21,545.35 City)
- n. Approve/deny Mutual Aid Agreement between the City of Martinsburg and Berkeley

County West Virginia for Fire, EMS, Specialized Rescues and Disasters, effective July 1, 2018

- o.** Approve/deny Mutual Aid Agreement between the City of Martinsburg and Jefferson County West Virginia for Fire, EMS, Specialized Rescues and Disasters, effective July 1, 2018
- p.** Approve/deny bid recommendation for early warning monitoring systems or comparable for Big Springs and Kilmer Water Treatment Plants— (grant funded)
- q.** Approve/deny bid recommendations for 2018 CDBG/ HMA Paving and Sidewalk Ramps (see attached list of proposed streets)—Jefferson Asphalt Products Company--\$122,660 (CDBG-\$116,638/General Fund-\$6,022)
- r.** Approve/deny agreement with Amtrack, giving consent of owner to make improvements to the City's property in accordance with the previously approved plans, provide access for making such improvements, agreeing to maintain such improvements, provide for the timely execution of documents for such purpose and to provide Amtrak with continued access to the Caperton Train Station
- s.** Approve/deny agreement between the City of Martinsburg and Zambelli Fireworks Manufacturing Corporation for July 4, 2018 City of Martinsburg fireworks--\$10,000
- t.** Approve/deny Silling Architects proposal for services related to Martinsburg Police Department/Municipal Court Furniture, Furnishings and Equipment Design Services—10% of cost (estimated \$720,000) or actual final design amount
- u.** Approve/deny parking agreement between the City of Martinsburg and Bonn Poland for City use of parking lot accessible off E. Race Street at Commerce Street
- v.** Approve/deny Change Order # 2 for the N. Queen Street Underpass Utility Relocation Project--\$34,617.08 and 0 calendar days
- w.** Approve/deny Change Order #3 for the N. Queen Street Underpass Utility Relocation Project--\$11,750.67 and an increase of 10 calendar days
- x.** Approve/deny Pay Application # 9 to Snyder Environmental for the N. Queen Street Underpass Utility Relocation Project--\$25,780.19

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)