

City of Martinsburg
J. Oakley Seibert Council Chambers
Regular City Council Meeting
Thursday, March 14, 2019
6:30 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer—Retired Pastor Vernon Cartwright, Serenity Seventh Day Adventist
5. Approve February 14, 2019 Regular Council Meeting Minutes
6. Approve January 2019 Administrative and Financial Report
7. **Presentations**
 - a. Joint Apollo Civil Theatre Grant Application—City of Martinsburg/Berkeley County Council—Rachel Snavley, Berkeley County Grants Administrator (See Item 15 gg, move up on agenda)
 - b. Communications Tower at property located at intersection of Mall Road and Porter Avenue—Richard Lemanowicz, LLP (See Item 15 hh, move up on agenda)
 - c. Proclamation—Mayor’s Day of Recognition for National Service—April 2, 2019
8. **Petitions from Citizens (Two (2) Minute Maximum)**
9. **Receive and File Reports—Minutes—Correspondence of The Following:**
 - a. Historic Preservation Review Commission February 4, 2019 Meeting Minutes
 - b. Letter of Resignation from Martin Bales from the Board of Zoning Appeals, effective March 7, 2019
 - c. Main Street Martinsburg January 22, 2019 Meeting Minutes and Financial Statements
 - d. Martinsburg/Berkeley County Parks and Recreation January 15, 2019 Meeting Minutes
 - e. Comcast memo regarding channel line-up changes
 - f. City of Martinsburg CDBG and HOME Public Hearing Minutes—December 13, 2019
 - g. Letter from WV Department of Transportation, Division of Highways regarding street repaving in the City of Martinsburg
 - h. Berkeley County Recovery Resource Center Preliminary Summary Report for Calendar Year 2018

- i. Martinsburg-Berkeley County Convention and Visitor's Bureau January 16, 2019 Meeting Minutes and Financial Statements
- j. Eastern West Virginia Regional Airport Authority December 10, 2018 Meeting Minutes and Financial Reports
- k. For the Kids, by George Children's Museum February 21, 2109 Meeting Minutes

10. Reports of Chairpersons of Council Standing Committees:

- a. February 25, 2019 Council as a Whole Committee Meeting Minutes
- b. March 7, 2019 Council as a Whole Committee Meeting Minutes

11. Report of Mayor

- a. Reminder of Council as a Whole Committee Meeting, Monday, March 18, 2019 at 4:30 PM—Budget Session
- b. Schedule Council as a Whole Committee Meeting for Wednesday, March 20, 2019 at 6 PM for an Economic/Community Development Presentation—Shane Farthing, Economic/Community Development Director
- c. Schedule Special City Council Meeting for Monday, March 25, 2019 at 5 PM to approve budgets and other items as necessary
- d. Schedule Special City Council Meeting for Tuesday, April 16, 2019 (per State Code) at 5 PM to approve levy rates and other items as necessary
- e. Appoint Ms. Dena Morgan to the Board of Zoning Appeals to fill the unexpired term ending 1/1/2021 (created by the resignation of Martin Bales)

Report the following vacancies:

- Board of Zoning Appeals (2 alternates)
- Parking Authority (2)
- Human Relations Committee (1)
- Code Appeals Board (engineer or architect)
- Historic Preservation Review Commission (1)
- Fire Civil Service Commission (1)
- M-BC Convention and Visitor's Bureau (1)

12. Report of City Attorney

13. Report of City Manager

14. Unfinished Business

- a. Third and Final Reading of Ordinance 2019-01 to Amend the City of Martinsburg Zoning Map to Rezone an Unimproved Parcel Identified as the Southwest Corner of the New York Avenue and Rte. 45 Intersection (1647 New York Avenue) from its current Unzoned Classification to BC

(Community Business)

- b. Third and Final Reading of Ordinance 2018-24 to Provide for the Abandonment of a Portion of Virginia Avenue, Extended in the City of Martinsburg
- c. Third and Final Reading of Ordinance 2018-25 Annexing to the City of Martinsburg a Portion of Real Estate Consisting of 4.40764 Acres and Identified upon Berkeley County, West Virginia Tax Maps in the Arden Tax District, Map 05 as Parcel 44 and Providing for the Institution of the Necessary Proceedings before the County Council of Berkeley County, West Virginia, in Accordance with West Virginia Code 8-6-4 (Annexation without Election)
- d. Third and Final Reading of Ordinance 2018-26 Deannexing from the City of Martinsburg a 2.7726 Acre Portion of Real Estate Consisting of 5.05 Acres and Identified upon the Berkeley County Tax Map in the Martinsburg Tax District Map 39 as Parcel 2 and Providing for the Institution of the Necessary Proceedings before the County Council of Berkeley County, West Virginia in Accordance with West Virginia Code 8-6-4 (Annexation without Election)

15. New Business

- a. Approve/deny Special Events Application 1905 for Main Street Martinsburg's Easter Celebration/Pet Parade/Egg Roll to take place on Saturday, April 20, 2019 from noon until 2 PM along attached route and in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services, unless waived by Ordinance--\$70
- b. Approve/deny Special Events Application 1906 for Main Street Martinsburg's Chocolate Fest/Book Faire and Truffle Shuffle 5K, to take place in the Town Square Pedestrian Plaza and along attached route, on Friday April 26-Saturday April 27, contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services, unless waived by Ordinance--\$1,365
- c. Approve/deny Special Events Application 1908 for Main Street Martinsburg's Fridays at Five Summer Concert Series to take place in the Town Square Pedestrian Plaza on Fridays from June 7-August 23, from 5-7 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services, unless waived by Ordinance--\$840.00; approval to include authorization for Letter of Endorsement to ABCA
- d. Approve/deny Special Events Application 1909 for Main Street Martinsburg and Healthy Berkeley's Farmer's Market to take place in the Town Square Pedestrian Plaza on Friday evenings from June 7-September 20 from 4:30-7PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, unless waived by Ordinance--\$0.00
- e. Approve/deny Special Events Application 1911 for Main Street Martinsburg's Boots, Brews and BBQ Event to take place in the Town Square Pedestrian Plaza on Saturday, August 17 from 2-6 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services, unless waived by Ordinance--\$1868.25; approval to include authorization for Letter of Endorsement to ABCA
- f. Approve/deny Special Events Application 1912 for Main Street Martinsburg and Healthy Berkeley's Farm to Fork Event to take place in the Town Square Pedestrian Plaza on Sunday,

September 22, 2019 from 5-8 PM (5 total hours from set-up to clean-up), contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services, unless waived by Ordinance--\$0.00; approval to include Letter of Endorsement to ABCA

- g.** Approve/deny Special Events Application 1913 for Main Street Martinsburg's Chili Cook-off to take place in the Town Square Pedestrian Plaza on Saturday, September 28 from 2-5 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, if not waived by Ordinance--\$677.25
- h.** Approve/deny Special Events Application 1914 for Main Street Martinsburg's Tree Lighting to take place in the Town Square Pedestrian Plaza on Friday, November 29 from 6-8 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City Services, unless waived by Ordinance--\$140.00
- i.** Approve/deny Special Events Application 1915 for Main Street Martinsburg's Christmas Parade to take place along attached route on Saturday, November 30 from 5:45-8:30 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, unless waived by Ordinance--\$1684.50
- j.** Approve/deny Special Events Application 1917 for Main Street Martinsburg's New Year's Eve Apple Drop to be held in the Town Square Pedestrian Plaza on Tuesday, December 31, 2019 from 4-6 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, unless waived by Ordinance--\$380.00
- k.** Approve/deny Special Events Application 1919 for Trinity Temple Church of God's Vacation Bible School Party on Friday, August 9 from 10AM until 4 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services--\$0.00
- l.** Approve/deny Special Events Application 1920 for Trinity Temple Church of God's Health Fair on Saturday, September 21 from 10 AM until 4 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services--\$0.00
- m.** Approve/deny Special Events Application 1921 for What Abuse Really Looks Like.org's Candle Light Vigil to be held in the Town Square Pedestrian Plaza on Saturday, March 30 from 6:30-8 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services--\$0.00
- n.** Authorize Letter of Endorsement for Main Street Martinsburg's Wine Fest, to be held on the grounds of Boydville on Saturday, May 25-Sunday, May 26, 2019
- o.** Authorize Letter of Endorsement for Boyd's Steak House's International Wine Festival to be held at the Roundhouse on Saturday, May 18, 2019
- p.** Approve/deny updated quote for six (6) Escape Pak Bottles--\$3,732—Municipal Emergency Services
- q.** Approve/deny Updated Constitution and Bylaws for the Martinsburg-Berkeley County Parks and Recreation Board
- r.** Approve/deny agreement with Zambelli Fireworks for Fourth of July Fireworks (\$5,000 Deposit/\$10,000 total)

- s. Approve/deny OBG Amendment #5 for Big Springs Water Treatment Plant Interim Services for Treatment of PFAAs--\$20,502
- t. Approve/deny Stormwater Financing and Outreach Study, Phase II—GKY & Associates--\$47,932.84
- u. Approve/deny new HVAC unit for the Caperton Train Station—quotes forthcoming--\$_____
- v. Approve/deny emergency replacement of Martinsburg Fire Department Station Alarm System—Johnson Control Fire Protection/Simplex--\$65,500
- w. Approve/deny new HVAC unit for Martinsburg Fire Department—quotes forthcoming--\$_____
- x. Approve/deny computer and IT equipment and service for new Police Department/Municipal Court building—Innovative, Inc.--\$80,721
- y. Approve/deny purchase of five (5) Dodge Durango Police Vehicles, with associated equipment (\$179,525) and decaling (\$2,500 estimated total)
- z. Approve/deny Resolution 2019-02 regarding Memorandum of Understanding between the City of Martinsburg, Berkeley County Council and TriTech Software Systems for Computer-Aided Dispatch (CAD) System and associated costs (see memo for break-down)
- aa. Approve/deny Trittech Software Systems CAD/RMS Technology Upgrade--\$184,253
- bb. Approve/deny CAD/RMS Installation—Berkeley County IT Services--\$30,000
- cc. Approve/deny Dispatch/Radio/Antennae/Console Equipment and Set-up—Motorola--\$82,123 (\$32,821.76 previously approved November 8, 2018)—\$49,301.24 additional requested
- dd. Approve/deny additional services to include development of parcels located at 122, 126 and 128 W. Race Street (Martinsburg Police Department parking in conjunction with Police Department/Municipal Court Building)—Silling Architects--\$29,880
- ee. Discuss and take action as necessary regarding Martinsburg Police Department/Municipal Court Building Rubber Roof Pavers--\$_____pricing forthcoming
- ff. Approve/deny Pay Application # 10 for W. Harley Miller for the Martinsburg Police Department/Municipal Court building--\$183,316.50
- gg. Discuss and Take Action as Necessary regarding Resolution 2019-03 regarding Memorandum of Understanding between the City of Martinsburg and Berkeley County Council for the administration of a grant to benefit the Apollo Civic Theater
- hh. Discuss and Take Action as Necessary regarding proposed lease for the purpose of installing a communications tower at the intersection of Mall Road and Porter Avenue

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)