

City of Martinsburg
J. Oakley Seibert Council Chambers
Regular City Council Meeting
Thursday, May 9, 2019
6:30 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer—
5. Approve April 11, 2019 Regular Council Meeting Minutes
6. Approve April 16, 2019 Special Council Meeting Minutes
7. Approve March 2019 Administrative and Financial Report
8. **Presentations**
 - a. Communications Tower at property located at intersection of Mall Road and Porter Avenue—Richard Lemanowicz, LLP (See Item 16 F&G; move up on agenda)
 - b. Proclamation—Men’s Health Month—June 2019
 - c. Resolution of Accomplishment—Boy Scouts of America Martinsburg Eagle Scouts
 - d. Make comment on ABCA Zoning Form for Curtis L. Johnson, Sr d.b.a. Johnny’s Boy, LLC—127 E. King Street (former Station Grill location) contingent upon Special Exception by the Board of Zoning Appeals
9. **Petitions from Citizens (Two (2) Minute Maximum)**
10. **Receive and File Reports—Minutes—Correspondence of The Following:**
 - a. Proclamation—National Day of Prayer—as read at the Martinsburg Public Library—May 2, 2019
 - b. Proclamation—Paint the Town Purple for Hope, to be read at the American Cancer Society Relay for Life kick-off May 11, 2019
 - c. Resolution of Accomplishment—Boys and Girls Club—Teen Center Dedication—as read at the Boys and Girls Club—April 12, 2019
 - d. Eastern Panhandle Transit Authority March 18 and April 15, 2019 Meeting Minutes and Financial Reports

- e. Human Relations Committee April 15, 2019 Draft Minutes
- f. Board of Zoning Appeals April 2, 2019 Regular Meeting Minutes
- g. Martinsburg Police Department Annual Report
- h. Martinsburg-Berkeley County Convention and Visitor's Bureau February 27, 2019 Meeting Minutes and Financial Statement
- i. US Department of Housing and Urban Development Notice of Fiscal Year 2019 CDBG and HOME Allocations
- j. For the Kids, by George, Children's Museum April 4, 2019 Meeting Minutes and Financial Report
- k. Eastern West Virginia Airport Authority March 11 and March 18, 2019 Meeting Minutes and Financial Reports
- l. Main Street Martinsburg April 22, 2019 Board of Directors Meeting Minutes

11. Reports of Chairpersons of Council Standing Committees:

12. Report of Mayor

- a. Appoint Monique Boots to fill an unexpired alternate term on the Board of Zoning Appeals through 1/1/2022 (seat vacated by David Carroll)
- b. Membership on Berkeley County Development Authority—see Mayor's memo and letter from Berkeley County Council
- c. Appoint Shane Farthing to the Martinsburg-Berkeley County Convention and Visitor's Bureau to fill expired term ending 1/1/2021

Report the following vacancies:

- Parking Authority (2)
- Historic Preservation Review Commission (1)

13. Report of City Attorney

14. Report of City Manager

15. Unfinished Business

- a. Third and Final Reading of Ordinance 2019-02 To Amend and Re-Enact Portions of the Codified Ordinances of the City of Martinsburg, Part Seventeen – Building And Housing Code, Article 1711 – West Virginia State Building Code, Section 1711.01 – Adoption; And Repealing Ordinance Number 2016-19 Of The City Of Martinsburg, West Virginia.
- b. Third and Final Reading of Ordinance 2019-03 to Amend the City of Martinsburg Zoning Map to Rezone an Improved Parcel Identified as 700 E. Moler Avenue from its Current BC (Community Business) Zoning Classification to RUB (Urban Residential Class B)
- c. Third and Final Reading of Ordinance 2019-04 to Amend the Text of the City of Martinsburg

Zoning Ordinance at Section 560 "Table of Zoning District Uses" to Allow Hotel/Motel Use in Planned Residential (RP) and Planned Business (PB) Districts with Site Plan

16. New Business

- a. First and Second Reading of Ordinance 2019-05 Amending Ordinance 2018-15 Which Established Job Descriptions for Employees of The City of Martinsburg, West Virginia
- b. Approve/deny Special Events Permit 2019-28 for St. John's Lutheran Church's Back to School Block Party to be held on Saturday, August 17, 2019 from noon until 3 PM on W. Martin Street, contingent upon proof of adequate liability insurance and payment of any fees for City services--\$0.00
- c. Approve/deny Special Events Permit 2019-33 for Bikers Against Child Abuse's Child Abuse Awareness Ride on Saturday, May 18, 2019 from 1-5 PM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services--\$70.00
- d. Approve/deny quote for HVAC at the Caperton Train Station--\$2,864.80—A.S.K. Heating and Air Conditioning
- e. Approve/deny Resolution 2019-07 for an Intergovernmental Agreement between the City of Martinsburg and the West Virginia Department of Transportation, Division of Highways in association with an Agreement in regards to the Martinsburg Train Station Corridor Transportation Alternatives (State Project U302-Mar/TI-11)
- f. Approve/deny lease and proposed design for Communications Tower at the corner of Mall Road and Porter Avenue
- g. Discuss and take action as necessary regarding request of Martinsburg-Berkeley County Parks and Recreation Board to receive rents from above Communications Tower, to be used for Ambrose Park (see attached memo and M-BC Parks and Rec meeting minutes)
- h. Discuss and take action as necessary regarding sewer project—W. Race Street at Vista Lane (see attached)
- i. Authorize solicitation for bids to remove trees on Vista Lane in relation to the above sewer project
- j. Approve/deny submission of Fire House Subs grant application--\$21,149.69 (no City match) for 37 individual thermal imaging cameras
- k. Approve/deny request from Main Street Martinsburg and the Alzheimer's Association to place purple ribbons on parking meters in the downtown area from June 7 through June 28 for Alzheimer's Association Awareness Month
- l. Approve/deny annual mosquito control treatments for War Memorial Park, P.O. Faulkner Park and Lambert Park--\$8,840 (three treatments) --Ehrlich
- m. Approve/deny Change Order #2 between the City of Martinsburg and W. Harley Miller for the Martinsburg Police Department/Municipal Court building—building adjustments and roof pavers (see attached)

- n. Approve/deny Pay Application # 12 for W. Harley Miller for the Martinsburg Police Department/Municipal Court building--\$586,575

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. New Business Cont'd

- a. Discuss/take action as necessary regarding City of Martinsburg ambulances