

City of Martinsburg
J. Oakley Seibert Council Chambers
Regular City Council Meeting
Thursday, June 13, 2019
6:30 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer—Retired Pastor Walter Bowers
5. Approve May 9, 2019 Regular Council Meeting Minutes
6. Approve April 2019 Administrative and Financial Report
7. **Public Hearing** to solicit comment on the City of Martinsburg’s Five-Year Consolidated Plan for FY 2019-2023, the Annual Action Plan for FY 2019, and the City’s updated Analysis of Impediments to Fair Housing Choice (A.I.). The City intends to submit its FY 2019 Annual Action Plan in the amount of \$341,254 for Community Development Block Grant (CDBG) funds and \$446,141 in HOME funds for the Eastern Panhandle HOME Consortium. The FY 2019-2023 Five Year Consolidated Plan, FY 2019 Annual Action Plan, and the City’s Analysis of Impediments to Fair Housing Choice will be submitted to the U.S. Department of Housing and Urban Development (HUD) on or before June 14, 2019.
8. **Presentations**
 - a. Proclamation—Miss West Virginia 75th Anniversary Competition and Parade (see 16 O, move up on agenda)
 - b. Administer Oath of Office to Martinsburg Police Department Captain Leslie “Les” Witt
 - c. Administer Oath of Office to Martinsburg Police Department Lieutenant Justin Darby
 - d. Administer Oath of Office to Martinsburg Police Sergeants Justin Harper and Andrew Garcia
 - e. Administer Oath of Office to Martinsburg Police Corporals Erin Gibbons and Marc Loretta, II
 - f. Administer Oath of Office to Martinsburg Police Officer Austin Shank
 - g. Administer Oath of Office to Martinsburg Firefighter/EMT-Basic Daulton Beckley
 - h. Update on Agreement between the City of Martinsburg and US Department of the Air Force — (See 16 K, Move Up On Agenda)
9. **Petitions from Citizens (Two (2) Minute Maximum)**

10. Receive and File Reports—Minutes—Correspondence of The Following:

- a. Historic Preservation Review Commission March 4, April 1, and May 6, 2019 Meeting Minutes
- b. Board of Zoning Appeals April 16 Special Meeting Minutes, May 7 Regular Meeting Minutes and May 14, 2019 Special Meeting Minutes
- c. Martinsburg-Berkeley County Parks and Recreation Board Meeting March 19, 2019 Meeting Minutes and Financial Reports
- d. Spring Clean Up Report—May 18, 2019
- e. Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) March 20, 2019 Meeting Minutes and Projects Update
- f. Application as submitted to the WVDOT TA/RTP for design funding of Tuscarora Greenway Trail connecting existing Martinsburg bike infrastructure
- g. Martinsburg-Berkeley County Convention and Visitor’s Bureau April 24, 2019 Meeting Minutes and Financial Reports
- h. Correspondence from Mayor George Karos to the US Department of Justice regarding Comprehensive Opioid Abuse Site-Based Program Grant funding
- i. Comcast memo regarding changes to Xfinity packages with Cinemax

11. Reports of Chairpersons of Council Standing Committees:

12. Report of Mayor

- a. Schedule Special City Council Meeting for Monday, June 24, 2019 at 5:00 PM for third and final reading of certain ordinances and other business as needed
- b. Reappoint Craig Shanholtzer and Randy Lewis to the Martinsburg Parking Authority through 6/30/2022
- c. Reappoint Elaine Bartoldson, Leonard Harris and Jean Burrell to the Martinsburg Human Rights Commission through 4/7/21
- d. Reappoint the following to the HOME Consortium Board through 6/30/2022:
 - Mary Crawford
 - Natalie Hoffman
 - Gregory Janes
 - Bill Clark (At Large)
- e. Fourth of July Fireworks Update/Reminder of City Ordinance and notifications regarding discharge of fireworks

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 2019-05 Amending Ordinance 2018-15 Which Established Job Descriptions for Employees of The City of Martinsburg, West Virginia

16. New Business

- a. First and Second Reading of Ordinance 2019-06, Amending Ordinance 2019-05, which Established Job Descriptions for Employees of the City of Martinsburg, West Virginia
- b. First and Second Reading of Ordinance 2019-07, Amending and Reenacting the City of Martinsburg Personnel Rules and Policies, Section V, Employment, at Subsection L, Overtime Pay
- c. 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)
- d. Approve/deny Resolution 2018-08—FY 2018-2019 General Fund Revision #4
- e. Approve/deny FY 2018-19 Police Levy Fund Budget Revision #2
- f. Approve/deny FY 2018-19 Water and Sewer Fund Budget Revision #2
- g. Approve/deny FY 208-19 Sanitation Fund Budget Revision #2
- h. Approve/deny Resolution 2019-09 Authorizing Intergovernmental Agreement between the City of Martinsburg and the Berkeley County Board of Education for a School Based Law Enforcement Officer at Martinsburg High School
- i. Approve/deny Resolution 2019-10 Approving the FY 2019 Annual Action Plan and Authorizing the Filing of the Application with HUD
- j. Resolution 2019-11 Amending the FY 2017 HOME Program Budget and Annual Action Plan
- k. Approve/deny Resolution 2019-12 Authorizing Intergovernmental Agreement between the City of Martinsburg and the United States Department of the Air Force Providing Reimbursement of Certain Water Treatment Costs Pursuant to Section 8142 of the Defense Appropriations Act, 2019 (See Item 8H)
- l. Appointments to the following positions 7/1/2019-6/30/2020:
 - City Recorder Gena Long
 - City Judge Dale Buck
 - Alternate Judge Jared Adams
 - City Treasurer—

- m. Approve/deny agreement between the City of Martinsburg and Nancy S. Strine Consultants, LLC for administration and coordination of CDBG and HOME grants through 6/30/2020
- n. Approve/deny process of accepting letters of interest to fill vacancy of Ward 4 Council Seat (see sample advertisement modeled from previous mid-term appointments) in accordance with City of Martinsburg Charter Article XIII, Section 21 and WV Code Section 8-5-10
- o. Approve/deny Special Events Permit 1934 for the Miss West Virginia 75th Anniversary Parade, to take place along the attached route on Saturday, June 29, 2019 from 11 AM until noon, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, unless waived in accordance with ordinance (See Item 8A)
- p. Approve/deny request from For the Kids, by George Children's Museum to serve alcoholic beverages at the Caperton Train Station in conjunction with a fundraiser on June 21, 2019 from 6-10 PM, contingent upon appropriate permissions from the WVABCA
- q. Take action on the matter of City of Martinsburg appealing the May 6, 2019 decision of the Historic Preservation Review Commission (Case # HP 19-00016) to deny request for Certificate of Appropriateness to demolish structure located at 128 W. Race Street
- r. Approve/deny bid recommendation for Public Works Department hand-fed brush chipper--\$41,990.20—Winchester Equipment Company—Street Department Capital Outlay Fund
- s. Approve/deny bid recommendation for Public Works Department Vista Lane tree removal (7 trees, stumps, brush, and related services) --\$17,500—Antietam Tree and Turf –Sewer Department Fund
- t. Approve/deny bid recommendation for S. Raleigh Street Stormwater Management concrete repairs--\$2,450—Devonshire Construction, LLC—Sewer/Stormwater Capital Outlay Fund
- u. Approve/deny purchase of for Public Works twenty-ton chassis jack (see attached quote)—\$2,713.33—Central Truck and Trailer—Street Department Materials and Supplies Fund
- v. Authorize Mayor to sign Award Agreement between the City of Martinsburg and the Chesapeake Bay Trust for a \$30,000 Green Streets, Green Jobs, Green Towns award for a green street engineered design--\$15,000 City match—Stormwater Fund
- w. Approve/deny bid recommendation for Big Springs Water Plant Granular Activated Carbon Change-out (bid opening 6/10/19)—Water Department Fund
- x. Discuss/take action as necessary regarding Settlement Agreement and Release between the City of Martinsburg and Navistar, Inc., and Rush Ohio regarding City of Martinsburg's purchase of three 2015 Terristar SFA 4x4 ambulances
- y. Approve/deny purchase of five (5) MPH Industries Python III Radar units for the Martinsburg Police Department--\$7,250—Drug Forfeiture Fund
- z. Approve/ purchase of one Dodge Ram 1500 Crew Cab pick-up truck for Martinsburg Police Department K-9 Unit—\$25,492 State Contract—Stephen's Auto + \$14,492 special equipment, striping and outfitting—total--\$39,984—Drug forfeiture

- aa.** Approve/deny purchase of nine (9) FNH FN 15 AR-15 short-barreled rifles for the Martinsburg Police Department Special Response Team--\$929 each + 120 each for equipment and mounting—FN Law Enforcement Sales—total \$9,441—Drug Forfeiture Fund
- bb.** Approve/deny Health Insurance Renewal Rates-Highmark Blue Cross/Blue Shield, effective August 1, 2019
- cc.** Approve/deny Pay Application # 13 for W. Harley Miller for the Martinsburg Police Department/Municipal Court building--\$827,775

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)