

City of Martinsburg
Regular City Council Meeting
Thursday, March 12, 2020
6:30 P.M.

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer— Lynn Wilson, Calvary UMC
5. Approve February 13, 2020 Regular Council Meeting Minutes
6. Approve January 2020 Administrative and Financial Report
7. Public Hearing to seek input on the issue of a Special Use Permit Application to use Real Property located at the intersection of Mall Road and Porter Avenue, City of Martinsburg (Tax Parcel 06-17-00700002), as a Wireless Telecommunications Facility—Liberty Towers, LLC (Move Item 16 u up on Agenda)
8. **Presentations**
 - a. Administer Oath of Office to Firefighter/EMT Basic Trevor Alexander
 - b. National Service Recognition Day Proclamation—April 7, 2020
 - c. Green Hill Historic African American Cemetery, Inc.--Ian Henderson, regarding tree clearing at the historical cemetery (See item 16 mm/ Move up on agenda)
9. **Petitions from Citizens (Two (2) Minute Maximum)**
10. **Receive and File Reports—Minutes—Correspondence of The Following:**
 - a. Eastern Panhandle Transit Authority January 13, 2020 Meeting Minutes
 - b. Main Street Martinsburg February 17, 2020 Meeting Minutes and Director's Report
 - c. General Aviation Appreciation Month Proclamation, as signed February 20, 2020
 - d. City of Martinsburg Fire Department 2019 Annual Report
 - e. Memorandums from Comcast notifying of address change, dated 12/18/19, effective 12/19/19, and package changes, dated 2/28/2020, effective 5/5/2020
 - f. Foxcroft Avenue Pedestrian Road Safety Assessment, December 3-4, 2019

- g. Eastern West Virginia Regional Airport Authority January 13, 2020 Meeting Minutes and Financial Report

11. Reports of Chairpersons of Council Standing Committees:

- a. Committee as a Whole Minutes—February 24, 2020

12. Report of Mayor

- a. Reminder of Council as a Whole Committee Meeting, Monday, March 16, 2020 at 4:30 PM to discuss budgets and other business as needed
- b. Reminder of Special City Council Meeting on Thursday, March 26, 2020 at 5 PM to approve budgets and other business as needed
- c. Schedule Special City Council Meeting for Tuesday, April 21 2020 (per State Code) at 5 PM to approve levy rates and other business as necessary

Report the following vacancies:

- Parking Authority (2)
- Historic Preservation Review Commission (1)
- M-BC Convention and Visitor's Bureau (1)

13. Report of City Attorney

- a. Discuss City of Martinsburg appointments to the Eastern West Virginia Airport Authority per State Code and City of Martinsburg
- b. Receipt of petition from Police Chief Maurice Richards located at 1310 W. Martin Street, owners of record, F. Dennis Clarke, Lola Clarke and Timmothy Clarke

14. Report of City Manager

- a. Projects Update

15. Unfinished Business

- a. Third and Final Reading of Ordinance 2020-01 Approving and Adopting Current Replacement Pages to the Codified Ordinances

16. New Business

- a. First and Second Reading of Ordinance 2020-02 Setting Forth Sewer Rates, Minimum Charge, Disconnect/Reconnect/Administrative Charges, Service Connection Charge, Delayed Payment Penalty, and Capital Improvement Fees for the City of Martinsburg, West Virginia
- b. First and Second Reading of Ordinance 2020-03 Setting Forth Water Rates, Minimum Charge, Reconnection Charge, Service Connection Charge, Delayed Payment Penalty, and Capital Improvement Fees for the City of Martinsburg, West Virginia
- c. Approve/deny Special Events Permit 2020-05 for Main Street Martinsburg's Easter Celebration/Pet Parade/Egg Roll, on Saturday, April 11, 2020 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 (\$52.50 recommended, unless waived in accordance with Ordinance)

- d. Approve/deny Special Events Permit 2020-07 for the Main Street Martinsburg/Healthy Berkeley Truffle Shuffle 5 K, to be held on Saturday, April 25, 2020 from 7:30 AM until 9:30 AM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,365 recommended, unless waived in accordance with Ordinance)
- e. Approve/deny Special Events Permit 2020-08 for the Main Street Martinsburg/Healthy Berkeley Farmer's Market, to be held Friday evenings June 5, 2020-August 7, 2020 from 4-7 PM in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, (\$0 recommended unless waived in accordance with ordinance)
- f. Approve/deny Special Events Permit 2020-09 for Main Street Martinsburg's Fridays at Five Summer Concert Series to be held on Friday Evenings, June 5, 2020-August 7, 2020, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$700 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA
- g. Approve/deny Special Events Permit 2020-10 for Main Street Martinsburg's Circa Blue Music Fest on Saturday, June 6, 2020 from 1-7 PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,466.50 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA
- h. Approve/deny Special Events Permit 2020-11 for Main Street Martinsburg's Cruise-In on Main Car Show on Sunday, June 21, 2020 from 2-5 PM, on Queen Street, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,618 recommended unless waived in accordance with ordinance);
- i. Approve/deny Special Events Permit 2020-12 for Main Street Martinsburg/Tony M. Music's Martinsburg Rocks, Children's Summer Concert Series Thursday mornings from 10 AM until noon from June 11-August 6, 2020, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$0 recommended)
- j. Approve/deny Special Events Permit 2020-13 for Main Street Martinsburg's Boots, Brews and BBQ Festival on Saturday, August 15, 2020 from 3-7 PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,658.25 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA
- k. Approve/deny Special Events Permit 2020-14 for St. John's Lutheran Church's Back to School Block Party on Saturday, August 15, 2020 from 11 AM-3 PM, on W. Martin Street, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$0 recommended)
- l. Approve/deny Special Events Permit 2020-15 for Main Street Martinsburg's Farm to Fork Event in the Town Square Pedestrian Plaza on Sunday, September 27, 2020 from 5-8 PM, contingent upon proof of adequate liability insurance and payment of any recommended

fees for City services, (\$0.00 recommended), approval to include letter of endorsement to the ABCA

- m. Approve/deny Special Events Permit 2020-16 for Main Street Martinsburg's Chili Cook-off on Saturday, October 3, 2020 from 2-5 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$747.25 recommended unless waived in accordance with ordinance); approval to include letter of endorsement to the ABCA
- n. Approve/deny Special Events Permit 2020-17 for Main Street Martinsburg's Christmas Tree Lighting in the Town Square Pedestrian Plaza for Friday, November 27, 2020 from 6-8 PM, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, (\$280 recommended unless waived in accordance with ordinance)
- o. Approve/deny Special Events Permit 2020-18 for Main Street Martinsburg's Christmas on Main Parade on Tuesday, December 1 2020 from 3-7 PM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$2,040 recommended unless waived in accordance with ordinance)
- p. Approve/deny Special Events Permit 2020-19 for Main Street Martinsburg's Apple Drop on Thursday, December 31, 2020 from 4-6:30 PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,025 recommended unless waived in accordance with ordinance)
- q. Approve/deny Special Events Permit 2020-20 for Four State CVEB's Veterans Day Parade on Sunday, November 8, 2020 from 11:30 AM-2:30PM, along attached route, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$1,549.50 recommended)
- r. Approve/deny Special Events Permit 2020-21 for God Won Ministries International, Inc.'s God's in the Square Event to be held on Saturday, April 18 from 11AM-4PM, in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$____ recommended)—**Pending Departmental review**
- s. Approve/deny Special Events Permit 2020-22 for Berkeley County Ministerial Association's Good Friday Cross Walk to be held along attached route on Friday, April 10, 2020 from 10:30 AM until noon, contingent upon proof of adequate liability insurance and payment of any recommended fees for City services (\$0 recommended)
- t. Approve/deny Special Events Permit 2020-23 for the Hope Dealer Project's Stand Together Vigil on Saturday, April 18, 2020 from 7:45-9 PM in the Town Square Pedestrian Plaza contingent upon proof of adequate liability insurance and payment of any recommended fees for City services, (\$0 recommended)
- u. Approve/deny Liberty Towers, LLC's Special Use Permit Application to use real property located at the intersection of Mall Road and Porter Avenue, as a location for a Wireless Telecommunications Facility

- v. Approve/deny agreement with Zambelli Fireworks for Fourth of July Fireworks Display (\$10,000--\$5,000 deposit due in advance)
- w. Approve/deny 60-month City Hall copier lease with Xerox (State Contract) -- \$734.08/monthly
- x. Approve/deny Martinsburg Police Department purchase of six (6) portable fingerprint scanners and associated adapters and batteries—Idemia Identity and Security USA, LLC-- \$10,990 (\$10,957 JAG Grant/\$33.00 City Police Levy Fund)
- y. Approve/deny Martinsburg Police Department purchase of five (5) Motorola portable radios—Motorola Solutions--\$13,650.45 (\$13,575 JAG Grant/\$75.45 City Police Levy Fund)
- z. Approve/deny Martinsburg Police Department purchase of five (5) in-car radar units— West Virginia Public Equipment, LLC--\$8,075 (Police Levy Fund)
- aa. Approve/deny purchase of Martinsburg Police Department digital audio recorder, Stephen Campbell & Associates--\$17,191 w/ \$1,949 annual maintenance fee (Police General Fund Capital Outlay Account)
- bb. Approve/deny Martinsburg Police Department purchase of four (4) 2020 Dodge Durangos—Stephens Auto Center (State Contract) --\$29,808 each/equipment and decals \$8,777 each—total \$154,342 (Police Levy and Capital Outlay Funds)
- cc. Approve/deny bid recommendation for two (2) Public Works Department snow plows— Shade Equipment Company--\$14,762
- dd. Approve/deny award of bid for tree removal to Antietam Tree and Turf (previously awarded to Markley’s Tree Service), --\$6,950
- ee. Approve/deny Memorandum of Understanding between the City of Martinsburg and Cacapon Institute for the WV Chesapeake Bay Program Internship for the summer of 2020
- ff. Approve/deny continued funding for Water Treatment plant operation and management, OBG, Tasks 1-11, \$12,966
- gg. Approve/deny APO/STI “fit for service” internal inspection of fiberglass AST Tank at the wastewater treatment plant—Chem Inspection, LLC--\$3,257
- hh. Approve/deny Change Order #6 between RiteLight Signs and the City of Martinsburg to install illuminated panels to the existing four (4) parking lot signs--\$5,992.00 (General Development Fund)
- ii. Approve/deny purchase of five (5) decorative bases for Gateway Signs--\$5,000 (General Development Fund)
- jj. Approve/deny Pay Application # 22 to W. Harley Miller for the Martinsburg Police Department/Municipal Court Building--\$438,110

- kk.** Discuss and take action as necessary regarding reduction of City of Martinsburg appointments to the Eastern Regional Airport Authority, effective 7/1/2020 (City currently has 6 appointments @ \$5,000 each)

- ll.** Approve/deny lease agreement between the City of Martinsburg and Fountain of Youth Gardens Farm for lease of space in the Historic Market House

- mm.** Approve/deny request from Green Hill Historic African American Cemetery, Inc., to remove trees at the cemetery

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)