

A Regular Meeting has been called of the Martinsburg City Council. Due to the recommendations of the Federal and State government and the CDC, members of the public are encouraged to view the meeting via media and social media outlets. All attempts will be made to stream via the City's Facebook page at Facebook.com/CityofMartinsburg or searching @CityofMartinsburg. Please address public comments regarding this agenda to [glong@cityofmartinsburg.org](mailto:glong@cityofmartinsburg.org).

**REVISED AGENDA**  
**City of Martinsburg**  
**Regular City Council Meeting**  
**Thursday, October 8, 2020**  
**6:30 PM**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer –
5. Approval of Minutes
  - 5.a Approve September 10, 2020 Regular Meeting Minutes
6. Approve Administrative and Financial Report
  - 6.a Approve August 2020 Administrative and Financial Report
7. **Public Hearing** regarding Ordinance 2020-16 Granting a Non-exclusive Cable Franchise Agreement by and between the City of Martinsburg and Shenandoah Cable Television, LLC Pursuant to WV Code 24D-1-1 et seq. and 47 USC 522 (Title VI of the Communications Act). (Recommending moving 16a. up.)
8. Petitions from Citizens
9. **Presentations**
  - 9.a Christian Riddell, representing John Orem, regarding Article 552 of the Codified Ordinances of the City of Martinsburg, known as the "Drug House Ordinances"
  - 9.b Martinsburg Little League Request for Funding - William F. Queen (Recommend that item 16v. be moved up.)
  - 9.c Capital Acquisitions presentation and request to clear City right-of-way/alley on the east side of Boyd Avenue. (Recommend moving item 16i. up).
  - 9.d **Make Comment on ABCA Zoning Form for Project Thai, Inc. dba Thai Martinsburg Restaurant-- 200 W. Burke Street; contingent upon 10/6 approval for on-site consumption from the Board of Zoning Appeals**
10. Receive and File Reports—Minutes—Correspondence of The Following:
  - 10.a Historic Preservation Review Commission August 3, 2020 Meeting Minutes
  - 10.b Board of Zoning Appeals August 4, 2020 Regular Meeting Minutes
  - 10.c Resolutions of Appreciation for Martin and Marlyn Keesecker for their dedicated service to the Adam Stephens Memorial Association, as read by Mayor Johnson on September 28, 2020
  - 10.d Eastern Panhandle Transit Authority July 20 and August 17, 2020 Meeting Minutes and Financial Reports
  - 10.e For the Kids By George Children's Museum Meeting Minutes September 10, 2020.
  - 10.f Correspondence from U.S. HUD regarding allocation of special COVID-19 allocation.

- 10.g Correspondence from Eastern WV Regional Airport Authority
- 10.h Certificate of Use and Occupancy- Martinsburg Police Department
- 10.i Correspondence from Comcast - Launch of Revolt HD and Aspire HD.
- 10.j Correspondence from Potomac Edison.

**11. Reports of Council as a Whole Standing Committee:**

**12. Report of Mayor**

- 12.a Reminder of Council as a Whole Committee Meetings scheduled for October 14 and October 29, 2020, beginning at 5 PM
- 12.b Report the following vacancies:
  - Parking Authority (2)
  - Historic Preservation Review Commission (2)
  - Shade Tree Commission (1)
  - Human Relations Committee (2)
- 12.c Congratulations and recognition to Kevin Knowles for being elected as president of West Virginia Municipal League.

**13. Report of City Attorney**

**14. Report of City Manager**

**15. Unfinished Business**

- 15.a Third and Final Reading of Ordinance 2020-14, by title only, amending Ordinance 2020-11 which established job descriptions for employees in the City of Martinsburg, WV.
- 15.b Third and final reading of Ordinance 2020-15, by title only, prohibiting the digging or drilling of ground water wells in the City of Martinsburg, West Virginia.

**16. New Business**

- 16.a First and Second Reading of Ordinance 2020-16, by title only, of the City Council of the City of Martinsburg Granting a Non-Exclusive Cable Franchise Agreement by and between the City of Martinsburg and Shenandoah Cable Television, LLC Pursuant to W. Va. Code 24-D-1-1 et seq. and 47 U.S.C. 522 (Title VI of the Communications Act.).
- 16.b First and Second Reading of Ordinance 2020-17, by title only, amending and reenacting the City of Martinsburg Code, Part 5: General Offenses Code, Chapter 5, Administrative, by amending Article 522, Drug and Gang Houses, Houses of Prostitution and other Disorderly Houses, Section 552-01 through 552-03.
- 16.c First and Second Reading of An Ordinance 2020-18, by title only, to Amend and Re-Enact Article 355.01 of the City of Martinsburg Prohibition of Operation and Use of All Terrain Vehicles and Street Legal Special Purpose Vehicles.
- 16.d Approve/deny Special Events Permit 2020-34 for Deliverance Ministry's Prayer in the Square to take place in the Town Square Pedestrian Plaza on the 2nd and 4th Tuesday of each month from 6-7 PM, contingent upon proof of adequate liability insurance, adherence to any COVID-19 guidelines in place at the time of the event and payment of any recommended fees for City service. (\$0).
- 16.e Approve/deny Special Events Permit 2020-35 for Deliverance Ministry's Sunday Worship Services to take place every Sunday from 9:30 AM until 2 PM in the Town Square Pedestrian Plaza, contingent upon proof of adequate liability insurance, adherence to any COVID-19 related protocols in place at the time of event and payment of any recommended fees for City services.

(\$0)

- 16.f** Approve/Deny Special Events Permit 2020-36 for Teresa L. Holmes-Lindsey of Bounce Back DNA Movement for "Why We Stand Storytelling" on Saturday, October 17, 2020, from 3:00 p.m. to 6:00 p.m. in Town Square contingent upon proof of adequate liability insurance, adherence to any COVID-19 guidelines in place at the time of the event and payment of any recommended fees for City service. (\$0)
- 16.g** Approve/Deny Special Event Permit 2020-37 - Rev. Janis Wright, "Just Worship & Prayer". October 10, 2020, 3:00 p.m. to 7:00 p.m in Town Square contingent upon proof of adequate liability insurance, adherence to any COVID-19 guidelines in place at the time of the event and payment of any recommended fees to the City. (\$0).
- 16.h** Approve/Deny Special Event Permit 2020-38 - "Berkeley County in the Know Trump & First Responder Event"; John Orem; October 18, 2020 3:00 p.m.- 8:00 p.m. contingent upon proof of adequate liability insurance, adherence to any COVID-19 guidelines in place at the time of the event and payment of any recommended fees to the City. (Cost to applicant \$630 for Police).
- 16.i** Approve/Deny Capital Acquisitions Request to Clear Alley on East Side of Boyd Avenue.
- 16.j** Approve/deny Change Order #12 between the City of Martinsburg and W. Harley Miller for the Martinsburg Police Department/Municipal Court Project. (\$615)
- 16.k** Approve/deny Pay Application #29 for Martinsburg Police Department/Municipal Court Project. (\$10,185.86).
- 16.l** Approve/Deny Pay Application #30 for Martinsburg Police Department/Municipal Court Project (More information forthcoming.)
- 16.m** Confirm Snyder Environmental Services Proposal/Change Order to Line Sewer Laterals - East Martin Street Project Phase 1 - (not to exceed \$110,955).
- 16.n** Confirm Snyder Environmental Services Proposal to Install Stormwater Management from Spring Street to N. Queen Street as part of E. Martin Street Phase 1 Project (\$74,687).
- 16.o** Approve/deny Pay Application #4 to Snyder Environmental for E. Martin Street Utility Relocation Project--(\$22,784.40)
- 16.p** Approve/Deny Entering Contract with AFM to provide security services for the Martinsburg Police Department. (\$67,860 annualized)
- 16.q** Confirm Purchase of Ammunition from Mountaineer Custom Cartridge and Vance's Law Enforcement for Police Department (\$16,371.40).
- 16.r** Approve/Deny Purchase of K-9 Related Equipment from Executive Emergency for Existing Vehicle. (\$6,741.50)
- 16.s** Approve/Deny Purchase of Portable Police Radios from Motorola Solutions. (\$51,601.80)
- 16.t** Approve/Deny Change Order #1 with Capitol Business Interiors - New Police Department \$5,300
- 16.u** Approve/Deny Payment Application #3 - Capitol Business Interiors \$71,376.50. New Police Department
- 16.v** Approve/Deny Request for Funding - Martinsburg Little League Association - (See memo.)
- 16.w** Approve/Deny Purchase of Traffic Line Striper - Sherwin Williams - \$6,730
- 16.x** Approve/Deny Bid with Mountaineer Kitchen and Baths for Fire Station 1 Kitchen Remodel- (\$26,805.31).
- 16.y** Discussion regarding recommended personnel additions/changes at Martinsburg Fire Department - Chief Hummingbird.

- 16.z** Approve/Deny Pay-By-Phone bid proposal in response to City's solicitation for mobile parking payment services. (\$0 upfront; user fees in attachments).
- 16.aa** Approve/Deny purchase of 1 network laser color printer (HPM856x) with W.B. Mason (\$5,231.99)
- 16.ab** Approve/Deny Mainstreet Martinsburg Request to Hold Christmas on Mainstreet on Friday, November 20, 2020.
- 16.ac** Approve/Deny Request from Mainstreet Martinsburg to Suspend Parking Fees throughout the City with the exception of King Street, Queen Street and City Parking Lots from November 20 thru December 31, 2020.
- 16.ad** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with Community Networks Inc., Hope Living/Learning Center to upgrade heating unit (\$10,000).
- 16.ae** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with C-CAP for emergency rental assistance (\$7,000).
- 16.af** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with CASA for volunteer support (\$6,000).
- 16.ag** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with Children's Home Society/SafeHaven Child Advocacy Center for case management (\$6,000).
- 16.ah** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with Berkeley County Meals on Wheels for Dine with Dignity Program (\$7,000).
- 16.ai** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with Boys and Girls Club to provide low/moderate resident memberships (\$10,000).
- 16.aj** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with Eastern Panhandle Empowerment Center for rental assistance for survivors (\$6,000).
- 16.ak** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with Berkeley Senior Services for low/moderate in home care (\$6,000).
- 16.al** Approve/Deny FY 2020 CDBG Subrecipient Cooperative Agreement with CNI for case management services for Bethany House homeless shelter (\$5,704).
- 16.am** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with C-CAP for emergency rental assistance for city residents (\$7,000)
- 16.an** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Court Appointed Special Advocates (CASA) to provide additional training/educational costs; PPE; and 50% new staff person due to COVID-19. (\$20,666)
- 16.ao** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Berkeley County Meals on Wheels to provide elderly low income individuals in the City; to pay for rising meal costs; PPE; and cleaning costs due to COVID 19. (\$22,000)
- 16.ap** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Boys and Girls Club for additional staffing due to COVID 19; PPE and to purchase plexiglass dividers to prepare club for re-opening in Fall. (\$21,755)
- 16.aq** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Eastern Panhandle Empowerment Center for rental assistance for survivors, testing; PPE and sanitation supplies. (\$21,500)
- 16.ar** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Community Networks for additional staffing needs due to COVID/PPE; cleaning and hygiene supplies for Bethany House, a

homeless emergency shelter for woman and children. (\$14,430)

**16.as** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Catholic Charities of WV for stabilization services to pay for rental and utility assistance for the low and moderate residents in the City of Martinsburg needed due to COVID (\$12,000)

**16.at** Approve/Deny FY 2020 CDBG CV Subrecipient Agreement with Community Alternatives to Violence (CAV) for funds to supplement operations/rent due to COVID (\$4,250).

**16.au** Approve/Deny a FY 2017 CDDO Cooperative Agreement for Habitat for Humanity of Eastern Panhandle by and between the City of Martinsburg and Habitat for Humanity of the Eastern Panhandle for Lot 21 (108 Humanitarian Way) in the Auburndale Subdivision (\$51,231).

**16.av** Approve/deny purchase and installation of Card Access Systems for City Hall--RCS Security, Inc.--\$8,100

## **17. Executive Session**