

**AGENDA
CITY OF MARTINSBURG
REGULAR CITY COUNCIL MEETING
THURSDAY, MARCH 12, 2009
6:30 P.M.**

1. Call to Order
2. Roll Call
3. Salute to Flag
4. Prayer
5. Approve February 5, 2009 regular Council meeting minutes
6. Approve January 2009 Administrative and Financial Report
7. **PRESENTATIONS**
 - (a) Resolution of Appreciation – Retiring Fire Captain Scott W. Stroop
 - (b) Resolution of Remembrance – Rodger E. (J.R.) Butcher, Jr.
 - (c) Proclamation – Fair Housing Month – April 2009
8. **PETITIONS FROM CITIZENS**
9. **RECEIVE AND FILE REPORTS-MINUTES-CORRESPONDENCE OF THE FOLLOWING:**
 - (a) Historic Preservation Review Commission – Minutes January 5, 2009 and February 2, 2009
 - (b) Board of Zoning Appeals – Minutes January 6, 2009 and February 3, 2009
 - (c) City of Martinsburg Planning Commission – Minutes January 7, 2009
 - (d) Martinsburg Police Department Calendar Year 2008 Statistical Activities Report
 - (e) Martinsburg-Berkeley County Parks & Recreation – Minutes January 20, 2009
 - (f) Eastern West Virginia Regional Airport Authority – 2nd Quarterly Budget Report FY 2008-2009
 - (g) Veterans Service Organization – Minutes January 29, 2009
 - (h) Letter from U.S. Department of Housing and Urban Development, dated February 9, 2009, reporting no findings for the Community Development Block Grant Program (CDBG) audit for the period July 1, 2007 – June 30, 2008
 - (i) Letter from U.S. Department of Housing and Urban Development reviewing program changes to Consolidated Action Plans 2007 program year – February 26, 2009

- (j) Letter from State of West Virginia Department of Revenue Office of the Secretary regarding funding request through the American Recovery and Reinvestment Act – February 17, 2009
- (k) Letter from Hagerstown/Eastern Panhandle Metropolitan Planning Organization to Governor Manchin regarding MARC Train Service in the Eastern Panhandle – February 9, 2009
- (l) Letter from Senator Robert C. Byrd regarding funding for completion of the Raleigh Street Extension project in the proposed economic stimulus bill – February 12, 2009
- (m) Martinsburg/Berkeley County Convention & Visitors Bureau – Minutes January 14, 2009
- (n) Preliminary draft of updated floodplain ordinance

10. **REPORTS OF CHAIRPERSONS OF COUNCIL STANDING COMMITTEES**

- (a) Budget and Finance Committee – Minutes March 4, 2009

11. **REPORT OF MAYOR**

- (a) Appoint the following individual to the Historic Preservation Review Commission (HPRC) to fill the vacant term of Timothy Yates:

Mr. Charles Thomas Robinson – Term 1-01-09 – 1-01-12

- (b) Schedule special City Council meeting on Thursday, March 26, 2009 to approve FY 2009-2010 budgets at 5:00 p.m. and other items as necessary

12. **REPORT OF CITY ATTORNEY**

13. **REPORT OF CITY MANAGER**

14. **UNFINISHED BUSINESS**

15. **NEW BUSINESS**

- (a) Adopt Resolution 2009-05 authorizing the Mayor to enter into a contractual agreement between the City of Martinsburg and the West Virginia Department of Transportation, Division of Highways to receive and administer grant funds pursuant to the provisions of the Transportation Enhancement Program for State Project U302-MAR/TI-9.00 and Federal Project TEA-OH22(01)D (Town Square Project)
- (b) Adopt Resolution 2009-06 of the City Council of the City of Martinsburg, West Virginia authorizing participation in the Eastern Panhandle Home Consortium of West Virginia for the period of July 1, 2009 to June 30, 2010
- (c) Approve/Deny Draft FY 2009-2010 Community Development Block Grant Program (CDBG) and HOME Annual Action Plan

- (d) Approve/Deny Draft Five Year Consolidated Plan 2010-2014 for Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program
- (e) Approve/Deny revised HOME Loan Agreement between the City of Martinsburg for the Eastern Panhandle HOME Consortium and S. Eugene Taylor and Mary Taylor in the amount of \$60,000 for the construction of one (1) single family dwelling to be sold to an income eligible homebuyer
- (f) Approve/Deny Opequon Creek Project Team request to install a sign at the Baltimore Street Rain Garden
- (g) Approve/Deny EMS/Ambulance Fees – Billing Agreement Renewal between the City of Martinsburg and Medical Claim-Aid (MCA) for a period of one year
- (h) Approve/Deny grant agreement between West Virginia Department of Health and Human Resources, Bureau for Public Health and City of Martinsburg for EMS equipment and supplies - \$1,750 (Martinsburg Fire Department)
- (i) Discuss expansion of Historic District Overlay, from Historic Preservation Review Commission (HPRC), and take action if necessary
- (j) Approve/Deny Saturday, May 16, 2009 as 19th annual “Take Pride In Your Community” spring clean-up
- (k) Approve/Deny petition to close a portion of Fleming Alley – Petition by The Martinsburg Union Rescue Mission, Inc.
- (l) Approve/Deny purchase of four (4) Chevrolet Impala police vehicles – Glen Dale Motor Company (State Contract) - \$19,609.25 each – Total \$78,437.00 – Martinsburg Police Department – Police Levy Fund
- (m) Approve/Deny Martinsburg-Berkeley County Convention & Visitors Bureau request to hang eighteen (18) banners from light posts in downtown from March 15, 2009 – April 18, 2009 in conjunction with West Virginia Book Faire (Public Works employees to assist)
- (n) Approve/Deny request to block Virginia Avenue and South Street near The Salvation Army in Martinsburg for a summer block party on Monday, June 22, 2009 from 8:00 a.m. to 2:00 p.m.
- (o) Approve/Deny Main Street Martinsburg 3rd annual Palette Project from June 2009 – August 2009
- (p) Approve/Deny Main Street Martinsburg First Saturday Events – April 2009 – October 2009 from 10:00 a.m. to 4:00 p.m.
- (q) Approve/Deny Main Street Martinsburg request to close 100 blocks of East and West Burke, 100 blocks of East and West Martin, 100 and 200 blocks of North and South Queen Street and the 100 block of West King Street for the Classic Car Show and Sock Hop – Date to be determined
- (r) Approve/Deny Main Street Martinsburg request to hold Movie and Music on Main on Friday, July 3, 10, 17, 24 and 31 in the side parking lot of the 100 block of South Queen Street from 6:00 p.m. to 11:00 p.m.
- (s) Approve/Deny Main Street Martinsburg request to close the 100 blocks of East and West Burke, 100 blocks of East and West Martin, the 100 and 200 blocks of North and South Queen and the 100 and 200 blocks of West King Street for the 7th annual Bike Night on Saturday, August 15, 2009 from 5:00 p.m. to 11:00 p.m.
- (t) Authorize Mayor to submit letter of endorsement to ABC Commission

regarding Main Street Martinsburg's 7th annual Bike Night to be held on Saturday, August 15, 2009

- (u) Approve/Deny Main Street Martinsburg request to hold the 3rd annual Scarecrow Project in downtown Martinsburg beginning September 26, 2009 – November 3, 2009
- (v) Approve/Deny Main Street Martinsburg request to close 100 block of North Queen Street for 5th annual Chili Cook-off on Saturday, October 3, 2009 from 3:00 p.m. to 8:00 p.m.
- (w) Authorize Mayor to submit letter of endorsement to ABC Commission regarding Main Street Martinsburg's 5th annual Chili Cook-Off to be held on Saturday, October 3, 2009 in the downtown area to sell beer in enclosed block area of 100 North Queen Street
- (x) Approve/Deny Bikers Against Child Abuse request for police escort assistance for their annual 100 mile ride through downtown Martinsburg on Saturday, April 25, 2009 beginning at 12:00 noon
- (y) Approve/Deny Addendum II between City of Martinsburg, Lessor, and the State of West Virginia, by the Department of Administration Real Estate Division, Lessee, for and on behalf of the State Rail Authority
- (z) Approve/Deny The Arts Centre request to utilize remaining funds from the Coal Severance account in the amount of \$14,742 to restore and open the King Street entrance

16. **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)

17. **ADJOURNMENT**