

**City Of Martinsburg
Special City Council Meeting
Tuesday, March 26, 2013
5:00 PM**

With a quorum present, the special session of the Martinsburg City Council was called to order by Mayor George Karos at 5:00 p.m. The following Council Members were present: Don Anderson, Dennis Etherington, Kevin Knowles, Max Parkinson, Roger Lewis, Gregg Wachtel and Jason W. Baker. Also present were: Mark S. Baldwin, City Manager, Kin Sayre, City Attorney, Gena Long, City Recorder, Police Chief Kevin Miller and Finance Director Mark Spickler.

3. Presentations

There were no presentations.

4. Petitions from Citizens

There were no petitions from citizens.

5. Receive and File Reports—Minutes—Correspondence Of the Following:

- (a) Shade Tree Commission March 12, 2013 meeting minutes
- (b) Eastern WV Regional Airport Authority's 2nd Quarter Fiscal Year 2012-2013 Budget Report (Independent Auditor's Report on file in Office of Finance Director)
- (c) Historic Preservation Review Commission February 4, 2013 Meeting Minutes
- (d) Board of Zoning Appeals February 5, 2013 Meeting Minutes
- (e) A resolution to honor and recognize the coaches and staff of the Martinsburg High School Bulldogs varsity basketball team for a successful season, and to commend the outstanding players and coaches for capturing the 2013 Class AAA State Basketball Championship Title (as read at the March 20, 2013 awards ceremony).

Motion made by Councilman Wachtel, seconded by Councilman Knowles to receive and file item 5a-5e. Motion carried unanimously.

6. Reports of Chairpersons of Council Standing Committees

(a) Budget and Finance Committee Meeting Minutes—March 12, 2013

Motion made by Councilman Baker seconded by Councilman Parkinson to approve the Budget and Finance Committee Meeting Minutes and enter into the record. Motion carried unanimously.

**Budget and Finance Committee Meeting Minutes
March 12, 2013—4:30 PM**

Present: Chairman Gregg Wachtel, Roger Lewis, Max Parkinson, Dennis Etherington, Don Anderson

Others Present: Mayor Karos, Councilmembers Kevin Knowles and Jason W. Baker, Mark S. Baldwin, City Manager; along with Mark B. Spickler, Finance Director and Pat McMillan, CDBG Director, John McVey from the Journal

Unable to Attend: None

Chairman Wachtel opened the meeting and the following items were discussed and recommended for City Council approval at the special City Council meeting on March 26, 2103.

1. FY 2013-2014 recommended budgets:

- a. CDBG/HOME Draft Plan—After a lengthy discussion regarding the request of the Boys and Girls Club in the amount of \$53,815, it was determined to schedule another B&F Committee meeting with Ms. Stefani Pierson to discuss her proposal as well as other options. The Committee was provided two options for capital improvements—the Boys and Girls Club request as well as the City’s Church Street Stormwater Project in the amount of \$151,705. Depending on the Committee’s and City Council final decision, these two line item funding would change.
- b. General Fund Budget \$14,025,000
- c. Coal Severance Tax Fund Budget \$ 83,000
- d. Police Levy Fund Budget \$ 4,140,000
- e. Water and Sewer Fund Budget \$ 6,300,000
- f. Sanitation Fund Budget \$ 3,200,000
- g. Parking Fund Budget \$ 500,000
- h. Fire/EMS Budget \$ 1,750,000

The City Manager and Finance Director stated the General Fund Budget is balanced without using any projected unencumbered balance. The Finance Director provided an overview of projected revenues and departmental budgets. It was also stated the present budget does not include any fee increases. The proposed GF budget also does not include funding at this time for employee pay increases, retirement fund, computer system fund or OPEB. It was also stated while revenues are projected to be similar to the current budget year, it is anticipated expenditures may increase for health insurance, PERS, worker’s compensation insurance and Police and Fire Civil Service pension funds.

2. Outside Agencies/Other Governmental Agencies Funding Recommendations:

a. From the General Fund

- 1. Main Street Martinsburg \$ 35,000
- 2. M-BC Airport Authority (3 members) \$ 15,000
- 3. PANTRAN \$ 45,000
- 4. M-BC Recreation Board \$ 90,000
- 5. Adam Stephen Association \$ 7,750
- 6. Affirmative Action \$ 1,000
- 7. M-BC Public Library \$110,460

TOTAL \$300,210

b. From Hotel-Motel Tax

- 1. Parks & Rec Board (2.5%) \$ 143,750
- 2. Parks & Rec Board (0.5%) \$ 28,750
- 3. M-BC CVB (3%) \$ 172,500

TOTAL \$ 345,000

GRAND TOTAL \$645,210

Committee members stated while funding recommended for these entities is available in the 2013-2014 budget, entities should be aware future funding is not guaranteed and will be determined on future City revenues and budgets.

c. From the Coal Severance Budget:

1. Region 9 Air Quality	\$ 5,500
2. Berkeley County Development Authority	\$25,000
3. Berkeley County Humane Society	\$ 1,000
4. Berkeley County Health Department	\$15,000
5. Mountain State Apple Harvest Festival	\$ 2,000
6. Airport Authority (Guard Lease)—New	\$22,500
7. "for the kids, by George" Museum (operating)	\$12,000

TOTAL \$83,000

Committee members stated while funding recommended for these entities is available in the 2013-2014 budget, entities should be aware future funding is not guaranteed and will be determined based on future City revenues and budgets.

3. Reminder of the special City Council meeting to approve budget(s) is scheduled for Tuesday, March 26, 2013 at 5:00 PM, in City Council Chambers

Meeting adjourned at 6:45 PM.

(b) Budget and Finance Committee Meeting Minutes—March 19, 2013

Motion made by Councilman Parkinson, seconded by Councilman Baker to approve Budget and Committee Meeting Minutes from March 19, 2013 and enter into record. Motion carried unanimously.

Budget & Finance Committee Meeting Minutes

March 19, 2103—4:30 PM.

Present: Roger Lewis, Max Parkinson, Dennis Etherington and Don Anderson

Others Present: Mayor Karos, Councilmembers Kevin Knowles and Jason W. Baker, Mark S. Baldwin, City Manager; Pat McMillan, CDBG Director; Stefani Pierson and Andy DiMagno from the Boys and Girls Club and John McVey from the Journal

Unable to Attend: Chairman Gregg Wachtel

Mayor Karos opened the meeting in the absence of Chairman Gregg Wachtel and the following items was discussed.

1. CDBG/HOME Draft Plan- Mayor Karos stated the main discussion for the Draft Plan tonight was whether to fund the Boys and Girls Club request or not to fund the request and utilize CDBG dollars for the Church Street Storm Sewer Project.

Stefani Pierson, Executive Director of Boys and Girls Club, explained to the Committee her request for funding was to redo the gym floor. She referred to her letter dated March 14, 2013.

Councilman Lewis asked Ms. Pierson if she was comfortable with the estimate. Ms. Pierson responded she was.

Councilman Knowles stated there was a chance of the Boys and Girls Club losing a \$20,000 donation if City funds were not allocated for the project.

Councilman Anderson asked Pat McMillan, Community Development Director, to explain the two (2) options. Ms. McMillan explained Option A was not to fund the Boys and Girls Club in the amount of \$53,815 and fund the Church Street Storm Sewer Project in the amount of \$151,705. Option B was to fund the Boys and Girls Club in the amount of \$53,815 and reduce the funding amount for the Church Street Storm Sewer Project in the amount of \$97,890.

Councilman Baker stated to the Mayor, per Robert's Rules of Order, he could not chair the meeting. Mayor Karos questioned Mr. Baker's comment.

Motion made by Roger Lewis to allow Mayor Karos to chair the Budget & Finance Committee; seconded by Dennis Etherington. Vote 4-0, in favor.

Councilman Etherington stated the City recently amended the CDBG King and Valley Street Stormwater Project to utilize those funds for the Church Street Storm Sewer Project to utilize those funds for the Church Street Storm Sewer Project and felt additional funding should be utilized for the Church Street Project.

Councilman Baker asked Ms. Pierson if the company that provided the estimate did an on-site evaluation. Ms. Pierson stated they had not, but the company was recommended by Steve Catlett of Parks & Rec, and the gentleman from the company though utilizing \$14.50 per sq. ft. would be adequate, based on his experience and not seeing the floor. Councilman Etherington emphasized the contractor has not been on-site and Ms. Pierson stated it was difficult due to the distance the company would have to travel.

Councilman Parkinson asked if the project cost could come in lower. Ms. Pierson stated it could, based on the company's estimate, but that was undetermined until bids are received.

Mayor Karos stated to Ms. Pierson that he has always been supportive of the Boys and Girls Club and realized that she has asked for funding in the past for building improvements related to safety and code issues. He further stated this request is for something you want, but not necessarily something needed for the building safety. The Mayor further indicated the city had a significant stormwater project that needed to be corrected.

Mayor Karos asked the City Manager, Mark Baldwin, if funds are allocated to the Boys and Girls Club and additional funds are needed for the stormwater project, what funds would they come from. City Manager stated funding would have to come from the General Fund or a reserve account.

Ms. Pierson responded to the Mayor that the Boys and Girls Club was very appreciative of past funds from the City of Martinsburg and felt the gym floor was the last big project for the Boys and Girls Club.

Councilman Knowles stated that although he is not a member of the Budget and Finance Committee, he would vote for the Boys and Girls Club if he were. He said the Boys and Girls Club serves approximately 120 kids a day and many utilized the gym.

Councilman Lewis asked Councilman Knowles if he was a member of the Board of Directors of the Boys and Girls Club. Councilman Knowles responded yes.

Councilman Lewis stated that over the past years, the City has provided funding to Parks & Rec as well as for the Martinsburg High School football field.

Councilman Lewis made a motion to recommend to City Council to provide CDBG funding in the amount of \$53,815 and reduce the funds for the Stormwater project; seconded by Councilman Parkinson. Vote 3-1 in favor. Councilman Etherington voted no.

City Manager, Mark Baldwin, asked Ms. Pierson if bids were higher than funding approved, what would the Boys and Girls Club do? Ms. Pierson stated the Club may have to raise additional funds. It was also mentioned she would have the right to approach Council for funding.

Motion made by Roger Lewis and seconded by Don Anderson to recommend to City Council the approval of the 2013 CDBG/HOME Draft Plan. Vote 3-1 in favor. Councilman Etherington, no.

2. Reminder of the special City Council meeting to approve budget(s) is scheduled for Tuesday, March 26, 2013 at 5:00 PM in City Council Chambers.

Meeting adjourned at 5:00 PM.

7. Report of Mayor

- (a) **Reminder of Special Council Meeting scheduled for Tuesday, April 16, 2013 at 5:00 PM to approve/deny FY 2013-2014 levy rates and other business as needed.**

Mayor Karos reminded City Council of the Special City Council Meeting scheduled for Tuesday, April 16, 2013 at 5:00 PM to approve/deny FY 2013-2014 levy rates and other business as needed.

- (b) **Board and Commission Vacancy update-see attached list.**

Mayor Karos indicated that if Councilmembers knew of any interested parties, they should forward names for consideration.

8. Report of City Attorney

There was no report of the City Attorney.

9. Report of City Manager

There was no report of the City Manager.

10. Unfinished Business

- (a) **Third and final reading of Ordinance 2013-02: *An Ordinance to Amend the City of Martinsburg Zoning Map to Rezone an Improved Parcel of Real Estate, Consisting of Approximately 17,600 square-feet, also Identified on the Berkeley Count, West Virginia Tax Map M5 Parcel 8, Postal Address 605 Baltimore Street, Located in the Martinsburg District, Berkeley County, West Virginia, Owned by R&D Investments, from its Current Zoning Classification of RUA (Urban Residential Class A) to BS (Service Business)***

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to hear the third and final reading of Ordinance 2013-02, by title only, and adopt. Motion carried unanimously.

13. New Business

(a) Adopt Resolution 2013-02 to approve General Fund Budget Revision #3 for FY 2012-2013

Motion made by Councilman Etherington, seconded by Councilman Parkinson to adopt Resolution 2013-02 to approve General Fund Budget Revision #3 for FY 2012-2013. Motion carried unanimously.

(b) Adopt Resolution 2013-03 to approve Coal Severance Tax Fund Budget Revision #3 for FY 2012-2013

Motion made by Councilman Etherington, seconded by Councilman Parkinson, to adopt Resolution 2013-03 to approve Coal Severance Tax Fund Budget Revision #3 for FY 2012-2013. Motion carried unanimously.

(c) Approve/deny Police Levy Fund Budget Revision #1 for FY 2012-2013

Motion made by Councilman Etherington, seconded by Councilman Knowles, to approve Police Levy Fund Budget Revision #1 for FY 2012-2013. Motion carried unanimously.

(d) Approve/deny Fire/EMS Budget Revision #1 for FY 2012-2013

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to approve Fire/EMS Budget Revision #1 for FY 2012-2013. Motion carried unanimously.

(e) Approve/deny Water and Sewer Fund Budget Revision #1 for FY 2012-2013

Motion made by Councilman Etherington, seconded by Councilman Baker to approve Water and Sewer Fund Budget Revision #1 for FY 2012-2013. Motion carried unanimously.

(f) Approve/deny Sanitation Fund Budget Revision #1 for FY 2012-2013

Motion made by Councilman Knowles, seconded by Councilman Etherington to approve Sanitation Fund Budget Revision #1 for FY 2012-2013. Motion carried unanimously.

(g) Approve/deny Parking Fund Budget Revision #1 for FY 2012-2013

Motion made by Councilman Etherington, seconded by Councilman Wachtel to approve Parking Fund Budget Revision #1 for FY 2012-2013. Motion carried unanimously.

(h) Approve/deny \$14,025,000 General Fund Budget for FY 2013-2014

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to approve \$14,025,000 General Fund Budget for FY 2013-2014. Motion carried unanimously.

(i) Approve/deny \$83,000 Coal Severance Tax Fund Budget for FY 2013-2014

Motion made by Councilman Wachtel, seconded by Councilman Etherington, to approve \$83,000 Coal Severance Tax Fund Budget for FY 2013-2014. Motion carried unanimously.

(j) Approve/deny \$4,140,000 Police Levy Fund Budget for FY 2013-2014

Motion made by \$4,140,000 Police Levy Fund Budget for FY 2013-2014. Motion carried unanimously.

(k) Approve/deny \$1,750,000 Fire/EMS Fund Budget for FY 2013-2014

Motion made by Councilman Etherington, seconded by Councilman Wachtel, to approve \$1,750,000 Fire/EMS Fund Budget for FY 2013-2014. Motion carried unanimously.

(l) Approve/deny \$6,300,000 Water and Sewer Fund Budget for FY 2013-2014

Motion made by Councilman Etherington, seconded by Councilman Baker, to approve \$6,300,000 Water and Sewer Fund Budget for FY 2013-2014. Motion carried unanimously.

(m) Approve/deny \$3,200,000 Sanitation Fund Budget for FY 2013-2014

Motion made by Councilman Baker, seconded by Councilman Knowles, to approve \$3,200,000 Sanitation Fund Budget for FY 2013-2014. Motion carried unanimously.

(n) Approve/deny \$500,000 Parking Fund Budget for FY 2013-2014

Motion made by Councilman Parkinson, seconded by Councilman Etherington, to approve \$500,000 Parking Fund Budget for FY 2013-2014. Motion carried unanimously.

(o) Approve/deny Transportation Alternatives Program Grant (WVDOT) submitted for Martinsburg Train Station Corridor Project. Total estimated cost--\$620,796 (TA Funds requested—80%--\$496,637, City Match—20%--\$124,159).

Motion made by Councilman Lewis, seconded by Councilman Etherington, to approve Transportation Alternatives Program Grant (WVDOT) submitted for Martinsburg Train Station Corridor Project. Total estimated cost--\$620,796 (TA Funds requested—80%--\$496,637, City Match—20%--\$124,159). Motion carried unanimously.

(p) Approve/Deny Draft FY 2013-2014 Community Development Block Grant Program (CDBG) and HOME investment Partnership Annual Action Plan (See March 19, 2013 Budget & Finance Committee minutes)

Councilman Etherington added, for the record, that he had not voted against approving the recommendation for funds to the Boys and Girls club because he had issue with the club, but because he felt Church Street Storm Sewer Project should be funded properly.

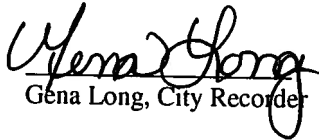
Motion made by Councilman Knowles, seconded by Councilman Baker to approve Draft FY 2013-2014 Community Development Block Grant Program (CDBG) and HOME investment Partnership Annual Action Plan. Motion carried unanimously.


12 . Executive Session

There was no executive session.

13. Adjournment

Meeting was adjourned by unanimous consent at 5:15 PM.


Gena Long, City Recorder


George Karos, Mayor