

**City Of Martinsburg
Special City Council Meeting
Thursday, October 18, 2012
5:00 P.M.**

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: Gregg Wachtel, Don Anderson, Kevin Knowles, Max Parkinson, Roger Lewis, Dennis Etherington and Jason W. Baker. Also present were: Mark S. Baldwin, City Manager, Kin Sayre, City Attorney , Gena Long, City Recorder, Patricia McMillan, Community Development Director, Michael Covell, City Engineer/Planning Director and Steve Knipe, Utilities Director.

3. Presentations

(a) Proclamation—National Home Care Month—Panhandle Home Health

Mayor Karos read the Proclamation, and presented it to the requestor.

4. Petitions from Citizens

There were no petitions from citizens.

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

There were no items to receive and file.

6. Reports of Chairpersons of Council Standing Committees

There were no reports of chairpersons of Council Standing Committees.

7. Report of Mayor

There was no report of the Mayor.

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 2012-12: An Ordinance to Adopt the 2012 Replacement Pages to the Codified Ordinance, to Adopt New Matter, to Repeal Ordinances in Conflict Therewith; and to Direct that the Statutory Requirements for the Codification of Ordinances be Complied With.

Motion made by Councilman Wachtel, seconded by Councilman Knowles, to hear the third and final reading and approve Ordinance 2012-12. Motion carried unanimously.

11. New Business

(a) Wastewater Treatment Plan Project Overview/Update—Steve Knipe, Utilities Director and Bill Meinert, O'Brien and Gere Engineers, Inc.

Mr. Steve Knipe, Utilities Director, stated that the City's existing Wastewater Treatment Plant meets the requirements of the existing permit, but will not meet EPA mandated requirements for the future. Mr. Knipe explained that the facilities plan was approved, and the department is prepared to move forward toward building the Plant.

Mr. Bill Meinert, O'Brien and Gere Engineers, Inc, stated that the schedule in which to have the Wastewater Treatment Plant Project Upgrades completed requires that the project go directly into final design. He added that recently, Moving Bed Biofilm Reactor (MBBR) had passed a pilot project and that the materials are site specific to Martinsburg.

Mr. Meinert explained that the solution is projected to last for twenty years, and the equipment is projected to last for forty-plus years. He stated that the funding requests had been submitted and that the State of West Virginia is expected to grant 30% of the entire project, an amount of \$12-13 million, and the rest will be covered by a low interest loan from the State.

Mr. Meinert discussed several mechanical and structural changes needed, that Plant equipment will be refurbished when possible, and the addition of several means in which to remove the waste before it is discharged to the creek.

Councilman Anderson asked about the cost to the individual ratepayers.

City Manager Mark Baldwin responded that the cost of the project is estimated to be ±\$45 million. He explained that, currently, ratepayers pay approximately \$16 per 4,000 gallons of wastewater, and that the projected rate will be \$35-\$37 per 4,000 gallons.

Mayor Karos explained that the projected rates are a ballpark figure, fees will definitely increase, but the total increase will depend on the final cost of the project. He stated that no one wants to put forth the money or increase fees, but the project is mandated and the City must comply.

Councilman Anderson stated that the mandates are from the Federal Government and the Federal Government needs a lot of improvement, one of which is to "take care of the EPA." He asked if it was customary for the Council to approve a Change Order before a bid was even awarded.

Mr. Meinert explained that the contractor was chosen as they were the low bidder and had high qualifications, however, the mixer sizes included in the bid are smaller than what is optimal, and that negotiations are recommended, changing the size of the mixers is projected to add a cost of \$136,000 to the bid.

Councilman Lewis asked about the projected life expectancy of the project. Mr. Meinert stated that the mechanical aspects and the solution is expected to have a 20 year minimum life expectancy and the structural aspects are projected to last 40-50 years.

Mr. Baldwin explained that the EPA sets the regulations, which are then pushed onto the West Virginia DEP, which sets the requirements within our permit.

Mr. Meinert stated that some nonessential items, such as extra media, may be deleted to make up for the cost of larger mixers.

Councilman Wachtel asked if the design addresses potential future growth.

Mr. Meinert stated that the current bid addresses current need, but extra media can be purchased to meet growth needs.

Mr. Meinert and Mr. Baldwin discussed the State grant, discussing whether it was 30% of the total cost, or 30% of the cost of those items directly related to nutrients. Mr. Meinert felt that the documents hand indicated 30% of total cost, but that is subject to change as it is not a firm written commitment. He stated that the cost analysis had been very conservative in estimating grant funds for this reason.

Councilman Baker reminded Council that the City was being forced to do this project. Mayor Karos agreed, adding that if we do not, we risk losing grant funding, entirely. Mayor Karos also pointed out that Berkeley County sewer rates are higher than the projected increased City rates and they have their own project, which will probably lead to a rate increase.

Councilman Anderson asked who would sell this rate increase to the public.

Mr. Baldwin answered that the City has been very open during the process at Council meetings and that several articles had been printed regarding the project, that the City will continue to remain transparent and keep the public informed as much as possible.

Councilman Anderson stated that the average citizen does not know about these improvements or the related cost.

Councilman Knowles stated that our current sewer rates are very low and that the projected increase will put us mid-range, as far as rates. He advised that Council's responsibility is to keep the constituents informed.

Councilman Wachtel suggested putting notices in the mail as the project moved forward. He also mentioned that Martinsburg is projected to have a 60% increase in population, according to some polls and studies.

Mr. Meinert stated that O'Brien and Gere has completed similar projects in other localities and that they conducted public informational meetings, met with Rotary and similar organizations and that allowance for growth could be added into the plans.

Mr. Baldwin reminded the Council that the project addresses a water quality issue for everyone, not just the Chesapeake Bay, but local water sources as well, adding that the City wishes to maintain good water quality.

Mr. Knipe agreed, adding that some of the equipment in use dates back to 1963, with one tank being installed in 1919.

(b) Approve/deny prepurchase bid for Moving Bed Biofilm Reactor (MBBR) equipment procurement—Wastewater Treatment Plant Upgrade Project—Infilco Degremont, Inc.-- \$3,989,000.00

Councilman Baker asked who was responsible for protecting the equipment and materials during construction. Mr. Meinert answered that the contractor will be responsible, that prepurchase of the equipment keeps prices lower and has the equipment ready to go when needed.

Motion made by Councilman Lewis, seconded by Councilman Parkinson to approve the prepurchase bid for Moving Bed Biofilm Reactor (MBBR) equipment procurement for the Wastewater Treatment Plant Upgrade Project, in the amount of \$3,989,000.00 awarded to Infilco Degremont, Inc. Motion carried 6:1, Anderson no.

12. Executive Session

Motion made by Councilman Parkinson, seconded by Councilman Etherington to go into Executive Session for real estate matters at 5:40 PM. Motion carried unanimously.

Motion made by Councilman Knowles, seconded by Councilman Lewis, to come out of Executive Session at 5:50 PM. Motion carried unanimously.

13. Adjournment

Motion made by Councilman Wachtel, seconded by Councilman Knowles to adjourn at 5:50 PM. Motion carried unanimously.


Gena Long, City Recorder


George Karos, Mayor