

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF BENWOOD,  
CITY COUNCIL REGULAR MEETING FEBRUARY 13, 2024**

City Council of the City of Benwood met in Regular Session on Tuesday, February 13, 2024 at the City Building in the Council Chambers. Mayor Walter W. Yates called the meeting to order at 7:00 p.m. The following council members were present: Ankrom, Fehr, Ferrera, Givens, Kazemka, Longwell, Lunsford & Mele. Others present: Chief Frank Longwell, Dave McLaughlin Director of Public Works, Tiffany Ankrom City Clerk & Eric Gordon City Attorney.

**PLEDGE OF ALLEGIANCE**

Mayor Walter W. Yates led the pledge of allegiance to the flag.

**MINUTES**

Councilperson Ankrom moved to approve the minutes for Regular Meeting for January 23, 2024 & Special Meeting January 30, 2024 Councilperson Ferrera seconded the motion. Motion carried unanimously.

**PUBLIC COMMENT**

Jake Boyd Fireman with Benwood Volunteer Fire Department addressed council. BVFD had 34 calls and there were none that were missed. The rescue truck has been down for repairs. Steven Tasker Fire Chief has not received his certification by the state. City would like a copy of Mr. Taskers certification.

**NEW BUSINESS**

**DISCUSSION OF WATER/SEWAGE ADJUSTMENTS**

Resident at 186 Roosevelt Ave had a toilet leak while on vacation. Per the City Ordinance the resident does not qualify for an adjustment due to the type of leak and water going into sanitary sewer.

Resident at 534 Main Street is asking for an adjustment due to hot-water tank busting. Gary Williams Water Supervisor was unable to get in contact with resident to investigate leak.

Councilperson Kazemka made the motion to table the adjustment until next meeting & Councilperson Ferrera seconded the motion. Motion carried.

**EXECUTIVE SESSION**

Councilperson Longwell made the motion to go into executive session at 7:05pm & Councilperson Givens seconded the motion.

Councilperson Ferrera made the motion to end executive session at 7:32pm & Councilperson Longwell seconded the motion. Motion carried.

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Discussion of personnel matters.

**DISCUSSION & APPROVAL OF AN ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE MARSHALL COUNTY COMMISSION ADMINISTER THE CITIES REGULARLY SCHEDULED ELECTIONS (FIRST READING)**

Whereas the Clerk of the Marshall County Commission has been administering the regularly scheduled elections of the City of Benwood for several years; and whereas it is the desire of the Marshall County Commission and the City of Benwood to reaffirm this arrangement and confirm their respective duties and obligations relative to same.

Councilperson Ferrera made the motion to pass the ordinance on the first reading and Councilperson Longwell seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

**APPROVAL OF RESOLUTION AUTHORIZING PAYMENT OF INVOICES RELATING TO CONSTRUCTION & OTHER SERVICES FOR THE PROPOSED COMBINED SEWER SYSTEM IMPROVEMENTS PHASE II PROJECT DRAW 7**

Ohio West Virginia Excavating \$170,608.72 Burgess & Niple \$21,539.93, Belomar Regional \$5,161.73, CSX \$5,168.66.

Councilperson Ferrera made the motion to approve of payment of invoices and Councilperson Givens seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

**APPROVAL TO OPEN AN INTEREST-BEARING CHECKING ACCOUNT FOR OPIOD SETTLEMENT FUNDS**

City of Benwood has received a check for the Opioid Settlement Fund in the amount of \$5,217.39. Captain Bryan Handzus was given a copy of the booklet of the approved uses we received from the WV State Auditors office. The account will be set up at WesBanco as an interest-bearing account.

Councilperson Ferrera made the motion to open the new account and Councilperson Givens seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

**APPROVAL OF AN ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA PROVIDING FOR AN INCREASE IN COMPENSATION FOR MICHELE YATES & ANDREA FERRERA**

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It has been recommended to the Council of the City of Benwood that Michele Yates & Andrea Ferrera be given increases in compensation, and whereas the Council of the City of Benwood recognizes the service being rendered to the citizens of the City of Benwood by Ms. Yates & Mrs. Ferrera and believes the recommendation has merit.

Councilman Kazemka made the motion to approve the Ordinance and Councilperson Givens seconded the motion. Mayor Yates called for roll call; vote was taken Councilperson Ferrera Abstained & Councilperson Longwell Abstained; Councilperson Givens, Kazemka, Mele, Fehr, Ankrom & Lunsford voted yes. Motion passed.

**APPROVAL OF AN ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA APPOINTING TIFFANY ANKROM CLERK OF THE CITY OF BENWOOD AS A MUNICIPAL COURT JUDGE**

Whereas Judy Hunt is the active Municipal Court Judge of the City of Benwood; and whereas the Council of the City of Benwood, recognizes on occasion Mrs. Hunt due to illness or other commitments is unable to perform her duties as Municipal Court Judge; and Whereas the Council of the City of Benwood further recognizes Mrs. Hunt has expressed the intention to retire from her position as Municipal Court Judge at a time in the not-too-distant future; and Wherefore Council of the City of Benwood believes it to be in the best interest in the City of Benwood to Appoint Tiffany Ankrom Clerk of the City of Benwood to act as an Alternate Municipal Court Judge at this time and to then accede to the position of Municipal Court Judge upon retirement or termination of Judy Hunt as Municipal Court Judge.

Councilperson Ferrera made the motion to approve the ordinance and Councilperson Mele seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed. Councilperson Ankrom Abstained.

**APPROVAL OF ESTIMATE FOR TREE TRIMMING**

Acorn Tree Service submitted an estimate to trim 12 trees around the park & pool. Estimate includes chipping & taking wood.

Councilperson Mele made the motion to approve the estimate of \$5,950.00 & Councilperson Kazemka seconded the motion. Motion passed.

**APPROVAL TO PURCHASE GYM EQUIPMENT FOR MUNICIPAL GARGAGE**

Gary Williams submitted quotes to purchase gym equipment. Attorney Gordon suggested having a liability waiver signed by employees.

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Councilperson Ferrera made the motion to approve a budget of \$7,000 for gym equipment and Councilperson Givens seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

**FINANCE & TAXATION**

An ordinance entitled: "An ordinance to pay a claim against the city for work and other claims." Be it ordained by the Council of the City of Benwood, that the sum of \$199,133.45 be appropriated out of the funds belonging to the city, to pay a claim against the city, and that an order signed by the Mayor and Recorder be drawn upon the Treasurer for the above amount and that this ordinance takes effect from and after its passage. (See Copies of Supporting Accounts Payable Registers Attached)

Councilperson Ferrera moved to adopt the above ordinance on first reading, seconded by Councilperson Longwell. Mayor Yates called for roll call vote was taken and motion passed unanimously.

Councilperson Ferrera moved to adopt the above ordinance on second reading, seconded by Councilperson Longwell. Mayor Yates called for roll call vote was taken and motion passed unanimously.

**ACCOUNTS PAYABLE CHECK REGISTER REPORTS**

Councilperson Ferrera moved to receive and file accounts payable check register reports totaling \$199,133.45 seconded by Councilperson Longwell. Mayor Yates called for a roll call, vote was taken and motion passed unanimously.

**FINANCIAL STATEMENT REPORT**

Revenue/Expense Report and Financial Report as of February 8, 2024:

Cash Operating Report: General Fund \$2,422,768.16; Coal Severance Fund \$78,437.23; Garbage Fund \$2,492.80; Fire Fund \$9,253.76; Water Fund \$343,554.05 and Sewer Fund \$120,527.41;  
Total operating cash \$2,972,605.63.

Councilperson Ferrera moved to receive and file the Cash Operating Report and Financial Reports, seconded by Councilperson Longwell. Mayor Yates called for roll call; vote was taken and motion passed unanimously.

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**WATER & SEWAGE PLANT OPERATION**

Chief Longwell addressed council to advised them they may want to increase the water rates.

Wastewater station to be moved inside the floodwall due to flooding.

PFAS, Iron & Manganese removal is estimated to cost \$4.4 million dollars. Four million may be paid for with grant funding & remainder would be paid out of city funding or by raising water rates.

**STREETS, ALLEYS & GRADES**

Eagle Scouts will be putting a flower garden in at the city park.

Ferns is remodeling building in North Benwood to open a Pizza Shop

**CITY OFFICES, PROPERTY, FIRE & POLICE**

City Clerk Tiffany Ankrom & Assistant City Clerk Michele Yates attended Election Training 2/13/24.

Working on updating website

Audit is due February 29, 2024


**ADJOURNMENT**

Councilperson Longwell moved to adjourn meeting, seconded by Councilperson Ankrom. Motion carried.

Meeting adjourned at 8:03 p.m.

Minutes Respectfully Submitted by,

  
Tiffany Ankrom City Clerk/Treasurer

  
Mayor Walter W. Yates