

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF BENWOOD, CITY COUNCIL REGULAR MEETING MAY 28, 2024**

City Council of the City of Benwood met in Regular Session on Tuesday, May 28, 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, Lunsford & Mele. Excused absences were Councilperson Longwell. Others present: 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 Ferrera moved to approve the Special Meeting Minutes for May 15, 2024 & Special Meeting Minutes for May 22, 2024 & Councilperson Kazemka seconded the motion. Motion carried unanimously.

**NEW BUSINESS**

**APPROVAL OF AN ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA PROVIDING FOR AND APPROVING THE CITY OF BENWOOD ENTERING INTO AN AGREEMENT WITH THE MCMECHEN VOLUNTEER FIRE DEPARTMENT AND THE MARSHALL COUNTY COMMISSION TO PROVIDE EMS SERVICE (FIRST READING)**

Agreement between City of Benwood, McMechen Volunteer Fire Department and Marshall County Commission to have a paid ambulance service housed in McMechen. City of Benwood is responsible to pay up to \$74,000 & Marshall County Commission is responsible to pay up to \$68,000 for a period of one year. MVFD shall provide all other funds necessary to provide EMS service for the one-year period. MVFD shall provide paid EMS coverage from 8:00 AM to 8:00 PM as well as per call dispatch of volunteers from 8:00 PM to 8:00 AM 7 days a week, for the cities of Benwood, McMechen and the County.

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

**APPROVAL OF RESOLUTION FOR BASF & PFAS SETTLEMENT AS BEING A CLASS ACTION REPRESENTATIVE**

The resolution is for a separate set of defendants for the BASF & PFAS settlement.

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

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**APPROVAL OF RESOLUTION FOR PERMISSION TO SUBMIT & REVIEW CLAIM FORMS FOR DUPONT & 3M**

Attorney Gordon asked for council to authorize him to submit a claim form on the city's behalf.

Councilperson Ferrera made the motion to approve the resolution & Councilperson Kazemka seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed.

**APPROVAL OF AN ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA, PROVIDING FOR AN INCREASE IN THE COMPENSATION PAID TO FULL TIME EMPLOYEES (FIRST READING)**

Whereas, in recognition of the hard work and dedication of its employees, Council of the City of Benwood desires to increase the compensation paid to municipal full-time employees.

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

**APPROVAL OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF BENWOOD, WEST VIRGINIA, PROVIDING FOR AN INCREASE IN THE COMPENSATION PAID TO THE MAYOR (FIRST READING)**

The Mayor of the City of Benwood shall receive a raise in compensation of Two Thousand Four Hundred Dollars (\$2,400.00) per year. The yearly salary of the mayor shall thereafter be set at \$14,400.00 per year.

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

**APPROVAL OF POTENTIALLY LEASING OIL & GAS RIGHTS FOR TAX PARCEL ID NUMBER: 13-0006-0005-0000 TO SWN PRODUCTION COMPANY**

Ordinance will be on agenda for next council meeting due to the need to be advertised.

Councilperson Ferrera made the motion to put this on the next agenda & Councilperson Mele seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

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**APPROVAL TO PURCHASE COMMERCIAL ROBOTIC POOL CLEANER FOR \$2,399.00**

The Lifeguard Store has a Dolphin Wave 80 Automatic Pool Vacuum at \$2,386.03.

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

**DISCUSSION TO LEASE CITY GARAGE TO GATOR TRANSPORTATION & ENERGY SERVICES, LLC**

Gator Transportation & Energy Services, LLC would like to rent the old Municipal Garage for \$5,000 a month for 12 months. This will be on the next agenda for council to approve by resolution.

Councilperson Ferrera made the motion to move forward with the resolution & Councilperson Ankrom seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

**OLD BUSINESS:**

**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 \$189,524.65 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 Mele. 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 Mele. 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 \$189,524.65 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 May 23, 2024:

Cash Operating Report: General Fund \$2,449,896.95; Coal Severance Fund \$78,306.68; Garbage Fund \$374.54; Fire Fund \$9,445.76 & Water Fund \$284,124.57; Total operating cash 2,822,148.50.

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

**WATER & SEWAGE PLANT OPERATION**

Sean Lake & Gary Williams submitted a Daily Operation Report

Sewer plants are all cleaned

**STREETS, ALLEYS & GRADES**

Phase II CSO Project is completed

Issues with Phase I CSO Project, street drain water is entering sewer system

Swimming Pool opened Monday May 27<sup>th</sup>

Patching potholes throughout the city

Demolition Project is pending due to waiting on the state

**CITY OFFICE, PROPERTY, FIRE & POLICE**

Special meeting scheduled for May 30<sup>th</sup> at 6:00pm to Lay the Levy

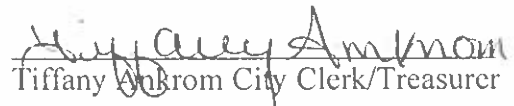
Received a payment of \$1,487.98 from Southwestern Energy Company for the minerals pulled from the Serafin Ortiz North A, B & C Units

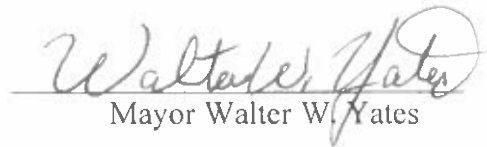
ADJOURNMENT

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

Meeting adjourned at 7:15 p.m.

Minutes Respectfully Submitted by,

  
Tiffany Ankrom City Clerk/Treasurer

  
Mayor Walter W. Yates