

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF BENWOOD,
CITY COUNCIL PUBLIC HEARING & REGULAR MEETING SEPTEMBER 26, 2023**

City Council of the City of Benwood met in Regular Session on Tuesday, September 26, 2023 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: Fehr, Ferrera, Givens, Kazemka, Longwell & Mele. Excused absence: Councilperson Ankrom & Councilperson Lunsford. Others present: Chief of Police Frank Longwell, Dave McLaughlin Director of Public Works, Tiffany Ankrom City Clerk & Eric Gordon City Attorney.

*****6:45pm PUBLIC HEARING*****

Now comes the City of Benwood and makes known its intention to sell an oil and gas lease within and under certain property situate in the City of Benwood and shown on the records of the Marshall County Sheriff's Tax Office in Benwood Corporate District on Map 2 as Parcel 163, on Map 3 as Parcel 26, and on Map 4 as Parcels 91 and 92, at public auction on the 26th day of September 2023 at 6:45 p.m.

Southwestern Production Company, LLC submitted an electronic bid for \$4,500 per acre and 18% Royalty.

There was no public present.

PLEDGE OF ALLEGIANCE

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

MINUTES

Councilperson Ferrera moved to approve the September 12, 2023 regular meeting minutes & and Councilperson Longwell seconded the motion. Motion carried unanimously.

MAYOR ITEMS

No comment

NEW BUSINESS

APPROVAL OA WATER/SERAGE ADJUSTMENT

Resident at 4870 Water Street had issues with a water softener which caused water to run into basement.

Councilperson Givens made the motion to adjust per Leak Adjustment Ordinance and Councilperson Mele seconded the motion.

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Resident at 204 Roosevelt Ave had issues with his refrigerator water line leaking onto kitchen floor.

Councilperson Givens made the motion to adjust per Leak Adjustment Ordinance and Councilperson Mele seconded the motion.

APPROVAL OF PROPOSED SEWAGE RATE INCREASE (FIRST READING)

The City of Benwood, commissioned an accounting firm to analyze the municipal sewage rates and to recommend rates that will allow it to operate without running a deficit.

The proposed rate increase is as follows: \$22.80 per 1,000 gallons for first 2,000 gallons; over 2,000 gallons \$21.35 per 1,000 gallons. Minimum Charge for Metered Water Supply \$45.60 for 2,000 gallons; Flat-Rate Charge for Non-Metered Water Supply \$88.30 a month. Effective immediately after passage.

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

DISCUSSION OF RESOLUTION TO LEASE A PORTION OF 1567 S. MARSHALL TO EMILY MONTI

Item is tabled to next council meeting on October 10th after the Public Hearing.

DISCUSSION OF RESOLUTION TO LEASE A PORTION OF THE FORMER MUNICIPAL GARGE TO RF MOBILE SERVICE LLC

Item is tabled to next council meeting on October 10th after the Public Hearing.

APPROVAL OF AN ORDINANCE FOR A PAY INCENTIVE FOR CERTAIN CITY EMPLOYEES (FIRST READING)

Council of the City of Benwood, recognizes the recent exemplary work performed by certain employees namely David McLaughlin, Gary Williams, Todd Longwell, Mike Mamula, Sean Lake, Paul Pylypchuck & Jon Howard.

Councilperson Givens made the motion to pass the Ordinance in the first reading and Councilperson Mele seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

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APPROVAL TO HAVE A HANDICAP PARKING LINE PAINTED IN FRONT OF RESIDENCE AT 517 MCMECHEN ST.

Councilperson Kazemka made the motion to have handicap parking line painted and Councilperson Longwell seconded the motion.

APPROVAL OF DONATION TO THE MOUNDVILLE HONOR GUARD

Councilperson Ferrera made the motion to donate \$500 to the Moundville Honor Guard for the purchase of Memorial Flag Cases for Veteran Memorials. Councilperson Givens seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

OLD BUSINESS

APPROVAL TO AUCTION MINERALS ON MAP 2 AS PARCEL 163, ON MAP 3 AS PARCEL 26, AND ON MAP 4 AS PARCELS 91 & 92 (SECOND READING)

City of Benwood has been contacted by parties expressing a desire to lease the oil and gas purportedly owned by the City of Benwood and shown on the records of the Marshall County Sheriff's Tax Office in Benwood Corporate District on Map 2 as Parcel 163, on Map 3 as Parcel 26, on Map 4 as Parcels 91 and 92.

Southwestern Production Company, LLC submitted an electronic bid for \$4,500 per acre and 18% Royalty.

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 \$124,669.26 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.

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ACCOUNTS PAYABLE CHECK REGISTER REPORTS

Councilperson Ferrera moved to receive and file accounts payable check register reports totaling \$124,669.29 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 September 21, 2023:

Cash Operating Report: General Fund \$2,303,041.56; Coal Severance Fund \$74,324.47; Garbage Fund \$8,915.58; Fire Fund \$30,410.48; Water Fund \$419,876.67 and Sewer Fund \$138,402.10; Total operating cash \$2,970,543.08.

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.

WATER & SEWAGE PLANT OPERATION

Sewer Plants running well. Plant A has been running 7-8 hours a day, down from 20-24 hours a day.

CSO Phase II Project is going as planned and they are close to being finished with Marshall St up to Benwood Housing. That line will go to B Plant.

Next step of project starts around October 15, 2023. Moving North to C Plant (located in the Mill), Contractor will have to bore under Rail Road tracks at 9th Street and connect with housing.

Met with New River Engineers, INC. regarding the work needing done at the Floodwall. The firm is working on a plan needed to remove trees to see what work needs to be done.

Working with THRASHER Engineering regarding the removal of PFAS from water along with Iron & Manganese. Looking into getting Grant Funding for this project.

THRASHER is also working with the City of Benwood on the Lead Pipe Program. Every residence in Benwood has to be tested to see if there are any lead water lines coming into the house per the EPA. If there are lead pipes located coming from the water main to the water meter the city is responsible for replacing them. Applying for Grant Funding.

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CITY OFFICES, PROPERTY, FIRE & POLICE

Sewer Rate Notice regarding the Public Hearing scheduled for October 10th at 6:45pm will be sent out with the resident's water bill at the end of this month.

Quarterly B&O's being mailed out September 29th

Fall Clean up October 13th & 14th

Childrens Christmas Party is scheduled for Sunday December 17th

2021-2022 Audit is complete. Received a write up for the Sewer Rate Covenant being at 92% and needs to be 115%. City is working on this issue with the raising of sewage rates.

Second write up was for not having a 12 ½% Working Capital Water Fund Reserve Account. Working on getting an account set up with WesBanco upon councils' approval. Councilperson Longwell made the motion to establish a Working Capital Water Fund Reserve Account and Councilperson Ferrera seconded the motion. Mayor Yates called for roll call; vote was taken & motion passed unanimously.

Chief Longwell commended the City Clerks office for the good work on the audit.

ADJOURNMENT

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

Meeting adjourned at 7:31 p.m.

Minutes Respectfully Submitted by,

Tiffany Ankrom City Clerk/Treasurer

Mayor Walter W. Yates