

STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF BENWOOD, CITY COUNCIL REGULAR MEETING DECEMBER 10, 2024

City Council of the City of Benwood met in Regular Session on Tuesday, December 10, 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: Fehr, Ferrera, Givens, Kazemka, Lunsford & Mele. Excused Absence Councilperson Ankrom, & Longwell. Others present: Dave McLaughlin Director of Public Works, Tiffany Ankrom City Clerk & Eric Gordon City Attorney.

*****6:45 PM PUBLIC HEARING*****

To conduct a public hearing regarding a proposed Ordinance

Now comes the City of Benwood and makes known its intention to lease the oil and gas within and under certain property owned by the City of Benwood shown on the records of the Marshall County Sheriff's Tax Office in Benwood Corporate District on tax map 7 being parcels 119,120,121,122,123,124,220,221,222.02 and tax map 4A as parcels 2 and 7; at public auction on the 10th day of December 2024 at 6:45 p.m. and to hear public comment at a public hearing at said time regarding execution of an oil and gas lease for the same.

No public present to contest the above proposed Ordinance.

PLEDGE OF ALLEGIANCE

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

MINUTES

Councilperson Ferrera moved to approve the Regular Meeting Minutes for November 12, 2024 & Councilperson Mele seconded the motion. Motion carried unanimously.

NEW BUSINESS

APPROVAL OF WATER/SEWER ADJUSTMENT

Business located at 1 Industrial Park Dr. had a fitting below a frost-free hydrant fail. The leak was not detected due to being under a concrete slab. Water did not enter the sewer system.

Councilperson Ferrera made the motion to approve the adjustment per the water/sewer ordinance and Councilperson Mele seconded the motion. Motion passed unanimously.

APPROVAL OF RESOLUTION OF THE COUNCIL OF THE CITY OF BENWOOD, WEST VIRGINIA APPROVING THE LEASE OF OIL AND GAS

Now comes the City of Benwood and makes known its intention to lease the oil and gas within and under certain property owned by the City of Benwood shown on the records of the

**BENWOOD COUNCIL MINUTES
DECEMBER 10, 2024
PAGE 2**

Marshall County Sheriff's Tax Office in Benwood Corporate District on tax map 7 being parcels 119,120,121,122,123,124,220,221,222.02 and tax map 4A as parcels 2 and 7. The lease states there is seven acres at \$5,000 an acre.

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

**APPROVAL OF ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA,
SETTING THE TERMS OF THE BUYOUT OFFERED BY THE CITY OF BENWOOD
FOR EMPLOYEES WHO CHOOSE NOT TO PARTICIPATE IN THE CITY OFFERED
HEALTH INSURANCE PLAN (FIRST READING)**

WHEREAS the City of Benwood, West Virginia provides for health insurance for certain qualified municipal employees and their families; and

WHEREAS the Council of the City of Benwood, West Virginia, recognizes certain qualified municipal employees possess health insurance coverage through other means for themselves and/or their families; and

WHEREAS the Council of the City of Benwood, recognizes the cost of individual and family plans are an added benefit tendered to certain of the qualified employees of the City of Benwood; and

WHEREAS the Council of the City of Benwood believes those qualified employees of the City of Benwood who choose not to avail themselves of the health insurance coverage offered by the City of Benwood should be offered the ability to receive a payment in lieu thereof.

SECTION ONE: Employees of the City of Benwood, West Virginia, qualified to be covered by the health insurance coverage afforded by the City of Benwood have the right to opt out of insurance coverage. Those employees opting out of single plan coverage shall be entitled to receive the sum of \$300.00 per month as a supplement to their income. Those employees opting out of family plan coverage shall be entitled to receive the sum of \$1,200.00 per month and a supplement to their income.

SECTION TWO: Those employees who exercise their right to opt out of health insurance coverage with the City of Benwood shall not be entitled to opt back in to receiving health insurance coverage with the City of Benwood unless they are able to substantiate, they no longer have health insurance coverage.

**BENWOOD COUNCIL MINUTES
DECEMBER 10, 2024
PAGE 3**

Councilperson Ferrera made the motion to approve the ordinance and Councilperson Mele seconded the motion. Mayor Yates called for a roll call, vote was taken and motion passed unanimously.

APPROVAL OF PURCHASING 2012 FORD F-350 BUCKET TRUCK FROM ECONOMY AUTO SALES II FOR \$25,000

The bucket truck the city had is no longer in service.

Councilman Ferrera made the motion to approve of the purchase Councilperson Givens seconded the motion. Mayor Yates called for a roll call, vote was taken and motion passed unanimously.

APPROVAL OF AN ORDINANCE OF THE CITY OF BENWOOD, WEST VIRGINIA CHANGING THE TIME OF REGULARLY SCHEDULED COUNCIL MEETINGS (FIRST READING)

Whereas the Council of the City of Benwood, West Virginia has its regularly scheduled council meetings scheduled to take place beginning at 7:00 p.m.; and

Whereas Council believes it is appropriate to change the time the regularly scheduled council meetings are to begin to 5:00 p.m.

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE CITY OF BENWOOD:

SECTION ONE: The regularly scheduled council meetings of the City of Benwood shall after passage of this Ordinance begin at 5:00 p.m.

SECTION TWO: The Clerk of the City of Benwood shall cause notice of the passage of this Ordinance to be posted in a conspicuous place in the City Building and further cause the same to be advertised as a Class II advertisement in the local paper of record.

Councilperson Ferrera made the motion to approve the Ordinance and Councilperson Givens seconded the motion. Mayor Yates called for a roll call, vote was taken and motion passed unanimously.

**BENWOOD COUNCIL MINUTES
DECEMBER 10, 2024
PAGE 4**

APPROVAL OF INVOICES FOR BALLOON & TATTOO ARTIST FOR CHILDREN'S CHRISTMAS PARTY

Airbrush Tattoo Artist (Mike the Balloon Guy) \$505.00 and Balloon Artist Dennis Regling \$250.00 for three hours.

Councilperson Ferrera made the motion to approve the invoices and Councilperson Mele seconded the motion. Mayor Yates called for a roll call, vote was taken and 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 \$118,296.87 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 \$118,296.87 seconded by Councilperson Mele. Mayor Yates called for a roll call, vote was taken and motion passed unanimously.

Revenue/Expense Report and Financial Report as of December 4, 2024:

Cash Operating Report: General Fund \$2,307,699.73; Coal Severance Fund \$80,785.67; Garbage Fund \$1,234.56, Fire Fund \$29,715.07, Water Fund \$297,833.54 & Sewer Fund \$50,182.58; Total operating cash 2,767,451.15.

**BENWOOD COUNCIL MINUTES
DECEMBER 10, 2024
PAGE 5**

FINANCIAL STATEMENT REPORT

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

Gary Williams, Water Supervisor, submitted reports. Councilperson Ferrera made the motion to accept the reports and Councilperson Givens seconded the motion.

Fish & Wildlife is doing a survey to see if there are any endangered species before we can move forward with the Boggs Run Retaining Wall Project. As well as checking condemned houses for bats.

Phase III CSO Project meeting scheduled for Thursday December 12th at 10:00am

Water Project is having a pilot study completed for water to be tested for PFAS, waiting for results to move forward.

STREETS, ALLEYS AND GRADES

Flag was taken down until spring, will need it replaced.

CODE ENFORCEMENT

St. John's Church is having an elevator installed. Dave McLaughlin will be getting information for an estimate for the TMU building.

CITY OFFICE, PROPERTY, FIRE & POLICE

Working on Children's Christmas Party

Continuing to work with CPA for Single Audit information

**BENWOOD COUNCIL MINUTES
DECEMBER 10, 2024
PAGE 6**


ADJOURNMENT

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

Meeting adjourned at 7:31 p.m.

Minutes Respectfully Submitted by,


Tiffany Ankrom City Clerk/Treasurer


Mayor Walter W. Yates