

STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF BENWOOD, CITY COUNCIL REGULAR MEETING JANUARY 13, 2025

City Council of the City of Benwood met in Regular Session on Tuesday, January 13, 2026, at the City Building in the Council Chambers. Mayor Walter W. Yates called the meeting to order at 5:00 p.m. The following council members were present: Ankrom, Fehr, Ferrera, Givens, Kazemka & Lunsford. Excused Absence Councilperson Longwell & Councilperson Mele. Others present: Tiffany Ankrom City Clerk & Attorney Eric Gordon & Attorney Jeff Kessler.

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 25, 2025 & Councilperson Givens seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

A.C. Wiethe from Bel-O-Mar Regional Council was present to discuss an upcoming Public Hearing regarding the City's application for a FY2026 US EPA Brownfields Cleanup Grant for the former Union High School located at 1695 South Marshall Street. The city is applying for approximately \$1,500,000 in federal grant funds to remediate asbestos and hazardous materials abatement in the school building so that the building can be demolished, and new uses can be introduced on the property. The grant is only available to nonprofits & Government Entities. Public Hearing is scheduled for Thursday, January 22, 2026, at 6:00pm in Benwood Council Chambers.

APPROVAL OF WATER/SEWER ADJUSTMENTS

Resident at 76 Roosevelt Ave requested an adjustment due to a main water line cracking after the main shutoff in the basement. There was floor drains located in the basement and water did enter the Sanitary Sewer. Per the ordinance, the resident is not permitted for an adjustment.

Councilperson Ferrera made a motion to follow the ordinance, and Councilperson Ankrom seconded the motion. Mayor Yates called for roll call; motion carried unanimously.

DISCUSSION OF PROPOSED CHANGE ORDER & APPROVAL OF ENGINEERING AMENDMENT FOR BENWOOD PHASE III PROJECT

Mike Davis would like to have the change order tabled & addressed at the next meeting due to moderate changes needing to be made.

Engineering Amendment 12 increases the total fee by \$125,800.

Councilperson Ferrera made the motion to approve the amendment & Councilperson Givens seconded the motion. Mayor Yates called for roll call; motion carried unanimously.

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DISCUSSION OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF BENWOOD, WEST VIRGINIA PLACING ON THE BALLOT OF A MUNICIPAL ELECTION DURING THE WEST VIRGINIA PRIMARY ELECTION ON MAY 12, 2026, THE ISSUE OF RENEWING A TAX LEVY FOR THE FISCAL YEARS BEGINNING JULY 1, 2026 AND JULY 1, 2027, TO CONTINUE TO PROVIDE FUNDS FOR THE CITY'S SHARE OF FUNDING FOR ANY DEFICIT OF OPERATING COST AND THE COSTS OF ACQUIRING CAPITAL, EQUIPMENT AND FACILITIES FOR THE SAME PERIOD FOR A SYSTEM OF URBAN MASS TRANSIT TO BE PROVIDED BY THE OHIO VALLEY REGIONAL TRANSPORTATION AUTHORITY. (FIRST READING)

As of January 1, 2026, the Ohio Valley Regional Transportation Authority (O.V.R.T.A.) cut their running times from every 30 minutes to every 60 minutes purportedly due to staffing issues. The city is unclear whether this change will be temporary or permanent.

The current levy amount collects \$159,057 per year, which is paid by residents from their property taxes. This levy was passed by the residents & is set to expire on June 30, 2026.

The proposed number of years to which the new levy will be in effect are the fiscal years beginning on July 1, 2026, and July 1, 2027. If passed the new levy is estimated to collect \$192,600 a year; out of the estimated levied amount \$6,831 will be funded by residential property owners and an estimated \$185,739 will be funded by the business property owners.

Councilperson Ferrera recommended sending out a letter to residents informing them about the bus levy and giving them a chance to voice their concerns at the next council meeting on January 27, 2026.

Councilperson Ferrera made the motion to approve the ordinance on the first reading and Councilperson Ankrom seconded the motion. Mayor Yates called for a roll call, vote was taken; Five Councilmen voted yes and Councilman Kazemka voted no. Motion passed.

OLD BUSINESS

APPROVAL TO ACCEPT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES (SECOND READING)

Councilperson Ferrera made the motion to accept the replacement pages and Councilperson Ankrom seconded the motion. Mayor Yates called for a roll call; vote was taken & motion passed unanimously.

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FINANCIAL STATEMENT REPORT

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 \$85,329.29 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 Givens. Mayor Yates called for a roll call vote was taken and motion passed unanimously.

Councilperson Ferrera moved to adopt the above ordinance on second reading, seconded by Councilperson Givens. 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 \$85,329.29 seconded by Councilperson Givens. Mayor Yates called for a roll call; vote was taken and motion passed unanimously.

Revenue/Expense Report and Financial Report as of January 8, 2026:

Cash Operating Report: General Fund \$2,317,509.79; Coal Severance Fund \$79,157.00; Garbage Fund \$1,904.64, Fire Fund \$8,456.88; Water Fund \$620,637.84 & Sewer Fund \$360,097.36.
Total operating cash \$3,387,763.51.

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

WATER & SEWAGE PLANT OPERATION

There was a power outage at the water plant and there was no backup power source. With no power the plant was unable to produce water, McMechen provided the water source for the city. Dave is working on getting quotes for a backup generator.

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Water meters throughout the city are failing due to the life of the battery being depleted & are not replaceable. Tiffany is working on getting a bid sheet to get these out to bid soon.

STREETS, ALLEYS AND GRADES

Within the next few weeks Bruce Edge will be starting in Center Benwood on the demolition of dilapidated properties for the CDBG Program.

Phase III CSO Project is set for completion end of February or beginning of March weather permitting. In the next couple weeks, the contractor will be working on McMechen Street, and the street will be closed from 4th to 5th due to equipment, machinery and where the sewer line is located.

Christmas lights and flags are being taken down.

Leaves are being cleaned up at the city park.

CITY OFFICE, PROPERTY, FIRE & POLICE

Benwood General Municipal Election is set for Tuesday, May 12, 2026, with the West Virginia's Primary. Candidates can file their Certificate of Announcement from January 12 through January 31, 2026.

Working on the 2026-2027 Budget & will be scheduling a meeting with the Finance Committee soon.

Upcoming training courses for the Municipal League & State Auditors Office.

Legal Council has been working with Vemuri Home & Garden LLC regarding their property located at 1695 South Marshall Street. A Phase I Environmental Site Assessment and Hazardous Materials Survey have been conducted on property. Hazardous Materials, primarily asbestos containing materials, are confirmed to be present in the building. To facilitate the safe demolition of the building and future redevelopment of the property, the City of Benwood is taking action to seek funding to remediate hazardous materials in the building. Legal Council is coordinating Vemuri Home & Garden LLC to sign over the property to the City of Benwood for up to five years, so the city can apply for the US EPA Brownfields Cleanup Grant. Once the grant is received and work is completed, the property will be donated back to the West Virginia Land Stewardship, who will be the entity that transfers the property back to Vemuri Home & Garden LLC. Attorney Kessler would like to establish an agreement between City of Benwood, Vemuri Home & Gardens LLC & WV Land Stewardship that once the property is abated, the property won't be sold or left empty.

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ADJOURNMENT

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

Meeting adjourned at 5:36 p.m.

Minutes Respectfully Submitted by,


Tiffany Ankrom City Clerk/Treasurer


Mayor Walter W. Yates