

**SPECIAL COUNCIL SESSION**  
**609 29<sup>th</sup> Street, Vienna, WV 26105**  
**March 18, 2021**  
**6:00 P.M.**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

The invocation was given by Jerry Murphy. The Pledge of Allegiance was led by Councilman Tom Azinger.

**CALL TO ORDER:**

The Vienna City Council met in Special Session on February 18, 2021. Mayor Randy Rapp called the meeting to order at 6:01 p.m.

**PUBLIC FORUM:**

Kelli Craft (300 57<sup>th</sup> Street): Cats that are running neighborhoods is an issue. Asks Council to review ordinance and communicate to citizens. Ms. Craft would like vacant houses to be addressed and the issues that they bring with them. She would also like an investment in sidewalks.

Brenda Powell (1409 31<sup>st</sup> Street): Asked if Council receives the 5 year plans that department heads have. She also stated that city employees are treated wonderful, including their health insurance plans, retirement, and other benefits. Ms. Powell addressed the cat issue and contacted the animal clinic in Vienna and Save a Kitty. She stated they are willing to help with it if they have the money to do it.

**ROLL CALL:**

Attendance was taken by Recorder Melissa Elam with the following Council members present: Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach (via phone), Councilman Roger Bibbee, Councilman Mike Elam, City Attorney Russell Skogstad, Recorder Melissa Elam, and Mayor Randy Rapp.

**REPORT OF THE MINUTES:**

The minutes of the Regular Council Session scheduled on 3/11/2021 were printed, posted, and circulated. With no corrections, the minutes were approved as posted.

**UNFINISHED BUSINESS:**

1. **None.**

**NEW BUSINESS:**

1. **RESOLUTION: APPROVING THE 2021-2022 GENERAL FUND AND COAL SEVERANCE BUDGETS; SUBMISSION TO WEST VIRGINIA STATE TAX COMMISSIONER**

Mayor Randy Rapp asked Finance Director Amy Roberts to come forward. Ms. Roberts asked if Council had any questions about the balanced budget.

Recorder Melissa Elam does not want to take funds away from streets in order to balance the budget. She expressed that streets affect every citizen of the city, that they are part of the recreation of our citizens through walking, running, biking, etc. and they are part of beautification. Their disrepair can also lead to damage of city street equipment.

Mayor Randy Rapp responded. He has no issue putting money into streets. He reminded Council of the \$550,000 for streets that is yet to be spent for the current fiscal year. With that balance, coal severance tax, and the new money allocated, it comes to around \$1.1 million and is over 10% of our budget. He also explained that \$2.69 million is coming through the Federal CARES Act and a majority of it has to go to water, sewer, and storm water. Some of the streets will be torn up in order to do the repairs.

Councilman Roger Bibbee said we have worked with half a million dollars for years and is happy with the \$1.1 million.

Councilman Tom Azinger would like to see the CARES Act money go to sewer, water, and storm water.

Mayor Rapp invited Mr. Azinger to come to the Vienna Utility Board meeting the next day. He explained that Burgess and Niple will make a presentation on the sewer lines. Every sewer line has been camera-ed. They will present a plan for repairs.

Mayor Rapp met with Mid-Ohio Valley Regional Council yesterday and \$30 million is out there for economic development. We could potentially secure some of that money to help fund our infrastructure upgrades and improvements. Suggested some of the \$2.69 million could be used as a match. We are still waiting on the federal government to tell us what the rules for allocation are. We can also consider bonds in the future.

Mr. Azinger said we should consider using the \$2.69 million just for water, sewer, and storm water.

Councilwoman Kim Williams got clarification from Ms. Roberts on employee raises and which budget was submitted. Ms. Williams confirmed that the money from the CARES Act is unencumbered.

Mayor Rapp defended Ms. Roberts and the budget she presented saying that no one on Council called her to express how they wanted to balance the budget and that it would have helped her prepare it.

Recorder Elam responded saying she asked for clarification on the process at the end of the previous council meeting and it was explained that Ms. Roberts would bring a balanced budget and Council would then amend it. She had asked if input should be given ahead of time and the answer was no. Ms. Roberts stated that she had told Council how she would balance it.

Mayor Rapp asked Recorder Elam how she wanted to amend the budget. Ms. Elam stated she wants to leave the money in streets that was originally allocated from the unbalanced budget and bring money over from the CARES Act to balance the budget.

Recorder Elam also asked where the additional \$100,000 of revenue in line 322 came from. Ms. Roberts said it came from Capital Reserves to help balance the budget. If we see that revenues are coming in higher than expected we don't have to transfer it in. It could also be an offset to the matching FLAP grant money.

Councilman Roger Bibbee asked if the incentive program for the firefighters fund was raised from \$1,500. Ms. Roberts confirmed it was. Mr. Bibbee also addressed the security camera issues and budget requests. He received a packet of information on comparisons for buying versus leasing. Ms. Roberts reviewed the pricing with Council and stated it would all still go out to bid.

Councilwoman Kim Williams agreed with Mr. Bibbee on the issue of what is needed and how to pay for the cameras.

Councilman Jim Leach is not satisfied that we know the status of the cameras we currently have. He wants more information on what we have and why they aren't working.

Recorder Melissa Elam asked why the Group Insurance line item number was not the same as the premium that Schwendeman gave at the previous council. Ms. Roberts explained that this is the amount from the General Fund. The rest is paid out of water, sewer, and storm water because that is where those employees spend their time and they are essentially other businesses.

Councilwoman Kim Williams would like to amend the employee cost share for group insurance to 8% across the board for everyone.

Mayor Rapp thinks the increased cost sharing eliminates the longevity raise the employees will be getting and that it is not right to ask the employees to pay more to help with the increased cost of the health plan since we have or will be receiving a \$4.3 million gift.

Councilman Mike Elam likes the 8% cost share. He said the CARES Act and other federal money we are receiving is great but it is not going to be there every year.

Mayor Rapp wanted to know if they could just increase the employee amount by what the actual increase was.

Councilwoman Kim Williams said this is not about trying to hurt employees but about trying to manage our resources.

Recorder Melissa Elam thinks the fixed percentage provides consistency regardless of if the premium cost goes up or down.

Tom Azinger believes a constant percentage makes it fair to everyone. It would be fair to the city, taxpayers, and employees.

Councilman Jim Leach stated that the city's employees are paid a lower hourly wage. He said the spirit now is not to take things away. He is not supportive of passing cost on to employees.

Councilman Roger Bibbee agrees that we should not pass the cost on to employees.

Mayor Rapp paused to summarize: Restore streets to \$850,000, take balance from Capital Reserve, make employee health insurance share 8%.

Councilwoman Kim Williams asked for clarification on the coal severance. Ms. Roberts explained that it builds up for around 3 years and then Craig Metz does something with it for streets.

Discussion on whether a vote should take place at the current meeting or the next meeting. Decided that amendments could be made at present.

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, that the General Fund and Coal Severance Budgets, copies of which are attached hereto, for fiscal year 2021-2022 are hereby approved. The Treasurer of the City of Vienna is hereby authorized and directed to forward same to the West Virginia State Tax Commissioner for approval.

**Councilman Mike Elam moved to approve the Resolution Approving the 2021-2022 General Fund and Coal Severance Budgets; Submission to West Virginia Tax Commissioner. Motion seconded by Councilman Jim Leach.**

**Councilwoman Kim Williams moved to amend the budget to reflect 8% employee cost share for health insurance. Motion seconded by Councilman Mike Elam.**

**Poll taken by Recorder Melissa Elam. Councilman Mike Elam, Councilman Tom Azinger, Councilwoman Kim Williams, Recorder Melissa Elam, and Mayor Randy Rapp voting "yes". Councilman Jim Leach and Councilman Roger Bibbee voting "no". Vote: 5-2.**

**Recorder Melissa Elam moved to amend the budget by restoring the street budget to \$850,000 and using Capital Reserves to balance the budget after the adjustments. Motion seconded by Councilman Mike Elam.**

**Poll taken by Recorder Melissa Elam. Councilman Mike Elam, Councilman Roger Bibbee, Councilman Tom Azinger, Councilman Jim Leach, Councilwoman Kim Williams, Recorder Melissa Elam, and Mayor Randy Rapp voting "yes". Vote: 7-0.**

Finance Director Amy Roberts said the 8% employee cost sharing will create a savings that will need to be reallocated within the budget. She suggested putting that amount in the streets so less is taken out of Capital Reserves.

City Attorney Russ Skogstad and Ms. Roberts stepped aside to make sure the wording is correct for the final reading of the resolution.

City Attorney Russ Skogstad clarified that the intent of this amendment is to put what was already talked about and voted on together to make sense.

**A Resolution Approving the 2021-2022 General Fund and Coal Severance Budgets; Submission to West Virginia State Tax Commissioner**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, that the General Fund and Coal Severance Budgets, copies of which are attached hereto, for fiscal year 2021-2022, are hereby approved with the amendment to apply the savings from the eight (8) percent total contribution for each plan in the employee health insurance cost sharing to the total appropriation for paving; this number is to be calculated by the Finance Director and will offset the amount needed to be transferred from capital reserve to satisfy the \$850,000 paving appropriation. The Treasurer of the City of Vienna is hereby authorized and directed to forward same to the West Virginia State Tax Commissioner for approval.

There was no further discussion.

**Poll taken by Recorder Melissa Elam. Councilman Mike Elam, Councilman Tom Azinger, Councilwoman Kim Williams, Recorder Melissa Elam, and Mayor Randy Rapp voting "yes". Councilman Jim Leach and Councilman Roger Bibbee voting "no". Vote: 5-2.**

**Council Comments:**

Councilman Roger Bibbee reported that Chief Pifer met with administration from the Humane Society about expectations of the city and the Humane Society. Protocols were outlined. The Human Society will respond to dogs running at large during daytime hours, vicious dogs or cats, and dogs or cats in distress. The Humane Society will not respond to dogs running at large at night, cats at large at all, and wild animal calls. He believes we need to address this issue and come up with a plan to deal with it.

Councilman Mike Elam thanked Amy Roberts for her work and to department heads for being good stewards in their requests.

Councilman Jim Leach has no problem making paving a priority but doesn't want us to get the cart before the horse for infrastructure. He disagrees with 8% cost sharing for employees. He thinks it is the wrong message to our employees. He is disappointed in Councilwoman Williams amendment for penalizing employees.

Councilman Mike Elam responded saying employees are not being penalized because they are getting a \$1.00 hour raise. He stated we work for 10,000 residents not 80 employees. He is glad to have Burgess and Niple's work that will show us which streets shouldn't be paved yet because they will need torn up anyway to complete repairs. He asked if some of the \$2.69 million can be used for sidewalks. Mayor Rapp said we don't know yet.

Councilwoman Kim Williams responded to Mr. Leach thinking that it penalizes employees. Each year, the city's health insurance goes up and the city is responsible. She would like to see a wage study done to see where the city is lacking. She stated the health insurance component needs solved or wages will continue to be stagnant. She believes she is being proactive and looking to the future at how we can best serve our employees and taxpayers.

Mayor Rapp publicly thanked Delegate Roger Conley for seeking his advice on how things will affect the city. He appreciates Mr. Conley and believes he is representing small cities like Vienna very well.

Meeting adjourned at 7:49 p.m.

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Melissa Elam, Recorder

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Randall C. Rapp, Mayor

APPROVED: \_\_\_\_\_  
                  Initials                    Date