

REGULAR COUNCIL SESSION
609 29th Street, Vienna, WV 26105
April 14, 2022
6:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The Invocation was given by Chris Mancuso. The Pledge of Allegiance was led by Councilman Chuck Noffsinger.

CALL TO ORDER:

The Vienna City Council met in Regular Session on April 14, 2022. Mayor Randy Rapp called the meeting to order at 6:02pm.

ROLL CALL:

Attendance was taken by Mayor Randy Rapp with the following Council members present: Kim Williams, Tom Azinger, Chuck Noffsinger, Jim Leach, Roger Bibbee, City Attorney Russell Skogstad, and Mayor Randy Rapp. Absent: Recorder Melissa Elam.

PUBLIC FORUM:

Maggie McLean and Jack McLean (1013 51st St.): Miss McLean gave a presentation on the benefits of raising chickens and requested that the city allow residents to raise chickens.

The LEGO robotics team Tender Defenders were recognized for being the WV State Champions. They will be competing at the FIRST LEGO League World Championship.

REPORT OF THE MINUTES:

The minutes of the Regular Council Session scheduled on 3/24/2022 have been printed, posted, and circulated. Approved as posted.

REPORT OF THE TREASURER:

Councilman Jim Leach reported that the city is financially sound.

UNFINISHED BUSINESS:

1. None.

NEW BUSINESS:

1. PROCLAMATION: Arbor Day

WHEREAS: In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS: this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS: Arbor Day is now observed throughout the nation and the world, and

WHEREAS: trees can reduce erosion of our precious topsoil by wind and water, lower our heating and cooling cost, moderate our temperatures, clean the air, produce oxygen, and provide habitat for wildlife, and

WHEREAS: trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS: trees in our City increase property value, enhance the economic vitality of business areas and beautify our community, and

WHEREAS: trees, wherever they are planted, are a source of joy and spiritual renewal

NOW THEREFORE,

I, Randall C. Rapp, Mayor of the City of Vienna, do hereby proclaim

April 29, 2022, as

ARBOR DAY

in the City of Vienna and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the wellbeing of this and future generations.

In celebration of Arbor Day, Jack Mathers said a tree will be planted at 60th Street on Friday, April 29th at 10:00am.

2. PROCLAMATION: Fair Housing Month

WHEREAS, April marks the anniversary of the passage of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREAS, the ongoing struggle for dignity and housing opportunity for all is not the exclusive province of the Federal government; and

WHEREAS, vigorous local efforts to combat discrimination can be as effective, if not more so, than Federal efforts; and

WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;

NOW, THEREFORE, BE IT RESOLVED,

that in the pursuit of the shared goal and responsibility of providing equal housing opportunities for all men and women, the City of Vienna, West Virginia does hereby join in the national celebration of the 54th Anniversary of the Fair Housing Act by proclaiming

APRIL 2022 as FAIR HOUSING MONTH

and encourages all agencies, institutions and individuals, public and private, in the City of Vienna, West Virginia to abide by the letter and the spirit of the Fair Housing law.

3. RESOLUTION: General Fund Budget Revision #4

| MEMORANDUM | | | | | | |
|-------------------|--------|---------------------------------------|---|----------------|---------------------|----------------|
| TO: | | JIM LEACH | | | | |
| FROM: | | Amy Roberts | | | | |
| SUBJECT: | | 21-22 GENERAL FUND BUDGET REVISION #4 | | | | |
| DATE: | | 3/29/2022 | | | | |
| DEPT | ACCT # | ACCT DESCRIPTION | EXPLANATION | CURRENT BUDGET | INCREASE (DECREASE) | REVISED BUDGET |
| | | | NET INCREASE / (DECREASE) TO REVENUE | | 0 | |
| Council | 410-68 | Contributions | Contribution to the YMCA for their swimming pool improvements | 10,000 | 6,000 | 16,000 |
| MOV Work Camp | 596-68 | Contributions | Move money to appropriate to the above | 3,000 | -3,000 | 0 |
| Friends of Vienna | 547-68 | Contributions | Contribution to the Friends of Vienna for the Vienna Freedom Festival | 5,000 | 20,000 | 25,000 |
| CONTINGENCIES | 699 | | COVER THE ABOVE REVISIONS | 136,490 | -23,000 | 113,490 |
| | | | NET INCREASE / (DECREASE) TO EXPENDITURES | | 0 | |

Councilman Jim Leach moved to approve the General Fund Budget Revision #4. Motion seconded by Councilman Roger Bibbee.

Councilwoman Kim Williams made a motion to amend the General Fund Budget Revision #4 to remove the Friends of Vienna/Freedom Festival money and consider it separate.

Attorney Russ Skogstad stated Budget Revisions have to go through the state and this has already been through the Budget and Finance Committee in this form. It could also be tabled. Another option is to consider each revision separately.

There was no second to Ms. Williams' motion.

Roll call vote taken by Mayor Randy Rapp. Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, Councilman Roger Bibbee, and Mayor Randy Rapp voting "yes". Councilwoman Kim Williams voting "no". Vote: 5-1

4. DISCUSSION: Fire Truck Purchase

Chief Steve Scholl spoke to Council regarding the purchase of a 2024 firetruck. There will be a 7% increase in materials beginning May 1. If we place the order before April 30, there could be a \$63,000 savings. Our payments would begin in 2024. This new firetruck will replace the current 2002 model. Chief Scholl asked that this be put on the April 28th City Council agenda.

5. RESOLUTION: To adopt the recommended change to the Vienna Police Civil Service Commission Rules with regard to written tests, Rule Vi, B, 1 Written Test.

At a meeting of the Vienna Police Civil Service Commission on Wednesday, March 16, 2022, all members being present, the commission voted unanimously to request approval by Vienna City Council to change its rules and regulations with regard to what may be considered a passing score for police officers on entry level examinations.

Therefore, based upon the recommendation of the Vienna Police Civil Service Commission and the Vienna Chief of Police, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA, that it hereby adopts the proposed change to Vienna Police Civil Service Commission Rule VI, B, 1: Written test which reads:

As amended 5/2/2021

"VI, B, 1 Written test. The written examination shall be practical in character and shall relate to matters and include such inquiries as will fairly test the merit and fitness of the applicant to discharge the duties of a police officer. Applicants shall be marked on a scale of 0 to 100 points, with the number of points equal to the percentage of correct answers on the written examination. A score of 70% correct shall be considered passing. If the examination is divided into discreet and identified sections, applicants must achieve a score of 70% or greater on each section of the written examination to be placed on the list of eligible applicants, with the following exception: If an applicant scores below 70% but at least 60% on only one section and the overall test average is 70% or above, the applicant will be placed on the list of eligible applicants.

To read:

"VI, B, 1 Written test. The written examination shall be practical in character and shall relate to matters and include such inquiries as will fairly test the merit and fitness of the applicant to discharge the duties of a police officer. Applicants shall be marked on a scale of 0 to 100 points, with the number of points equal to the percentage of correct answers on the written examination. An overall score of 70% correct shall be considered passing for the applicant to be placed on the list of eligible applicants."

Councilman Roger Bibbee moved to approve the resolution to adopt the recommended change to the Vienna Police Civil Service Commission Rules with regard to written tests, Rule Vi, B, 1 Written Test. Motion seconded by Councilman Chuck Noffsinger.

Discussion.

