

**REGULAR COUNCIL SESSION**  
**609 29<sup>th</sup> Street, Vienna, WV 26105**  
**April 28, 2022**  
**6:00 P.M.**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

The Invocation was given by Bryson Morlan. The Pledge of Allegiance was led by Councilman Chuck Noffsinger.

**CALL TO ORDER:**

The Vienna City Council met in Regular Session on April 28, 2022. Reed Morlan called the meeting to order at 6:01pm.

**ROLL CALL:**

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

**PUBLIC FORUM:**

**Diane Balderson (18 Ashwood Dr.)**

**Chad Emrick (2806 10<sup>th</sup> Ave.)**

**Kathy Stoltz (25 Lynnwood Dr.)**

**REPORT OF THE MINUTES:**

The minutes of the Regular Council Session scheduled on 4/14/2022 have been printed, posted, and circulated. Approved as posted.

The minutes of the Special Council Session scheduled on 4/19/2022 have been printed, posted, and circulated. Approved as posted.

**UNFINISHED BUSINESS:**

1. None.

**NEW BUSINESS:**

1. **RESOLUTION: Allocating \$380,000 In American Rescue Plan (ARP) Funds Allocated To The City Of Vienna For Fiscal Year 2021-2022 To The Vienna Utility Board For Infrastructure Projects**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, that it hereby assigns an additional \$380,000 of American Rescue Plan (ARP) funds received by, or allocated to, the City of Vienna for fiscal year 2021-2022 by the federal government under the American Rescue Plan Act of 2021, to the Vienna Utility Board. The allocation of said funds to the VUB is for the purpose of planning, purchasing and/or leasing equipment, hiring personnel (if necessary) and funding a necessary water infrastructure project, specifically a water line upgrade to tie the three City of Vienna well systems together to balance the water system, undertaken by the Vienna Utility Board and as is contemplated by the ARP.

**Councilwoman Kim Williams moved to approve the Resolution Allocating \$380,000 In American Rescue Plan (ARP) Funds Allocated To The City Of Vienna For Fiscal Year 2021-2022 To The Vienna Utility Board For Infrastructure Projects. Motion seconded by Councilman Tom Azinger.**

No discussion.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0**

2. **ORDINANCE – FIRST READING: Amending Vienna Municipal Code 127.01, COMPOSITION, Changing the Rank Structure of the Vienna Police Department**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF VIENNA** that, Vienna Municipal Code 127.01, Composition, is hereby amended to such that law enforcement officer rank structure of the Vienna Police Department is composed as follows:

One Chief

One Captain  
One Lieutenant  
Five Sergeants  
Thirteen Patrolmen.

The Number of Patrolmen may be increased or decreased hereinafter by Council by ordinance or resolution. The Chief of Police may hold the rank of Captain, Lieutenant, Sergeant, or Patrolman concurrently.

**Councilman Tom Azinger moved to approve the Ordinance on First Reading Amending Vienna Municipal Code 127.01, COMPOSITION, Changing the Rank Structure of the Vienna Police Department. Motion seconded by Councilman Chuck Noffsinger.**

Chief Pifer said the rank of Lieutenant has a lot of different duties and he has created a job description. This was a budget requested item. The Lieutenant will have patrol duties. He asked that this be put on the Agenda in May to be effective July 1, 2022.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0**

**3. RESOLUTION: Approving Bid For A Custom 1500 GPM Fire Department Pumper Truck**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA THAT:** it hereby approves a bid for a **Custom 1500 GPM Fire Department Pumper Truck** from **Atlantic Emergency Solutions, Inc.** in the amount of \$781,719.00.

**Councilman Tom Azinger moved to approve the Resolution Approving Bid For A Custom 1500 GPM Fire Department Pumper Truck. Motion seconded by Councilman Jim Leach.**

Chief Scholl said this truck will replace the 2002 model. The two aerial trucks will be paid off by then and this payment will take its place. The Fire Department is making a \$100,000.00 contribution. They will sell the truck it is replacing.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0.**

**4. RESOLUTION: Establishing Salary Increases For Full-Time, Permanent Employees; Salary Increases For Non-Seasonal Part Time Employees; And To Increase The Starting Wages For All New, Full-Time Employees**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA THAT:**

All full-time permanent employees and all non-seasonal part time employees, as well as the starting rate for permanent full-time employees, shall receive a wage increase for the fiscal year ending June 30, 2023, as follows:

All current, full-time, permanent employees shall receive an hourly wage increase of one dollar and sixty-five cents, in addition to the annual hourly longevity pay increase of thirty-five (0.35) cents per hour, for a total of two dollars (\$2.00) per hour.

All current, non-seasonal, part time employees shall receive an hourly wage increase of two dollars (\$2.00) per hour.

All new hire full-time employee positions shall receive a starting pay increase of two dollars (\$2.00) per hour.

**Councilwoman Kim Williams moved to approve the Resolution Establishing Salary Increases For Full-Time, Permanent Employees; Salary Increases For Non-Seasonal Part Time Employees; And To Increase The Starting Wages For All New, Full-Time Employees. Motion seconded by Councilman Chuck Noffsinger.**

No discussion.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0.**

**5. RESOLUTION: Approving The Participation In And Joint Funding Of A Magistrate Court Law Enforcement Liaison**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, that it hereby authorizes the Vienna Police Department, through its Chief, and with the authorization of the mayor, to participate in and share costs for a Magistrate Court Law Enforcement Liaison.

The Mayor and/or his designee is authorized to execute any and all documents necessary to utilize said position including a Memorandum of Understanding attached hereto setting forth the terms and conditions of the position.

Further, Council authorizes the expenditure of \$11,195.00 as its share of the cost of the position for the 2022-2023 fiscal year.

**Councilman Chuck Noffsinger moved to approve the Resolution Approving The Participation In And Joint Funding Of A Magistrate Court Law Enforcement Liaison. Motion seconded by Councilwoman Kim Williams.**

Chief Pifer stated this was not in his budget presentation because it is a new position. This is aimed at repeat offenders and is to be called Court Liaison. The Parkersburg Police Department has used this position before. Current officers can have to appear in court eight to twenty times per week, at overtime pay. If Magistrates agree to a pre-trial, the liaison will provide the needed information for the case. This position will help our communities become safer and will save money. Parkersburg Police Department will do the paperwork. This position was implemented April 24<sup>th</sup> as a trial run position with Todd Davis, retired PPD, and he has an office at Magistrate Court. Todd has already processed 30 outstanding cases and is up for re-evaluation after one year.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0.**

**6. RESOLUTION: Authorizing The Sale Of An 80' X 40' Metal Building With A 12' X 12' Metal Garage Door Commonly Referred To As The 12th St. Garage On GOVDEALS.COM**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, that it hereby authorizes the mayor, or his designee, to post for sale by auction on govdeals.com the old garage/metal structure commonly referred to as the 12<sup>th</sup> St. garage 80' x 40' in size with a 12' x 12' metal garage door, to be sold whole or by piece as a structure or as salvaged material.

**Councilwoman Kim Williams moved to approve the Resolution Authorizing The Sale Of An 80' X 40' Metal Building With A 12' X 12' Metal Garage Door Commonly Referred To As The 12th St. Garage On GOVDEALS.COM. Motion seconded by Councilman Tom Azinger.**

Craig Metz explained this building needs to come down. Councilman Jim Leach said a COI is needed and we need to give a specific timeframe for removal.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0.**

**7. RESOLUTION: Allocating Up To \$20,000.00 In Funds For Donation To The YMCA For Its Summer "Hang Out Program"**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, that it hereby allocates up to \$20,000.00 to the Parkersburg YMCA to assist in funding the YMCA'S summer youth oriented "Hang out" program, if funding for said program is available, and contingent upon Council approving, if necessary, a budget revision for the 2021-2022 budget year. Nothing in this resolution obligates the City to donating any part or all of said funds to the YMCA. Further, the allocation is additionally contingent upon the program actually being implemented by the YMCA.

**Councilman Chuck Noffsinger moved to approve the Resolution Allocating Up To \$20,000.00 In Funds For Donation To The YMCA For Its Summer "Hang Out Program". Motion seconded by Councilwoman Kim Williams.**

Councilman Jim Leach asked if we pay based on our communities' participation. Yes, we do.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting "yes". Vote: 5-0.**

**8. GENERAL FUND BUDGET REVISION #5**

<b>MEMORANDUM</b>						
TO: JIM LEACH FROM: Amy Roberts SUBJECT: 21-22 GENERAL FUND BUDGET REVISION #5 DATE: 04/25/2022						
DEPT	ACCT #	ACCT DESCRIPTION	EXPLANATION	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
			NET INCREASE / (DECREASE) TO REVENUE		0	
Park	540-68	Contributions	Contribution to the YMCA for a summer youth program	5,000	20,000	25,000
Pool	542-03	Salaries	Move money to appropriate to the above	53,150	-20,000	33,150
			NET INCREASE / (DECREASE) TO EXPENDITURES		0	

**Councilman Jim Leach moved to approve the General Fund Budget Revision #5. Motion seconded by Councilman Chuck Noffsinger.**

No discussion.

**Roll call vote taken by Mayor Randy Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chuck Noffsinger, and Mayor Randy Rapp voting “yes”. Vote: 5-0.**

**9. UPDATE: Budget Revisions Clarification**

Attorney Russ Skogstad stated that we can have budget revisions individually and independent of each other.

**10. UPDATE: Jackson Pool**

Mayor Rapp shared the following update from Recorder Elam:

- Records, blueprints, and other helpful resources are being gathered.
- State Code has requirements for procuring architect and engineering services for projects that will cost \$250,000 or more. To comply with code, we are currently writing a Request for Qualifications. It will be published in the newspaper upon completion. The firm I previously talked with will have the opportunity to make a submission through this process.

Although we do not know the cost of the project, we ask City Council to begin discussions on how to pay for it. Options include but are not limited to: a portion coming from capital reserves, securing a Lease Revenue Bond, and community investment from individuals, companies, and foundations. To be thorough, it may be helpful for Council members to volunteer to do research on certain payment options and bring their findings to the next meeting.

**COUNCIL COMMENTS:**

The council will be praying for Roger Bibbee, who is in the hospital this evening.

There is a special council meeting tomorrow morning, Friday, April 29, 2022, at 8:30 for a budget revision.

**Meeting adjourned.**

\_\_\_\_\_  
Melissa Elam, Recorder

\_\_\_\_\_  
Randall C. Rapp, Mayor

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