

**CITY OF VIENNA**  
Regular Council Session  
Council Chambers  
609 29<sup>th</sup> Street, Vienna, WV  
6:00pm

**AGENDA**  
**July 22, 2021**

**Invocation and Pledge of Allegiance**

**Call to Order**

**Public Forum**

**Roll Call**

**Report of the Minutes**

**Unfinished Business**

1. None.

**New Business**

1. RESOLUTION: Reappointment of J. Ryan Full to the Library Board of Trustees
2. ORDINANCE: Imposing a Moratorium Upon New Substance Abuse Rehabilitation Group Residential Facilities
3. UPDATE: Johns Manville Production Side
4. DISCUSSION: To Have a Public Meeting for Developing Spencer's Landing
5. DISCUSSION: American Rescue Plan Fund Council Plans

**Council Comments**

**Announcements**

# Vienna Public Library

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July 12, 2021

Mayor Randy Rapp  
City of Vienna  
609 29<sup>th</sup> St.  
Vienna, WV 26105

To Whom it May Concern:

The term of our Library Board of Trustees member, J. Ryan Full, expired June 30, 2021. He is appointed by the City of Vienna. The Board is requesting that the City reappoint Mr. Full for another 5-year term, to run from July 1, 2021 to June 30, 2026. Mr. Full has done an outstanding job on the library board since his initial appointment. His service and dedication to the library and the community of Vienna in this position has been invaluable to the Board.

The Board would appreciate if the council could take action on this matter at their earliest convenience. The Board also understands that the appointment is at the discretion and authority of the Vienna City Council.

Thank you for your consideration of this request for Board member appointment. As always, I would like to convey the Library Board's and staff's appreciation to Mayor Rapp and Vienna City Council's ongoing support of the library. We are grateful for your support and for the help we receive throughout the year.

Sincerely,

Brenna R. Call  
Director of Library Services  
Vienna Public Library

AN ORDINANCE IMPOSING A MORATORIUM UPON NEW SUBSTANCE ABUSE  
REHABILITATION GROUP RESIDENTIAL FACILITIES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VIENNA that in support of the adoption of this Ordinance the following findings are made:

1. The provisions of West Virginia Code 27-17-1, define “Group Residential Facilities” and “Group Residential Homes” as residential facilities for persons with a “Behavior Disability”, not to exceed twelve residents, which includes persons undergoing substance abuse treatment and rehabilitation;
2. The provisions of West Virginia Code 27-17-2 explicitly mandate that Group Residential Facilities and Group Residential Homes shall be a permitted use for purposes of zoning in residential and all other zoning districts of a municipality. However, the statute is silent as to the extent the location of such facilities or homes may be geographically restricted or limited as permitted uses, nor does the statute preclude regulation of similar facilities exceeding twelve residents;
3. There has been a proliferation of substance use facilities within Wood County, West Virginia, and the City of Vienna. Specifically, recent statistics reflect that approximately 26% of beds in such facilities in the entire State of West Virginia are located within Wood County;
4. The City of Vienna has less than 1% of the population of the State of West Virginia. Accordingly, the existence of facilities for substance abuse rehabilitation presently located within and around the City are far out of proportion to that which would be otherwise needed for residents of the City and surrounding areas, and a substantial portion of residents in such facilities are from outside the geographical area of the City of Vienna and Wood County;
5. There is a significant percentage of residents of substance abuse facilities who either are involuntary evicted from programs or voluntarily terminate participation in such programs. As a result, a substantial number of individuals who did not previously reside in the geographical area of the city remain in this area without family or other support structure, many of whom become homeless;
6. The recent increase in the homeless population of the City of Vienna, and Wood County, significantly impacted by the proliferation of substance abuse facilities, has been detrimental to the health, safety, and welfare of the citizens of the City for many reasons, including the following:
  - (a) The City of Vienna has experienced a substantial increase in the homeless population, which has contributed to a rise in crimes such as shoplifting (46% increase over the past year) and overdose calls which have seen a 22% increase. Drug related calls have increased 16%. The city believes that there is a correlation between the proliferation of substance abuse facilities and the increase in the homeless population.

(b) Numerous persons voluntarily leave such facilities or are involuntarily expelled, many of whom then remain in the Vienna area without a place to live. Further, a significant number of persons residing in substance abuse facilities are not from the Vienna and Wood County geographical area.

7. Extended time is needed for the Council of the City of Vienna to consider possible changes to zoning and/or other ordinances to regulate or limit substance abuse facilities, and it is possible that the West Virginia Legislature may address the issue during its 2022 Session.
8. While it is recognized that substance abuse facilities perform an important and necessary function, based on the findings as herein set forth there is a compelling basis, in the interests of the public health, safety, and welfare of the City, to temporarily preclude the establishment of any additional such facilities for a limited period of time.

It is therefore ORDAINED BY THE COUNCIL OF THE CITY OF VIENNA that a MORATORIUM upon the establishment of any Group Residential Facilities or Group Residential Homes is hereby imposed until JUNE 30, 2022. The provisions hereof shall have no effect upon any such facilities in existence as of the date of the adoption of this Ordinance.

Adopted on final reading the \_\_\_\_ of \_\_\_\_\_, 2021.

\_\_\_\_\_  
RANDALL C. RAPP, MAYOR

ATTEST:

\_\_\_\_\_  
MELISSA ELAM, RECORDER

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_