

REGULAR COUNCIL SESSION
609 29th Street, Vienna, WV 26105
April 13, 2023
6:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The Invocation was given by Rod Smith. The Pledge of Allegiance was led by Councilman Jim Leach.

CALL TO ORDER:

The Vienna City Council met in Regular Session on April 13, 2023. Mayor Rapp 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 (via phone), Jim Leach, Chris Mancuso, Recorder Melissa Elam, City Attorney Russell Skogstad, and Mayor Randy Rapp. Absent: Roger Bibbee.

PUBLIC FORUM:

Chad Emrick (2806 10th Ave.): Presented a suggested ordinance regulating age restricted business locations.

Henry Sasyn (1307 Greenmont Dr.): Gave an update on his swim meet experiences in other cities over the past four weeks. Spoke about the economic benefits our area would get if we could hold events in our community. He recently met with Pat Minnite and is assembling a large group of people to begin working on bringing a venue to our area.

REPORT OF THE MINUTES:

The minutes of the Regular Council Session scheduled on 3/23/2023 have been printed, posted, and circulated. Approved as posted.

REPORT OF THE TREASURER:

Chairman Jim Leach has reviewed our accounts and the city is financially sound.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

1. 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 55th Anniversary of the Fair Housing Act by proclaiming:

APRIL 2023 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.

2. PROCLAMATION: Arbor Day

ARBOR DAY PROCLAMATION

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

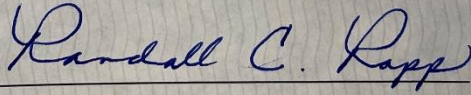
NOW THEREFORE,

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

**April 21, 2023, 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.



**Randall C. Rapp, Mayor
City of Vienna**

3. BID APPROVAL – Hino Truck Financing

Sealed bids for the financing of a 2023 Hino XL8 truck for the Street Department were opened on March 20, 2023, at 8:30 am with the following results:

	Rate	Total Cost
United Bank	3yr – 4.60%	\$172,557.72
	4yr – 4.80%	\$177,153.12
Country Roads Leasing	3yr – 3.75%	\$171,007.08
	4yr – 3.95%	\$174,983.16

After careful review of the bid proposals, the recommendation for Council approval from the Budget & Finance Committee for the financing of a 2023 Hino XL truck is:

Country Roads Leasing	3yr – 3.75%	\$171,007.08
-----------------------	-------------	--------------

Funding the project: Funding for this project is budgeted in the City's General Fund 01-01-570-59

Councilwoman Kim Williams moved to approve the Bid Approval – Hino Truck Financing. Motion seconded by Councilman Jim Leach.

No further discussion.

**Roll call vote taken by Mayor Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chris Mancuso, Mayor Randy Rapp, and Recorder Melissa Elam voting "yes".
Vote: 6-0.**

4. BID APPROVAL – 2 Custom Playground Pieces

Sealed bids for 2 custom playground pieces were opened on March 24, 2023, at 10:00am with the following results:

Davis Athletics, LLC	Part 1 \$38,000
	Part 2 \$34,000
	Total \$72,000

**This bid packet was sent to 5 companies.

After careful review of the bid proposals, the recommendation for Council approval from the Budget & Finance Committee for 2 custom playground pieces is:

Davis Athletics, LLC	\$72,000
----------------------	----------

Funding the project: Funding for this project will be from the City’s General Fund line item 01-540-65-58, pending Council approval. Funding for this project includes a matching grant from the Spartan Foundation.

Recorder Melissa Elam moved to approve the Bid Approval – 2 Custom Playground Pieces. Motion seconded by Councilwoman Kim Williams.

No further discussion.

**Roll call vote taken by Mayor Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Chris Mancuso, Mayor Randy Rapp, and Recorder Melissa Elam voting “yes”.
Vote: 6-0.**

5. DISCUSSION AND UPDATE: To Clear Up Confusion Regarding The Land Use Covenant At The Spencer’s Landing Parcel. Update On The Status Of The Certificate Of Completion For The Production Side Of The Manville Property.

Councilman Jim Leach reported that Spencer’s Landing has received the Certificate of Completion and is out of the remediation program now. The entire site can be used. There are a few places that have to be handled a certain way if the dirt needs to be disturbed. The DEP would have to be contacted and they would advise how to proceed.

On the production side of Johns Manville, we are working toward getting the Certificate of Completion and hope to have it in June. Also required, and we are doing, Monitored Natural Attenuation (MNA) which is eight additional rounds of sampling. The plume from the drycleaning is also on the site and is being monitored as a Super Fund Site.

The DEP is allowing us to combine the Risk Assessment and Final Completion Report for Johns Manville.

Councilwoman Kim Williams asked about how the Land Use Covenant works for the entire parcel. Mr. Leach responded that the DEP would need to be contacted and depending on which area is being developed the DEP would have restrictions that would have to be followed.

Councilman Leach said he would contact Mr. Hancock from the DEP to confirm if the DEP needs contacted if we are not disturbing one of the capped areas.

Mayor Rapp said seven areas cannot be disturbed. He stated any time we do something at Spencer’s Landing we will let the DEP know.

Councilman Chris Mancuso asked if we needed to communicate with the DEP when the swale was filled in. Mayor Rapp stated we did not and referred to an email from the DEP.

6. RESOLUTION: Adopting The Vienna Trail Network

(Sponsored by: Councilman Chris Mancuso and Councilwoman Kim Williams)

WHEREAS the City of Vienna has never had bike roads, lanes, or routes designated;

WHEREAS the City of Vienna recognizes the benefits of alternative transportation for its community’s residents and economic growth;

WHEREAS the Wood Wirt Washington Interstate Planning Commission (WWW) alongside the Wood County Alternative Transportation Council (WATC) have developed trail networks for adjacent communities for Bicycle and Pedestrian routes; and

WHEREAS the City of Vienna desires to participate in development of bicycle routes to provide connectivity to surrounding communities;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA THAT IT HEREBY:

1. Adopts the Vienna Trail Network as put forth by the WWW and as set out on the attached diagram titled "Vienna Trail Network;"
2. Will develop signage for wayfinding and marking of the routes noted in the Trail Network and post maps of the routes; and
3. Encourages the community to participate in alternative means of commuting around the City through use of the Vienna Trail Network and neighboring City's networks.

Councilman Chris Mancuso worked with Chief Pifer to make sure the roads selected were safe and considerations were made. Chief Pifer would like to put together bicycle reminders for the public. Councilman Mancuso said a kickoff could be organized when it is ready.

Councilwoman Kim Williams moved to approve the Resolution Adopting The Vienna Trail Network. Motion seconded by Councilman Chris Mancuso.

No further discussion.

(Councilman Azinger was no longer on the line. Vote proceeded without him.)

Roll call vote taken by Mayor Rapp. Councilwoman Kim Williams, Councilman Jim Leach, Councilman Chris Mancuso, Mayor Randy Rapp, and Recorder Melissa Elam voting "yes". Vote: 5-0.

COUNCIL COMMENTS:

None.

Meeting adjourned at 6:55pm.

Melissa Elam, Recorder

Randall C. Rapp, Mayor

APPROVED: _____
 Initials Date