

**REGULAR COUNCIL SESSION**  
**609 29<sup>th</sup> Street, Vienna, WV 26105**  
**May 11, 2023**  
**6:00 P.M.**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

The Invocation was given by Bill Brown. The Pledge of Allegiance was led by Mayor Randy Rapp.

**CALL TO ORDER:**

The Vienna City Council met in Regular Session on May 11, 2023. Mayor Rapp called the meeting to order at 6:03pm.

**ROLL CALL:**

Attendance was taken by Mayor Randy Rapp with the following Council members present: Kim Williams, Tom Azinger, Jim Leach, Roger Bibbee (via phone), Chris Mancuso, Recorder Melissa Elam, City Attorney Russell Skogstad, and Mayor Randy Rapp. Absent: None.

**PUBLIC FORUM:**

**Brenda Powell:** She has an issue with codified zoning ordinances and lack of details. Regarding the Emergency Plan, would like to know what is being carried in the tanker cars on trains so we can respond appropriately. Also, would like an alert system.

**Tracy Mitchell:** Concerned about neighbors' parking. Would like to know what zoning protects her.

**Tami Rhodes:** Spoke about rezoning of 5708 Grand Central Ave. Reviewed part of WV Code and provided land use maps. She asked for an extension of time. Councilwoman Kim Williams made a motion to extend time by 2 minutes. Failed for lack of a second.

**Mark Schall:** Owner of 5708 Grand Central Ave. They have received an outpouring of support from the community. Every point they have worked on was directly related to the Comprehensive Plan. He also believes the Economic and Cultural Plan compliment their request. They have put protective covenants in the deed to protect the community. Provided their Planning Commission application.

**Barbara Gelpi:** Not sure why this needs to be approved if it is already a good thing. Concerned about coming and going. Believes her property value will go down and she doesn't feel safe.

**REPORT OF THE MINUTES:**

The minutes of the Regular Council Session scheduled on 4/27/2023 have been printed, posted, and circulated. Approved as posted.

**REPORT OF THE TREASURER:** Councilman Jim Leach reported accounts have been reviewed and the city is financially sound.

**UNFINISHED BUSINESS:**

- 1. ORDINANCE – SECOND READING: Rezoning All Of Lots 5 And 6 Of The Subdivision Of Lot No. 1 Of Midway Addition (5708 Grand Central Ave.) From Residential To C1 Commercial (Sponsored by: Mayor Randy Rapp and Recorder Melissa Elam)**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF VIENNA THAT,** with the advice of the City of Vienna Planning Commission from their meeting held on 12-19-22 at 5:30pm, and with the finding that said rezoning is consistent with the City of Vienna's adopted comprehensive plan, all that certain property located at 5708 Grand Central Ave. Vienna, Wood County, WV, more completely described as "ALL OF LOTS 5 AND 6 OF THE SUBDIVISION OF LOT NO. 1 OF MIDWAY ADDITION" as set out in a Deed recorded in the office of the Clerk of the Wood County Commission, Deed Book 1349, page 528, is rezoned from its present classification of residential to the zoning classification of C1 commercial. Further, it is ordered that the official zoning map be updated to reflect the new zoning classification.

**Councilman Jim Leach moved to approve the ORDINANCE – SECOND READING: Rezoning All Of Lots 5 And 6 Of The Subdivision Of Lot No. 1 Of Midway Addition (5708 Grand Central Ave.) From Residential To C1 Commercial. Motion seconded by Recorder Melissa Elam.**

Councilman Jim Leach requested that the handouts from Ms. Rhodes and Mr. Schall be included in the minutes for permanent record to show opposing views. He shared various reasons why he believes this ordinance is valid.

Councilwoman Kim Williams referenced page 65 and 68 of the Comprehensive Plan. Does not believe the Comprehensive Plan supports commercial development north of 34<sup>th</sup> Street. She shared her answers to the validity questions. (included)

Councilman Chris Mancuso does not see concerns and supports the commercial development of this property.

Councilman Tom Azinger asked if the previous owner used the property for commercial storage.

**Roll call vote taken by Mayor Rapp. Councilman Tom Azinger, Councilman Jim Leach, Councilman Roger Bibbee, Councilman Chris Mancuso, Mayor Randy Rapp, and Recorder Melissa Elam voting “yes”. Councilwoman Kim Williams voting “no”. Vote: 6-1.**

**NEW BUSINESS:**

**1. PRESENTATION: Trek Vienna**

Jack Mathers introduced Tina Ullman who was instrumental in the project. Phase 1 and Phase 2 have been completed. Grand Opening will be held Friday, May 19. [www.friendsofviennawv.com](http://www.friendsofviennawv.com) and [www.trekviennawv.com](http://www.trekviennawv.com) They showed two videos out of four that are now available in the kiosk. Also, showed the book that is available.

**2. INTERNAL BUDGET REVISION #4**

<b>INTERNAL BUDGET REVISION FORM</b>				STATE APPROVAL NOT REQUIRED		
CITY OF VIENNA				REVISION WITHIN SAME ACCOUNT CATEGORY		
FUND: GENERAL						
FISCAL YR: 22-23						
REV NO: 4						
DATE: 4/27/2023						
DEPT	ACCT #	ACCT DESCRIPTION	EXPLANATION	BUDGET BEFORE CHANGE	EXPEN-DITURE CHG AMT	BUDGET AFTER CHANGE
VRIA	541-03	Salaries	Move money to Professional Service for engineering of the soccer fields.	62,860	-13,500	49,360
	541-23	Professional Service		0	13,500	13,500
Fire Dept	500-21	Training Education	Move money to cover increased cost of fuel and repairs to trucks.	9,000	-5,000	4,000
	500-43	Auto Supplies		14,000	2,000	16,000
	500-17	Maintenance - Autos		23,000	3,000	26,000
TOTALS				108,860	0	108,860

**Councilman Jim Leach moved to approve Internal Budget Revision #4. Motion seconded by Recorder Melissa Elam.**

Councilman Chris Mancuso asked for a reminder of what is being developed.

Councilwoman Kim Williams asked why the money is coming out of VRIA salaries. Mayor Rapp explained that it is a dead line item and wouldn't be spent.

**Roll call vote taken by Mayor Rapp. Councilwoman Kim Williams, Councilman Tom Azinger, Councilman Jim Leach, Councilman Roger Bibbee, Councilman Chris Mancuso, Mayor Randy Rapp, and Recorder Melissa Elam voting “yes”. Vote: 7-0.**

**3. RESOLUTION: Authorizing Participation In The Parkersburg/Wood County Home Consortium For The Period Of July 1, 2023, To June 30, 2024 And Approving The FY 2023 Annual Action Plan, And Authorizing The Filing Of The Plans With The U.S. Department Of Housing And Urban Development**

**(HUD)**

**(Sponsored by: Mayor Randy Rapp and Recorder Melissa Elam)**

Whereas, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program, hereinafter referred to as "HOME" and

Whereas, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

Whereas, there is still a need throughout Wood County, West Virginia to provide affordable housing for low- and moderate- income residents; and

WHEREAS, the City of Parkersburg's Development Department has prepared a FY 2023 Annual Action Plan, which proposes how the entitlement grant funds will be expended to address the housing needs identified in the Five-Year Consolidated Plan; and

WHEREAS, a draft of the FY 2023 Annual Action Plan, was on public display from April 27, 2023 through May 12, 2023 and a series of public meetings and hearings were held on said plans and comments of citizens were taken into consideration in the preparation of the final documents.

Whereas, the Wood County Commission, the City of Parkersburg, the City of Vienna, and City of Williamstown, West Virginia have formed a Consortium which has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to an annual funding; and

Whereas, the U.S. Department of Housing and Urban Development has awarded the Parkersburg/Wood County HOME Consortium a HOME grant in the amount of \$340,496.00 for Fiscal Year 2023; and

Whereas, the City of Parkersburg recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

Now, Therefore, Be It Resolved by the City of Vienna that:

1. The City of Vienna will continue to cooperate with the City of Parkersburg in a Consortium for participation in the HOME Program.
2. A copy of this resolution is to be submitted in the request to HUD to approve funding of the Parkersburg/Wood County HOME Consortium for the above fiscal year 2023 HOME Investment Partnership Program.

Andrew Thomas from the city of Parkersburg reported that the money set aside this coming year will be as it has been in previous years. These programs are available to residents of Vienna.

**Councilwoman Kim Williams moved to approve the Resolution Authorizing Participation In The Parkersburg/Wood County Home Consortium For The Period Of July 1, 2023, To June 30, 2024 And Approving The FY 2023 Annual Action Plan, And Authorizing The Filing Of The Plans With The U.S. Department Of Housing And Urban Development (HUD). Motion seconded by Councilman Tom Azinger.**

No further discussion.

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

4. **RESOLUTION: Including The "Energy Efficient Windows And Doors Replacement Program" And The "Minor Home Improvement Program" Along With Funding For Their Planning And Administration Be Included In The City's 2023-2024 CDBG Application; Adopting The 2023-2024 Annual Action Plan; And Authorizing Its Submittal To The US Dept. Of Housing And Urban Development (Sponsored by: Mayor Randy Rapp and Recorder Melissa Elam)**

Be it resolved by the Common Council of the City of Vienna that the following projects be included in the 2023 - 2024 Community Development Block Grant Application.

1. Housing

Energy Efficient Windows and Doors Replacement Program. \$44,326.00

Minor Home Improvement Program –

(HVAC, Gutters/Downspouts, Hot Water Tanks, and Roofs)	\$44,326.00
2. Planning and Administration	\$15,000.00
TOTAL -	\$103,652.00

Upon the adoption of this Resolution, the City Council of the City of Vienna hereby adopts the attached Annual Action Plan for the 2023 - 2024 Community Development Block Grant Program and hereby authorizes the submission to the US Department of Housing and Urban Development - Pittsburgh Office.

**Councilwoman Kim Williams moved to approve the Resolution Increasing The City Of Vienna's Contribution To The State Streetscape Project. Motion seconded by Councilman Tom Azinger.**

No further discussion.

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

*Mayor Rapp requested an Executive Session to discuss a legal matter. Councilman Jim Leach moved to go into executive session. Motion seconded by Recorder Melissa Elam. All in favor.*

*Dismissed to Executive Session at 7:22pm.*

*Returned from Executive Session at 7:42pm.*

*(Mr. Bibbee did not continue in the meeting.)*

**5. RESOLUTION: Increasing The City Of Vienna's Contribution To The State Streetscape Project (Sponsored by: Mayor Randy Rapp and Recorder Melissa Elam)**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA, that City increases its contribution to the State of West Virginia Streetscape project, previously approved by Council, from \$143,000 to \$150,000. The total contribution is to be taken from the contingency/capital reserve account.

**Councilman Chris Mancuso moved to approve the Resolution Increasing The City Of Vienna's Contribution To The State Streetscape Project. 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.**

**6. UPDATE: Jackson Pool**

Recorder Melissa Elam shared that the Pool Design Team is meeting with Omni and Martin Aquatic tomorrow morning for a final review of the bid documents and drawings. She also said Jackson Pool will not be open again this summer. Options had been looked at to try to open it but there were too many safety issues to correct to be a good decision.

Mayor Rapp said the City of Parkersburg is increasing their open hours for City Park pool due to Southwood and Jackson being closed.

Councilwoman Kim Williams asked if alternative activities had been considered for the youth. Recorder Elam said there won't be.

Councilman Chris Mancuso asked how quickly they will bid it out. Recorder Elam said it will be discussed at the meeting.

**7. RESOLUTION: To Approve And Authorize The Mayor And The City To Participate In The Governor's Program For The Use Of The Infrastructure And Investment Jobs Act For The Repair Or Replacement Of The 9th Street, 12th Street, 17th Street, 27th Street, And 28th Street Bridges (Sponsored by: Mayor Randy Rapp and Recorder Melissa Elam)**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA, that it hereby agrees to participate in the Governor's program for the use of the Infrastructure and Investment Jobs Act for the rehabilitation or replacement of the 9th Street, 12th Street, 17th Street, 27th Street, and 28th Street bridges. Further, the mayor and/or his designee is authorized to execute any agreements, obtain any necessary rights of way, and take any other reasonable steps as are necessary to complete these five projects.

**Councilman Tom Azinger moved to approve the Resolution Increasing The City Of Vienna's Contribution To The State Streetscape Project. 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.**

**COUNCIL COMMENTS:**

Councilman Chris Mancuso said he has continued to work on the Vienna Trail Network. There will be an event on May 20<sup>th</sup> at Spencer's Landing. Safety tips will be covered. There will also be a short ride on a portion of the trail.

Mayor Rapp said the wearing course will be put on the parking lot at Spencer's Landing very soon.

Mayor Rapp responded to the comment about tank cars. He verified that each car is labeled and there is a plan for handling each material. Also, in regard to an alert system, we have two systems. One is the new sirens that have been installed and the other is the app used by the police department that sends alerts.

**Meeting adjourned at 7:55pm.**

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

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

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