



CORPORATION OF HARPERS FERRY

Town Council

MINUTES

Regular Meeting **Monday, 14 December 2020** **7:00 p.m.**
Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425 • VIA ZOOM

Called to order at 7:00 p.m. by Mayor Bishop. Due to the COVID-19 pandemic, this meeting was conducted through Zoom and live-streamed on social media, in compliance with the State's emergency guidance on the Open Governmental Meetings Act.

Member	Title	Status
Wayne Bishop	Mayor	Present
Kevin Carden	Recorder	Present
Nancy Singleton Case	Councilmember	Present
Barbara Humes	Councilmember	Present
Jay Premack	Councilmember	Present
Christian Pechuekonis	Councilmember	Present
Hardwick S. Johnson, Jr.	Councilmember	Present

The agenda was approved as amended. Items 4.d.i.-iii. and 4.e.i.-iii. were moved before item 4.a.

1. Mayor's announcements.

Christian Pechuekonis noted the passing of resident Jim Prentice, who will be greatly missed.

Mayor Bishop wished everyone happy holidays. He also noted that a heavy snowstorm is predicted for later this week.

2. Approval of minutes.

a. Regular Council meeting: 9 November 2020.

The minutes of 9 November 2020 were approved as received.

b. Special Council meetings: 16 November 2020; 19 November 2020 (5:00 p.m.); 19 November 2020 (6:00 p.m.); 24 November 2020; 3 December 2020; 9 December 2020.

The special meeting minutes for 16 November 2020; 19 November 2020 (5:00 p.m.); 19 November 2020 (6:00 p.m.); 24 November 2020; 3 December 2020; and 9 December 2020 were approved as received.

3. Treasurer's reports and approvals.

a. Review and approval of financial reports: October 2020.

The financial reports for October 2020 were approved as received.

b. Approval of invoices and purchases over \$500.

None.

4. Town reports.

a. Police Department.

i. Police report for the month of November 2020.

Chief Brown reported that for the month of November 2020, there were 124 incidents, 103 citations issued, 10 assists to other agencies, one call-out, and zero accidents. The Chief further reported that he has been running radar on Washington and Fillmore streets, and drivers are generally obeying the speed limits.

b. Ordinance Compliance Officer.

i. Report for November 2020.

A written report for the month of November 2020 was submitted to the Council. It was noted by a member of the Council that some of the information contained in the report is now outdated.

Attorney Kin Sayre noted that the Municipal Home Rule Act seems to prohibit the Town from regulating short-term rentals. Any ordinances referring to short-term rentals would therefore need to be amended to remove any restrictions on them. However, an advisory opinion should be forthcoming from the Attorney General's Office pertaining to short-term rental restrictions that predate the effective date of the provision of West Virginia Code. The Town may decide to wait for this advisory opinion before taking any further action on amending the ordinances.

c. Budget and Finance Committee.

i. Discussion and action on funding request for improvements to First Zion Church.

Motion	Motion to approve funding request of \$5,000 FY 2020 carry-forward amount and \$5,000 FY 2021 funds from Line 906 Arts and Humanities to support the grant application by the Bolivar-Harpers Ferry Historic
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	Foundation to replace the roof on and preserve the historic First Zion Church. (ROLL CALL VOTE REQUESTED)
Motion by	Christian Pechuekonis
Second	Barbara Humes
YES	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

ii. Discussion and action on purchase of holiday gift cards for employees.

Motion	Motion to approve purchase of 17 employee holiday gift cards for \$25 each, for a total of up to \$550, from the line item accounts of payroll and office supplies. (ROLL CALL VOTE REQUESTED)
Motion by	Nancy Case
Second	Christian Pechuekonis
YES	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

d. Water Department.

i. General report.

Chris Styer reported that there was a good turnout for the pre-bid meeting for the water system improvement project. The mini-excavator is working great. The sludge remover has also been working well. The new water rates have been applied to the November 2020 bills.

ii. Discussion and action on purchase of a carport structure.

Motion	Motion to approve purchase of a dumpster cover to shelter the sludge removal container for a total cost not to exceed \$1,500 from Line 620.3 Plant Materials. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Christian Pechuekonis
YES	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

iii. Discussion and action on second reading for approval of Ordinance 2020-03, Water Project Bond.

Motion	Motion to approve second reading of the Ordinance 2020-03, Water Project Bond. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Christian Pechuekonis

YES	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

e. Planning Commission.

i. General report.

Tim Wisecarver gave an overview of applications that were reviewed and approved by the Planning Commission in November. He also reported that the Planning Commission currently has two new vacancies.

ii. Discussion and action on conflict between the Harpers Ferry Ordinance Article 133 and West Virginia Code regarding the nominating process for membership to the Harpers Ferry Planning Commission.

Tim Wisecarver, president of the Planning Commission, expressed deep concern that the Planning Commission will be used improperly as a political tool, based on prior actions by members of the Town’s governing body. There is an apparent disagreement between West Virginia Code and Ordinance Article 133 on how members of the Planning Commission are to be nominated for appointment.

iii. Discussion and action on appointments to fill vacancies on the Planning Commission.

The following applicants were nominated for appointment to the Planning Commission:

<u>Applicant</u>	<u>Nominated by</u>
Ken Dill	Mayor Bishop
Jim Jenkins	Mayor Bishop

Action	Appointment to the Planning Commission.
KEN DILL	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
JIM JENKINS	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
Result	KEN DILL and JIM JENKINS appointed to the Planning Commission for terms expiring 31 December 2023.

f. Office Operations Committee.

Nancy Case reported that a website committee has been formed. Jay Premack has researched best options for livestreaming the Town’s meetings and gave an overview of his findings.

i. Report for November 2020.

Nancy Case reported that the employee handbook has been revised and will be brought forward for Town Council approval at a future meeting.

ii. Discussion and action to approve use of the first-floor vacant space at Town Hall as Town office space, primarily for Harpers Ferry Water Works.

No action was taken at this time, as many questions remain on the best use for the space.

g. Parking Committee.

i. Discussion and action on parking fee increase.

Motion	Motion to approve raising the parking fees in the \$1 per hour parking zone to \$2 per hour, effective 4 January 2021. (ROLL CALL VOTE REQUESTED)
Motion by	Christian Pechuekonis
Second	Barbara Humes
YES	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

ii. Discussion and action on additional paid parking on Fillmore Street.

iii. Discussion and action on additional paid parking on Storer College Place.

Motion	Motion to approve adding additional paid parking along the east side of Storer College Place; and along the north side of Fillmore Street, beginning at the intersection with Storer College Place and ending at the entrance to the Odd Fellows Lodge, at a rate of \$2 per hour, effective 1 st February 2021. (ROLL CALL VOTE REQUESTED)
Motion by	Christian Pechuekonis
Second	Barbara Humes
YES	Humes, Premack, Pechuekonis, Johnson, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

5. Organizations / other reports.

None.

6. Unfinished business.

a. Update on Corporation of Harpers Ferry's response to the COVID-19 pandemic.

Mayor Bishop noted that a vaccine has been released for COVID-19 and testing continues to be available within the county. Christian Pechuekonis spoke about a

stimulus bill that is before Congress at this time. Jay Premack suggested that the Town's COVID-19 signage be put back out welcoming visitors and advising on safety precautions. He also spoke about efforts to assist the needy during this time.

7. New business.

a. Discussion and action on how to proceed with public comment during virtual meetings.

General discussion was held on the value of permitting public comments during Town Council meetings and a procedure for doing so. Jay Premack suggested that the Office Operations Committee may wish to discuss this item further and consider setting a policy for public comments on meeting agendas.

Motion to adjourn by Jay Premack, second by Nancy Case. Meeting adjourned at 9:46 p.m.

The above minutes are true and correct, as approved.

Mayor: _____ Date: _____

Recorder: _____ Date: _____