



CORPORATION OF HARPERS FERRY

Town Council

MINUTES

Regular Meeting

Monday, 8 February 2021

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
Hardwick S. Johnson, Jr.	Councilmember	RESIGNED
Christian Pechuekonis	Councilmember	Present
Jay Premack	Councilmember	Present

The agenda was approved as amended. Items 4.d.i. through 4.d.v. were moved before item 3.a.

1. Mayor's announcements.

It was announced that Hardwick "Hardy" Johnson has resigned from the Town Council. A notice soliciting letters of interest for appointment to the vacant seat for the remainder of the unexpired term will be posted.

2. Approval of minutes.

a. Regular Council meeting: 11 January 2021.

The minutes for 11 January 2021 were approved as received.

b. Special Council meetings: 13 January 2021; 22 January 2021 5:00 p.m.; 22 January 2021 6:00 p.m.; 29 January 2021; 2 February 2021; 4 February 2021.

The minutes for 13 January, 22 January (5:00 p.m.), 22 January (6:00 p.m.), and 4 February 2021 were approved as received. The minutes for 29 January and 2 February 2021 were approved as amended.

3. Treasurer's reports and approvals.

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

The financial reports for December 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 January 2021.

Chief Brown reported that for the month of January 2021, there were 89 incidents, 67 citations issued, 6 assists to other agencies, zero call-outs, and zero accidents.

Chief Brown mentioned a major rock slide on US 340 over the weekend in which a major boulder impacted a car and injured the driver. He also reported that some applications have been received for a current vacancy in the Police Department.

b. Ordinance Compliance Officer.

i. Report for January 2021.

A written report for the month of January 2021 was submitted to the Council.

c. Budget and Finance Committee.

i. Discussion and action on FY 2021 General Fund Budget Revision 2.

This item was discussed in executive session.

Motion	Motion to approve FY 2021 General Fund Budget Revision 2 as presented. (ROLL CALL VOTE REQUESTED)
Motion by	Christian Pechuekonis
Second	Barbara Humes
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

ii. Discussion and action regarding Street Department salary.

This item was discussed in executive session. No action was taken.

iii. Discussion and action of purchase of desk system for Police Department Clerk's office.

Motion	Motion to approve up to \$2,000 for purchase of a desk system for the Police Department Clerk's office from Specialty Business Supplies, from Budget Line Item 976 Public Safety. (ROLL CALL VOTE REQUESTED)
Motion by	Christian Pechuekonis
Second	Barbara Humes
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

iv. Discussion and action regarding renewal of ShoreTel annual telephone contract.

Motion	Motion to approve renewal of the ShoreTel annual contract for the Town’s telephone system for \$509.00 per year from the budget line item Telephone for Police, City Hall, and the Water Department. (ROLL CALL VOTE REQUESTED)
Motion by	Nancy Case
Second	Christian Pechuekonis
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

d. Water Department.

i. General report.

Bill Robinson reported that the water loss rate for January 2021 was 16%, almost within the USDA’s acceptable standards, due to leaks that were repaired. A water main break that is believed to have been leaking for at least a decade was fixed. The master water meter at the treatment facility has exceeded its useful life and is currently reading about 36% off from accurate. It will need to be replaced at a cost of around \$1,700. A backwash pump has been repaired but will need to be replaced. Customers’ water meters will be replaced with radio-read meters as need arises, which will increase efficiency.

ii. Discussion and action on engineer’s recommendation for the water system improvement project.

Motion	Motion to approve the GD&F engineer’s recommendation to award the Alvarez base bid and bid alternate C (roof / insulation replacement) and D (LED lighting replacement) for the water system improvement project as described in the letter to the Mayor dated January 20, 2021 (totaling \$5,282,000), as well as a 5% construction contingency of \$264,050, plus all other fixed costs for engineering services, legal and fiscal services, land acquisition, permits, administration and bond counsel, for a total of \$6,300,000. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Christian Pechuekonis
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

iii. CONSIDERATION OF AND FINAL ACTION TO GIVE FINAL APPROVAL TO THE BOND ORDINANCE (Ordinance 2020-03, the “Bond Ordinance”) AUTHORIZING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WATER SYSTEM OF THE TOWN OF HARPERS FERRY AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED,

THEREOF THROUGH THE ISSUANCE BY THE TOWN OF HARPERS FERRY OF WATER REVENUE BONDS, SERIES 2020 (UNITED STATES DEPARTMENT OF AGRICULTURE), IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION THREE HUNDRED THOUSAND DOLLARS (\$6,300,000.00) (THE “BONDS”), AND TO PUT THE BOND ORDINANCE INTO EFFECT.

Motion	Motion to approve the Water Revenue Bonds, Series 2020, Bond Ordinance authorizing the acquisition and construction of certain additions, betterments and improvements to the existing waterworks system of the Corporation of Harpers Ferry, and the financing of the cost, not otherwise provided thereof, through the issuance by the Town of not more than \$6,300,000 in aggregate principal amount of Water Revenue Bonds, Series 2020 (United States Department of Agriculture); defining and prescribing the terms and provisions of the bonds; providing generally for the rights and remedies of and security for the holder of the bonds; and providing when the ordinance shall take effect. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Christian Pechuekonis
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

iv. CONSIDERATION OF AND FINAL ACTION ON SUPPLEMENTAL RESOLUTION SUPPLEMENTING AND AMENDING THE BOND ORDINANCE DESCRIBED ABOVE RELATING TO THE BONDS, INCLUDING WITHOUT LIMITATION CHANGING THE DESIGNATION OF THE SERIES 2020 BONDS TO SERIES 2021 BONDS DUE TO THE PASSAGE OF TIME, MAKING PROVISIONS AS TO PRINCIPAL AMOUNT, DATE, MATURITY DATE, REDEMPTION PROVISIONS, INTEREST RATE, INTEREST AND PRINCIPAL PAYMENT DATES, SALE PRICE AND OTHER TERMS OF THE BONDS, AND MAKING OTHER PROVISIONS AS TO THE BONDS AND THE PROJECT TO BE FINANCED IN WHOLE OR IN PART WITH PROCEEDS OF THE BONDS.

Motion	Motion to approve the USDA Water Revenue Bonds, Series 2021, Supplemental Resolution, making provisions as to principal amount, date, maturity date, redemption provisions, interest rate, interest and principal payment dates, sale price and other terms of the Water Revenue Bonds Series 2020 of the Corporation of Harpers Ferry, which series designation is changed herein to Series 2021 due to the passage of time, and making other provisions as to the Bonds and the project to be financed in whole or in part with proceeds of the bonds. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Nancy Case
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

v. Discussion and action on possible other actions relating to the bonds and / or the project being financed with the proceeds of the bonds.

None.

vi. Discussion and action regarding FY 2021 Water Department Budget Revision 1.

Motion	Motion to approve FY 2021 Water Department Budget Revision 1 as presented. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Jay Premack
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

vii. Discussion and action on approval of base pay grade increase.

Motion	Motion to approve the Harpers Ferry water facility base pay rate increase as presented, to be implemented for eligible employees effective 1 March 2021, with individual evaluation and assessment to be determined. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Christian Pechuekonis
YES	Humes, Premack, Pechuekonis, Case, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

e. Planning Commission.

i. Discussion and action on Disposition Report to grant use of public right-of-way on Fillmore Street.

Tim Wisecarver and Christian Pechuekonis presented an overview of a request by the Harpers Ferry Cemetery Board to install a set of bollards at the entrance to the cemetery to prevent snowplows or other vehicles from striking and damaging the entrance sign and gate. The Board also plans to install boulders within the Fillmore Street right-of-way.

Motion	<p>Motion that pursuant to Harpers Ferry Ordinance Article 909.03, the Town Council grant a permit per the Planning Commission’s recommendation agreeing to grant the use of the south side easement of Fillmore Street from its east end to the west for approximately 35 feet; and further agrees to permit the permanent improvement of said public, easement, with the following conditions:</p> <ol style="list-style-type: none"> 1. Three substantial cast iron bollards will be installed (the middle one is removable to allow cemetery access) to protect the historic gated entrance from vehicular traffic;
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	<p>2. Three large flat boulders (approximately two feet wide, three feet long, and two feet high) will be placed five feet apart close to the restored iron fence for its protection from vehicular traffic;</p> <p>3. There will no public parking along the improved easement;</p> <p>4. During winter months, the bollards / boulders will be flagged with flexible markers for better motorist visibility; and</p> <p>5. Maintenance of the improved easement with the bollards / boulders will be the sole responsibility of the Harpers Ferry Cemetery Board.</p> <p>(ROLL CALL VOTE REQUESTED)</p>
Motion by	Christian Pechuekonis
Second	Barbara Humes
YES	Humes, Premack, Pechuekonis, 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.

It was noted that a vaccination program is in progress. It was further noted that both the State and (soon) pharmacies will offer the vaccines. Registration is open to all residents.

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

A task force was assigned to explore options for allowing public comments during virtual meetings. Some technical difficulties have been encountered; once those are resolved, it will be possible to incorporate live public comments.

c. Discussion and action on current status and path forward with the planning, engineering, and construction of the Armory Canal Project.

Mayor Bishop received calls from the West Virginia Division of Highways and from Region 9 regarding the Armory Canal Project. There is a \$150,000 tax credit shortfall for which solutions are being explored. The Mayor will forward the information he has to the Budget and Finance Committee.

d. Discussion regarding High Street project, public comment received by the State and shared with the Town, and the path forward.

Mayor Bishop noted that public comments regarding the High Street Project were received by the State, which have been forwarded to the Town Council. Jay Premack

recommended that a public workshop be held to answer questions and concerns about this project.

7. New business.

a. Discussion regarding stormwater issues on public streets affecting private residences in Harpers Ferry.

Mayor Bishop received correspondence from some residents concerned about stormwater issues. He noted that addressing these issues will be very costly but recommended that the appropriate Town commissions and committees look into these issues and possible solutions. The State, which owns Washington Street, should be brought into these conversations.

Motion	Motion to enter executive session, pursuant to WV Code § 6-9A-4(b)(2)(A) <i>(for agenda items 4.c.i. and 4.c.ii.)</i> .
Motion by	Nancy Case
Second	Jay Premack
Result	MOTION APPROVED. Executive session began at 9:54 p.m.

The meeting returned to open session at 10:31 p.m.

Motion to adjourn by Jay Premack, second by Christian Pechuekonis. Meeting adjourned at 10:33 p.m.

The above minutes are true and correct, as approved.

Mayor: _____ Date: _____

Recorder: _____ Date: _____