



# CORPORATION OF HARPERS FERRY

## Town Council

### MINUTES

**Regular Meeting**

**Monday, 8 March 2021**

**7:00 p.m.**

**Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425 • VIA ZOOM**

Called to order at 7:05 p.m. by Mayor Bishop. Due to the COVID-19 pandemic, this meeting was conducted through Zoom Webinar and live-streamed on YouTube, 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
Christian Pechuekonis	Councilmember	Present
Jay Premack	Councilmember	Present
Ed Wheelless	Councilmember	Present

The agenda was approved as amended. Items 4.b.vi. and 4.b.vii. were moved to the end of the meeting.

#### **1. Mayor's announcements.**

Mayor Bishop announced that a letter has been received from the West Virginia Legislature to notify the Town that no funding for MARC train service was allocated from the State of West Virginia for this fiscal year. The State of Maryland has been notified.

Nancy Case acknowledged and welcomed Ed Wheelless to the Town Council.

#### **2. Approval of minutes.**

##### **a. Regular Council meeting: 8 February 2021.**

The minutes for 8 February 2021 were approved as received.

##### **b. Special Council meetings: 11 February 2021; 19 February 2021; 26 February 2021; 4 March 2021.**

The minutes for the special meetings of 11 February, 19 February, 26 February, and 4 March 2021 were approved as received.

#### **3. Treasurer's reports and approvals.**

**a. Review and approval of financial reports: January 2021.**

The financial reports 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 February 2021.**

Chief Brown reported that for the month of February 2021, there were 51 incidents, 37 citations issued, two assists to other agencies, zero call-outs, and zero accidents.

**b. Ordinance Compliance Officer.**

**i. Report for the month of February 2021.**

A written report was submitted to the Town Council prior to the meeting.

**c. Budget and Finance Committee.**

**i. Discussion and action on funding request for Harper Cemetery easement boulders and bollards.**

*This item was discussed along with Item 6.c.*

<b>Motion</b>	Motion to follow the recommendation of the Budget and Finance Committee to approve up to \$2,800 for the purchase and installation of boulders and bollards in the Fillmore Street right-of-way to provide protection and preservation of the historic gate and fencing at the historic Harper Cemetery from Budget line 906 – Arts and Humanities. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Christian Pechuekonis
<b>Second</b>	Ed Wheeless
<b>YES</b>	Premack, Pechuekonis, Case, Wheeless, Carden
<b>NO</b>	Humes, Bishop
<b>Result</b>	<b>MOTION APPROVED</b>

**d. Water Department.**

**i. General report.**

Bill Robinson reported that water loss for the month of February 2021 was 14.02%. Several water main leaks have been repaired, but one major leak will require outside assistance. Shawn Veney has passed his test for Operator Class I. The Water Works is moving forward with a radio-read meter program for accuracy and efficiency.

**ii. Consideration of and final action on a resolution approving the first requisition of proceeds of the Corporation of Harpers Ferry Water Revenue Bonds, Series 2021 (United States Department of Agriculture) (the “Bonds”).**

<b>Motion</b>	Motion to approve a resolution approving the first requisition of proceeds of the Corporation of Harpers Ferry Water Revenue Bonds, Series 2021 (United States Department of Agriculture) relating to construction and other services for the water system improvement project, for a total of \$562,450. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Nancy Case
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**iii. Consideration of and final action to approve an amendment to the Accounting Services Agreement with CoxHollidaYoung PLLC relating to the Bonds and the project being financed with the proceeds of the Bonds.**

<b>Motion</b>	Motion to approve an amendment to the Accounting Services Agreement with CoxHollidaYoung PLLC for a total of \$34,500, relating to the Bonds and the project being financed with the proceeds of the Bonds. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Nancy Case
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**iv. Discussion and action on possible other actions relating to the Bonds and / or the project being financed with the proceeds of the Bonds.**

*None.*

**v. Discussion and action regarding ordinance amendment to appoint a Bolivar representative to the Water Commission Ordinance 901.02 Membership Term of Office (Ordinance 2021-01).**

After some discussion, consensus was to refer this item to the Ordinance Review Committee.

**vi. Discussion and action on pay adjustment for two Water Works employees.**

*This item was discussed in executive session.*

<b>Motion</b>	Motion to adjust pay of Water Works employee Shawn Veney to \$16.05 per hour to be commensurate with the new Harpers Ferry Water Works pay scale, retroactive to 1 March 2021. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Nancy Case
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

<b>Motion</b>	Motion to adjust pay of Water Works employee Chris Spanos to \$20.51 per hour to be commensurate with the new Harpers Ferry Water Works pay scale, retroactive to 1 March 2021. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Nancy Case
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**vii. Discussion and action on temporary part-time hire for Water Works.**

*This item was discussed in executive session.*

<b>Motion</b>	Motion to hire Kenneth Mitchell as a part-time temporary employee for a period not to exceed 90 days, and not to exceed 40 hours per week, at \$16.00 per hour, with an effective start date of 9 March 2021. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Nancy Case
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**viii. Discussion and action on purchase of utility vehicle for Water Works.**

<b>Motion</b>	Motion to purchase a 2021 Chevrolet 3500 HD Silverado, not to exceed \$63,000, from Capital Outlay Line Item 341.2, for 72-month financing terms from the Bank of Charles Town, with a down payment sufficient to finance \$42,000 at 3.43% interest. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Christian Pechuekonis
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**e. Planning Commission.**

**i. Discussion and action on creating a task force committee to update the comprehensive plan.**

<b>Motion</b>	Motion to grant authority to the Planning Commission to begin development of a 2022 Comprehensive Plan update task force in order to be in compliance with the required updates of the Comprehensive Plan as per town ordinances and West Virginia Code, and once the task force membership has been proposed, it will be brought before the Town Council for approval of appointments. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Barbara Humes

<b>Second</b>	Christian Pechuekonis
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**f. Poet Laureate.**

**i. General report.**

George Owens, Poet Laureate of Harpers Ferry, reported on activities undertaken since his appointment, including: a monthly poet’s corner in the community newsletter; readings and seminars at the Harpers Ferry Woman’s Club; and membership in West Virginia Writers, Inc.

**g. Parking Committee.**

**i. Discussion and action on nomination and appointment to the Parking Committee.**

The following applicant was nominated for appointment to the Parking Committee:

Applicant

Patrick Tierney

Nominated by

Christian Pechuekonis

<b>Action</b>	Appointment to the Parking Committee.
<b>PATRICK TIERNEY</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>Result</b>	<b>PATRICK TIERNEY appointed to the Parking Committee.</b>

It was further suggested that the Ordinance Review Committee should consider formalizing the Parking Committee by ordinance.

**5. Organizations / other reports.**

**a. Historic Town Foundation.**

Ed Wheelless reported on the activities of the Historic Town Foundation. The Foundation is in the process of purchasing First Zion Church, a historical property, and has also been replacing headstones at the historic Cedar Hill Cemetery. An African-American walking tour of Camp Hill was conducted. The Town Council was thanked for its contribution toward the new roof at First Zion Church. The next major project will include lead-based paint abatement at the Church. The Foundation has a new website, [historicharpersferry.org](http://historicharpersferry.org). A self-paced walking tour, followed by a soup dinner, will be hosted in the coming months.

**6. Unfinished business.**

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

Christian Pechuekonis reported that Jefferson County was in 55<sup>th</sup> place proportionally among the 55 counties of West Virginia in allocations of vaccines for residents. However, that problem is being addressed.

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

Mayor Bishop noted that tonight’s meeting is being conducted by Zoom Webinar. This format will be used for all future meetings, which will allow for future public participation and comments.

**c. Discussion and action to issue permit to the Harper Cemetery Board of Trustees to use and improve a portion of the Fillmore Street public right-of-way.**

*This item was discussed along with item 4.c.i.*

<b>Motion</b>	Motion that the Town Council issue the permit, as amended, granting the use of the Fillmore Street public right-of-way (ROW), that portion on the south side of Fillmore Street, from the east end towards the west for approximately 35’ feet, and further granting the improvement of said public ROW, which shall be pursuant to all design standards and conditions as set forth within and attached to the permit. It is understood by all parties that the Fillmore Street public-right-of-way remains a Town-owned ROW, that the Town is not granting a permanent easement to the Harper Cemetery Board of Trustees and that the Town has plenary power over its rights-of-way, and, if deemed necessary, may exercise the right to legally rescind the permitted use and ask that any improvements be removed at no cost to the Town. (ROLL CALL VOTE REQUESTED)
<b>Motion by</b>	Nancy Case
<b>Second</b>	Ed Wheelless
<b>YES</b>	Humes, Premack, Pechuekonis, Case, Wheelless, Carden, Bishop
<b>NO</b>	<i>none</i>
<b>Result</b>	<b>MOTION APPROVED</b>

**7. New business.**

*None.*

<b>Motion</b>	Motion to enter executive session, pursuant to WV Code § 6-9A-4(b)(2)(a) <i>(for agenda items 4.d.vi. and 4.d.vii.)</i> .
<b>Motion by</b>	Barbara Humes
<b>Second</b>	Jay Premack
<b>Result</b>	<b>MOTION APPROVED. Executive session began at 9:34 p.m.</b>

*The meeting returned to open session at 10:07 p.m.*

Motion to adjourn by Jay Premack, second by Barbara Humes. Meeting adjourned at 10:14 p.m.

*The above minutes are true and correct, as approved.*

Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

Recorder: \_\_\_\_\_ Date: \_\_\_\_\_