



CORPORATION OF HARPERS FERRY

Town Council

MINUTES

Regular Meeting

Monday, 9 August 2021

7:00 p.m.

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

Called to order at 7:00 p.m. by Mayor Vaughn. The Town Council met in Town Hall. However, due to the COVID-19 pandemic, no audience members were physically present. With the exception of the Bookkeeper, all presenters communicated with the Town Council through Zoom Webinar. The meeting was live-streamed for the public on YouTube, in compliance with the State's emergency guidance on the Open Governmental Meetings Act.

Member	Title	Status
Greg Vaughn	Mayor	Present
Kevin Carden	Recorder	Absent
Chris Craig	Councilmember	Present
Greg "Storm" DiCostanzo	Councilmember	Present (<i>recording</i>)
Laurel Drake	Councilmember	Present (via Zoom)
Jim Jenkins	Councilmember	Present
Christian Pechuekonis	Councilmember	Present

The agenda was approved as received.

1. Mayor's announcements.

- Zoe Norris, a former student of Councilmember Jim Jenkins, is watching this meeting on livestream. Ms Norris will soon be attending university as a political science major.
- Former Councilmember Jay Premack was congratulated on the recent birth of his son.
- The Parking Committee was thanked for all its hard work over the years. The parking program has been very successful. In particular, Christian Pechuekonis and Chief John Brown were thanked for their instrumental roles.
- Peter Dessauer was thanked for his service on the Historic Landmarks and Planning Commissions.
- Mike Buscher was thanked for his service on the Board of Zoning Appeals.
- The Historic Landmarks will be working on several significant issues, including replacement of street light fixtures (along with Potomac Edison). Bulbs for the existing historic-design street light fixtures are becoming increasingly difficult to acquire.

2. Approval of minutes.

- a. Regular meeting: 12 July 2021.**

The minutes for 12 July 2021 were approved as amended. The draft minutes incorrectly stated at item 1.b. that Chris Craig was appointed to the ad hoc committee concerning future meeting procedures.

b. Special Council meetings: 16 July 2021; 28 July 2021.

The minutes for 16 July and 28 July 2021 were approved as received.

3. Treasurer's reports and approvals.

a. Review and approval of financial reports: June 2021.

The financial reports for June 2021 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 July 2021.

Chief Brown reported that for the month of July 2021, there were 140 incidents, 103 citations issued, five assists to other agencies, and zero accidents. He further noted traffic concerns where Shenandoah Street meets Route 340, and that community policing patrols in Lower Town will begin soon. Increased traffic enforcement is underway along Washington Street between the gazebo and the old Eackles funeral home. Chief Brown will follow up with the Sheriff's office about increasing red light enforcement where Washington Street meets Route 340.

b. Ordinance Compliance Officer.

i. Report for the month of July 2021.

A written report for July 2021 was received from the Ordinance Compliance Officer. Per OCO request, Mayor Vaughn requested that the mothballed Fence Ordinance be taken up by the Ordinance Review Committee.

c. Town Council Ad Hoc Meeting Committee.

i. Discussion and action on future meeting protocols.

Christian Pechuekonis reported on behalf of the Committee. Committee noted the COVID Delta variant resurgence, and that only 43% of Jefferson County residents are vaccinated, as the basis for its recommendations, which were as follows:

- The Town must abide by the Governor's orders regarding the pandemic.
- Town Council, commissions, and committees may meet as in-person, via Zoom, or both, per the discretion of those bodies.
- Meetings will continue to be conducted using Zoom webinar format, with livestreaming on YouTube.

- No visitors should be admitted to the Town Hall conference room for the time being.
- All meetings should have a public comment period on the meeting agenda, either at the beginning or end of the meeting. Speaker length should be noted on the meeting agenda. Those wishing to speak must request a slot at least one (1) day prior to the meeting date in order for a Zoom link to be forwarded to those participants via email. Speaking requests should be directed to Pat Morse at Town Hall.
- Future recommendations will depend on pandemic developments.

d. Town Council Ad Hoc ARPA Committee.

i. Committee report on Harpers Ferry's response to the American Relief Plan Act.

Christian Pechuekonis reported that the committee recommended spending the first \$60k of ARPA funding on the 8" Main project, and that it is likely the second \$60k will be allocated to that project as well. Other potential uses of the funds were also discussed.

e. Water Department.

i. General report.

Bill Robinson reported that a leak on Prospect Avenue contributed to a loss rate for July 2021 of 20.22%. The leak was fixed. There has been an unusually high number of work orders, including many broken meters. The sludge reduction pump is still in operation at the post-production end of the plant.

ii. Presentation and discussion regarding Water Treatment Facility Improvements Engineer's Report.

Bill Robinson delivered the report. Contractor Alvarez has formed the walls of the new flocculation tank. Piping installation has begun at both the flocculation tank and sedimentation basin. Excavation has been completed and the slab poured at the raw water intake, where wall formation and pipe installation continues. A water leak test will be conducted after wall construction has been completed at the flocculation tank and sedimentation basin. Raw water intake structure walls will be constructed and piping will be installed. GD&F representative Dave Gustkey has been on site, coordinating between Alvarez and town personnel. GD&F has received 43 submittals to-date, and most have been reviewed and returned. The first microfiltration and several other equipment submittals have been reviewed. Several RFIs have been processed.

Alvarez received payment of \$130,71.79 for Pay Application #3, and submitted Pay Application #4 for \$245,588.94, which has been reviewed and approved by GD&F. This application plus engineering costs through June 2021 of \$21,048.66 will be submitted to USDA as part of Resolution/Requisition #5 totaling \$266,637.60. Upon

receipt of the funds in the Town's USDA account, checks will be mailed to Alvarez and GD&F.

The third progress meeting was conducted on-site on July 22, 2021. Fourth meeting is scheduled for August 26, 2021 at 9 a.m. on-site at the Water Works plant.

iii. Discussion and action on Resolution #5 and invoices for the Water Treatment Facility Improvements.

Motion	Motion to approve the payment of Resolution #5 and invoices for the water treatment facility improvements. Total allocation of \$266,637.60.
Motion by	Christian Pechuekonis
Second	Chris Craig
YES	6
NO	0
Result	MOTION APPROVED

iv. Discussion and action regarding bid received for Elks Run / 8" Main project.

Bill Robinson reported that the Water Commission voted to recommend rejecting the bid, citing concerns with the bid process and the bid itself. Project will be re-bid immediately. Potential improvements to the bidding process were discussed.

Motion	Motion to accept the recommendation to reject the bid for the Elk Run 8" main project.
Motion by	Christian Pechuekonis
Second	Jim Jenkins
YES	6
NO	0
Result	MOTION APPROVED

v. Discussion and action regarding an appointment to the Water Commission of a Bolivar resident.

An application for appointment was received by Bolivar. However, two changes are needed to the Water Commission Ordinance in order to enable the appointment. The prospective member was encouraged to attend the upcoming Water Commission meetings in the interim. Mayor Vaughn pledged to apprise Mayor Dettmer of Bolivar on the situation.

f. Planning Commission.

i. Planning Commission report.

Commission President Tim Wisecarver reported on the July 20 Planning Commission meeting. Five members attended, plus Christian Pechuekonis and Jim Jenkins, who were not voting members because their terms had expired. Tree Committee

President Tyler Mayhew was also in attendance. Meeting lasted 1 hour and 40 minutes.

ii. Discussion and action regarding a recommendation to adopt 2021 Demonstration City Tree Grant proposal.

Motion	Motion to approve the Planning Commission’s recommendation to adopt the 2021 Demonstration Tree Grant proposal.
Motion by	Jim Jenkins
Second	Storm DiCostanzo
YES	5
NO	0
Result	MOTION APPROVED

Council member Laurel Drake’s failed internet connection did not allow her to participate in the vote.

iii. Discussion and action regarding a recommendation to increase the Town’s maintenance budget to allow more hours and materials to assist the Tree Committee.

President Wisecarver requested additional labor from the Town’s maintenance department. Mayor Vaughn recommended contracting out the tree work to a professional tree or landscaping company instead, as the maintenance department has already “maxed out” its hours. Tree Committee to oversee the proposal and bidding process.

iv. Discussion and action regarding a recommendation for changes to Ordinance Article 1104.

President Wisecarver reported that the Planning Commission recommended making changes to 1104.04(b) and 1104.07(a) as presented by the Tree Committee. Planning Commission recommended rejecting the proposed change to 1104.08(c), which would allow the Town to trim trees that originate on private property but extend into the public right of way, without written notification to the property owners.

Motion	Motion to accept the Planning Commission’s recommendation and make the changes to 1104.04(b) as presented, and Ordinance 1104.07(a) as presented.
Motion by	Chris Craig
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

Motion	Motion to move to Ordinance Review Committee the issue of changing 1104.08(c), as proposed by the Tree Committee, to eliminate the requirement for written notification of tree trimming in the public right of way when the tree originates on private property.
Motion by	Storm DiCostanzo
Second	Jim Jenkins
YES	6
NO	0
Result	MOTION APPROVED

v. Discussion and action on possible nominators / confirmation of Planning Commission members.

Applicant

Paul Mayhew

Nominated by

Mayor Vaughn

Action	Appointment to the Planning Commission as the voting Mayor's Liaison.
PAUL MAYHEW	Craig, DiCostanzo, Drake, Jenkins, Pechuekonis, Vaughn
Result	PAUL MAYHEW appointed to the Planning Commission for term expiring 30 June 2023.

vi. Discussion and action to rescind the 8 March 2021 Town Council action approving the creation of a task force committee to update the comprehensive plan.

Mayor Vaughn cited five reasons for making this proposal:

- The disharmony caused by the process to date;
- Having plenty of time to comply with the due date of August 30, 2023, and that the current plan has been serving the Town well and likely does not need to be modified substantially;
- An update review should only begin once the Planning Commission has a full complement of members;
- Per the Town Attorney's suggestion, the need to consider contracting an independent consultant to help guide the Town through the process; and
- The need to restart in order to conduct the review and update correctly and without discord.

Motion	Motion to rescind the authority previously approved to the Planning Commission to begin development of a 2022 Comprehensive Plan update task force in order to be in compliance with the required update of the Comprehensive Plan as per the Town ordinances and West Virginia Code, and once the task force membership has been proposed, it will be brought forth to the Town Council for appointments.
Motion by	Storm DiCostanzo
Second	Christian Pechuekonis
YES	6

NO	0
Result	MOTION APPROVED

g. Parks and Recreation Commission.

i. Discussion and action to appoint a member to the Parks and Recreation Commission.

The following applicants were nominated for appointment to the Parks and Recreation Commission:

<u>Applicant</u>	<u>Nominated by</u>
Karen Sagisi	Mayor Vaughn
Jim Jenkins	Mayor Vaughn

Action	Appointment to the Parks and Recreation Commission as a full voting member.
KAREN SAGISI	Craig, DiCostanzo, Drake, Jenkins, Pechuekonis, Vaughn
Result	KAREN SAGISI appointed to the Parks and Recreation Commission for term expiring 30 January 2024.

Action	Appointment to the Parks and Recreation Commission as a non-voting Town Council Liaison.
JIM JENKINS	Craig, DiCostanzo, Drake, Jenkins, Pechuekonis, Vaughn
Result	JIM JENKINS appointed to the Parks and Recreation Commission for term expiring 30 June 2023.

ii. Discussion and action on holding a Farmer’s Market at the park located at 575 Washington Street (Gazebo).

Jim Jenkins briefed the Council on plans to start a Farmer’s Market at the Gazebo. Initial goal is to start with five vendors. He requested help in organizing and executing the plans.

Motion	Motion to begin work on a Farmer’s Market at the bandstand park on Washington Street to be held Fridays from 5-7 pm.
Motion by	Jim Jenkins
Second	Storm DiCostanzo
YES	6
NO	0
Result	MOTION APPROVED

h. Historic Landmarks Commission.

i. Update on fireplace repair at the Town park located at 575 Washington Street.

The approved contractor Dave Brittingham reported that a more substantial iron grate will be required to achieve the Town’s repair objectives. This will increase the

total cost of the project to be about \$400 more than the approved amount. Christian Pechuekonis confirmed that even with this additional cost, the total project amount is less than that of the next-lowest bidder.

Motion	Motion to approve an amount not to exceed \$500 to install an iron grate in the stone fireplace, from Town account 906.
Motion by	Christian Pechuekonis
Second	Chris Craig
YES	4
NO	0
ABSTAIN	2
Result	MOTION APPROVED

i. Parking Committee.

i. Discussion and action to develop an ordinance (Section 909.05) for street snow removal on Washington and High Streets.

No action was taken. Mayor Vaughn pointed out that the Town does not have the authority to declare Snow Emergency Routes on Washington and High Streets. Christian Pechuekonis to contact the Jefferson County DOH Engineer to explore options.

ii. Discussion and action on current parking policy to allow residential parking permits holders to park for free on Potomac Street.

Christian Pechuekonis reported that the Parking Committee determined that allowing those with valid Harpers Ferry residential parking stickers to park for free on Potomac Street from Monday through Thursday would have a minimal economic impact on parking revenues, and will afford Town residents a significant benefit.

Motion	Motion to add free residential parking with valid parking stickers on Potomac Street Monday through Thursday, and communicate this update in the Harpers Ferry newsletter for the next three editions.
Motion by	Christian Pechuekonis
Second	Jim Jenkins
YES	5
NO	0
ABSTAIN	1
Result	MOTION APPROVED

5. Organizations / other reports.

None.

6. Unfinished business.

None.

7. New business.

a. Discussion and action on creating an environmental festival at the Nash Farm.

Jim Jenkins led discussion on picking up pre-COVID efforts to hold the event. NPS/HAFE has expressed interest in presenting it as a joint effort with the Town. Chris Craig volunteered to help with the effort. The Town of Bolivar and the Jefferson County CVB will be contacted about being involved.

b. Discussion and action on West Virginia Division of Highways (WVDOH) ADA ramp project.

Mayor Vaughn briefed the Council on WVDOH's plans to install ADA accessible ramps along Washington Street. WVDOH wants the Town's input into the design of the ramps, which will be at no cost to the Town. It is expected that the design will be sensitive to the Town's unique historic character.

Matter forwarded to Historic Landmarks Commission to make recommendations to the Town Council for the ramp designs.

Motion to adjourn by Jim Jenkins, second by Chris Craig. Meeting adjourned at 9:16 p.m.

The above minutes are true and correct, as approved.

Mayor: _____ Date: _____

Recorder: _____ Date: _____