
PART ONE — ADMINISTRATIVE CODE

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CROSS REFERENCES

Open meeting law—see WV Code 6-9A
Composition—see WV Code 8-5-7
Oath—see WV Code 8-5-8
Term—see WV Code 8-5-9
Vacancies—see WV Code 8-5-10
Proceedings—see WV Code Art. 8-9
General powers—see WV Code Art. 8-12
Adoption of rules—see WV Code 8-12-5(45)

111.01 **Membership.**

The Town Council consists of five Councilpersons, plus the Mayor and the Recorder, elected at large by the qualified electors of the Corporation of Harpers Ferry. (Ord. 2011-01, passed 02-14-2011.)

111.02 **Duty.**

The duties of the Town Council shall be to act as the governing body of the town and to guide growth of the community in accordance with the Harpers Ferry Comprehensive Plan and a Capital Improvement Plan. (Ord. 2011-01, passed 02-14-2011; Ord. 2015-12, passed 01-11-2016.)

111.03 **Regular meetings.**

Regular meetings of the Town Council shall be held every month on the second Monday unless canceled for cause, including, but not limited to, hazardous weather, homeland security concerns, holiday, or lack of quorum. (WV Code 6-9A-3.)^[111.03]

111.04 **Agenda.**

The agenda for regular meetings of the Town Council shall be posted by the Recorder in a public place for a minimum of three business days before the scheduled meeting time. (WV Code 6-9A-3. Ord. 2011-01, passed 02-14-2011.)

FOOTNOTES:

- 111.03 Ord. 2019-01 (passed 05-13-2019) amended the section originally enacted by Ord. 2011-01 (passed 02-14-2011) to include provisions to permit cancelling regular meetings for cause.

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111.05 Special meetings; agenda.

Special meetings of the Town Council may be called by the Mayor or by a majority of the Council. The agenda of such special meetings shall be posted by the Recorder in a public place for a minimum of two business days before the scheduled meeting time. (Ord. 2011-01, passed 02-14-2011.)

111.06 Who to preside at meetings of the Council.

The Town Council shall be presided over at its meetings by the Mayor, or, in his absence, by the Recorder, or, in the absence of both the Mayor and the Recorder, by one of its members selected by a majority of the members of the Council present. (WV Code 8-9-1. Ord. 2011-01, passed 02-14-2011.)

111.07 Quorum.

A majority of the members of the Council shall be necessary to constitute a quorum for the transaction of business. (WV Code 8-9-1. Ord. 2011-01, passed 02-14-2011.)

111.08 No vote for special interest.

No member of the Council shall vote upon any ordinance, order, measure, resolution or proposition, in which he may be interested other than as a citizen of the town. (WV Code 8-9-1. Ord. 2011-01, passed 02-14-2011.)

111.09 Mayor and Recorder may vote.

The Mayor and Recorder shall have votes as members of the Town Council. (WV Code 8-9-2. Ord. 2011-01, passed 02-14-2011.)

111.10 Tie vote.

In case of a tie, the presiding officer at the time shall cast the tie-breaking vote, unless he has previously voted. (WV Code 8-9-2. Ord. 2011-01, passed 02-14-2011.)

111.11 Council to keep records.

The Town Council shall cause to be kept, in a well-bound book, an accurate record of all of its proceedings, ordinances, orders, bylaws, acts, resolutions, rules and regulations which shall be fully indexed and open to inspection by anyone who is required to pay taxes to such municipality. (WV Code 8-9-3. Ord. 2011-01, passed 02-14-2011.)

111.12 Minutes of proceedings; voting.

At each meeting of the Town Council, a journal of the proceedings of the last meeting shall be read, and corrected, if erroneous, and signed by the presiding officer for the time being; Provided, that the reading of the journal of the proceedings of the last meeting may be dispensed with by majority vote of the Council if the members thereof have received and examined a copy of the journal or a synopsis thereof prior to the meeting at which the journal is signed. Upon the call of any member, the yeas and nays on any question shall be taken and recorded in the journal. (WV Code 8-9-3. Ord. 2011-01, passed 02-14-2011.)

111.13 Contents of minutes.

Minutes shall include, at least, the following information:

- (a) The date, time and place of the meeting;
- (b) The name of each member of the Council present and absent;
- (c) All motions, proposals, resolutions, orders, ordinances and measures proposed, the

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- name of the person proposing the same and their disposition; and
- (d) The results of all votes and, upon the request of a member, pursuant to the rules, policies or procedures of the Council for recording roll call votes, the vote of each member, by name. (WV Code 6-9A-5. Ord. 2011-01, passed 02-14-2011.)

111.14 Conduct of meetings.

Unless otherwise specified in these Ordinances or the laws of this State, meetings of the Town Council shall be conducted in accordance with the procedures specified in the current edition of the publication entitled "Robert's Rules of Order Newly Revised", published by the Robert's Rules Association. (Ord. 2011-01, passed 02-14-2011.)

111.15 Executive sessions.

- (a) The Town Council may hold an executive session during a regular, special or emergency meeting, in accordance with the laws of this State.
- (b) During the open portion of the meeting, prior to convening an executive session, the presiding officer of the Town Council shall identify the authorization under subsection 6-9A-4(b) of WV Code for holding the executive session and present it to the Town Council and to the general public.
- (c) An executive session may be held only upon a majority affirmative vote of the members present of the Town Council.
- (d) No decision may be made in the executive session. (WV Code 6-9A-4. Ord. 2011-01, passed 02-14-2011.)