

**Shepherdstown Town Council Meeting Minutes
Tuesday July 14, 2009
6:30 p.m. – Town Hall**

Present: Jim Auxer (Mayor), Lori Robertson (Recorder), Jim Ford, Tom Martin and Stuart Wallace.

Absent: Wanda Grantham Smith

Visitors: Bain Schill, Michael Theis, Mrs. Judy Pittinger and Stephanie Unger.

Agenda Items 1 and 2-Call to order/approval of agenda and minutes:

Call to order by Mayor Auxer at 6:31. **Motion made by L. Robertson, Second by S. Wallace to approve the agenda and the May 26, 2009 Special Town Council Minutes. Motion carried unanimously.**

Motion made by J. Ford, Second by L. Robertson to approve the Regular Minutes of June 9, 2009. Motion carried unanimously.

Agenda Item 3 and 4 – Public Comment Period/Visitors:

Visitor's comments, if any, are logged in under the specific agenda item.

Agenda Item 5 – Public Hearings:

First Reading of An Ordinance Enacting Section 4-207 Of Chapter 2 Of The Code Of Shepherdstown, West Virginia, Relating To Dogs That Deposit Waste On Public or Private (vote required).

Motion made by L. Robertson, Second by S. Wallace to approve the first reading of the above ordinance. Motion carried unanimously.

Agenda Item 6 – New Business:

- a. Appointments of Wayne Goodrich to the Shepherdstown Public Library Board of Trustees (vote required).

Motion made by H. Mills, Second by T. Martin to approve the appointment of Wayne Goodrich to the Shepherdstown Library Board of Trustees. Motion carried unanimously.

b. George Kalathas – annexation

Frank Hill made a presentation on behalf of Mr. Kalathas who owns Tommy's Pizza and also a tract of land east of the sewer plant near the day care center, High St. extended.

He owns 9 acres and is asking for 8 acres to be annexed, the remaining one acre is access to the 8. He wants to put a small restaurant/banquet facility and would prefer to work with the Corp. of Shepherdstown than Charles Town. F. Hill gave the council a diagram showing the potential use, there is a sewer line but no pump station, there is a 10" water main also at the corner of the property. The Mayor wants to mull it over a month to see what the town's cost will be. F. Hill stated that they would want to be zoned commercial and would prefer access off German Street. The Mayor stated he would put this as an agenda item for all committees.

c. Shepherdstown Volunteer Fire Department – parade request (vote required).

Mrs. Pittinger states the parade will be 90 minutes long and the Mayor will call Meredith Wait to inform.

Motion made by H. Mills, Second by T. Martin to approve the 90 minute parade. Motion carried unanimously.

d. Cystic Fibrosis 5K race (vote required)

Motion made by L. Robertson, Second by J. Ford to approve the C. F. 5K race. Motion carried unanimously.

Agenda Item 7 – NIMS-status report:

a. Mayor Auxer and S. Wallace have completed all four, L. Robertson has completed two, and T. Martin has completed one. Everyone else is working on them. Many council members are having trouble pulling it up on their computers.

b. Procedure for Hosting an Event that Includes Vendors.

Per J. Ford – can put on the August agenda to approve procedures that include vendors.

Motion made by H. Mills, Second by S. Wallace to approve the above procedure. Motion carried unanimously.

Agenda Item 8 – Mayor’s Report:

The Mayor stated regarding Town Hall that Andy Singletary and Stuart Wallace made a good presentation to the HLC to make the recommendation to the Planning Commission – passed on a unanimous vote.

Agenda Item 9 – Reports of Committees:

A. Finance Committee :

1. Meeting minutes of June 2, and July 6, 2009.
2. Financial Reprting:
 - a. Financial Statements as of May 31, 2009.
Per H. Mills – Very little video lottery money to be used for the budget as most departments under spent.
 - b. Internal Revision #6c 2008 – 2009 – Council approval only needed.
An adjustment of \$22,015.00 from video lottery funds needs to be reflected.
Motion made by J. Ford, Second by H. Mills to approve the above adjustment. Motion carried unanimously.
 - c. Change noted on General Fund and Coal Severence Fund, #3, Expenses Changes should read \$60,000 “Expense” which is really the loan to Historic Shepherdstown (not Entler).
3. Recommendations:
 - a. Women’s Club lease buy back (vote required).

Frank Hill stated the original lease was for 999 years that the town will now purchase for \$5,000.00. The Mayor stated he would like to have a ceremony marking this.

Motion made by L. Robertson, Second by H. Mills to buy back the Women's Club lease for \$5,000.00. Motion carried unanimously.

- b. Proposal to mill South King Street from German to New Street. (vote required).

Motion made by L. Robertson, Second by J. Ford to approve the proposal to mill S. King St. from German to New Streets. Motion carried unanimously.

- c. Internal Budget Revision #6 (08-09) (vote required).

Motion made by -----, Second by ----- to approve the above revision. Motion carried unanimously.

- d. Coal Severance Budget Revision #1 (09-10) (vote required).

Motion made by -----, Second by ----- to approve the above revision. Motion carried unanimously.

- e. General Fund Budget Revision #1 (09-10) (vote required).

Motion made by -----, Second by ----- to approve the above revision. Motion carried unanimously.

B. Parking Review Committee:

Recommendations:

- a. Delete the construction equipment policy from the Parking Plan Handbook and male it a separate policy as follows: construction equipment and dumpsters in parking places of any description (metered and otherwise) will be charged \$5.00 per day per space seven days a week.

Motion made by H. Mills, Second by L. Robertson to approve the above recommendation. Motion carried unanimously.

C. Police Committee:

Recommendations:

- a. Adoption of dog waste ordinance

Voted on under Public Hearings

D. Parks and Recreation Committee:

Recommendations:

- a. Request to approve event sponsored by Save Darfur Group at Rumsey Monument on August 29, 2009. (vote required)
The Mayor stated that Shep. University has a football game that day that starts at 1PM and ends about 4:30pm. The group must notify the neighbors of Rumsey Monument by knocking on doors and distributing flyers.
Stephanie Unger stated the group was given permission to park at the university. The Mayor stated they must have a million dollar insurance policy and they need to contact the police department and possibly hire officers to help keep Mill Street from being blocked. The Mayor wants all information by August 3rd so it can be discussed by the next town council meeting August 11. A decision was made to delay the vote until August 11.
- b. Appointment of new members (vote required).
New member Louis Tiano wants be on Parks and Rec.
Motion made by T. Martin, Second by H. Mills to approve the appointment of Louis Tiano to Parks and Rec. Motion carried unanimously.

**Motion made by S. Wallace, Second by J. Ford to adjourn at 7:48 pm.
Motion carried unanimously.**

Respectfully submitted by L. Robertson, Recorder.