

Shepherdstown Town Council Meeting Minutes
Tuesday, January 8, 2019
Shepherdstown – Town Hall
6:30 p.m.
DRAFT

Present: Jim Auxer (Mayor), Lori Robertson (Recorder), Mark Everhart, Deb Tucker, Dave Springer via Skype, David Rosen, and Cheryl Roberts.

Absent: None

Staff: Chief Mike King, and Town Clerk Amy Boyd.

Visitors: Thomas Girod (Chronicle), Marianne Davis, Cheryl Gallery, Jan Hafer, Ellen Hoffman, Lauren Duh, Butch (last name?). Kendra Goldsborough, Jim Ford, Greg Renz, Dow Benedict, Tom Knott, Amy Bowman, Elise Baach, Mary Stanley, Diane Niedzialkowski, Stuart Wallace, Chazz Printz, Mike Scholl, Zeb Pope, Richard Deal, Ken Lowe, and Sonya Evanisko.

Agenda Items 1 and 2-Call to order/approval of Town Council Minutes (vote required):

Call to order by Mayor Auxer at 6:30 pm.

M. Everhart - If there are no objections, move to approve the Town Council Minutes of December 11, 2018. None noted.

Agenda Item 3 – Public Comment Period:

Persons who have registered to address Town Council—

Agenda Item 4 - Visitors:

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

- a. Visitor's Center Report
 - M. Davis – the town has been busy, but the rainy weekends are hitting the businesses hard.

Coming up:

- Upper Potomac Music Series
- Lion's Club showing of the movie The Incredible's at the Community Center
- Celebration of Bob Burns at the Devonshire

b. Lion's Club report-

M. Scholl – they donated \$1,000 to the Jefferson Community Ministries, with over 220 coats, hats and gloves donated as well. Asked if they could place a small Lion's Club sign next to the Rotary sign coming into town along Rt. 45.

Agenda Item 5 – Public Hearings:

Agenda Item 6 – Unfinished Business:

None

Agenda Item 7 – New Business:

a. Transient Lodging Task Force Recommendation

The Mayor read this agenda item. L. Robertson recused herself from all discussion, voting, and recording of minutes on this matter citing a conflict of interest, and left the room and went to the second floor. L. Robertson returned to the meeting room after being informed that this discussion/voting was over.

Discussion:

Deb Tucker provided a power point presentation (included with minutes). The information is a couple of slides and included with the handout and information on website. The form October 2017.

Evaluation review and make reco. With respect to policies of short term rentals of less than four months. Currently, tL is permitted in the res/com zone only the tf members who volunteered to participate are upstanding community focused citizens of the town. They analyzed the state, county and city laws with respect to transient lodging along with numerous new press articles to understand some of the issues they were dealing with to come up with a

recommendation to the Town Council. Receive input at public meetings. Council approve transient lodging in any district of the town provided certain requirements are met. Three primary requirements 1.) permitted only on properties that are the owner's primary residence and are owner

Reason provide diversity of lodging. Lodging available in town now. Like to be competitive with other destinations in the area. Enable home

Reviewing what happened with other municipalities. We wanted to curtail issues. Exacerbate parking situation. To move forward would be a necessity to make changes to Title 8 and 9. Write it up in single section within 9 for clarity so people can better understand

Kendra Goldsboro- Four Seasons Bookstore – here on behalf of Shepherdstown Business Association- in support of Airbnb. Will add to vitality and culture of down town life for both residents and tourist.

Jim Ford – thanks for addressing the problem. I think everyone should weigh in on this and no one should recuse themselves. Asked for clarification on owner occupied requirement. D. Tucker, yes, owner must be there.

D. Rosen – point of information, the Town currently allows airbnbs in the residential/commercial district.

Mayor Auxer – in the Shepherdstown community, there are 44 airbnbs listed just outside of the city limits.

Tom Knott- resident/native of DC, big n personal property rights, owns 122 West German Street property. Property is zoned residential/commercial. Followed all rules. Bought property in 2015, opened in 2016. Don't really have a horse in the this but my objection is twofold: 1. It's my personal property and I don't like to be ??? 2. I'm running my business in compliance. If you throw the principle residence card in, you could drive me out of business. Now I have any objection. You are trying to tell me how to run my business. We are trying to be good stewards. We would like to be removed from this situation.

Diane ??owns residence on Old Prospect Avenue, opened July 2018. Total of 50 guests to date. Reviews are great, special niche, more personal experience.

Ken Lowe – six generation, recently heard about this. On two occasions, were we at capacity in 2018. Clarion had government contract that was not fulfilled. We were able to manage to keep the doors open. Veteran’s Administration currently has a call center but that does not create use of hotel rooms. We run a shuttle from the Clarion to town.

Mayor Auxer reported that the Shepherdstown Historic Landmarks Commission President provided a letter opposing the proposal. Letter attached.

Mayor Auxer stated to change one ordinance would require further change of ordinances. We should avail ourselves to what’s currently available instead of changing ordinances. You cannot get back what you already gave away. Residential parking will be an issue. Students who live in town work 3-4 jobs to be able to live in town. How would this be enforced? Bavarian Inn had 77.9% occupancy in 2018 and did not turn anyone away.

D. Rosen – not overlook the fertility of our small town. Changes have big and long-term effects. Have a lot of young families. Don’t want to see increased housing prices. Want to see renters being able to afford the rent in town. Not seeing a great need for this. People who have invested in these districts should have some benefit for buying into that district. There are not enough statistics.

M. Everhart – people are still going to come to Shepherdstown even if they cannot stay on German or High Street. In-home businesses have to provide off-street parking. It’s not fair to allow use of residential parking passes for airbnbs.

D. Tucker – disagreed that there is not a demand for more lodging.

The Transient Lodging Task Force members were recognized for their time spent.

C. Roberts – great idea, life long resident, does not affect my constituents. I don't want people coming in town that we know nothing about. Shuttles bring people in town now and I'm fine with it. I'm protective of my neighborhood and love Shepherdstown and want to keep it safe.

D. Rosen- worried people may buy up houses just to do Airbnb's.

D. Springer – I try to get input from everyone and spent six weeks asking everyone about this issue. The response was overwhelming in the positive. People who expressed concerns were reassured with the three recommendations from the task force. This attracts a different type of people (i.e. heritage lodging). This is the future.

D. Tucker made a motion that Town Council approve transient lodging in any district within town provided that the requirements outlined are met. 2 - yea 3 - nea 1 – recused/abstained

Agenda Item 8 – Mayor's Report:

Agenda Item 9 – Reports of Committees:

A. Finance Committee:

1. No meeting in December 2018
2. Finance Reporting:
 3. Recommendations
 - a. None

B. Parking Committee

1. No meeting in December 2018.
2. Recommendations: None

C. Police Committee

1. No Meeting in December 2018
2. Police Department Monthly Report – December 2018

3. Recommendations:
 - a. None.

D. Parks and Recreation Committee:

1. No meeting in December 2018
2. Recommendations:
None

E. Public Works Committee:

1. No meeting in December 2018
2. Recommendations: None

F. Path Advisory Committee

1. No meeting in December 2018

Agenda item 10 – Report of Commissions, Authority and Boards:

A. Water and Sanitary Board:

- 1 –No Meeting December 2018
- 2 – Recommendations:
None

B. Historic Landmarks Commission:

1. No Meeting December 2018
2. Recommendations:
None

C. Planning Commission:

1. No Meeting December 2018
2. Recommendations:
 - a. None

D. Tree Commission

1. No Meeting December 2018
2. Recommendations:

M. Everhart - if there are no objections, the meeting is adjourned at 7:38 p.m. No objections made.

Draft Minutes respectfully submitted by L. Robertson, Recorder for the Corporation of Shepherdstown.

Draft Minutes respectfully submitted by A. Boyd, Town Clerk, during L. Robertson's recusal.