

Shepherdstown Town Council Meeting Minutes
Tuesday, December 13, 2022
Town Hall
104 North King Street
6:30 p.m.
Mask Wearing is Optional
Also being streamed on the town’s Facebook page “Shepherdstown,
West Virginia”
DRAFT

Present: Jim Auxer (Mayor), Lori Robertson (Recorder), Marty Amerikaner, Jenny Haynes, Chris Stroech, Leah Rampy, and Cheryl Roberts.

Absent: None

Staff: Town Clerk Amy Boyd, Director of Public Works Frank Welch, and Zoning Officer Andy Beall.

Visitors: Steve Pearson and Jim Ford.

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

Call to order by Mayor Auxer at 6:31 pm.

Approval of the Town Council Meeting Draft Minutes of November 8, 2022.

C. Stroech- move to approve Town Council Draft Minutes of November 8, 2022. Second by C. Roberts. No objections noted.

Agenda Item 3 – Public Comment Period:

- a. 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.

Agenda Item 5 – Public Hearings:

- a. First Reading To An Ordinance Re-Enacting Section 9-207 Of Chapter 2 Of Title 9 Of The Code Of Shepherdstown, West Virginia, To Prohibit Driveways That Cross Public Sidewalks.
Mayor – those that are existing and currently approved are grandfathered in.

L. Robertson – move to approve the First Reading To An Ordinance Re-Enacting Section 9-207 Of Chapter 2 Of Title 9 Of The Code Of Shepherdstown, West Virginia, To Prohibit Driveways That Cross Public Sidewalks. Second by J. Haynes. No objections noted.

- b. First Reading To An Ordinance Re-Enacting Section 11-405 Of Chapter 4 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To prohibit Driveways That Cross Public Sidewalks.

J. Haynes – move to approve the First Reading To An Ordinance Re-Enacting Section 11-405 Of Chapter 4 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To prohibit Driveways That Cross Public Sidewalks. Second by C. Stroeck. No objections noted.

- c. First Reading To An ordinance Section 9-902 Project Permits.
A. Beall – there have been no changes in fees for 10-years. This change went from 5 to 4 categories and mainstreamed it with other municipalities. The most significant change is to New Construction. Based on square footage. Currently we are ½ of what other local municipalities are doing.

L. Rampy – move to approve the First Reading To An ordinance Section 9-902 Project Permits. Second by C. Roberts. No objections noted.

Agenda Item 6 – Unfinished Business:

- a. Market House – update
Mayor – we do not need a new roof, it needs to be repaired, sealed and painted.

M. Amerikaner – is concerned that the estimate came from someone who is not an actual roofer. This is important.

C. Stroech – agreed – we need a person who specializes in roofing.

Mayor – we can do that – we will put it back on Public Works agenda.

L. Rampy – also, the MH criteria from the council went to Lori and it needs to be compiled.

L. Robertson – there's some confusion as to why the criteria was coming to me. It was supposed to be sent to the mayor or Amy.

Mayor – please send any criteria to me or to Amy. Leah offered to help compile it. Lets have a meeting regarding this January 3 at 5 p.m.

b. Short-term rental – update

Mayor – the state legislature passed legislation that is in conflict with their own zoning legislation.

C. Stroech – there is definitely conflict here and he has concerns over it.

M. Amerikaner – if we can regulate our own zoning – we can't discriminate between different types of rentals.

A. Beall – currently we only allow short-term rentals in 2 zoning areas.

Mayor – it says we can do it anywhere under Home Rule – but it is still in conflict with ours. We may want to have a meeting at the Community Club for public input.

C. Stroech – he sees this moving through the court system for a determination.

L. Robertson – gave the history of the research she did for short-term rentals across the country in various size towns/cities and the pros and cons. There were parameters laid out for historic towns so the historic nature would not be lost. However, when Chazz was here, he stated that no parameters could be set forth, so I'm not sure this would be feasible. I also don't see the need to hold a public meeting until we have the facts of what we can and cannot actually do. It will just be confusing.

L. Rampy – what's the process to engage the community?

Mayor – lets keep this on the January agenda to continue the discussion.

Agenda Item 7 – Old Business:

- a. None

Agenda Item 8 – New Business:

- a. Training for Elected and Appointed Town Officials – January 19, 2023 at 5:30 p.m. Shepherd University Byrd Center.

L. Robertson – can the training be videoed if some can't attend?

A. Boyd – she'd look into it. This way we'd have it for future trainings.

- b. Update of Town's website – approve of selected proposal –

J. Ford – the RFP was sent out and received 4 responses back addressing the basic criteria. From the 4 responses that were interviewed, 2 of the companies were worth pursuing further. One had no up front money required but each feature had a cost associated with it and there was \$6K annual fee. One had up-front money required; the annual fee was less with each year the annual fee becoming less. Liked this one.

evogov is the recommendation. They can start right away and it should be up and running within 3-months.

A. Boyd – has historically liked evogov – they gave a top-notch presentation and have more features than we can use – any future new features are free to us. It's very user friendly.

L. Robertson – move to accept the recommendation of evogov and to authorize Mayor Auxer to sign the contract. Second by C. Roberts. No objections noted.

Agenda Item 9 – Mayor's Report:

- Board of Education – met recently and voted to dig their own well and septic system. They agreed to sign the Temporary Construction Easement Agreement for the bike path.
- The Police Committee interviewed several applicants and made an offer to Officer Kelvington (he was an officer with Shepherd for over 20 years.)
- We are getting the required Temporary Construction Easements for the homeowners and businesses along Rt. 480 between the

Middle School and the park for the bike path. Lori gave a special shout out to Kenny Shipley, Frank Welch, and Matt Mullenax for their help.

- Looking forward to seeing the proposed budget from Experience Shepherdstown in January.
- L. Rampy – can we get another budget report, year to date? She would like to see the whole picture and get clarification on the general fund parameters at the next finance meeting.
Mayor will get that for the next meeting – budget vs. actual.
Chris Stroeck – we need to set up a finance meeting and address these concerns and have the CPA come. Jan. 27th at 10:45 a.m.
Amy Boyd – we can absolutely go to monthly budget reports again.
M. Amerikaner – we need to see the numbers for future increases/expenditures.
Mayor – Public Works has a list of equipment needs.
- C. Stroeck – stated that approximately 50 people attended the Forum on Shepherdstown and we received some great feedback.

Agenda Item 10 – Reports of Committees:

A. Finance Committee:

1. No meeting in November 2022
2. Finance Reporting:
 3. Recommendations
 - a. None

B. Parking Committee:

1. No November 2022 meeting
2. Recommendations: None

C. Police Committee:

1. No November 2022 meeting
2. Recommendations: None

D. Parks and Recreation Committee:

1. Meeting minutes of November 2022 - not available
2. Recommendations:

- a. None
C. Roberts – the parks will have new mulch put down in the spring. Flexipave will start to go down early January for the path in Cullison – the color is called Cayenne. Also, 2 Little Library’s have been installed.

E. Public Works Committee:

- 1. Meeting minutes of November 2022 – not available
- 2. Recommendations:
 - a. Revision to Section 11-405 Driveways across sidewalks - see above

F. Path Advisory Committee

- 1. No meeting in November 2022
- 2. Recommendations:
 - a. None

G. Grants Committee

- 1. No meeting November 2022
- 2. Recommendations:
 - a. None

Agenda item 11 – Report of Commissions, Authority and Boards:

1. Historic Landmarks Commission:

- 1. Meeting minutes of November 2022
- 2. Recommendations:
 - a. None

2. Planning Commission:

- 1. Meeting minutes of November 2022 – not available
- 2. Recommendations:
 - a. Revision to 9-207 Off-Street Parking Requirements and 9-902 Permit Fee Schedule. See above.
L. Rampy – the comprehensive plan work is going well.
Philip Baker-Shenk will come and to report.

3. Tree Commission

1. Meeting minutes of November 2022 – not available
2. Recommendations:
 - a. None
 - L. Robertson – The Devonshire sidewalk and curb is in the works.

4. Water and Sanitary Board:

- 1 –Meeting minutes of December 1, 2022 - not available
- 2 – Recommendations:
 - a. None

5. Board of Appeals

1. None scheduled.

C. Roberts – move to adjourn at 8:09 p.m. Second by C. Stroeck. No objections noted.

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